

Regular Session

Tuesday, March 7, 2017 7:30 PM

South Harrison Community School Corporation Administrative Center, 315 South Harrison Drive, Corydon, IN 47112

I. Call to Order

II. Roll Call

III. Pledge of Allegiance

IV. Approval of Amended Agenda

V. Special Recognitions

V.1. CCHS Swimmer - Gracie Saulman - Advancement to State

V.2. SCHS Girls' Basketball Team - Sectional Champions

VI. Student Council Presentations

VII. Special Presentations

VII.1. New Middletown Elementary School Presentation

Presenter: Principal Wendy Carter & NMES Student Council

VIII. Public Address to the Board

IX. Consent Agenda

IX.1. Board of School Trustee Minutes - Executive and Regular Sessions - Tuesday, February 7, 2017

IX.2. Claim Docket - March 7, 2017

IX.3. Personnel

IX.3.a. Corporation

IX.3.a.1) Position Title Clarification - College and Career Readiness Coordinator

IX.3.a.2) Support Staff - Professional Development Day - May 2, 2017

IX.3.a.3) Certified Staff - South Harrison Summer Institute of Curriculum, Instruction & Technology - June 5 & 6, 2017

IX.3.a.4) Jeremy Ledford - Extended Regular Teacher Contract

IX.3.a.5) Carl Duley - Bus Driver

IX.3.a.6) Paul Mason - Bus Driver

IX.3.a.7) Brenda Uhl - Bus Driver

IX.3.a.8) **Joel Hubbard - Bus Driver**

IX.3.b. Harrison County Exceptional Learners
Cooperative

IX.3.b.1) **Vera Rutherford - Homebound Instructor**

IX.3.b.2) **Sarah Bahe - Homebound Instructor**

IX.3.c. Corydon Central High School

IX.3.c.1) **Kimberly Frederick - Athletic Director**

IX.3.c.2) **Michael Emmert - Interim Athletic
Director**

IX.3.c.3) **Aaron Dougherty - Assistant Track Coach
Women's**

IX.3.c.4) **Eric Rowland - Varsity Wrestling Coach**

IX.3.c.5) **Jack Miles - Volunteer Assistant Golf
Coach Men's**

IX.3.c.6) **Michael Wiseman - Volunteer Assistant
Golf Coach Men's**

IX.3.c.7) **Gary Ripperdan - Volunteer Assistant
Baseball Coach**

IX.3.c.8) **Steve Sipes - Volunteer Assistant
Baseball Coach**

IX.3.c.9) **Adam Yeager - Volunteer Baseball Junior
Assistant Coach**

IX.3.d. Corydon Central Junior High School

IX.3.d.1) **Daniel Barr - Custodian**

IX.3.d.2) **Marcee LaHue - Volunteer Assistant Track
Coach**

IX.3.d.3) **Daniel Suddarth - Teacher**

IX.3.e. Corydon Intermediate School

IX.3.e.1) **Angela Garretson - Cook**

IX.3.f. Corydon Elementary School

IX.3.f.1) **Janice Kirkham - Title 1 Instructional
Assistant**

IX.3.f.2) **Sandra Miller - LPN/Instructional
Assistant**

IX.3.g. Heth-Washington Elementary School

IX.3.h. New Middletown Elementary School

IX.3.h.1) **Justin King - Custodian**

IX.3.i. South Central Elementary School

IX.3.i.1) **Susan Eastridge - Teacher**

IX.3.j. South Central Junior/Senior High School

IX.3.j.1) **Hunter Stark - Junior High Tennis Coach
Girls'**

IX.3.j.2) **Chelsea Thomas - 1/3 Senior Class Sponsor**

IX.3.j.3) **Alexander Wiseman - Volunteer Assistant
Baseball Coach**

IX.4. Operational Matters

IX.4.a. Corporation

IX.4.a.1) **Support Staff Salary Schedules &
Conditions of Employment 2016-2017 School Year**

IX.4.a.2) **Memorandum of Understanding - Midwest &
Plains Equity Assistance Center**

IX.4.a.3) **Camp Invention - Additional Funds - Due
to Increase of Students**

IX.4.a.4) **Agreement - Thomas P. Miller & Associates
- Lilly Counseling Initiative Activities - \$8,500**

IX.4.b. Harrison County Exceptional Learners
Cooperative

IX.4.b.1) **Professional Services Agreement - The
SpeechTree Corporation, DBA IEP Therapy -
Speech-Language Pathologist (SLP) - Remainder of
the 2016-2017 School Year**

IX.4.c. Corydon Central High School

IX.4.c.1) **Donation - First Harrison Bank - \$2,000 -
Athletic Department - Record Board for Swim Team**

IX.4.d. Corydon Central Junior High School

IX.4.e. Corydon Elementary School

IX.4.f. Corydon Intermediate School

IX.4.g. Heth-Washington Elementary School

IX.4.h. New Middletown Elementary School

IX.4.i. South Central Elementary School

IX.4.i.1) **Surplus Equipment Disposal - Laconia
Grade School Bell**

IX.4.j. South Central Junior/Senior High School

IX.4.j.1) **School Portrait Agreement - Lifetouch
Studios - School Pictures for the 2017-2018
School Year**

IX.5. Field Trips

IX.5.a. Corydon Central High School

IX.5.a.1) **Overnight Fieldtrip - Future Farmers of
America State Convention - Purdue University -
Monday, June 19, 2017 through Thursday, June 22,
2017**

IX.5.b. Corydon Central Junior High School

IX.5.b.1) **Fieldtrip - 8th Grade - Holiday World -
Wednesday, May 31, 2017 (Rain Date , Thursday,
June 1, 2017)**

IX.5.c. Corydon Elementary School

IX.5.d. Corydon Intermediate School

IX.5.e. Heth-Washington Elementary School

IX.5.f. New Middletown Elementary School

IX.5.g. South Central Elementary School

IX.5.g.1) **Fieldtrip - 4th Grade - State Museum &
Capitol Building - Indianapolis, IN - Wednesday,
March 15, 2017**

IX.5.g.2) **Fieldtrip - 5th Grade - Symphony & Art
Museum - Indianapolis, IN - Thursday, May 11,
2017**

IX.5.h. South Central Junior/Senior High School

IX.6. Other

X. Unfinished Business

X.1. Motions as the Result of Executive Session

X.2. **Second Reading of Policy 0100, Bylaws**

X.3. **Second Reading of Policy 1520, Administration:
Employment of Administrators in Addition to the
Superintendent**

X.4. **Second Reading of Policy 1520.08,
Administration: Employment of Personnel for
Extracurricular Activities**

X.5. **Second Reading of Policy 1521, Administration:
Personal Background Checks and Mandatory
Reporting of Convictions and Substantiated Child
Abuse and Arrests**

X.6. **Second Reading of Policy 1619, Administration:
Group Health Plans**

X.7. **Second Reading of Policy 1619.01,
Administration: Privacy Protections of Self-
Funded Group Health Plans**

X.8. **Second Reading of Policy 1619.03,
Administration: Patient Protection and Affordable
Care Act**

X.9. **Second Reading of Policy 2623, Program: Student
Assessment**

X.10. **Second Reading of Policy 3120.08,
Professional Staff: Employment of Personnel for
Extracurricular Activities**

X.11. **Second Reading of Policy 3121,
Professional Staff: Personal Background Checks
and Mandatory Reporting of Convictions and**

Substantiated Child Abuse and Arrests

- X.12. **Second Reading of Policy 3124, Professional Staff: Employment Contracts with Professional Employees**
- X.13. **Second Reading of Policy 3419, Professional Staff: Group Health Plans**
- X.14. **Second Reading of Policy 3419.01, Professional Staff: Privacy Protections of Self-Funded Group Health Plans**
- X.15. **Deletion of Policy 3419.02, Professional Staff: Privacy Protection of Fully Insured Group Health Plans**
- X.16. **Second Reading of Policy 3419.03, Professional Staff: Patient Protection and Affordable Care Act**
- X.17. **Deletion of Policy 3420, Administration: Benefits for Nonrepresented Staff**
- X.18. **Second Reading of Policy 4120.08, Support Staff: Employment of Personnel for Extracurricular Activities**
- X.19. **Second Reading of Policy 4121, Support Staff: Personal Background Checks and Mandatory Reporting of Convictions and Substantiated Child Abuse and Arrests**
- X.20. **Second Reading of Policy 4419, Support Staff: Group Health Plans**
- X.21. **Second Reading of Policy 4419.01, Support Staff: Privacy Protections of Self-Funded Group Health Plans**
- X.22. **Deletion of Policy 4419.02, Professional Staff: Privacy Protection of Fully Insured Group Health Plans**
- X.23. **Second Reading of Policy 4419.03, Support Staff: Patient Protection and Affordable Care Act**
- X.24. **Deletion of Policy 4420, Support Staff: Group Insurance Program**
- X.25. **Second Reading of Policy 5111, Students: Determination of Legal Settlement and Eligibility for Enrollment of Students Without Legal Settlement in the Corporation**
- X.26. **Second Reading of Policy 5340.01, Students: Student Concussions and Sudden Cardiac Arrest**
- X.27. **Second Reading of Policy 5460, Students: Graduation Requirements**
- X.28. **Second Reading of Policy 5530, Students: Drug Prevention**
- X.29. **Second Reading of Policy 5830, Students: Student Fundraising**
- X.30. **Second Reading of Policy 6605, Finances: Crowdfunding**
- X.31. **Second Reading of Policy 6700, Finances: Fair Labor Standards Act ("FLSA")**
- X.32. **Second Reading of Policy 7540, Property: Technology**
- X.33. **Second Reading of Policy 7540.01, Property: Technology Privacy**

- X.34. Second Reading of Policy 7540.02,
Property: Web Content, Apps and Services
- X.35. Second Reading of Policy 8120,
Operations: Volunteers
- X.36. Second Reading of Policy 8121,
Operations: Personal Background Check -
Contracted Services
- X.37. Second Reading of Policy 8330,
Operations: Student Records
- X.38. Second Reading of Policy 8340,
Operations: Letter of Reference or Employment
Reference
- X.39. Second Reading of Policy 8400,
Operations: School Safety
- X.40. Second Reading of Policy 8405,
Operations: Environmental Health and Safety
Issues - Indoor Air Quality, Animals in the
Classroom, and Idling Vehicles on School Property
- X.41. Second Reading of Policy 8455,
Operations: Coach Training
- X.42. Second Reading of Policy 9700, Relations:
Relations with Special Interest Groups

XI. New Business

XII. Superintendent's Communications and Reports

- XII.1. South Central Elementary School - 30
Year Anniversary & Indiana Department of
Education "A" School Recognition Celebration -
Friday, March 10, 2017 - 5:30 - 8:00 pm

XIII. Board Members' Communication, Reports and Questions

XIV. Upcoming Events

- XIV.1. Legislator Breakfast - Harrison County
Government Center - Saturday, March 11, 2017,
9:00 - 10:30 am
- XIV.2. NSBA National Convention - Denver, CO -
Saturday, March 25, 2017 through Monday, March
27, 2017
- XIV.3. South Harrison Community School
Corporation Senior Academic Banquet - Sunday,
April 23, 2017, 1:00 pm - South Central Campus
- XIV.4. Corydon Central High School Senior Awards
Night - Thursday, June 1, 2017, 6:00 pm
- XIV.5. South Central Junior Senior High School
Senior Awards Night - Friday, June 2, 2017, 6:00
pm
- XIV.6. Corydon Central High School Graduation -
Sunday, June 4, 2017, 1:30 pm
- XIV.7. South Central High School Graduation -
Sunday, June 4, 2017, 4:00 pm
- XIV.8. Camp Invention - Monday, June 12, 2017
through Friday, June 16, 2017 - Corydon
Intermediate School
- XIV.9. Special Session for Corporation Audit -
Monday, July 24, 2017

XIV.10. Harrison County Fair - Sunday, June 18
through Saturday, June 24, 2017

XIV.11. 2017-2018 Preschool & Kindergarten Round-
Up Dates (Published March 22, 29 & April 5, 2017)

XIV.11.a. Corydon Elementary School - April 11 &
13, 2017, 3:30 - 6:30 pm

XIV.11.b. South Central Elementary School - April
17, 2017, 3:30 - 6:30 pm

XIV.11.c. New Middletown Elementary School - April
18, 2017, 3:00 - 5:30 pm

XIV.11.d. Heth-Washington Elementary School - April
20, 2017, 2:30 - 5:30 pm

XV. Adjournment

Board Secretary

REVISED BYLAW - TECHNOLOGY UPDATE

DEFINITIONS

As used in the School Board's ~~() bylaws and policies~~ **(X) bylaws and policies** and the Superintendent's administrative guidelines **[END OF OPTION]**, the following terms shall have the meaning set forth below:

Administrative Guideline

A written statement adopted and approved by the Superintendent which is consistent with Board policy to outline and prescribe procedures to be used in implementing Board policy.

Apps and Web Services

Apps and web services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100, below) over a network or client-server applications in which the user interface runs in a web browser. Apps and web services are used to communicate or transfer information or data that allow students to perform actions or tasks that assist them in attaining educational achievement goals and objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and web services also are used to facilitate communication to, from, and among and between staff, students, and parents.

Board

The Board of School Trustees (or Education), which is the governing body of the Corporation as defined in I.C. 20-18-2-5.

Bylaw

A rule of the Board for its own governance adopted by a Board vote at a meeting.

Certificated Employee

An employee of the Board in a position that requires a license or permit from the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-4. The term includes teachers, and all administrators in positions requiring a license or permit from the Division of Professional Standards of the Indiana Department of Education.

Classified Employee

A non-certificated employee as defined in these definitions. Synonymous with "support" and "non-professional."

Corporation

The South Harrison Community School Corporation.
[Insert name of Corporation.]

Due Process

Procedural due process requires an established rule or standard, notice of facts of an alleged violation and the applicable rule or standard (accusation), and an opportunity to respond before a decision is made.

Full Board

All members of the Board.

Information Resources

The Board defines Information Resources to include any data or information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data or information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs, DVDs, web sites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

May

A statement providing that an action is permitted but not required.

Meeting

A gathering of the majority of the members of the Board for the purpose of taking "official action" on "public business" of the Corporation. See Indiana Code 5-14-1.5-2(c), (d), and (e).

Non-Certificated Employee

An employee of the Board employed in a position that does not require a permit or license issued by the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-11. Synonymous with "classified employee" and "support employee".

Official Action

Board action to receive information, deliberate, make recommendations, establish policy, make decisions, or take final action. See Indiana Code 5-14-1.5-2(d).

Parent

The natural or adoptive parent(s) or the party designated by a court as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court terminates or otherwise limits parental rights.

Personal Communication Devices

Personal communication devices (“PCDs”) include computers, laptops, tablets, e-readers, cellular or mobile phones, smartphones, ~~() telephone paging devices (e.g., beepers or pagers), -[END OF OPTIONS]~~ and/or other web-enabled devices of any type.

Policy

A general, written statement approved by the Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of School Trustees (or Education) (see Bylaw 0170).

Principal

A professional employee who is assigned to be the educational leader and head administrator of one or more Corporation schools. The term is synonymous with the building administrator in charge of a facility. The use of the term includes a delegate unless the law, policy or guideline specifically prohibits delegation. “Vice Principal” or “Assistant Principal” means an administrator assisting a Principal with the performance of all or a portion of the duties assigned to the Principal.

