

## 4000 STUDENTS

### 4010 Enrollment

#### General Requirements

1. When a child first enrolls in M.S.D. Wabash County, the parents shall furnish a certified birth certificate and written evidence that the child has had all required immunizations and has met the requirements of Indiana law.
2. A student is entitled to enroll in M.S.D. Wabash County when living with someone other than the student's custodial parent(s) when the person(s) the student is living with has been named legal guardian of the student by the court.
3. A student is entitled to enroll in M.S.D. Wabash County when living with someone other than the student's custodial parent(s) and when a legal guardianship is not required as follows:
  - A. The divorced or separated parents of a student agree to have the student live with the parent who does not have legal custody (Custodial Statement and Agreement Form 1 required).
  - B. The student's parents are living outside the United States due to educational pursuits or job assignment and maintain no permanent home in any school corporation in the United States (Custodial Statement and Agreement Form 2 required).
  - C. The custodial parent abandons the student and the student is living with the non-custodial parent (Custodial Statement and Agreement Form 1 required).

#### Kindergarten Entrance

Any child who attains the age of five (5) on or before August 1 of a school year will be admitted to the kindergarten program of M.S.D. Wabash County. These guidelines shall also include an appeal process to kindergarten.

#### Appeal for Early Entrance to Kindergarten

Children of legal settlement who have not attained the age of five (5) by August 1<sup>st</sup> may not be eligible for entrance into the Kindergarten program unless the parents submit an appeal.

Such an appeal is to be submitted to the building principal.

Parents may complete part, or the entirety, of the following requirements and submit with the request:

- A. Interview with the principal explaining why the request for early entrance is being made.
- B. Submit a letter from the child's nursery school or pre-school teacher in which the teacher states the reasons why early entrance to Kindergarten is desirable for the child. The teacher should offer assessments of the following domains and areas of development:
  - 1. Cognitive;
  - 2. Motor skills (fine and gross);
  - 3. Social/emotional adaptive behavior;
  - 4. Academic readiness skills;
  - 5. Motor development perceptual development;
  - 6. Physical development
- C. In the event the child is not involved in a pre-school program, the parents should submit a letter offering their assessment of the child's progress in the above listed areas.
- D. The parents may be asked to sign a statement agreeing that if the child does not demonstrate adequate growth as determined by the Kindergarten teacher, the child will repeat Kindergarten the following school year.

Parents may be interviewed by the principal in order to develop an adequate case history on the child and advised of the nature of the Kindergarten (or First grade) program. No indication is to be communicated to the parents during the interview process. All information will be presented to the Superintendent who shall make the final decision.

In evaluating the requests for early admission, the Superintendent may base the decision on the principal's assessment as well as the following:

- A. Space available will be guided by the rate of eighty (80) percent capacity based upon twenty-five (25) students per classroom. Eighty (80) percent capacity would be identified by the following section size:
  - 1. One (1) section grade level- twenty (20) of twenty-five (25) positions
  - 2. Two (2) section grade level-forty (40) of fifty (50) positions
  - 3. Three (3) section grade level-sixty (60) of seventy-five (75) positions
  - 4. Four (4) section grade level-eighty (80) of one hundred (100) positions
- B. If there are more applicants than the number of spaces available and it is determined that an excess number of applicants qualify for early entrance than

space available, the determining factor for acceptance shall be the birthdate of the child; children with birthdates closest to the August 1<sup>st</sup> cutoff date will be admitted to the Kindergarten program.

- C. If no space is available, or if it is determined that it is not in the best interest of the school or the children to admit additional students, no early entrance application(s) will be accepted.

A child coming into the School District from an out-of-state Kindergarten program (public or private) or an in-state Kindergarten program (public or private) and who does not meet the Indiana State age-eligibility requirements, should be admitted to the Kindergarten program, unless it can be determined that enrollment in such a program was intended to circumvent Indiana law.

The Superintendent may admit the child without stipulation or the Superintendent may choose to admit the child on a probationary basis.

If enrollment is approved, a meeting is to be held with the parents by the principal to inform them of the decision, to counsel them about their child's particular strengths and weaknesses, and to complete the enrollment procedures for entrance into the Kindergarten program.