Professional Employee or Professional Staff Member

An employee of the Board in a position that requires a license or permit from the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-4. The term includes teachers, and all administrators in positions requiring a license or permit from the Department of Professional Standards of the Indiana Department of Education. Synonymous with "certificated employee."

Public Business

The performance by the Board of a function upon which it is specifically authorized to take official action, or not statutorily prohibited from performing. See Indiana Code 5-14-1.5-2(e), Indiana Code 20-26-3, and Indiana Code 20-26-5-4.

Relative

The mother, father, sister, brother, spouse, child, parent of spouse, grandparents, grandchild, or dependent residing in the immediate household of a person.

Secretary

An officer of the Board of School Trustees (or Education) responsible for preparation of minutes of Board meetings and custody of the Records of the Board (see Bylaw 0170).

Shall

Expressing non-discretionary required action or action, synonymous with "will" or "must".

Student

A person who is officially enrolled in a school or program of the Corporation.

Superintendent

The chief executive officer of the Corporation. The use of the term includes a delegate unless the law, policy or guideline specifically prohibits delegation.

Support Employee

A non-certificated employee as the term is used in Indiana Code 20-29-2-11, and as defined in these definitions.

Teacher

A professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students. The term includes a superintendent who holds a license under I.C. 20-28-5, a principal, a teacher, a librarian, school psychologist and a school counselor. See I.C. 20-28-2-22

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular or mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile or portable storage devices, such as external hard drives, CDs, DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Vice-President

The Vice-President of the Board of School Trustees (or Education) (see Bylaw 0170).

Voting

An action by which a member of the Board indicates approval or rejection of a motion by a Board member that has been seconded by another Board member at a meeting convened in compliance with all applicable laws including the Indiana Open Door Law (Indiana Code 5-14-1.5). Also see Bylaw 0167.1.

Using Citations to Indiana and Federal Statutes, Rules and Cases

Citations to Indiana Law, Rules and Court Decisions

Citations to the Indiana Code are shown as I.C. or Ind. Code. The numbers which follow I.C. or Ind. Code separated by a hyphen state the title, article, chapter, section, and subsection of an Indiana statute. So Ind. Code 5-14-1.5-6.1(a) is found at title 5, article 14, chapter 1.5, section 6.1, subsection (a).

Citations to the Indiana Administrative Code ("IAC" or "I.A.C.") are prefaced by a title and followed by an article, rule, and section number. So 511 I.A.C. 6-5-1 identifies title 511, article 6, rule 5, section 1.

Citations to Indiana cases begin with a citation to a volume and page in Thompson West Northeast Reporter Series. So a citation to 545 N.E.2d 341 (Ind. 1997) is a cite to volume 545, page 341 of the Northeast Reporter, Second Series. The "(Ind. 1997)" tells the reader the case cited is an Indiana Supreme Court decision issued in 1997.

Citations to Federal Laws, Rules and Court Decisions

Citations to the United States Code ("USC" or "U.S.C.") are preceded by a title number and followed by a section number. So 20 USC 1232g refers to title 20 of the United States Code section 1232g.

Citations to the Code of Federal Regulations ("C.F.R." or "CFR") are identified by a citation similar to the Indiana Administrative Code. The citation to the title precedes CFR, and the section number follows.

Federal cases are cited in much the same way as Indiana cases. Trial court decisions are reported in the Federal Supplement as "F. Supp." followed by the series number, such as "F. Supp.2d" for the second series of the Federal Supplement. Appellate decisions are published in the Federal Reporter, which is now in its third series. Citations in both the Federal Supplement and the Federal Reporter follow the same format. A volume number precedes the name of the volume, and a page number in that volume follows the volume number. So a cite to 406 F.3d 500 (7th Cir. 2005) directs the reader to volume 406 of the Federal Reporter Third Series, page 500. The (7th Cir. 2005) tells the reader that the case was issued by the Seventh Circuit Court of Appeals in 2005.

REVISED POLICY - VOL. 29, NO. 1

EMPLOYMENT OF ADMINISTRATORS IN ADDITION
TO THE SUPERINTENDENT

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

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

In addition to the Superintendent, individuals employed in the following ~~certificated positions covered by the Indiana State Teachers' Retirement Fund (TRF) positions~~ shall be considered administrators:

- (+) ~~A.~~ Assistant Superintendent
- (+) ~~B. director~~ Directors of Special Education
- (+) ~~coordinator~~
- (+) ~~C. p~~Principal
- (+) ~~D. a~~Assistant ~~p~~Principal
- (+) _____
- (+) _____

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

- A. ~~The~~ If the administrator is a certificated employee, the basic contract must be the Regular Teacher's Contract as prescribed by the State Superintendent.

- B. The term of the initial contract for principals, assistant principals, and the director of special education must be for at least two (2) school years.
- C. The ~~basic Regular Teacher's Contract~~ contract may be altered, modified, or rescinded in favor of a new contract at any time by mutual consent of the Board and the administrator if the contract, when reduced to writing is consistent with Indiana law.
- D. Administrators other than the Superintendent, Assistant Superintendent, Directors of Special Education, principal, and assistant principal, and _____ shall be
 - ~~() "at will" employees. Their employment may be terminated with or without cause at any time.~~
 - (X) employed by specific contract. The term of the initial contract must be for at least two (2) _____ (X) school years () months.**

~~In addition to the Superintendent, individuals employed in the following non-certificated positions shall also be considered administrators:~~

~~Administrators who are employed in non-certificated positions shall be:~~

- ~~() "at will" employees. Their employment can be terminated with or without cause at anytime.~~
- ~~() employed by specific contract. The term of the initial contract must be for at least () _____ school years () months.~~

~~[]~~ The contract may be altered, modified, or rescinded in favor of a new contract at any time by mutual consent of the Board and the administrator if the contract, when reduced to writing is consistent with Indiana law.

[X] ~~Such approval shall be given only to~~ Only those candidates for employment recommended by the Superintendent will be employed by the Corporation.

~~[]~~ ~~Such approval shall be given only to~~ Only those candidates for employment chosen by the Board from a group selected by the Superintendent will be employed by the Corporation.

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

~~[]~~ The Board will not employ (but may reemploy) the

~~(+)~~ children, siblings, spouse, parents, in-laws, or bona fide dependents of a Board member.

~~(+)~~ children, siblings, spouse, parents, in-laws, or bona fide dependents of a regular full-time administrator.

~~(+)~~ except that such relatives or dependents may be employed only for a period which does not exceed one (1) school year.

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

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

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

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

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

~~[] No candidate for employment as an administrator shall receive recommendation for such employment without having proffered documentary evidence of his/her license or pending application for license from the Office of Educator Licensing and Development of the Indiana Department of Education. Such license must indicate all of the areas in which the candidate has been licensed. No deletions are acceptable.~~

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

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

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

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

~~I.C. 12-32-1-6, 20-26-5-4(8), 20-28-6-2 thru -7, 20-28-8-1 thru -12, 35-44.1-1-4
I.C. 12-32-1-6, 20-26-5-4(8), 20-28-8-4, 35-44-1-3~~

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NEW POLICY - VOL. 29, NO . 1

EMPLOYMENT OF PERSONNEL FOR EXTRACURRICULAR ACTIVITIES

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

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

The Board requires that:

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

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

- B. After June 30, 2017, prior to coaching students in grades 5 - 12, all head and assistant coaches of interscholastic sports other than football, including cheerleading, shall complete a certified coaching education course approved by the Indiana Department of Education at least once during a two (2) year period that:
1. contains player safety content on concussion awareness;
 2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
 3. awards a certificate of completion to a coach who successfully completes the course.

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

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

[THE FOLLOWING TRAINING IS OPTIONAL; CHOOSE THE OPTIONS THAT THE BOARD WISHES TO INCLUDE IN THE POLICY]

Additionally, the Board requires that:

All head and assistant coaches of students of any age participating in interscholastic or intramural sports other than football, including the cheerleading, shall complete a certified coaching education course approved by the State Department of Education at least once during a two (2)-year period that:

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
3. awards a certificate of completion to a coach who successfully completes the course.

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

All coaches and athletic activity sponsors **[END OF OPTION]** of interscholastic or intramural sports for students of any age shall receive training about concussions and sudden cardiac arrest **[END OF OPTION]** at least once during a two (2)-year period.

All coaches and athletic activity sponsors **[END OF OPTION]**, other than football coaches, shall be required to complete a coaching education course that contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach and athletic activity sponsor **[END OF OPTION]** must complete a course not less than once during a two (2)-year period.

[END OF OPTIONS]

The Superintendent shall require that each person employed as a coach or athletic activity sponsor is qualified, has cleared a background check required by State law and Policy 1521 or Policy 8120, and has received the training required by State law and this policy.

I.C. 20-34-7

I.C. 20-34-8

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REVISED POLICY - VOL. 29, NO. 1

**PERSONAL BACKGROUND CHECKS AND MANDATORY REPORTING
OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE (X) AND ARRESTS**

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's administrative staff.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment as an administrator which shall include the following:

- A. an expanded national criminal history check as defined by I.C. 20-26-2-1.5
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~B,C.~~ a search of the national sex offender registry maintained by the United States Department of Justice
- D. beginning July 1, 2017, a search of the State child abuse registry
- ~~C,E.~~ telephone inquiry with former employer(s)
- ~~D,F.~~ explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- ~~E,G.~~ verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1
- ~~(+)~~ ~~fingerprint check~~
- (X) a detailed background history including all prior employment and volunteer positions

- an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board may deny employment to an applicant who is: ~~convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law.~~

- A. convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law; or
- B. the subject of a substantiated report of child abuse or neglect.

Each applicant shall certify under penalty of perjury his/her eligibility to be employed by the Board as a United States citizen or a qualified alien. ~~The Board may deny employment to an applicant who is convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law.~~

- Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute.

- ~~(+) or employ the applicant as a substitute.~~

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, ~~or defend a decision made pursuant to this policy,~~ or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

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

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

- (~~X~~) arrest or the filing of criminal charges against the employee; ~~and~~
- A. conviction of the employee for a crime; and
- B. substantiated report of child abuse or neglect of which the employee is the subject

~~conviction of criminal charges~~ to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the ~~convicted administrator~~ administrator who was convicted or the subject of a substantiated report of child abuse or neglect.

I.C. 5-2-22
I.C. 10-13-3
I.C. 20-26-2-1.3
I.C. 20-26-2-1.5
I.C. 20-26-5-10, -11 and -11.5
I.C. 20-28-5-8
~~I.C. 10-13-3~~
~~I.C. 20-26-2-1.5~~
~~I.C. 20-26-5-10 and -11~~
~~I.C. 20-28-5-8~~

NEW POLICY VOL. 29, NO. 1

GROUP HEALTH PLANS

The School Board shall have discretion to establish and maintain group health plans for the benefit of eligible employees. Group health plans, as the term is used in this policy, may include, but would not be limited to, major medical, prescription drug, dental and/or vision plans. These group health plans may provide certain health benefits to employees and eligible dependents as permitted by law.

[OPTION 1]

The Board has elected to provide major medical coverage that provides minimum value coverage under the Affordable Care Act for some or all of its eligible employees. The terms and conditions of the health coverage are set forth in the appropriate plan documents.

~~Eligible employees who have coverage through the employer of a working spouse may receive additional compensation if they waive the School Corporation's medical coverage. Eligible employees who waive the medical coverage will be paid an additional () monthly () quarterly compensation equal to _____ percent (___%) of the cost of single medical coverage for that employee, with the understanding that this additional compensation is subject to FICA and Federal, State and local income tax. To receive this compensation, the eligible employee must provide the Corporation with proof of medical coverage provided by the spouse's employer.~~

[This optional language should be adopted only if the Corporation has established a flexible benefit plan qualified by the Internal Revenue Service].

[END OF OPTION 1]

[OPTION 2]

~~[] The Board has elected not to provide major medical coverage that provides minimum value coverage under the Affordable Care Act for any of its eligible employees. The Board is aware that the failure to offer minimum value health coverage to employees may result in penalties under the Affordable Care Act.~~

[END OF OPTION 2]

The Patient Protection and Affordable Care Act, 42 U.S.C. 18001 et seq.

NEW POLICY - VOL. 29, NO. 1

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

The School Board provides coverage to eligible employees under self-funded group health plans. The Board has established the following self-funded group health plans:

- (X) Medical Plan
- (+) ~~Prescription Drug Plan~~
- (X) Dental Plan
- (X) Vision Plan
- (+) ~~Employee Assistance Plan~~
- (+) ~~Long term Care Plan (not long term disability)~~
- (+) ~~Health Flexible Spending Accounts (FSA)~~
- (X) Other; specify Health Savings
Account

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. Certain health information maintained by these group health plans is afforded significant protection by this Federal law.

The Board hereby appoints the Superintendent or designee to serve as the Privacy Official of the group health plans. The Privacy Official shall develop, propose to the Board, and implement after adoption policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. The Privacy Official shall verify that the policies and procedures are current and comply with Federal law.

The Board also acknowledges that the HIPAA Security Rule requires the group health plans to implement various security measures with respect to electronic Protected Health Information. The Board hereby appoints the Superintendent or designee _____ to serve as the Security Official of the group health plans.

The Security Official is responsible for monitoring Federal law pertaining to HIPAA and recommending any revisions to the policies and procedures that are needed to comply with Federal law. The Security Official is responsible for conducting a risk analysis and developing, proposing to the Board, and implementing policies and procedures adopted by the Board for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. The Security Official is responsible for monitoring Federal law pertaining to HIPAA and recommending any revisions needed to comply with Federal law.

The Board further delegates authority to the Privacy Official and/or the Security Official to undertake such other actions as provided by the HIPAA administrative guidelines in effect from time to time. The Privacy Official and/or Security Official shall report his/her progress to the Board.

[x] The Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals.

Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability imposed is the result of intentional misconduct or gross negligence, as defined by law.

The group health plans administrator(s) shall provide timely notifications of breaches of unsecured protected health information in accordance with the Health Information Technology for Economic and Clinical Health (HITECH) Act and accompanying regulations.

The Board reserves the right to revoke any or all appointments set forth in this policy at any time for any reason.

- 29 U.S.C. 1181 et seq.
- 42 U.S.C. 300gg
- 42 U.S.C. 300jj et seq.
- 42 U.S.C. 1320d et seq.
- 42 U.S.C. 17901 et seq.
- 45 C.F.R. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)
- 45 C.F.R. 164.308
- 45 C.F.R. 164.530

NEW POLICY - VOL. 29, NO. 1

PATIENT PROTECTION AND AFFORDABLE CARE ACT

The School Board acknowledges that the Patient Protection and Affordable Care Act (“ACA”) imposes certain obligations upon the School Corporation. Such obligations may include the following:

- A. The Corporation shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee’s employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the Corporation have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the Corporation enrolls in the Health Insurance Marketplace and receives a subsidy, then the Corporation may be liable for a penalty.

In the event that the Corporation concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the Corporation shall incur the potential penalty.

29 U.S.C. 218B
26 U.S.C. 4980H

REVISED POLICY - VOL. 29, NO. 1

STUDENT ASSESSMENT

The School Board, in compliance with law and rules of the State Board of Education, shall implement the ~~Indiana Statewide Testing for Educational Progress Plus (ISTEP+)~~ State Board-approved statewide achievement test to assess student achievement and needs in English/language arts, mathematics, social studies, science, and other designated subjects in order to determine the progress of students and to assist them in attaining Corporation and State Department goals.