If enrollment is not approved, the principal is to contact the parents and explain the reasons why their child will not be eligible and to inform them of the enrollment procedures when their child meets the age requirements.

### First Grade Entrance

Any child who attains the age of six on or before August 1 of a school year will be admitted to first grade in M.S.D. Wabash County.

Parents of a child who attained the age of 6 on or after August 1 and completed kindergarten in an accredited kindergarten program in another location may appeal to the superintendent for their child to be admitted to first grade. The following procedures will be observed.

The parents shall provide the student's records for review by school personnel if the child attended a kindergarten program.

### Full Time Status

Every student who is enrolled in MSDWC must be a full time student except for:

- A. A special education student whose individualized education program (IEP), as developed in accordance with 511 I.A.C. 7, calls for a shortened schedule.

- B. A special education student who has been parentally placed in a nonpublic school whose Service Plan, as developed by the Case Conference Committee, following District procedures, permits partial enrollment at MSDWC.
- C. A student on a 594 Plan or for behavioral or medical reasons may require a partial day.
- D. On an individual basis exceptions will be made based on student needs and recommendation of building administrator.

For purposes of this policy, students on MSDWC approved vocational education programs or enrolled in college courses under postsecondary enrollment programs which, when added to the student's other courses at MSDWC, result in a full instructional schedule are considered enrolled "full time."

In order to be eligible to participate in MSDWC courses, summer school, or extracurricular activities, a student must be enrolled "full time" unless such student is under an IEP or in a vocational program or postsecondary program as described above. This policy shall not prohibit MSDWC from entering into agreements with other public or private schools with respect to course offerings or extracurricular activities.

#### **4020 Teacher/Class Assignment**

Several factors -- class loads, scheduling ramifications, ability levels, gender balance, physical and emotional needs, student-teacher rapport, and peer relationships -- shall be considered in determining teacher and class assignments. Parents are welcome to provide special insights as to which learning environment may be best for their children. However, the school corporation shall make the final determination with regard to teacher and class assignments.

#### **4025 Grade Advancement**

##### Enrolled Students

M.S.D Wabash County advocates continuous progress in curricular areas of reading, language arts and mathematics. However, enrichment and acceleration should be provided in all disciplines to accommodate students. When the teacher, parent, or administrator believes the student's academic needs are not being fully met in the grade in which the student is currently placed, the student may be referred to the Intervention Team at the school.

The Intervention Team should review the classroom teacher's efforts to respond to the student's needs, the student's ability, the student's participation in the High Ability program, and school performance, including performance in M.S.D. Wabash County. The Intervention Team may determine that further assessment is appropriate, that additional instructional strategies should be utilized, and/or that enrichment/acceleration activities be planned.

The principal shall monitor the initiation of such recommendations. If the principal believes that the results are unsatisfactory, the Intervention Team should be recalled to review the results and consider other alternatives, one of which may be grade advancement. If the team concurs, the principal will recommend to the Chief Academic Officer for Academic and Faculty Development that the student be grade advanced. The Chief Academic Officer will review the documentation of the Intervention Team and provide a written decision within 20 school days.

### **4030 Attendance Boundaries**

Individual school attendance boundaries shall be established upon the recommendation of the Superintendent of Schools and approval of the Board of School Trustees. Such boundaries may be changed as population conditions warrant or capacities of buildings require the adjustment of student enrollment.

Students shall attend the school in the attendance district in which they reside unless a transfer is granted in accordance with policy 4040.

### **4040 Transfers**

The Board of School Trustees recognizes that a parent of a child must be a legal resident of the Metropolitan School District of Wabash County (MSDWC) in order for the child to attend its schools. The Board recognizes it has the authority to accept transfer students and it is intent of the Board that all applicable laws in regard to student transfer shall be strictly enforced. A transfer student is one whose legal settlement is not within the boundaries of MSDWC.