Additionally, the Board shall administer any end of course exams as may be required by the State Board ~~of Education~~ in grades 9 through 12. The end of course examinations for ~~algebra one~~ Algebra I and English 10 comprise the graduation examination.

The Board shall comply with the requirements of the State Board of Education in administering the Indiana Reading Evaluation and Determination (IREAD-3) Assessment to students enrolled in grade 3.

The Superintendent shall develop and implement a plan which complies with guidelines established by the Department of Education.

~~I.C. 20-32-2~~

~~I.C. 20-32-8~~

~~I.C. 20-32-8.5~~

~~511 IAC 5~~

~~511 IAC 6.2-3.1~~

~~I.C. 20-32-2 et seq., 20-32-8 et seq.~~

~~I.C. 20-32-8.5-2~~

~~511 IAC 5-2-3~~

~~511 IAC 6.2-3.1-3~~

REVISED POLICY - VOL. 29, NO . 1

EMPLOYMENT OF PERSONNEL FOR EXTRACURRICULAR ACTIVITIES

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

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

The Board requires that:

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

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

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

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

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
3. awards a certificate of completion to a coach who successfully completes the course.

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

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

[THE FOLLOWING TRAINING IS OPTIONAL; CHOOSE THE OPTIONS THAT THE BOARD WISHES TO INCLUDE IN THE POLICY]

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Additionally, the Board requires that:

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All head and assistant coaches of students of any age participating in interscholastic or intramural sports other than football, including the cheerleading, shall complete a certified coaching education course approved by the State Department of Education at least once during a two (2)-year period that:

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
3. awards a certificate of completion to a coach who successfully completes the course.

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

All coaches () and athletic activity sponsors [END OF OPTION] of interscholastic or intramural sports for students of any age shall receive training about () concussions () and sudden cardiac arrest [END OF OPTION] at least once during a two (2)-year period.

[X] All coaches **(X)** and athletic activity sponsors **[END OF OPTION]**, other than football coaches, shall be required to complete a coaching education course that contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach **(X)** and athletic activity sponsor **[END OF OPTION]** must complete a course not less than once during a two (2)-year period.

~~All coaches and athletic activity sponsors shall receive training about concussions and sudden cardiac arrest. All football coaches shall also complete a certified coaching education course that is sport specific; contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique; requires the football coach to complete a test demonstrating comprehension of the content of the course; and awards a certificate of completion to a football coach who successfully completes the course. The certification course must be completed prior to coaching. The course must be approved by the Indiana Department of Education, and each football coach must complete a course not less than once during a two (2) year period. However, each football coach must complete instruction and successfully complete a test if s/he receives notice that new information has been added to the course prior to the end of the two (2) year period.~~

~~[] All coaches and athletic activity sponsors, other than football coaches, shall be required to complete a coaching education course that should contain player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach and athletic activity sponsor must complete a course not less than once during a two (2) year period.~~

[END OF OPTIONS]

~~The Superintendent shall establish administrative guidelines to ensure that each person employed as a coach or activity sponsor has the appropriate qualifications, has been properly interviewed, has cleared a criminal background check, and has received the required training. The guidelines shall also provide the conditions of employment and compensation.~~

The Superintendent shall require that each person employed as a coach or athletic activity sponsor is qualified, has cleared a background check required by State law and Policy 3121 or Policy 8120, and has received the training required by State law and this policy.

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

REVISED POLICY - VOL. 29, NO. 1

**PERSONAL BACKGROUND CHECKS AND MANDATORY REPORTING
OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE (X) AND ARRESTS**

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's professional staff. Such an inquiry shall also be made for all substitutes.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment as a professional staff member which shall include the following:

- A. an expanded national criminal history check as defined by I.C. 20-26-2-1.5
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~B.C.~~ a search of the national sex offender registry maintained by the United States Department of Justice
- D. beginning July 1, 2017, a search of the State child abuse registry
- ~~C.E.~~ telephone inquiry with former employer(s)
- ~~D.F.~~ explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- ~~E.G.~~ verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1
- (+) ~~fingerprint check~~

- (X) a detailed background history including all prior employment and volunteer positions
- (X) an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board may deny employment to an applicant who is ~~convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law.~~

- A. convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law; or
- B. the subject of a substantiated report of child abuse or neglect.

Each applicant shall certify under penalty of perjury his/her eligibility to be employed by the Board as a United States citizen or a qualified alien. ~~The Board may deny employment to an applicant who is convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law.~~

- [X] Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute.
- (+) ~~or employ the applicant as a substitute.~~

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, ~~or defend a decision made pursuant to this policy,~~ or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

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

During the course of his/her employment with the ~~School~~ Corporation, each professional employee and substitute teacher shall be required to report ~~his/her~~ the

- ~~(X-)~~ arrest or the filing of criminal charges against the employee; and
- A. conviction of the employee for a crime; and
- B. substantiated report of child abuse or neglect of which the employee is the subject

~~conviction of criminal charges~~ to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the ~~convicted employee~~ employee who was convicted or the subject of a substantiated report of child abuse or neglect.

I.C. 5-2-22
I.C. 10-13-3
I.C. 20-26-2-1.3
I.C. 20-26-2-1.5
I.C. 20-26-5-10, -11 and -11.5
I.C. 20-28-5-8
~~I.C. 10-13-3~~
~~I.C. 20-26-2-1.5~~
~~I.C. 20-26-5-10 and -11~~
~~I.C. 20-28-5-8~~

REVISED POLICY - VOL. 29, NO. 1

EMPLOYMENT CONTRACTS WITH PROFESSIONAL EMPLOYEES

The School Board requires that each employee it employs in a certificated position sign a Regular Teacher's Contract, a Supplemental Service Teacher's Contract, or a Temporary Teacher's Contract using the form contract promulgated by the Superintendent of Public Instruction pursuant to I.C. 20-28-6-3, unless the teacher is taking a leave of absence or has been employed to serve in the absence of a teacher who is taking a leave of absence.

~~Each Board employee assigned to the position of principal, assistant principal, or director of special education shall sign an initial Regular Teacher's Contract, which by Statute shall have a term of the equivalent of at least two (2) school years.~~

[OPTION 1]

~~(+) A Board employee assigned to any other administrative position shall also sign an initial Regular Teacher's Contract with a term of the equivalent of at least two (2) school years.~~

[END OPTION 1]

[OPTION 2]

~~(+) A Board employee assigned to the following administrative positions, in addition to the principal, assistant principal or director of special education (list positions to be included) _____, _____, and _____ shall sign an initial Regular Teacher's contract with a term of the equivalent of at least two (2) school years.~~

[END OPTION 2]

~~After an initial contract, the length of a contract between the Board and an administrator shall be established by agreement of the parties. The minimum length of the Superintendent's initial Regular Teacher's Contract shall be thirty six (36) months.~~

Contracts employing professional employees shall be approved by a majority of the full Board and shall be signed by the professional employee and the President and Secretary of the Board in compliance with I.C. 20-28-6-5 and I.C. 20-26-4-8. In the absence of either the President or Secretary of the Board, the Vice President shall sign the contracts with the Board officer who is present.

A contract between the Board and a teacher is void if the teacher, at the time of signing the contract, is bound by a previous contract to teach in a public school and the contract is entered into at any time during the school year or less than fourteen (14) days before the day on which the teacher must report for work. Provided, however, that the Board may offer another contract to the teacher that will be effective if the teacher:

- A. furnishes the principal a release by the first employer; or
- B. shows proof that thirty (30) days' written notice was delivered by the teacher to the first employer.

A teacher who has entered into a contract with the Board must provide thirty (30) days' written notice if s/he takes a teaching job with another school corporation after the school year has started or less than fourteen (14) days before the day on which the teacher must report for work.

- I.C. 20-26-4-8
- I.C. 20-28-6-2
- I.C. 20-28-6-3
- I.C. 20-28-6-4
- I.C. 20-28-6-5
- I.C. 20-28-6-6
- I.C. 20-28-6-7
- I.C. 20-28-7.5-8
- I.C. 20-28-10-1
- ~~I.C. 20-26-4-8~~
- ~~I.C. 20-28-6-2~~
- ~~I.C. 20-28-6-3~~
- ~~I.C. 20-28-6-4~~
- ~~I.C. 20-28-6-5~~
- ~~I.C. 20-28-6-6~~
- ~~I.C. 20-28-6-7~~
- ~~I.C. 20-28-8-2~~
- ~~I.C. 20-28-8-6,~~
- ~~I.C. 20-28-8-10~~
- ~~I.C. 20-28-10-1~~

REVISED POLICY VOL. 29, NO. 1

GROUP HEALTH PLANS

The School Board shall have discretion to establish and maintain group health plans for the benefit of eligible employees. ~~These group health plans may provide health benefits through insurance or otherwise as permitted by law.~~ Group health plans, as the term is used in this policy, may include, but would not be limited to, major medical, prescription drug, dental and/or vision plans. These group health plans may provide certain health benefits to employees and eligible dependents as permitted by law.

[OPTION 1]

The Board has elected to provide major medical coverage that provides minimum value coverage under the Affordable Care Act for some or all of its eligible employees. The terms and conditions of the health coverage are set forth in the appropriate plan documents.

~~Eligible employees who have coverage through the employer of a working spouse may receive additional compensation if they waive the School Corporation's medical coverage. Eligible employees who waive the medical coverage will be paid an additional () monthly () quarterly compensation equal to _____ percent (%) of the cost of single medical coverage for that employee, with the understanding that this additional compensation is subject to FICA and Federal, State and local income tax. To receive this compensation, the eligible employee must provide the Corporation with proof of medical coverage provided by the spouse's employer.~~

[This optional language should be adopted only if the Corporation has established a flexible benefit plan qualified by the Internal Revenue Service].

[END OF OPTION 1]

[OPTION 2]

~~[] The Board has elected not to provide major medical coverage that provides minimum value coverage under the Affordable Care Act for any of its eligible employees. The Board is aware that the failure to offer minimum value health coverage to employees may result in penalties under the Affordable Care Act.~~

[END OF OPTION 2]

Notice of Health Insurance Marketplace

~~A Corporation employee may buy health insurance coverage on the Health Insurance Marketplace; however, if the Corporation offers health insurance that is affordable and provides minimum value under the Affordable Care Act, the employee will not be entitled to premium tax credits or subsidies through the Health Insurance Marketplace.~~

Notification Requirements

~~The Board shall notify all employees of health insurance coverage options through the Health Insurance Marketplace on the date the requirement took effect; thereafter, new employees shall be notified of this policy within fourteen (14) days of an employee's employment start date.~~

~~Sample form notices are available from the U.S. Department of Labor at: <http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>~~

~~P.L. 111-148, Section 1512~~

~~The Patient Protection and Affordable Care Act, 42 U.S.C. 18001 et seq.~~

REVISED POLICY - VOL. 29, NO. 1

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

The School Board provides coverage to eligible employees under self-funded group health plans. The Board has established the following self-funded group health plans:

- Medical Plan
- Prescription Drug Plan
- Dental Plan
- Vision Plan
- Employee Assistance Plan
- Long-term Care Plan (not long-term disability)
- Health Flexible Spending Accounts (FSA)
- Other; specify Health Savings Account

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The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. Certain health information maintained by these group health plans is afforded significant protection by this Federal law.

The Board hereby appoints the Superintendent or designee to serve as the Privacy Official of the group health plans. ~~The Board delegates authority to the Privacy Official to develop and implement policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Official is authorized to make necessary amendments to the internal policies and procedures. The Privacy Official shall develop, propose to the Board, and implement after adoption policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. The Privacy~~

BOARD OF SCHOOL TRUSTEES

PROFESSIONAL STAFF

SOUTH HARRISON COMMUNITY _____ **SCHOOL CORPORATION** 3419.01/page 2 of 5

Official shall verify that the policies and procedures are current and comply with Federal law.

The Board also acknowledges that the HIPAA Security Rule requires the group health plans to implement various security measures with respect to electronic Protected Health Information. The Board hereby appoints the Superintendent or designee to serve as the Security Official of the group health plans. ~~The Board delegates authority to the Security Official to develop and implement internal policies and procedures for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. In the event that the HIPAA Security Rule is subsequently amended, the Security Official is authorized to make necessary amendments to the internal policies and procedures.~~

The Security Official is responsible for monitoring Federal law pertaining to HIPAA and recommending any revisions to the policies and procedures that are needed to comply with Federal law. The Security Official is responsible for conducting a risk analysis and developing, proposing to the Board, and implementing policies and procedures adopted by the Board for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. The Security Official is responsible for monitoring Federal law pertaining to HIPAA and recommending any revisions needed to comply with Federal law.

The Board further delegates authority to the Privacy Official and/or the Security Official to undertake such other actions as provided by the Administrative Guidelines-HIPAA administrative guidelines in effect from time to time. The Privacy Official and/or Security Official shall report his/her progress to the Board ~~upon request. The Board reserves the right to revoke any or all delegations set forth in this policy at any time and for any reason.~~

[] ~~Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and the HIPAA Security rule, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official for any CMP imposed upon the Privacy Official or Security Official in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Official or Security Official in the event the CMP was imposed as the result of intention misconduct or gross negligence by the Privacy Official or Security Official.~~

The Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals.

Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability imposed is the result of intentional misconduct or gross negligence, as defined by law.

The group health plans administrator(s) shall provide timely notifications of breaches of unsecured protected health information in accordance with the Health Information Technology for Economic and Clinical Health (HITECH) Act and accompanying regulations.

The Board reserves the right to revoke any or all ~~delegations~~ appointments set forth in this policy at any time for any reason.

- 29 U.S.C. 1181 et seq.
- 42 U.S.C. 300gg
- 42 U.S.C. 300jj et seq.
- 42 U.S.C. 1320d et seq.
- 42 U.S.C. 17901 et seq.
- 45 C.F.R. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)
- 45 C.F.R. 164.308
- 45 C.F.R. 164.530
- 29 C.F.R. Part 1635
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 1320d-5(a)(1)
- 45 U.S.C. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)

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REVISED POLICY – VOL. 29, NO. 1

PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

The School Board provides coverage to eligible employees under fully insured group health plans. The Board has established the following fully insured group health plans:

- (+) Medical Plan
- (+) Prescription Drug Plan
- (+) Dental Plan
- (+) Vision Plan
- (+) Employee Assistance Plan
- (+) Long-term Care Plan (not long-term disability)
- (+) Other; specify _____

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. Fully insured group health plans generally are exempt from many of the requirements imposed upon self funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic Protected Health Information in accordance with the HIPAA Security Rule.

The Board hereby appoints the _____ to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform a risk analysis and to develop risk management procedures, if necessary.