Requests by parents, guardians, or custodians of Indiana students who do not reside in the MSDWC but who wish to enroll their child in the school corporation will be considered for enrollment under the following conditions:

- A. A student requesting transfer may be asked to complete the Application for Transfer of Non-Resident Student and submit it to the school they wish their child to attend.
- B. The parent, guardian, custodian, or student agrees to provide his/her own transportation to and from the school.
- C. Capacity for each grade level in each building as determined annually by the Board of School Trustees will be a consideration as to whether the student will be admitted or random drawing will be necessary to determine who will be accepted. A random drawing will take place in a public meeting of the school board when the number of eligible transfer applicants exceeds the capacity of the grade level. When determining capacity space needed for resident students, current transfer students, siblings of such students, and employees' children will be taken into consideration.

Under no circumstances will a transfer student be accepted for athletic reasons.

The building principal and superintendent shall deny a transfer request based on one or more of the following criteria:

- A. The student has been suspended or expelled for 10 or more school days in the 12 months preceding the request for transfer.
- B. The student was suspended or expelled for possessing a firearm, deadly weapon, or destructive device in the preceding 12 months.
- C. The student was suspended or expelled for causing physical injury to a student, school employee, or visitor to the school.
- D. The student was suspended or expelled for violating a drug or alcohol rule.

Students transferring to this Corporation from other schools or school corporations shall be placed in those classes or at those grade levels for which their previous educational experiences appear to qualify them. The School Corporation reserves the right to change or modify such placements on the basis of later information, testing, or investigation.

The Superintendent of Schools shall develop the operational procedures and forms necessary for the implementation of this policy

Legal References: I.C. 20-26-11-2  
I.C. 20-26-11-6  
I.C. 20-26-11-32

The Board of School Trustees authorizes the Superintendent to accept all requests for a student to transfer into MSDWC.

Legal Reference: I. C. 20-26-11-2

### **4050 Retention**

M.S.D. Wabash County is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students in the grade level or program best suited to their academic, social and emotional needs.

Students will normally progress annually from grade to grade. However, some students need additional time and/or experience before proceeding to the next level of their education. When this concern exists, the building principal shall make the final decision regarding the student's placement.

#### **Red-Shirting**

M.S.D. Wabash County shall not allow the retention of any student, who has successfully completed any grade, except upon the recommendation of the building principal. Regarding athletics, fair competition and safety of participants is best

served when students of approximately the same age participate at any one grade level. No student who has completed a grade successfully shall be retained or allowed to repeat a grade in order to improve his/her ability or lengthen his/her eligibility to participate in extracurricular programs. If it can be documented that a student has repeated any grade for reasons other than academic failure in circumvention of this policy, the student shall lose his/her final year of eligibility in high school athletics.

#### Remediation and Intervention

M.S.D. Wabash County is committed to providing comprehensive services to all students. Students who are under prepared for school or those who are low or underachieving will be recommended for available intervention, remediation or alternative programs. Students whose scores fall below district standards must participate in one of the options offered or in a program designed and funded by the parent or guardian.

The programs will be available at all grade levels. Students will be recommended for the program in accordance with written criteria developed by the administration. The final report of the student's progress, including the classroom teacher's recommendation, will be used to determine placement in the next grade or class. The school district may require a student to repeat the grade or class if the student does not participate in, and successfully complete a recommended MSDWC intervention or remediation program or one planned by the parents.

#### **4055 Retaking High School Courses**

The rationale for repeating a class is limited to improving the student's understanding and achievement, and/or improving the student's ability to meet post-secondary goals. The transcript will show all grades but only the grade from the second class will be included in the GPA.

Thus, students may retake a high school course if the following conditions are present:

- A. The student is not adequately prepared for the next related course in the series (i.e., mathematics); and
- B. The grade for the previous class was a C+ or below; OR
- C. The student desires to repeat a course to meet the eligibility requirements of the Academics Honors Diploma (AHD). The requirements are: a grade of no lower than a C in any course qualifying for the AHD (excepting the course to be repeated), and an overall GPA of an 8.0 (B average).

When students meet the criteria and request to repeat a course in the next possible semester, the student, the student's parents or guardians, and the counselor will make the decision. If the criteria are not met or there is a lapse of time before the student asks to repeat a course, the final decision to repeat a course will be made by the school principal.

There is no time limit as to when the student must request permission to repeat the class.

### **4060 Graduation Requirements**

The board shall approve graduation requirements as included in the approved curricula. Such requirements shall also be included in the high school student handbook.

### **4070 Reporting Student Progress**

Student progress shall be reported to parents on a regular basis. Examples include the use of report cards, conferences, interim reports, and returning daily work and tests to students. The administrative staff, principals, and teachers shall continuously review and improve the methods of evaluating student progress to ensure fairness and consistency. Grading procedures should be explained thoroughly to all students during the first week of school or upon their admission to school.

### **4080 Discipline**

Appropriate discipline policies shall be developed by the administrative staff and shall be reviewed and approved by the Board. Grounds for the suspension and expulsion for all students shall be in accordance with I.C. 20-33-8-14.

#### Other Disciplinary Actions

The superintendent, principal, any administrative personnel or any teacher of the school corporation shall be authorized to take any action in connection with student behavior which is reasonably desirable or necessary to help any student, to further school purposes, or to prevent an interference with school purposes. Such action may include:

- A. Counseling with a student or group of students,
- B. Conferences with a parent or group of parents,
- C. Rearranging class schedules,
- D. Requiring a student to remain in school after regular school hours to complete work or for counseling, or
- E. Restriction of extracurricular activity.

#### Participation by Parents

Persons having care of a dependent student (parents/ guardians/custodians) may be required to participate in meetings, conferences, and hearings in connection with a student's behavior. In the case of expulsion or exclusion hearings, the parent/guardian/custodian may be required to attend a hearing to determine the educational future of the child (i.e. whether the child is removed from or retained in

school or placed in an alternative program). When such participation is required, the school corporation shall notify the parent/guardian/custodian in one of the following manners:

- A. Telephone contact by a school official at least 5 days in advance of the meeting, conference, or hearing. Telephone contact will be followed up by a letter of confirmation by regular or certified mail.
- B. Personal delivery of written notice of the required attendance of the meeting, conference, or hearing by a school official at least 3 days prior to the scheduled meeting, conference, or hearing.

The superintendent, principal, or other administrative personnel shall be authorized with parental consent to require behavioral testing, counseling, or drug or alcohol abuse evaluation by a licensed agency approved by the school corporation if such testing, counseling, or evaluation is necessary to help any student, to further school purposes, or to prevent an interference with school purposes. The cost of these services shall be the responsibility of the parent/guardian/custodian, and the school corporation may require with parental consent release of the results, progress reports, and other information to appropriate school officials.

#### Non-Compliance of Parents

Non-compliance of parents/guardians/custodians with the provisions of this policy shall be considered educational neglect and the child shall be considered a "child in need of services" and the matter shall be referred to the Child Protective Services Division of the Department of Public Welfare.

### **4085 Attendance**

M.S.D. Wabash County considers the development of good attendance habits as a vital and desirable undertaking for two essential reasons. First, it is difficult for young people to learn if they are not in class: the teaching-learning process builds upon itself. Secondly, research shows that educational achievement is directly related to attendance. A student who misses a day of school misses a day of education that cannot be retrieved in its entirety. Each school is expected to implement policies and practices that encourage its students to develop and demonstrate good attendance habits.

#### Parents' Responsibility

Parents are responsible for having their children in school. Indiana law prescribes that parents must have their children in public or private school from the age of seven (7) until the date on which the child:

- A. Graduates.
- B. Reaches at least sixteen (16) years of age but less than eighteen (18) years of

age and:

1. The student and the student's parent or guardian and the principal agree to the withdrawal, and
2. At the exit interview the student provides written acknowledgment of the withdrawal and the student's parent or guardian and the school principal each provide written consent for the student to withdraw from school.
3. Reaches the age of eighteen (18) years.

### Absences from School

Absences from school shall fall into one of the four following categories:

A. Absences, which are counted as present:

1. Serving as a page in the Indiana General Assembly.
2. For students in grades seven through 12, serving at the polls on Election Day with prior approval of principal.
3. Court appearances, which are documented by a probation officer or officer of the court.
4. Active duty with the Indiana National Guard for not more than ten (10) days in a school year.
5. Placement in a short-term inpatient treatment program which provides an instructional program.
6. Homebound instruction.
7. Religious observances.