~~The Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic Protected Health Information. All of the group health plans' functions are carried out by the insurer and the insurer owns and controls all of the equipment and media used to create, maintain, receive, and transmit electronic Protected Health Information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to adopt the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information, as appropriate.~~

~~The Security Official does not have the ability to assess or adjust the insurer's policies related to the HIPAA Security Rule. Accordingly, unless otherwise determined by the Security Official, the group health plans shall utilize as administrative guidelines the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information.~~

~~[] The Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals. Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability is imposed as the result of intentional misconduct or gross negligence by the Privacy Official or Security Official as defined by law.~~

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The fully insured group health plans established by the Board shall:

- A. ~~Refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with Health and Human Services, HHS, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.~~

- B. ~~Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.~~
- C. ~~If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.~~
- D. ~~Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services HHS, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.~~

~~Fully insured group health plans established by the Board shall not create or receive protected health information, except for:~~

- A. ~~Summary health information. — Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.~~
- B. ~~Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.~~
- C. ~~Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.~~

42 U.S.C. 1320D-5(a)(1)

29 C.F.R. Part 1635

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

45 C.F.R. 160.102(a), 164.530(g), 164.530(h), 164.530(j), 164.530(k), 164.404

45 C.F.R. 164.406, 164.408, 164.502, 164.520(a)

NEW POLICY - VOL. 29, NO. 1

PATIENT PROTECTION AND AFFORDABLE CARE ACT

The School Board acknowledges that the Patient Protection and Affordable Care Act (“ACA”) imposes certain obligations upon the School Corporation. Such obligations may include the following:

- A. The Corporation shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee’s employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the Corporation have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the Corporation enrolls in the Health Insurance Marketplace and receives a subsidy, then the Corporation may be liable for a penalty.

In the event that the Corporation concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the Corporation shall incur the potential penalty.

29 U.S.C. 218B
26 U.S.C. 4980H

3420 - BENEFITS FOR NONREPRESENTED STAFF

Salaries and fringe benefits for all professional staff members not covered by the terms of a currently-valid negotiated agreement shall be determined by the School Board upon the recommendation of the Superintendent.

Such benefits shall be stipulated in an addendum to the staff member's employment contract.

REVISED POLICY - VOL. 29, NO . 1

EMPLOYMENT OF PERSONNEL FOR
EXTRACURRICULAR ACTIVITIES

The ~~Superintendent School Board~~ may find it necessary to recommend to the School Board employ on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees

- (X) may be members of the Corporation's
- (X) classified staff
- (X) support staff
- (X) or individuals from the community or nearby areas.

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

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

The Board requires that:

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

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

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

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

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and

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

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

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

[THE FOLLOWING TRAINING IS OPTIONAL; CHOOSE THE OPTIONS THAT THE BOARD WISHES TO INCLUDE IN THE POLICY]

Additionally, the Board requires that:

- All head and assistant coaches of students of any age participating in interscholastic or intramural sports other than football, including the cheerleading, shall complete a certified coaching education course approved by the State Department of Education at least once during a two (2)-year period that:

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
3. awards a certificate of completion to a coach who successfully completes the course.

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

- [X] All coaches (X) and athletic activity sponsors [END OF OPTION] of interscholastic or intramural sports for students of any age shall receive training about (X) concussions (X) and sudden cardiac arrest [END OF OPTION] at least once during a two (2) year period.
- [X] All coaches (X) and athletic activity sponsors [END OF OPTION], other than football coaches, shall be required to complete a coaching education course that contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach (X) and athletic activity sponsor [END OF OPTION] must complete a course not less than once during a two (2)-year period.

~~All coaches and athletic activity sponsors shall receive training about concussions and sudden cardiac arrest. All football coaches shall also complete a certified coaching education course that is sport specific; contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique; requires the football coach to complete a test demonstrating comprehension of the content of the course; and awards a certificate of completion to a football coach who successfully completes the course. The certification course must be completed prior to coaching. The course must be approved by the Indiana Department of Education, and each football coach must complete a course not less than once during a two (2) year period. However, each football coach must complete instruction and successfully complete a test if s/he receives notice that new information has been added to the course prior to the end of the two (2) year period.~~

~~{}~~ All coaches and athletic activity sponsors, other than football coaches, shall be required to complete a coaching education course that should contain player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach and athletic activity sponsor must complete a course not less than once during a two (2) year period.

~~The Superintendent shall establish administrative guidelines to ensure that each person employed as a coach or activity sponsor has the appropriate qualifications, has been properly interviewed, has cleared a criminal background check, and has received the required training. The guidelines shall also provide the conditions of employment and compensation.~~

The Superintendent shall require that each person employed as a coach or athletic activity sponsor is qualified, has cleared a background check required by State law and Policy 4121 or Policy 8120, and has received the training required by State law and this policy.

I.C. 20-34-7

I.C. 20-34-8

REVISED POLICY - VOL. 29, NO. 1

PERSONAL BACKGROUND CHECKS AND MANDATORY REPORTING
OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE (X) AND ARRESTS

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's support staff.

Such an inquiry shall also be made for substitutes.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment on the Corporation's support staff which shall include the following:

- A. an expanded national criminal history check as defined by I.C. 20-26-2-1.5
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~B.C.~~ a search of the national sex offender registry maintained by the United States Department of Justice
- D. beginning July 1, 2017, a search of the State child abuse registry
- ~~C.E.~~ telephone inquiry with former employer(s)
- ~~D.F.~~ explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- ~~E.G.~~ verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1

- fingerprint check
- a detailed background history including all prior employment and volunteer positions
- an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board may deny employment to an applicant who is

- A. convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law; or
- B. the subject of a substantiated report of child abuse or neglect.

Each applicant shall certify under penalty of perjury his/her eligibility to be employed by the Board as a United States citizen or a qualified alien. ~~The Board may deny employment to an applicant who is convicted of an offense for which the applicant's license for the position may be revoked or suspended by State law.~~

- Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute.

~~or employ the applicant as a substitute.~~

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, ~~or defend a decision made pursuant to this policy,~~ or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

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

During the course of his/her employment with the ~~School~~-Corporation, each support staff employee shall be required to report ~~his/her~~the

- (X) arrest or the filing of criminal charges against the employee; ~~and~~
- A. conviction of the employee for a crime; and
- B. substantiated report of child abuse or neglect of which the employee is the subject

~~conviction of criminal charges~~ to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the ~~convicted employee~~ employee who was convicted or the subject of a substantiated report of child abuse or neglect.

I.C. 5-2-22
I.C. 10-13-3
I.C. 20-26-2-1.3
I.C. 20-26-2-1.5
I.C. 20-26-5-10, -11 and -11.5
I.C. 20-28-5-8
~~I.C. 10-13-3~~
~~I.C. 20-26-2-1.5~~
~~I.C. 20-26-5-10 and -11~~
~~I.C. 20-28-5-8~~

REVISED POLICY - VOL. 29, NO. 1

GROUP HEALTH PLANS

The School Board shall have discretion to establish and maintain group health plans for the benefit of eligible employees. ~~These group health plans may provide health benefits through insurance or otherwise as permitted by law.~~ Group health plans, as the term is used in this policy, may include, but would not be limited to, major medical, prescription drug, dental and/or vision plans. These group health plans may provide certain health benefits to employees and eligible dependents as permitted by law.

[OPTION 1]

The Board has elected to provide major medical coverage that provides minimum value coverage under the Affordable Care Act for some or all of its eligible employees. The terms and conditions of the health coverage are set forth in the appropriate plan documents.

~~Eligible employees who have coverage through the employer of a working spouse may receive additional compensation if they waive the School Corporation's medical coverage. Eligible employees who waive the medical coverage will be paid an additional () monthly () quarterly compensation equal to _____ percent (%) of the cost of single medical coverage for that employee, with the understanding that this additional compensation is subject to FICA and Federal, State and local income tax. To receive this compensation, the eligible employee must provide the Corporation with proof of medical coverage provided by the spouse's employer.~~

[This optional language should be adopted only if the Corporation has established a flexible benefit plan qualified by the Internal Revenue Service].

[END OF OPTION 1]

[OPTION 2]

~~[] The Board has elected not to provide major medical coverage that provides minimum value coverage under the Affordable Care Act for any of its eligible employees. The Board is aware that the failure to offer minimum value health coverage to employees may result in penalties under the Affordable Care Act.~~

[END OF OPTION 2]

Notice of Health Insurance Marketplace

~~A Corporation employee may buy health insurance coverage on the Health Insurance Marketplace; however, if the Corporation offers health insurance that is affordable and provides minimum value under the Affordable Care Act, the employee will not be entitled to premium tax credits or subsidies through the Health Insurance Marketplace.~~

Notification Requirements

~~The Board shall notify all employees of health insurance coverage options through the Health Insurance Marketplace on the date the requirement took effect; thereafter, new employees shall be notified of this policy within fourteen (14) days of an employee's employment start date.~~

~~Sample form notices are available from the U.S. Department of Labor at: <http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>~~

~~P.L. 111-148, Section 1512~~

~~The Patient Protection and Affordable Care Act, 42 U.S.C. 18001 et seq.~~

REVISED POLICY - VOL. 29, NO. 1

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

The School Board provides coverage to eligible employees under self-funded group health plans. The Board has established the following self-funded group health plans:

- Medical Plan
- ~~Prescription Drug Plan~~
- Dental Plan
- Vision Plan
- ~~Employee Assistance Plan~~
- ~~Long-term Care Plan (not long-term disability)~~
- ~~Health Flexible Spending Accounts (FSA)~~
- Other; specify Health Savings
Accounts

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. Certain health information maintained by these group health plans is afforded significant protection by this Federal law.

The Board hereby appoints the Superintendent or designee to serve as the Privacy Official of the group health plans. ~~The Board delegates authority to the Privacy Official to develop and implement the internal policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Official is authorized to make necessary amendments to the internal policies and procedures. The Privacy Official shall develop, propose to the Board, and implement after adoption policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. The Privacy Official shall verify that the policies and procedures are current and comply with Federal law.~~

The Board also acknowledges that the HIPAA Security Rule requires the group health plans to implement various security measures with respect to electronic Protected Health Information. The Board hereby appoints the Superintendent or designee to serve as the Security Official of the group health plans. ~~The Board delegates authority to the Security Official to develop and implement internal policies and procedures for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. In the event that the HIPAA Security Rule is subsequently amended, the Security Official is authorized to make necessary amendments to the internal policies and procedures.~~

The Security Official is responsible for monitoring Federal law pertaining to HIPAA and recommending any revisions to the policies and procedures that are needed to comply with Federal law. The Security Official is responsible for conducting a risk analysis and developing, proposing to the Board, and implementing policies and procedures adopted by the Board for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. The Security Official is responsible for monitoring Federal law pertaining to HIPAA and recommending any revisions needed to comply with Federal law.

The Board further delegates authority to the Privacy Official and/or the Security Official to undertake such other actions as provided by the Administrative Guidelines ~~HIPAA administrative guidelines~~ in effect from time to time. The Privacy Official and/or Security Official shall report his/her progress to the Board upon request. ~~The Board reserves the right to revoke any or all delegations set forth in this policy at any time and for any reason.~~

[] ~~Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and the HIPAA Security rule, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official for any CMP imposed upon the Privacy Official or Security Official in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Official or Security Official in the event the CMP was imposed as the result of intention misconduct or gross negligence by the Privacy Official or Security Official. The Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals.~~

Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability imposed is the result of intentional misconduct or gross negligence, as defined by law.

The group health plans administrator(s) shall provide timely notifications of breaches of unsecured protected health information in accordance with the Health Information Technology for Economic and Clinical Health (HITECH) Act and accompanying regulations.

The Board reserves the right to revoke any or all ~~delegations~~ appointments set forth in this policy at any time for any reason.

- 29 U.S.C. 1181 et seq.
- 42 U.S.C. 300gg
- 42 U.S.C. 300jj et seq.
- 42 U.S.C. 1320d et seq.
- 42 U.S.C. 17901 et seq.
- 45 C.F.R. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)
- 45 C.F.R. 164.308
- 45 C.F.R. 164.530
- 29 C.F.R. Part 1635
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 1320d-5(a)(1)
- 45 U.S.C. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)

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REVISED POLICY – VOL. 29, NO. 1

PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

The School Board provides coverage to eligible employees under fully insured group health plans. The Board has established the following fully insured group health plans:

- (+) Medical Plan
- (+) Prescription Drug Plan
- (+) Dental Plan
- (+) Vision Plan
- (+) Employee Assistance Plan
- (+) Long-term Care Plan (not long-term disability)
- (+) Other; specify _____

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. Fully insured group health plans generally are exempt from many of the requirements imposed upon self funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic Protected Health Information in accordance with the HIPAA Security Rule.

The Board hereby appoints the _____ to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform a risk analysis and to develop risk management procedures, if necessary.

~~The Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic Protected Health Information. All of the group health plans' functions are carried out by the insurer and the insurer owns and controls all of the equipment and media used to create, maintain, receive, and transmit electronic Protected Health Information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to adopt the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information, as appropriate.~~

~~The Security Official does not have the ability to assess or adjust the insurer's policies related to the HIPAA Security Rule. Accordingly, unless otherwise determined by the Security Official, the group health plans shall utilize as administrative guidelines the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information.~~

~~[] The Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals. Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability is imposed as the result of intentional misconduct or gross negligence by the Privacy Official or Security Official as defined by law.~~

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The fully insured group health plans established by the Board shall:

- A. ~~Refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with Health and Human ServicesHHS, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.~~

- B. ~~Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.~~
- C. ~~If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.~~
- D. ~~Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services HHS, and the media (when required), if the plan or one (1) of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.~~

~~Fully insured group health plans established by the Board shall not create or receive protected health information, except for:~~

- A. ~~Summary health information. — Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.~~
- B. ~~Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.~~
- C. ~~Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.~~

~~42 U.S.C. 1320D-5(a)(1)~~

~~29 C.F.R. Part 1635~~

~~42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act~~

~~45 C.F.R. 160.102(a), 164.530(g), 164.530(h), 164.530(j), 164.530(k), 164.404~~

~~45 C.F.R. 164.406, 164.408, 164.502, 164.520(a)~~

NEW POLICY - VOL. 29, NO. 1

PATIENT PROTECTION AND AFFORDABLE CARE ACT

The School Board acknowledges that the Patient Protection and Affordable Care Act (“ACA”) imposes certain obligations upon the School Corporation. Such obligations may include the following:

- A. The Corporation shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee’s employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the Corporation have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the Corporation enrolls in the Health Insurance Marketplace and receives a subsidy, then the Corporation may be liable for a penalty.

In the event that the Corporation concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the Corporation shall incur the potential penalty.

29 U.S.C. 218B
26 U.S.C. 4980H

4420 - GROUP INSURANCE PROGRAM

The School Board shall provide payroll deduction services for group health and life insurance programs. Such policies shall be approved by the Board and the Superintendent.

The Board may pay an approved amount for each employee who may desire to participate in one (1) or more of the approved programs.

Suitable guidelines and rulings will be established by the Superintendent.

Membership in each program shall be opened annually for a definite period of time to be specified by the Superintendent.

REVISED POLICY - VOL. 29, NO. 1

**DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY
FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT
IN THE CORPORATION**

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

[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.]

- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.

- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition free.
- E. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. Students who have completed the eleventh grade and have changed legal settlement to another school corporation may complete the twelfth grade in this Corporation.
- G. 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.
- H. 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.

- (X) 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 (X) 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.

[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.

- (X) 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.
- (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.]**
- (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 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 9 through 12;~~
- ~~C. the majority of the students in the same grade as the transferring student at the accredited nonpublic school have legal settlement in the Corporation and will attend a school under the authority of the Corporation; and~~
- ~~D. the Corporation has the capacity to accept students.~~

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

~~[END OF OPTION #1]~~

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 the last day of the preceding school year _____ **[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.
- 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, a student's application to transfer to the Corporation may be denied if the student has been suspended for ten (10) or more school days, or suspended or expelled for possession of a firearm, deadly weapon, or a destructive device, causing physical injury to a person, or a violation of the Corporation's drug or alcohol rules during the twelve (12) months preceding the student's request to transfer.

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.

~~[] — 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.~~

(x) will not be charged unless otherwise required by law.

~~() — may be charged transfer tuition according to Board Policy 6150.~~

[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, disciplinary record, or disability, or upon any other factors 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~~

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~~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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I.C. 20-18-2-11 (legal settlement defined)
I.C. 20-33-2-12 (transfer to another accredited or non-accredited school)
I.C. 20-33-8-17 (expulsion for lack of legal settlement)
I.C. 20-26-11-1 (residence defined)
I.C. 20-26-11-2.5 (divorced parent election)
I.C. 20-26-11-6(e) (option to not charge transfer tuition)
I.C. 20-26-11-6.5 (children of school employees)
I.C. 20-26-11-6.7 (nonpublic school students)
I.C. 20-26-11-32 (lottery selection of student transfer requests, HEA 1381 – 2013)
I.C. 20-26-11-33 (non-transfer student attending alternative education program)
Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)
Divorced Parents Agreement:
<http://www.doe.in.gov/sites/default/files/legal/formiii.pdf>
Third Party Agreement:
<http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf>

REVISED POLICY - VOL. 29, NO. 1

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 ~~a high school interscholastic and intramural sports activity, the coach/sponsor of the activity provide the parent of each high school student participant and each high school student participant with the information sheet on Student Concussions and acknowledgement form issued by the Indiana Department of Education, and 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 form issued by the Indiana Department of Education and shall require the student's parent and the student to sign and return the form acknowledging the receipt of the information from the Indiana Department of Education on Student Concussions.~~ 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 form issued by the Indiana Department of Education and shall require the student's parent and the student to sign and return to the coach the form acknowledging the receipt of the information from the Indiana Department of Education on Concussion and Head Injury.

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

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 form issued by the Indiana Department of Education and shall require the student's parent and the student to sign and return to the coach the form acknowledging the receipt of the information from the Indiana Department of Education on Concussion and Head Injury.

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

[END OF OPTIONS]

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

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~~A high school student athlete who~~ 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 ~~the student athlete s/he~~ has been seen and evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries, ~~and the coach/sponsor the coach~~ receives a written clearance from the licensed healthcare provider who evaluated the student athlete that the ~~student athlete 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:

[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.

[X] A coach shall maintain the original of the written clearance from the health care provider for the student athlete to return to play for no less than ~~(-) three (3) years~~ **(X)** three (3) years after the student reaches age eighteen (18).

~~A coach/sponsor 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.~~

[END OF OPTIONS]

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~~A student athlete who is suspected of experiencing a symptom of sudden cardiac arrest in a practice for an athletic activity or in an athletic activity 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. A student athlete who has been removed from practice or play may not return to practice or play until the coach/sponsor has received verbal permission from a parent or legal guardian of the student athlete 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 must provide the coach/sponsor with a written statement that the student athlete has permission to return to practice and play.~~

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

[THE FOLLOWING PROVISIONS ARE OPTIONAL]

Additionally, the Board directs and requires that:

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

BOARD OF SCHOOL TRUSTEES

STUDENTS

SOUTH HARRISON COMMUNITY **SCHOOL CORPORATION** 5340.01/page 6 of 6

~~[] Each coach or sponsor of an athletic activity shall receive training on concussions, sudden cardiac arrest (including the symptoms), cardiopulmonary resuscitation, and the use of an automated external defibrillator.~~

[END OF OPTIONS]

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

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REVISED POLICY - VOL. 29, NO. 1

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 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. ~~All instructors shall meet the requirements established by State law for teaching a course for which graduation credit is awarded. Students enrolled in the Corporation shall have the opportunity to earn any type of State diploma approved by the Indiana State Board of Education.~~

The Corporation may award a Core 40 diploma, a Core 40 with Academic Honors diploma, or a Core 40 with Technical Honors diploma. A general diploma may be awarded by the Corporation to students who complete the formal opt-out process.

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

- (X) a diploma.
- (X) a certificate of achievement.
- (X) 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 ~~Individualized Education Program (IEP)~~ IEP.

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 ~~meet-pass~~ the Graduation Qualifying Examination ~~requirement~~unless the student meets the criteria for waiver under State law, in which case the Board shall award a diploma to the student.

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

Additional Requirements for Students with Disabilities

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

- A. the types of diplomas available for students to receive in the State of Indiana;
- B. the course requirements for each type of diploma; 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 diploma the student will seek and courses that will allow the student to progress toward the diploma in a timely manner.

Beginning in grade 9 and in addition to the annual case review, the student's teacher of record shall communicate at least once each grading period with the student's parent concerning the student's progress toward the selected diploma. 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 Core 40 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. 20-26-5-37

I.C. 20-32-4-1 through 10

I.C. 20-35-4-11

511 IAC 6-7.1-4 through 7

~~I.C. 20-32-4-1 through 10~~

~~I.C. 20-35-4-11~~

~~511 IAC 6-7.1-4 through 7~~

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DRUG PREVENTION

The School Board recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community.

[X] As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

- all dangerous controlled substances as so designated and prohibited by Indiana statute;
- any synthetic drug or derivative thereof defined as a controlled substance by Indiana statute;
- all chemicals which release toxic vapors;
- all alcoholic beverages;
- tobacco and tobacco products;
- any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- anabolic steroids;
- any "look-alike" substances;
- any other illegal substance so designated and prohibited by law.

The Board prohibits the use, possession, concealment, or distribution of any drug and any drug-related paraphernalia at any time on Corporation property or at any school-related event. It further establishes a drug-free zone within 1000 feet of any facility used by the Corporation for educational purposes.

The Superintendent shall prepare guidelines for the identification, amelioration, and regulation of drug use in the schools. Such guidelines shall:

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
 - (X) assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
 - (X) promotes positive emotional health, self-esteem, and respect for one's body;
 - (X) meets the minimal objectives as stated in the essential performance objectives for health education as established by the State's Department of Education;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;

E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;

~~{+ The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.~~

F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;

G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;

H. require the notification to parents and students that compliance with the standards of conduct is mandatory;

I. provide a biennial review of the School Corporation's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;

(X) provide for a student assistance program which includes guidelines for prevention activities and programs, for referrals of students to outside treatment providers, and for cooperative follow-up after treatment has been provided;

(X) establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the Corporation's policy and administrative guidelines on Search and Seizure are complied with fully.

() _____.

The *Safe School Committee* described in Board Policy 8400 shall be responsible for addressing the issue of drug use in schools and facilities operated by the Corporation and implementing the Safe and Drug-Free Schools and Communities Act.

I.C. 20-30-5-11

I.C. 35-48-2-4

I.C. 35-48-2-6

I.C. 35-48-2-8

I.C. 35-48-2-10

I.C. 35-48-2-12

20 U.S.C. 7101 et seq., The Safe and Drug-Free Schools and Communities Act (Title IV, Part A of the Elementary and Secondary Education Act)

I.C. 20 30 5 11

I.C. 35 48 2 4

20 U.S.C. 7101 et seq., The Safe and Drug-Free Schools and Communities Act (Title IV, Part A of the Elementary and Secondary Education Act)

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STUDENT FUNDRAISING

The School Board acknowledges that the solicitation of funds by or from students must be limited since compulsory attendance laws make the student a captive donor and may also disrupt the program of the schools.

For purposes of this policy "student fundraising" shall include the solicitation and collection of money by or from students for any purpose and shall include the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities.

The Board will permit student fundraising by students in school, on school property, or at any school-sponsored event only when the profit therefrom is to be used for school purposes or for an activity connected with the schools. The Board requires that for any fund-raiser by student clubs and organizations, as well as by School Corporation-support organizations, which involve the sale to students of food items and/or beverages to be consumed on campus, the food and/or beverage items to be sold comply with the current USDA Dietary Guidelines for Americans. Further, if approved, fund-raisers that involve the sale to students of food items or beverages to be consumed on campus are conducted only from thirty (30) minutes following the close of the last lunch period until **(X) thirty (30)** ~~(-) sixty (60)~~ minutes after the end of the school day.

Fundraising by approved school organizations, that is, those organizations whose funds are managed by the Corporation, may be permitted in school by the principal. Such fundraising off school grounds may be permitted by the Superintendent.

Fundraising by students on behalf of school-related organizations whose funds are not managed by the Corporation may be permitted on school grounds by the Superintendent.

[CHOOSE BETWEEN OPTION 1 AND OPTION 2 BELOW]

[OPTION 1]

The Board prohibits fundraising that involves any games of chance, such as bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch boards, tip boards, and the like.

[END OF OPTION 1]

[OR]

[OPTION 2]

The Board will permit fundraising that involves any games of chance, such as bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch-boards, tip-boards, and the like. However, any fundraiser involving games of chance must comply with Indiana law, including obtaining the appropriate license or permits.

Involvement of students under the age of eighteen (18) in fundraisers involving games of chance is limited as follows:

[END OF OPTIONS]

[CHOOSE BETWEEN OPTION A AND OPTION B BELOW]

[OPTION A]

In compliance with I.C. 4-32.2-5-21 and this policy, no student under the age of eighteen (18) may play, participate in, or sell tickets for any of the following types of fundraising events—bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch boards, tip boards, and the like.

[END OPTION A]

[OR]

[OPTION B]

In compliance with I.C. 4-32.2-5-21, no student under the age of eighteen (18) may play or participate in any of the following types of fundraising events - bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch-boards, tip-boards, and the like. No student under the age of eighteen (18) may sell tickets for any of the following types of fundraising events - bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch-boards, tip-boards, and the like. Students, even those under eighteen (18) years of age, may sell tickets or chances for a raffle.

[END OF OPTIONS]

Use of the name, logo, or any assets of the Corporation, including but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the

Board.

Superintendent.

[CHOOSE BETWEEN OPTION #1 AND OPTION #2 BELOW]

[OPTION #1]

The Board does not permit or sanction the use of crowdfunding for Corporation or specific school programs or activities, including co-curricular or extracurricular activities.

[OR]

[OPTION #2]

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extra-curricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the

Superintendent.

OR

Board upon the recommendation of the Superintendent.

All crowdfunding activities are subject to Policy 6605 and any administrative guidelines approved by the Superintendent to implement Policy 6605.

[END OF OPTIONS]

All other fundraising by Corporation support organizations shall be done in accordance with Policy 9211 and Policy 9700.

The Superintendent shall establish administrative guidelines for the solicitation of funds which shall:

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students and require that for any ~~fund-raisers~~ fundraisers by approved school organizations which involve the sale to students of food items and/or beverages to be consumed on campus, the food and/or beverage items to be sold comply with the current USDA Dietary Guidelines for Americans, as stipulated by this policy;

- C. limit the kind and amount of advertising for solicitation;
- D. ensure proper distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded;
- E. ensure proper supervision of students during such activity.

The Superintendent shall distribute this policy and the guidelines that implement it to each organization granted permission to solicit funds.

[I.C. 4-32.2-4](#)
[I.C. 4-32.2-5](#)
[I.C. 4-32.2-5-21](#)
[42 U.S.C. 1779](#)
[7 C.F.R. Parts 210 and 220](#)
[I.C. 4-32.2-5-21](#)

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NEW POLICY - VOL. 29, NO. 1

CROWDFUNDING

This policy applies to the use of any form of crowdfunding utilizing an online service or website-based platform for the financial benefit or gain of the School Corporation – be it a specific classroom, grade level, department, school, or curricular or extra-curricular activity. For purposes of this policy, “crowdfunding” refers to a campaign to collect typically small amounts of money from a large number of individuals to finance a project or fundraise for a specific cause. Through the use of personal networking, social media platforms, and other Internet based resources, funds are solicited or raised to support a specific campaign or project.

[DRAFTING NOTE: SELECT OPTION #1 or OPTION #2]

~~[]~~ ~~OPTION #1~~

~~The School Board does not permit or sanction the use of crowdfunding for Corporation or specific school programs or activities, including co-curricular or extra-curricular activities.~~

[END OF OPTION #1; END OF POLICY]

OR

[X] OPTION #2

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extra-curricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the

(X) Superintendent.

OR

() ~~Board upon the recommendation of the Superintendent.~~

All crowdfunding activities are subject to this policy and other applicable Board policies including, but not limited to, Policy 5830 – Student Fundraising, Policy 9211 – Corporation-Support Organizations, and Policy 9700 – Relations with Special Interest Groups as well as any administrative guidelines approved by the Superintendent to implement this policy.

[END OF OPTION #2; END OF POLICY]

REVISED POLICY - VOL. 29, NO. 1

FAIR LABOR STANDARDS ACT ("FLSA")

Statement of Policy

It shall be the policy of the _____ ~~School Corporation~~ School Board to comply with the ~~provision~~ provisions of the Fair Labor Standards Act of 1938.

Definitions of Terms Applicable to this Policy:

- A. **"Employ"** means to suffer or permit work.
- B. **"Exempt Employees"** means an employee who is exempt from the FLSA minimum wage and overtime provision. These employees may include executive, administrative, professional, and computer employees earning at least a specified minimum salary.
- C. **"FLSA"** means the Fair Labor Standards Act of 1938 as amended by 29 U.S.C. Section 201 et seq. and the regulations implementing this Act found, in part, at 29 C.F.R. Part 541.
- D. **"Non-Exempt Employee"** means an employee who is not exempt from the FLSA minimum wage and overtime provisions.
- E. **"Primary Duty"** means the principal, main, major, or most important duty that the employee performs. Determination of an employee's primary duty shall be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole.
- F. **"Salary Basis"** means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis.

- G. "Workday" means the period between the time on any particular day when an employee commences his/her "principal activity" and the time on that day at which s/he ceases such principal activity or activities. The workday may therefore be longer than the employee's scheduled shift, hours, tour of duty, or production time.

- H. "Workweek" means the seven (7) day period of time beginning on Sunday _____ at 12:00 a.m. _____ and continuing to the following Saturday _____ at 11:59 p.m. _____ (i.e., ~~Sunday 12:00 a.m. to Saturday 11:59 p.m.~~)

Minimum Wage

It is the policy of the _____ School Corporation Board to pay at least the minimum wage required by the FLSA to all employees covered, non-exempt employees, unless an employee's individual contract or the terms of an applicable collective bargaining agreement provide for greater benefits than mandated by the FLSA or Indiana law.

Recordkeeping Responsibilities

It shall be the responsibility of all non-exempt employees to record and submit an accurate account of their time worked each week on approved forms or via electronic or machine timecards. An employee's misrepresentation or failure to submit an accurate account of their time worked may subject the employee to discipline up to and including discharge.

Non-exempt employee time records shall be verified by a supervisor who has personal knowledge of the hours worked by the employee. It shall be a violation of this policy for a supervisor to ask a non-exempt employee to record fewer hours than were actually worked by the employee.

A non-exempt employee's time record is an official school record and will be maintained for a period of not less than three (3) years.