B. Excused Absences

1. Parent/guardian may excuse up to eight (8) absences per semester (e.g. illness, medical and legal appointment, family vacations, college visits).
2. Illnesses that are excused by a written note from a physician will not be counted as part of the eight (8) parent/guardian excused absences per semester. Absences beyond the eight (8) parent/guardian excused absences in a semester that are not accompanied by a written note from a physician will be considered trancies. A note must be provided to the school upon the student's return to school.
3. Exceptions to the eight (8) parent/guardian excused absences per semester will be made only in the following situations:

(1) Funerals:

- (a) death in the immediate family.
- (b) death of a person outside the immediate family with parental permission.
- (c) The building principal may excuse an absence in an emergency situation.

#### C. Unexcused Absences

1. No parent/guardian contact with the school giving an explanation for the absence on the day of the absence or prior to the absence.

#### D. Truancy

1. A student is truant when s/he is absent from school or class without the permission of his/her parent or guardian.
2. Absences beyond the ten parent/guardian excused absences in a school year will be truanies unless excused by written note from a physician. Such absences are subject to disciplinary action as established in each school's handbook. Each policy should give consideration to steps that involve the school social worker and the juvenile court in assisting to enforce appropriate attendance.
3. A student will be considered a habitual truant when that student has been expelled for truancy.

#### Make-Up Work

Upon request of the student make-up work will be offered for all student absences but credit shall be allowed only for absences that are excused or counted as present. The type of make-up work shall be at the discretion of the teacher and may be equivalent, but not necessarily identical, to the instruction presented in class. A student shall be given one calendar day for each missed day to complete the make-up work, plus an additional calendar day, if needed, up to a maximum of seven days. Extended illness shall be handled on an individual basis.

#### Reporting an Absence

In order to report an excused absence, a student's parent/guardian must contact the school. Each school has an established procedure for reporting absences. Absences shall not be excused unless the contact is made according to the school's procedure. If the parent or guardian does not call, the school will attempt to call the parent or guardian that day to document the absence.

#### Tardies

A student is tardy when the student is late for the beginning of the school day or late for any class during the school day. Policies to handle tardies shall be established in

each school's handbook. Each policy should give consideration to steps that involve the school social worker.

### Work Permits

This section applies to work permits issued to students during the school year and will not affect work permits issued for summer employment.

#### A. Denial of a work permit:

1. A work permit will be denied to a student who has been absent from school 18 or more days in the previous two semesters.
2. A student who has been denied a work permit may request a review of his/her attendance record after six weeks of regular school attendance.
3. Upon review, the issuing officer may issue a work permit if a student's attendance has substantially improved.
4. A student may appeal the denial of a work permit to the school principal.

#### B. Revocation of a work permit:

1. A work permit issued to a student may be revoked if a student has been absent from school 18 or more days of one school year.
2. A student whose work permit has been revoked may request a review of his/her attendance record after six weeks of regular school attendance.
3. Upon review, the issuing officer may reissue the work permit if a student's attendance has substantially improved.
4. A student may appeal the revocation of a work permit to the school principal.

### Attendance Procedures

If a pattern of irregular attendance develops, the school shall take the following actions to encourage a student's return to regular school attendance:

- A. After a student accumulates six parent/guardian excused absences in a school year, a school administrator, attendance clerk, or counselor shall make a contact with the student's parent or guardian. The date and content of this contact shall be documented.
- B. After a student accumulates ten parent/guardian excused absences in a school

year, a referral shall be made to the school social worker. If the school social worker is unable to successfully resolve the attendance problem, a referral may be made to the intake officer of the Wabash County Juvenile Probation Department.

1. When a student accumulates more than ten parent/guardian excused absences in a school year and fails to provide the school with a physician's note to excuse the absence, these absences are considered truancies and subject to disciplinary action as established in each school's handbook.