Overtime

Overtime for hourly non-exempt employees shall be paid at a rate of one and one-half times the employee's regular rate of pay for each hour worked in a workweek in excess of forty (40) hours worked.

Overtime may be authorized only by a supervisor and will be used primarily to address circumstances of an emergency or temporary nature. Non-exempt employees who work overtime without prior approval from a supervisor may be subject to disciplinary action up to and including discharge.

Joint/Dual Employment

Joint/Dual Employment exists when:

A. an employee is employed in two (2) wage positions or a salaried and a wage position with the South Harrison Community School Corporation; and

B. at least one of the positions is non-exempt:

1. if one of the positions is exempt, the hours may not have to be added together to calculate the number of overtime hours worked;

To determine this, the duties of the two (2) positions must be combined as if one (1) position. If the percentage of time spent performing non-exempt duties exceeds fifty percent (50%), the employee is considered non-exempt and hours worked shall be added together for the two (2) positions.

2. if both positions are non-exempt, hours worked are cumulative, and overtime shall be paid after forty (40) hours are worked in a workweek in one (1) or a combination of positions;

3. if the two (2) positions are paid at different rates, a weighted average shall be used as the regular rate for determining overtime compensation due.

Joint employment does not exist when the employee independently seeks employment with another school corporation or another state agency.

Volunteers

The FLSA requires that non-exempt employees must be compensated for all hours they are required or permitted to work. Thus, even though employees volunteer to work beyond their normally scheduled hours, the employer must compensate employees for those hours worked. An individual is considered to be a volunteer only if the following conditions are met:

- A. services are performed for which no compensation is received beyond expenses of a nominal fee, and
- B. services rendered are not the same type services that the individual is employed to perform for the school employer

Example: A custodial employee wishing to volunteer as a lay coach for a sport team. This individual is not considered an employee while volunteering.

Exemptions

Certain school employees shall be exempt from the overtime and minimum wage provisions of the FLSA and shall therefore be exempt employees for the purposes of this policy. Exempt employees may include, but are not limited to, the following categories:

- A. Executive
- B. Administrative
- C. Learned Professionals
- D. Computer Employees

The tests for these exemptions can be found in the administrative guidelines that accompany this policy.

A. **Administrative**

~~To qualify for the administrative employee exemption, all of the following tests must be met:~~

- ~~1. The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;~~
- ~~2. The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and~~
- ~~3. The employee's primary duty includes the exercise of discretion and independent judgement with respect to matters of significance.~~

~~The administrative exemption shall apply to employees compensated on a salary or fee basis at a rate not less than \$455 a week and whose primary duty is performing administrative functions directly related to academic instruction or training in an educational establishment. Academic administrative functions include operations directly in the field of education, and do not include jobs relating to areas outside the educational field.~~

~~Employees engaged in academic administrative functions include: the Superintendent or other head of an elementary or secondary school system, and any assistants responsible for administration of such matters as curriculum, quality and methods of instructing, measuring and testing the learning potential and achievement of students, establishing and maintaining academic and grading standards, and other aspects of the teaching program; the principal and any vice-principals responsible for the operation of an elementary or secondary school; department heads in institutions of higher education responsible for the various subject matter departments; academic counselors and other employees with similar responsibilities.~~

B. **Learned Professionals**

To qualify for the learned professional employee exemption, all of the following tests must be met:

1. the employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week
2. the employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgement
3. the advanced knowledge must be in a field of science or learning, and
4. the advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction

"Work requiring advanced knowledge" means work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgment. Professional work is therefore distinguished from work involving routine mental, manual, mechanical, or physical work. A professional employee generally uses the advanced knowledge to analyze, interpret or make deductions from varying facts or circumstances. Advanced knowledge cannot be attained at the high school level.

Teachers are exempt if their primary duty is teaching, tutoring, instructing or lecturing in the activity of imparting knowledge, and if they are employed and engaged in this activity as a teacher in an educational establishment. Exempt teachers include, but are not limited to, regular academic teachers; kindergarten or nursery school teachers; teachers of gifted or disabled children; teachers of skilled and semi-skilled trades and occupations; teachers engaged in automobile driving instruction; aircraft flight instructors; home economics teachers; and vocal or instrument music teachers. The salary and salary basis requirements do not apply to bona fide teachers.

C. **Computer Employees**

To qualify for the computer employee exemption, the following tests must be met:

1. the employee must be compensated either on a salary or fee basis at a rate not less than \$445 per week or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour
2. the employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below
3. The employee's primary duty must consist of:
 - a. the application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications;
 - b. the design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;

- e. ~~the design, documentation, testing, creation, or modification of computer programs related to machine operating systems; or~~
- d. ~~a combination of the aforementioned duties, the performance of which requires the same level of skills.~~

~~The computer employee exemption does not include employees engaged in the manufacture or repair of computer hardware and related equipment. Employees whose work is highly dependent upon, or facilitated by, the use of computers and computer software programs (e.g., engineers, drafters, and others skilled in computer-aided design software), but who are not primarily engaged in computer systems analysis and programming or other similarly skilled computer related occupations identified in the primary duties test described above, are also not exempt under the computer employee exemption.~~

D. **Deduction from Exempt Employees Pay**

The _____ School Corporation reserves the right to make deductions from the pay of otherwise exempt employees under the following circumstances:

Deduction from Exempt Employees Pay

The Corporation reserves the right to make deductions from the pay of otherwise exempt employees under the following circumstances:

- ~~1.A.~~ when the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability
- ~~2.B.~~ for absences of one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice or providing compensation for salary lost due to illness

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- 3.C. to offset amounts employees receive as jury or witness fees, ~~or for military pay or military pay against the salary due for that particular week~~
- 4.D. for penalties imposed in good faith for infractions of safety rules of major significance
- 5.E. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions

~~Additionally, the _____ School Corporation shall not be required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.~~

~~The _____ School Corporation recognizes that with limited legally permissible exceptions, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that any improper deduction has been made from their salary, the exempt employee should report the matter immediately to the Superintendent or Business Manager. If the deduction is deemed inappropriate, the exempt employee will be promptly reimbursed for the entire amount of the deduction and the _____ School Corporation will make a good faith commitment to avoid any recurrence of the error.~~

The Corporation shall not be required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

In addition to the foregoing, exempt employees who accrue personal leave and sick leave may have their pay reduced or may be placed on unpaid leave for absences due to personal reasons of less than one (1) full day when leave is not used by the employee because:

- A. permission to use leave has not been sought or permission has been sought and denied;

- B. the employee's accrued leave has been exhausted; or
- C. the employee chooses to use leave without pay.

Deductions from the pay for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

The Corporation recognizes that with limited legally permissible exceptions, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that any improper deduction has been made from their salary, the exempt employee should report the matter immediately to the Superintendent or Business Manager. If the deduction is deemed inappropriate, the exempt employee will be promptly reimbursed for the entire amount of the deduction and the Corporation will make a good faith commitment to avoid any recurrence of the error.

29 U.S.C. Section 201 et seq.
29 C.F.R. Part 541

REVISED POLICY - TECHNOLOGY UPDATE

[Although students' use of Corporation Technology Resources (see definition in Bylaw 0100) is required to participate in and benefit from certain aspects of the Corporation's curriculum, unsupervised use of Technology Resources may be limited or denied if such use is not under the direct supervision of school staff.]

COMPUTER TECHNOLOGY AND NETWORKS

The School Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of School Corporation operations within the school system.

However, the use of the Corporation's network and technology resources by students is a privilege, not a right. Students' use of Corporation Technology Resources (see definition in Bylaw 0100) is a privilege, not a right. As a prerequisite, students and their parents must sign and submit a *Student Network and Internet Acceptable Use and Safety* form annually. (See also, Policy 7540.03)

The Superintendent shall develop, ~~(-) recommend for approval by the Board, [END OF OPTION]~~ and implement a written Corporation Technology Plan (CTP). One of the primary purposes of the CTP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient and effective Corporation operations. ~~(-) The Board will financially support, as the budget permits, the CTP, including recommendations to provide new and developing technology for students and staff. [END OF OPTION]~~

implement

recommend for approval by the Board

~~a written Corporation Technology Plan (CTP). Procedures for the proper acquisition of technology shall be set forth in the CTP. The CTP shall also provide guidance to staff and students about making safe, appropriate and ethical use of the Corporation's network(s), as well as inform both staff and students about disciplinary actions that will be taken if Board technology and/or networks are abused in any way or used in an inappropriate, illegal, or unethical manner.~~

~~The Superintendent shall create a Technology Governance Committee (see AG 7540B) to oversee and guide the development of the CTP. The Superintendent shall appoint individuals to the Technology Governance Committee that include representatives of all educational, administrative and business/operational areas in the Corporation.~~

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The CTP shall state the procedures for the proper acquisition of technology. The CTP also shall provide guidance to staff and students about making safe, appropriate and ethical use of Corporation Technology Resources, as well as inform both staff and students about disciplinary actions that will be taken if its Technology Resources are abused in any way or used in an inappropriate, illegal, or unethical manner. See Policy 7540.03 and AG 7540.03 – Student Technology Acceptable Use and Safety, and Policy 7540.04 and AG 7540.04 – Staff Technology Acceptable Use and Safety.

The Superintendent, ~~()~~ in conjunction with the _____, **[END OF OPTION]** shall review the CTP and **[NOTE: The option chosen below must be consistent with the Board's decision to choose whether to require Board approval of the CTP on page 1]**

report

~~recommend the approval of~~

any changes, amendments, or revisions to the Board as needed. ~~()~~ annually **[END OF OPTION]**.

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using Corporation Technology Resources (including but not limited to privacy in the content of their personal files, e-mails and records of their online activity when using the Corporation's computer network and/or Internet connection).

Further safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to ~~to~~, to using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of ~~Corporation~~ Board policy, and learning appropriate responses if they ~~are victims of experience~~ cyberbullying.

For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is “essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties.” [Quote from Ron Jones of Search Engine Watch] Social media provides a way for people to stay “connected or linked to other sites, resources, and people.” Examples include Facebook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of Corporation-issued e-mail accounts.

[CHOOSE ONE OF THE ~~TWO-THREE~~ OPTIONS, IF DESIRED]

OPTION #1

~~Social media shall be defined as internet-based applications (such as Facebook, MySpace, Twitter, et cetera) that turn communication into interactive dialogue between users. The Board authorizes the instructional staff to access social media from the Corporation's network, provided such access has an educational purpose for which the instructional staff member has the prior approval of the Principal. Staff may use social media for business-related purposes. Authorized staff may use Corporation Technology Resources to access and use social media to increase awareness of Corporation programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Use of social media for business-related purposes is subject to Indiana's public records laws and staff members are responsible for archiving their social media and complying with the Corporation's record retention schedule. See Policy 8310 – Public Records and AG 8310A – Public Records.~~

~~Instructional staff and their students may use Corporation Technology Resources to access and use social media for educational purposes, provided the principal approves, in advance, such access and use.~~

~~However, personal access and use of social media, blogs, or chat rooms from the Corporation's network is expressly prohibited and shall subject students. Students shall comply with Policy 7540.03 and Policy 5136 when using Corporation Technology Resources to access and/or use social media. Similarly, staff shall comply with Policy 7540.04 and Policy 7530.02 when using Corporation Technology Resources to access and/or use social media.~~

~~(+) and staff members~~

~~to discipline in accordance with Board policy.~~

OR

[] OPTION #2

~~Social media shall be defined as internet based applications (such as Facebook, MySpace, Twitter, et cetera) that turn communication into interactive dialogue between users. The Board prohibits any access and use of social media by students~~

~~(-) and staff members~~

~~from the Corporation's network.~~

~~The Board prohibits students from using Corporation Technology Resources to access and/or use social media.~~

~~Staff may use social media for business related purposes. Authorized staff may use Corporation Technology Resources to access and use social media to increase awareness of Corporation programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Use of social media for business related purposes is subject to Indiana's public records laws and staff members are responsible for archiving their social media and complying with the Corporation's record retention schedule. See Policy 8310 - Public Records and AG 8310A - Public Records.~~

~~Staff shall comply with Policy 7540.04 and Policy 7530.02 when using Corporation Technology Resources to access and/or use social media.~~

OR

[] OPTION #3

~~The Board prohibits students and staff members from using Corporation Technology Resources to access and/or use social media.~~

[END OF OPTIONS]

~~{}~~ The Board authorizes the access and use of social media from the Corporation's network to increase awareness of Corporation programs and activities, as well as to promote achievements of staff and students, provided such access and use is approved in advance by the Superintendent.

The Superintendent shall review the CTP and

~~(-)~~ report

~~(-)~~ recommend the approval of

~~any changes, amendments or revisions to the Board annually.~~

REVISED POLICY - TECHNOLOGY UPDATE

TECHNOLOGY PRIVACY

The School Board recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the Corporation's position with respect to ~~staff member~~ staff member privacy in the educational and workplace setting and to protect the Corporation's interests.

~~All computers, telephone systems, electronic mail systems, and voice mail systems~~
All Corporation Technology Resources (as defined in Bylaw 0100) are the Corporation's property and are to be used primarily for business purposes. The Corporation retains the right to access and review all Information Resources (as defined in Bylaw 0100), including but not limited to electronic and voice mail, computer files, data bases, and any other electronic transmissions contained in or used in conjunction with the Corporation's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members should have no expectation that any ~~information contained on personal information or data maintained, stored, or transmitted on or through~~ such systems is confidential or private.

Review of such information may be done by the Corporation with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the Corporation retains the right to access information in spite of a password. **(X)** All passwords or security codes must be registered with the Corporation. **[END OF OPTION]** A staff member's refusal to permit such access may be grounds for discipline up to and including discharge.

~~Computers, electronic mail, and voice mail~~ Corporation Technology Resources are to be used for business and educational purposes.

[NOTE: Selecting one of the following options prohibits the selection of the other option.]

(X) Personal messages via ~~Corporation-owned technology~~ Corporation Technology Resources should be limited in accordance with the Superintendent's guidelines.

() No personal messages should be exchanged via Corporation-owned technology.

Staff members are encouraged to keep their personal records and personal business at home.

Because ~~the Corporation's computer and voice mail systems~~ Corporation Technology Resources are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.

~~The Corporation is interested in its resources being properly used.~~ Corporation Technology Resources must be used properly. Review of computer files, electronic mail, and voice mail will ~~only~~ be done only in the ordinary course of business and will be motivated by a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the ~~Corporation,~~ Corporation except to the extent necessary to determine if the Corporation's interests have been compromised. Any information discovered will be limited to those who have a specific need to know that information.

The administrators and supervisory staff members authorized by the Superintendent have the authority to search and access information electronically.

~~All computers and any information or software contained therein are property of the Corporation. Staff members shall not copy, delete, or remove any information or data contained on the Board's computers/servers without the express permission of the Superintendent or designee or communicate any such information to unauthorized individuals. In addition, staff members may not copy software on any Corporation computer and may not bring software from outside sources for use on Corporation equipment without the prior approval of the _____.~~ Such pre approval will include a review of any copyright infringements or virus problems associated with such outside software.

All Corporation Technology Resources and Corporation Information Resources are the property of the Board. Staff members shall not copy, delete, or remove any information or data contained on Corporation Technology Resources or communicate any such information to unauthorized individuals without the express permission of the Superintendent. In addition, staff members shall not copy or download software onto any Corporation Technology Resources and shall not bring software from outside sources for use on Corporation Technology Resources without the prior approval of the Superintendent or designee. Such pre-approval shall include a review of any copyright infringements or virus problems associated with such outside software.

REVISED POLICY - TECHNOLOGY UPDATE

CORPORATION WEB PAGE WEB CONTENT, APPS AND SERVICES

Creating Web Pages, Sites, Apps and Services

The School Board authorizes staff members the creation of websites by third parties, employees and students of the School Corporation to be published on the World Wide Web. The creation of websites by students must be done under the supervision of a professional staff member. Further, student-created websites are subject to Policy 5722 School Sponsored Student Publications and Productions.

and students

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to create web content, apps and web services (see Bylaw 0100 - Definitions) that will be hosted by the School Corporation on its servers or Corporation-affiliated servers and published on the Internet.

The web content, apps and web services must comply with State and Federal law, e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA), and reflect the professional image/brand of the Corporation, its employees, and students. Web content, apps and web services must be consistent with the Corporation's Mission Statement and staff-created web content, apps and web services are subject to prior review and approval of the Superintendent before being published on the Internet and/or utilized with students.

[NOTE: Choose either or both of the following options.]

Student-created web content, apps and web services are subject to Policy 5722 - School-Sponsored Student Publications and Productions.

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The creation of web content, apps and web services by students must be done under the supervision of a professional staff member.

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[END OF OPTIONS]

All websites created by third parties, employees, and/or students must reflect the professional image of the Corporation, its employees, and students. The content of all pages must be consistent with the School Corporation's Mission Statement and is subject to prior approval of the Superintendent.

The Superintendent shall have final editorial authority over all content placed on the Corporation's servers or Corporation-affiliated servers and displayed on the Corporation's website(s), apps and/or web services. The Superintendent has the right to remove pages or links from any web page, as well as require that an app or web service created by a Corporation staff member be removed from the Corporation's servers or Corporation-affiliated servers, based upon his/her determination that content is inappropriate or is not accessible to individuals with disabilities.

The purpose of such websites web content, apps and web services hosted by the Corporation on its servers or Corporation-affiliated servers is to educate, inform, and communicate. The following criteria should be used to guide the development of such websites web content, apps and web services:

A. **Educate**

Content provided in the website should be suitable for and usable by students and teachers to support the curriculum and School Corporation's Objectives as listed in the Corporation's Strategic Plan.

B. **Inform**

Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

C. **Communicate**

Content may provide an avenue to communicate with the community. Content may communicate information about the plans, policies and operations of the Corporation to members of the public and other persons who may be affected by Corporation matters.

The information contained on the ~~website~~ website(s) should reflect and support the Corporation's Mission Statement, Educational Philosophy, and the Academic Improvement Process.

When the content includes a photograph or information relating to a student, including Corporation-issued email accounts, the Corporation will abide by the provisions of Policy 8330 - Student Records.

All links included on the ~~pages~~ Corporation's website(s), web content, apps and web services also must meet the above criteria and comply with State and Federal law (e.g. copyright laws, ~~Children's Internet Protection Act, Children's Online Privacy Protection Act, ADA CIPA, Section 504, ADA, and COPPA~~). Nothing in this paragraph shall prevent the Corporation from linking the Corporation's ~~website~~ website(s) to 1) recognized news/media ~~outlets (e.g., local newspapers' websites, local television stations websites)~~ outlets, e.g., local newspapers' websites, local television stations' websites, or 2) to websites, web content, apps, and/or web services that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

Under no circumstances ~~is a website~~ are Corporation-created web content, apps or web services to be used for commercial purposes, political lobbying, or to provide financial gains for any employee or student. As part of this prohibition, web content, apps and web services contained on the Corporation's website shall not: 1) include statements or other items that support or oppose a candidate for public office, the investigation, prosecution or recall of a public official, or the passage of a tax levy or bond issue; 2) include a link to a website of another organization if the other website includes such a message; or 3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

- [X] Under no circumstances ~~is a~~ are staff member-created web page/site, content, apps or web services, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. ~~The Board maintains its own. Employees are required to use the Corporation-specified website, web content, app or web service, (e.g., _____ [Skyward] that employees are required to use for the purpose of conveying information to students and/or parents.~~
- [X] Staff members are prohibited from requiring students to go to the staff member's personal web pages/sites (~~including, but not limited to, their Facebook or MySpace pages~~ including but not limited to Facebook, Instagram, or Pinterest) to check grades, obtain class assignments and/or class-related materials, ~~and~~ or to turn in assignments.
- [X] If a staff member creates ~~a website~~ web content, apps or web services related to his/her class, ~~it~~ they must be hosted on the Corporation's server or a Corporation-affiliated server.
- [X] Unless the web page/site ~~content, app, or web service~~ contains student personally identifiable information, Corporation websites, web content, apps and web services that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access ~~features, whereby~~ features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users ~~will~~ generally will be given full access to the ~~sites created pursuant to this policy~~ Corporation's website(s), web content, apps and web services.

~~Pages~~ Web content, apps and web services should reflect an understanding that both internal and external audiences will be viewing the information.

School ~~websites~~ website(s), web content, apps and web services must be located on Corporation-owned or Corporation-affiliated servers.

The Superintendent shall prepare administrative guidelines defining the rules and standards permissible for web site use applicable to the use of the Corporation's website and the creation of web content, apps and web services by staff.

(X) and students.

The Corporation retains all proprietary rights related to the design of websites and/or pages web content, apps and web services that are hosted on the Corporation's Corporation-owned or Corporation-affiliated servers, absent written agreement to the contrary.

Students who want their class work or information regarding their athletic endeavors, if applicable, to be displayed on the Corporation's website, web content, apps and web services must have written parent permission and expressly license the display and any related photographs without cost to the Board Corporation.

Prior written parental permission is necessary for a student to be identified by name on the Corporation's website, web content, apps and web services.

Instructional Use of Apps and Web Services

The Board authorizes the use of apps and/or web services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

[SELECT OPTION #1 or #2]

[OPTION #1]

The Board requires the [] Superintendent [] _____ pre approve each app and/or web service that a teacher intends to use to supplement and enhance student learning. To be approved, the app or web service must have a FERPA compliant privacy policy and comply with all requirements of COPPA and CIPA () and Section 504 and the ADA.

[END OF OPTION #1]

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[OPTION #2]

A teacher who elects to supplement and enhance student learning through the use of web services and/or apps is responsible for verifying/certifying to the Superintendent or designee _____ that the app or web service has a FERPA-compliant privacy policy, and it complies with all requirements of COPPA and CIPA and Section 504 and the ADA.

[END OF OPTION #2]

The Board further requires

the use of a Corporation-issued e-mail address in the login process.

~~prior written parental permission to use a student's personal e-mail address in the login process.~~

P.L. 106-554, Children's Internet Protection Act
15 U.S.C. 6501 et seq., Children's Online Privacy Protection Act
20 U.S.C. 6777, 9134
47 U.S.C. 254, Communications Act of 1934, as amended
34 C.F.R. Part 99, Family Educational Rights and Privacy Act
47 C.F.R. 54.520, Children's Internet Protection Act

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VOLUNTEERS

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

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

[SELECT EITHER OPTION #1 OR OPTION #2]

OPTION #1

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

OPTION #2

Each volunteer who is in direct, unsupervised contact with students will be required to submit to an Expanded Criminal History Record Check which shall include:

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

- D. beginning July 1, 2017, a search of the State child abuse registry;
- ~~(+) telephone inquiry with each former employer disclosed on the employment application;~~
- ~~(+) explanation of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred;~~
- ~~(+) fingerprint check;~~
- a detailed background history including all prior employment and volunteer positions;
- an Indiana Bureau of Motor Vehicles driver history if the position involves driving.

[END OF OPTIONS]

The procedures shall ensure that information and records obtained from criminal history inquiries under this policy are confidential and shall not be released except as necessary to implement this policy or to defend a decision made pursuant to this policy.

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

- A. shall agree to abide by all Board policies and Corporation guidelines while on duty as a volunteer;
- B. will be covered under the Corporation's liability policy but the Corporation shall not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the volunteer eligible for workers' compensation;
- C. will be asked to sign a form releasing the Corporation of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services;

- D. will be required to report any personal arrests on the filing of criminal charges while serving as a volunteer. will be required to report any arrests, the filing of criminal charges against him/her, or convictions for a crime while serving as a volunteer;
- will be required to report any substantiated report of child abuse or neglect of which s/he is the subject.

The Superintendent ~~shall also~~ shall ensure that each volunteer is properly informed of the Corporation's appreciation for his/her time and efforts in assisting the operation of the schools.

I.C. 5-2-22
I.C. 10-13-3
I.C. 20-26-2-1.3
I.C. 20-26-2-1.5
I.C. 20-26-5-10, -11 and -11.5

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PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES

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

The Superintendent shall establish the necessary procedures to provide that contractors and ~~sub-contractors~~subcontractors conduct an inquiry into the background information of these employees that shall include the following:

- A. an expanded national criminal history check as defined by I.C. 20-26-2-1.5
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~B.C.~~ a search of the national sex offender registry maintained by the United States Department of Justice
- ~~C.~~ ~~arrest and/or filing of criminal charges against each employee within two (2) business days of the occurrence and the disposition of such arrest or filing of charges concerning employees of contractors and sub-contractors~~
- D. beginning July 1, 2017, a search of the State child abuse registry
- ~~D.E.~~ verification of enrollment in and use of the Federal E-Verify program to check eligibility to be employed (all employees)
- ~~(+)~~ ~~fingerprint check~~
- (X) a detailed background history including all prior employment and volunteer positions

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- (X) an Indiana Bureau of Motor Vehicles driver history if the position involves driving

Personally identifiable information reported to the School Corporation in the implementation of this policy shall not be released except as necessary to implement this policy or to defend a decision made pursuant to this policy.

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

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

Each contractor and ~~sub-contractors~~subcontractor providing services to the Corporation shall screen all employees who are likely to have direct, on-going contact with children in the course of providing services to the Corporation. Screening shall only be required one (1) time during the period of the current contract with the Corporation as long as the contractor has continuously screened new hires, ~~and required the same of its sub-contractors and required that these employees report arrest and the filing of criminal charges against them. Compliance with this requirement shall be verified by either:~~ required the same of its subcontractors, and required that these employees report the () arrest and the filing of criminal charges against the employee, conviction of the employee for a crime, and substantiated report of child abuse or neglect of which the employee is the subject. Compliance with this requirement shall be verified by either:

- A. inclusion of the requirement as a material term of the contractor's or ~~sub-contractor's~~subcontractor's contract; or
- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Corporation's files.

Non-compliance with these requirements shall be a breach of a material term of any contract between a contractor/~~sub-contractors~~subcontractor and the Corporation.

The Superintendent shall develop administrative guidelines to implement this policy. These procedures shall provide for the review of each reported (**X**) arrest and/or criminal charge, criminal conviction of an employee of a contractor or subcontractor, and substantiated report of child abuse or neglect of which the employee of a contractor or subcontractor is the subject and for a response to the reported information that protects members of the school community from persons who may be dangerous to them. Failure of a contractor or ~~sub-contractors~~subcontractor to remove an employee from direct contact with students, upon request from the Superintendent, shall be considered to be a material breach of the contractor's or ~~sub-contractor's~~subcontractor's contract with the Corporation.

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

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

~~I.C. 10-13-3~~

~~I.C. 20-26-2-1.5~~

~~I.C. 20-26-5-10, -11~~

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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/GQE test 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 and practicable workplace Spanish designation on the student's transcript if the student has taken Spanish language courses that meet 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.

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

The Board authorizes the administration to:

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

- B. provide "personally-identifiable" information to appropriate parties, including 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 there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. request each person or party requesting access to a student's record to abide by the Federal and State regulations concerning the disclosure of information to a third party;
- D. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Corporation for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

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

~~[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.

- F. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with federal requirements related to those education programs. A written agreement between the parties is required under this exception (see Form 8330 F16).

[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.~~

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

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

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

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

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

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

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

DIRECTORY INFORMATION

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

[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.

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 ~~five (5)~~ business days of the principal receiving the request.

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

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

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

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

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;

- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of Corporation noncompliance with the United States Department of Education;
- F. obtain a copy of the Corporation's policy and administrative guidelines on student records.

The Superintendent also shall develop procedural guidelines for:

- the proper storage and retention of records including a list of the type and location of records;
- 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.

Violation of this Policy

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

- (X) who knowingly or intentionally discloses information classified as confidential by State statute commits a Class A infraction;
- (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 adopted by the County Public Records Commission.

I.C. 5-14-3-3(f)

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

I.C. 5-14-3-4(c)

I.C. 5-14-3-10

I.C. 5-15-6-8

[I.C. 20-32-4-12](#)

I.C. 20-33-2-13I.C. 20-33-7-1 et seq.

I.C. 31-39-2-13.8

511 I.A.C. 7-38-1 et seq.

26 U.S.C. 152

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g

Individuals with Disabilities Education Act of 2004, 20 U.S.C. 1400 et seq.

20 U.S.C. 7165(b)

20 U.S.C. 7908

34 C.F.R. Part 99

34 C.F.R. Part 300

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LETTERS-LETTER OF REFERENCE OR EMPLOYMENT REFERENCE

Letter of Reference:

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

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

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

Employment Reference:

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

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

All Corporation employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting a Corporation employee, contractor or agent in obtaining a new job if s/he knows or has probable cause to believe that such Corporation employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

~~The Superintendent shall develop the administrative guidelines necessary to implement this policy.~~

I.C. 20-26-5-11.5

I.C. 22-5-3-1

Section 8546 of the Every Student Succeeds Act (ESSA)

REVISED POLICY - VOL. 29, NO. 1

SCHOOL SAFETY

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

[CHOOSE ONE OF THE FOLLOWING OPTIONS (OPTION 1 IS REQUIRED BY STATE LAW; OPTION TWO IS NOT REQUIRED BUT THE BOARD MAY CHOOSE IT INSTEAD)]

the Corporation shall establish a *Safe School Committee* for the entire Corporation, the composition of which shall be in accordance with the Superintendent's guidelines.

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

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

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

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

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

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

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

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

- A. Unsafe conditions, crime prevention, school violence, bullying, drug use, and other issues that prevent the maintenance of

[if Option 1 was chosen above] safe schools.

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

- B. Professional development needs for faculty and staff to implement methods that decrease problems identified above.
- C. Methods to encourage involvement by the community and students, development of relationships between students and school faculty and staff, and use of problem solving teams.
- D. Provide a copy of the floor plans for each building that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the local law enforcement agency and the fire departments that have jurisdiction over the school. The Corporation shall not disclose any record or part of any record if the disclosure of which would have a reasonable likelihood of threatening public safety by compromising the Corporation's security.

In developing the plan, the ~~School Safety Committee~~ Safe School Committee ~~(X)~~ may ~~shall~~ seek input from representatives of the following:

- local law enforcement ~~() agency~~ **(X) agencies;**
- the local Fire Marshal(s) or his/her designee(s);
- emergency medical services;
- a member of the Board;
- building administrators;

the local emergency management service agency;

School Resource Officer(s);

~~(other, please specify)~~ _____

~~(other, please specify)~~ _____

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

~~**[If Option 2 was chosen above]** The Superintendent shall recommend the approval and adoption of each school's plan.~~

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

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

A. develop a drug-free school plan that:

1. requires each school to collect and report drug related activities in the school, including suspensions, expulsions, exclusions, police actions, or any other type of drug related behavior; and

2. addresses ways to eliminate illegal drugs and drug related behavior in schools;

B. oversee the implementation of the school plan;

C. oversee the implementation of the curriculum under I.C. 20-30-5-11 concerning the effects that alcoholic beverages, tobacco, prescription drugs, and controlled substances have on the human body and society at large.

Security Police Training

In the case of a special police officer who is assigned as a security police officer for the Corporation, the Board shall require that the police officer receives training and education, approved by the State Board of Education, that will enable the police officer to appropriately deal with individuals with Autism and Asperger's Syndrome.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the Corporation report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the Corporation's school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceeds the threshold number established in State policy, the Superintendent shall refer this to the ~~School Safety Committee~~ Safe School Committee

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

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

so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

When developed, the Superintendent shall make a report to the Board about this plan of corrective action and recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall meet with the ~~School Safety Committee~~Safe School Committee

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

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

discuss the school's designation as a persistently dangerous school, and develop a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

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

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

⌘ **Corporation Police**

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

~~I.C. 5-2-10.1-12~~

~~I.C. 20-26-16~~

~~I.C. 20-26-5-31~~

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

~~I.C. 20-30-5-11~~

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

~~20 U.S.C. 7101 et seq., The Safe and Drug-Free Schools and Communities Act (Title IV, Part A of the Elementary and Secondary Education Act)~~

~~I.C. 5-2-10.1-12, 20-26-16, 20-26-5-31, 20-34-3-20-9~~

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

TECHNICAL CORRECTION - VOL. 29, NO. 1

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

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

STUDENT, EMPLOYEE, AND VISITOR HEALTH AND SAFETY

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

- A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of Corporation facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a corporation-wide hazard reporting procedure that enables employee/stakeholder participation. This program should also provide procedures for identifying and responding to hazards that are created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine whether or not appropriate requirements for environmental health and safety have been met.
- B. Procedures that promote environmental health and safety awareness among employees, students, and stakeholders. These procedures shall include, but not be limited to, the establishment of school and Corporation safety committees, and the establishment of a program of regular communication with students, employees, and stakeholders about pertinent safety and health issues through available mediums in the Corporation.

- C. Procedures directed toward the safety and health of students during transportation to and from school, at school, and during participation in school-related activities. These procedures shall include, but not be limited to, promoting bus safety for students, assessing the safety of school traffic patterns, operating school clinics, administering medication and medical treatment, promoting laboratory and shop safety, promoting safety in sports and other outdoor activities, inspecting playground equipment and promoting safety on playgrounds, and assessing environmental exposure.
- D. Procedures related to Corporation employee health and safety issues that include, but are not limited to, provision of work areas free from recognized hazards and OSHA-related programs that are required by Federal and State law, such as, employee safety and health training and training in hazard recognition, and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and provides communication about accidents to employees and stakeholders.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

ANIMALS IN CLASSROOMS

Live animals shall be allowed in the classroom for educational purposes with the prior approval of the principal. No live animal will be allowed in the classroom longer than **(X)** a semester ~~(1) a grading period (1) _____ weeks.~~

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

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

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

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

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

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

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

Owners of pets (~~see AG 8605A~~) and service animals (~~see AG 9160B~~) brought on school property are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.

INDOOR AIR QUALITY (IAQ)

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

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

[NOTE: This content may be included in policy or administrative guideline.]

Criteria established by the ISDH are as follows:

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

- E. The school corporation shall establish and maintain a written procedure for routine maintenance of the heating, ventilating and air conditioning system (HVAC). This procedure shall include the following items:
1. a schedule for inspecting the HVAC system, including annual inspection
 2. ensuring that all supply and return air pathways in the HVAC system are unobstructed and perform as required
 3. a schedule for cleaning the HVAC coils at least annually
 4. a schedule for inspecting and changing filters

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

[NOTE: END OF SECTION.]

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

Contributing factors to excessive moisture levels include the following:

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

As preventative measures, the Corporation shall do the following:

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

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

- B. maintain environmental conditions in occupied areas that are in compliance with applicable regulations and strive to conform to consensus industry standards

- C. implement a preventative maintenance program for HVAC systems which shall include, but not limited to, periodic filter replacement, inspection, cleaning and disinfecting processes, and procedures to eliminate the contribution to indoor air quality problems caused by this equipment

- D. implement a system for insuring materials used and purchased for use in the construction, furnishing and maintenance, including cleaning of facilities, do not contribute to health hazards to employees and students by degrading the quality of indoor air

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

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

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

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

SCHOOL BUS AND OTHER VEHICLE IDLING

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

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

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

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

POLLUTION CONTROL AND PREVENTION

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

SEE ALSO THE FOLLOWING RELATED POLICIES:

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

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

REVISED POLICY - VOL. 29, NO. 1

COACH TRAINING

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

The School Board requires that:

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

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

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

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

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
3. awards a certificate of completion to a coach who successfully completes the course.

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

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

[THE FOLLOWING TRAINING IS OPTIONAL; CHOOSE THE OPTIONS THAT THE BOARD WISHES TO INCLUDE IN THE POLICY]

[X] Additionally, the Board requires that:

[X] All head and assistant coaches of students of any age participating in interscholastic or intramural sports other than football, including cheerleading, shall complete a certified coaching education course approved by the State Department of Education at least once during a two (2)-year period that:

1. contains player safety content on concussion awareness;
2. requires a coach to complete a test demonstrating comprehension of the content of the course; and
3. awards a certificate of completion to a coach who successfully completes the course.

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

[X] All coaches **(X)** and athletic activity sponsors **[END OF OPTION]** of interscholastic or intramural sports for students of any age shall receive training about **(X)** concussions **(X)** and sudden cardiac arrest **[END OF OPTION]** at least once during a two (2)-year period.

- [X]** All coaches (X) and athletic activity sponsors [END OF OPTION], other than football coaches, shall be required to complete a coaching education course that contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach (X) and athletic activity sponsor [END OF OPTION] must complete a course not less than once during a two (2)-year period.

~~All coaches and athletic activity sponsors shall receive training regarding State law governing concussions and sudden cardiac arrest. All football coaches shall also complete a certified coaching education course that is sport specific; contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique; requires the football coach/activity sponsor to complete a test demonstrating comprehension of the content of the course; and awards a certificate of completion to a football coach who successfully completes the course. The certification course must be completed prior to coaching. The course must be approved by the Indiana Department of Education, and each football coach must complete a course not less than once during a two year period. However, each football coach must again complete instruction and successfully complete a test if s/he receives notice that new information has been added to the course prior to the end of the two (2) year period.~~

- ~~{ } All coaches and athletic activity sponsors, other than football coaches, shall be required to complete a coaching education course that should contain player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach and athletic activity sponsor must complete a course not less than once during a two year period.~~

[END OF OPTIONS]

~~The Superintendent shall establish administrative guidelines to ensure that each person employed as a coach or athletic activity sponsor has the appropriate qualifications, has been properly interviewed, has cleared a criminal background check, and has received the required training.~~

The Superintendent shall require that each person employed as a coach (X) or athletic activity sponsor [END OF OPTION] is qualified, has cleared a background check as required by State law and Board Policy 1521, Policy 3121, Policy 4121, Policy 8120, or Policy 8121 and has received the training required by State law and this policy.

~~The guidelines shall also provide that all All coaches (X) and athletic activity sponsors [END OF OPTION] must shall be informed of Corporation policies regarding reporting requirements and investigation requirements for complaints of bullying or harassment and suspected child abuse/sexual abuse.~~

I.C. 20-34-7

I.C. 20-34-8

REVISED POLICY - VOL. 29, NO. 1

RELATIONS WITH SPECIAL INTEREST GROUPS

Any request from civic institutions, charitable organizations, or special interest groups which involve such activities as patriotic functions, contests, exhibits, sales of products to and by students, sending promotional materials home with students, graduation prizes, ~~fund raising~~ fundraising, and free teaching materials must be carefully reviewed to ensure that such activities promote student interests without advancing the special interests of any particular group.

It is the policy of the School Board that students, staff members, and School Corporation facilities not be used for advertising or promoting the interests of any nonschool agency or organization, public or private, without the approval of the Board or its delegated representative; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.

A. **Political/Commercial Interests**

All materials or activities proposed by outside political or commercial sources for student or staff use or participation shall be reviewed by the

School Board

Superintendent

principal

on the basis of their

educational contribution to part or all of the school program,

benefit to students,

good taste

and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

[CHOOSE BETWEEN OPTION #1 AND OPTION #2 BELOW]

[SELECTION OF FIRST OPTION PRECLUDES SELECTION OF SECOND OPTION.]

[Option #1]

~~The Board shall not permit the use of any type of educational material, program, or equipment in its curricular or extra-curricular activities or at any time during the school day if such materials, programs, or equipment contain partisan political or commercial messages or are designed to persuade students or staff members to acquire a particular product or service offered by a named individual, company, organization, association, or agency. Professional staff may, however, utilize political materials or those provided by special interest groups in adopted courses of study with the approval of the principal.~~

[OR]

[Option #2]

The Board shall permit the use of educational materials, programs, and equipment which contains commercial messages ~~providing~~ provided the content of such messages and the manner of presentation has been approved by the Superintendent and is in compliance with the Corporation's administrative guidelines.

Outside speakers representing commercial organizations will be welcome only when the commercial aspect is limited to naming the organization represented and the subject matter advances the educational aims of the Corporation.

[END OF OPTIONS]

B. Contests/Exhibits

The Board recognizes that contests, exhibits, and the like may benefit individual students or the Corporation as a whole, but participation in such special activities may not:

- have the primary effect of advancing a special product, group, or company;
- make unreasonable demands upon the time and energies of staff or students or upon the resources of the Corporation;
- involve any direct cost to the Corporation;
- ~~interrupt the regular school program;~~
- ~~unless the student body as a whole derives benefit from such activities;~~

- cause the participants to leave the ~~School~~ Corporation, unless:
 - ~~the Board's Board~~ Policy 2340 - Field and Other Corporation-Sponsored Trips has been complied with in all aspects;
 - ~~the Board has granted special permission;~~
 - ~~the parents of a minor student have granted their permission.~~

C. **Distribution/Posting of Literature**

- No outside organizations or staff member or student representing an outside organization may distribute or post literature on that organization's behalf on Corporation property either during or after school hours
 - without the permission and prior review of the
 - ~~Superintendent.~~Board.
 - ~~principal.~~Superintendent.
 - ~~Board.~~principal.

The Superintendent shall establish administrative guidelines which ensure that:

- criteria established in Policy 5722 - Student Publications and Productions are used to make a decision regarding materials that students seek to post or distribute;
- distribution or posting of materials employees wish to distribute on behalf of an employee organization comply with the terms of negotiated collective bargaining agreements;

- the school mail system is not used by students or staff for distribution of nonschool-related materials;
- no materials from any profit-making organization are distributed for students to take home to their parents;
- unless authorized by the Superintendent;
- the time, place, and manner of distribution of all nonschool-related materials is clearly established and communicated;

D. **Solicitation of Funds**

[CHOOSE BETWEEN OPTION #1 OR OPTION #2 BELOW]

() Option #1

~~Because the Corporation cannot accommodate every organization that desires to solicit funds for worthy purposes, the Board shall not permit any organization not related to the Corporation to solicit funds on Corporation property.~~

[OR]

(X) Option #2

Any outside organization or staff member representing an outside organization desiring to solicit funds on school property must receive permission to do so from the

- Board.
- Superintendent.

[END OF OPTIONS]

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Permission to solicit funds will be granted only to those ~~organizations or individuals~~ organizations, individuals, or staff members who meet the permission criteria established in the Corporation's administrative guidelines. Solicitation must take place at such times and places and in such a manner as specified in the administrative guidelines. In accordance with Board Policy 5830, no Corporation student may participate in the solicitation without the Superintendent's approval.

- The Board disclaims all responsibility for the protection of, or accounting for, such funds.
- Solicited funds are not to be deposited in any regular or special accounts of the Corporation.
- ~~A copy of this policy as well as the relevant administrative guidelines shall be given to any individual granted permission to solicit funds on Corporation property.~~
- This policy does not apply to the raising of funds for Corporation-sponsored or school-sponsored activities.
- Use of the name, logo, or any assets of the Corporation, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the
 - ~~Board.~~
 - Superintendent.

[CHOOSE BETWEEN OPTION #1 OR OPTION #2 BELOW]

OPTION #1

~~The Board does not permit or sanction the use of crowdfunding for Corporation or specific school programs or activities, including co-curricular or extra-curricular activities.~~

OR

OPTION #2

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extra-curricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the

Superintendent.

~~Board upon recommendation of the Superintendent.~~

All crowdfunding activities are subject to Policy 6605 and any administrative guidelines adopted by the Superintendent to implement Policy 6605.

[END OF OPTIONS]

~~Any booster club or school support group that may use students in a fund-raising activity must comply with I.C. 4-32-9-34, namely, that no student under the age of eighteen (18) may play, participate in, or sell tickets for any of the following types of fund-raising events - bingo games, charity game nights, raffles, door prizes, fund-raising festivals, activities related to pull tabs, punchboards, tip boards, and the like.~~
Any booster club or school support group that may use students in a fundraising activity must comply with I.C. 4-32.2-5-21 and Board Policy 5830 for any of the following types of fundraising events: bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch-boards, tip-boards, and the like. Moreover, any fundraiser involving games of chance must comply with Indiana law, including obtaining the appropriate license or permits.

E. **Prizes/Scholarships**

The Board is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this Corporation. But, in accepting the offer of such scholarships or prizes, the Board directs that these guidelines be observed:

(+) ~~No information~~

(+) ~~either academic or personal~~

~~shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen (18), or the parents of a student who is younger in accordance with the Board's policy on student records.~~

- (X) The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the
 - (+) ~~Board.~~
 - (+) ~~Superintendent.~~
 - (X) principal.
- (+) ~~The principal, together with a committee of staff members designated by the principal, shall be involved in the selection of the recipient.~~
- (+) ~~and, if agreeable to the sponsoring organization, the selection shall be left entirely to the principal and staff committee.~~

F. Sale of School Supplies

In determining the appropriateness of the sale of school supplies by organizations other than the ~~School~~ Corporation, the Board requires that:

- (X) the organization have a purpose which will benefit the ~~School~~ Corporation and its students;
- (X) the organization's planned activities are clearly in the best interest of the ~~School~~ Corporation and its students;
- (+) ~~the organization has submitted the following information and assurances on the form provided by the Corporation: a statement noting the purpose of the organization, financial accountability assurances, and use of facility assurances.~~

All funds generated by the sale of such school supplies shall be kept separate from other activity funds or other transactions of the Board.

G. **Surveys and Questionnaires**

Neither Corporation-related nor noncorporation-related organizations shall be allowed to administer a survey or questionnaire to students or staff unless the instrument and the proposed plan is submitted, in advance, to the Superintendent. If approved in accordance with the Superintendent's criteria, a copy of the results and the proposed manner of their communication are to be provided to the Superintendent for review and approval before they are released.

[I.C. 4-32.2-4](#)
[I.C. 4-32.2-5](#)
[I.C. 4-32.2-5-21](#)

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