### **4090 Corporal Punishment**

Corporal punishment, defined as any act of physical force for the purpose of punishing or disciplining a student, shall not be used in M.S.D. Wabash County. The term shall not apply, however, to the use of reasonable physical force in the following situations:

1. Self defense.
2. To protect other persons from physical injury.
3. To protect property of the school or of others.
4. To remove a student if the student has refused to comply with requests to refrain from disruptive behaviors.

### **4100 Health Care**

Appropriate health care manuals and forms shall be developed by the administration and health care staff for the purpose of providing health care and for the recording of health care information. Student health records shall be retained for two (2) years beyond graduation or departure.

### **4110 Administering Medication/Emergency Medical Procedures**

No medication shall be administered to a student without the written and dated consent of the student's parent. The consent of the parent shall be valid only for the period specified on the consent form and in no case longer than the current school or program year.

All medicine to be administered to a student must be accompanied by a statement describing the medicine, the dosage, and the time for it to be administered to the student. All prescription medicine, including injectable medicine and all blood glucose tests by finger prick to be administered to a student must also be accompanied by a physician's prescription, a copy of the original prescription, or the pharmacy label. If the medication is to be terminated prior to the date on the prescription, the written and dated consent or withdrawal of consent of the parent is required. The written consent of the parent and the written order of the physician shall be kept on file.

Even if MSD Wabash County Schools receives all the information described above,

MSD Wabash County Schools still reserves the right to request further information from the health care provider and/or consult with the Physician Consultant for MSD Wabash County Schools. MSDWC further reserves the right to refuse to administer any medication, whether prescription or nonprescription, after consultation with and based upon objective evidence as determined by the Physician Consultant. MSD Wabash County Schools' criteria for proper administration of medication in the school system include the following:

1. A written order from a health care provider (MD, DO, nurse practitioner or physician's assistant under guidance of a supervising physician) authorized to prescribe in the state.
2. Identification of the condition for which the product is being used.
3. A written request from the parent/guardian.
4. Verification written by the health care provider that the product and requested dosage are safe for the student (considering age, body weight, condition, and potential interaction with other prescription or nonprescription products), and
5. Reasonable information about therapeutic and untoward effects and interactions.

In most circumstances, all medication must be secured in the clinic. A student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition if:

- A. The student's parent has filed an authorization with the student's principal for the student to possess and self-administer the medication; and
- B. The authorization contains a statement from a physician stating that:
  1. the student has an acute or chronic disease or medical condition for which the physician has prescribed medication,
  2. the student has been instructed in how to self-administer the medication, and
  3. the nature of the disease or medical condition requires emergency administration of the medication.

The authorization and accompanying physician's statement must be filed with the student's principal annually.

No employee of MSD Wabash County Schools, which acting within the scope of his/her responsibilities, shall perform medical procedures or administer prescription or non-prescription medication, drugs, tests, finger pricks, or injections unless:

- A. The employee is a licensed practitioner (physician, nurse practitioner, or

- physician's assistant under guidance of supervising physician, registered nurse, or licensed practical nurse), or
- B. An emergency requires the employee to immediately perform the medical procedure or administer medication, or
  - C. The employee has:
    - 1. received training from a practitioner that the practitioner has determined is appropriate for providing such services, and
    - 2. the employee provides the school with a written statement from the practitioner that indicates the school employee has received the training required to provide such services.
  - D. Administration of low THC hemp extract, including CBD oil
    - (a) MSDWC will allow the administration of low THC hemp extract (as classified by Indiana Code 24-4-21) by a school nurse or trained staff member if all of the following criteria are met:
      - 1. A parent or guardian has provided the school with written permission to administer this product to his/her child and has verified that the product was acquired from a retailer that meets the requirements listed in IC 24-4-21-3;
      - 2. The product has come in original packaging that contains the information required by IC 24-4-21-4, and is unopened;
      - 3. The student's health care provider has provided the school with a prescription to administer the product which includes the dose, route, and time of administration;
      - 4. The product has been approved by (1) the federal Food and Drug Administration, or the Federal Drug Enforcement Agency as a prescription or over the counter drug; or (2) or meets the packaging requirements of IC 24-4-21-4.
    - (b) Nothing herein shall be construed to permit or authorize the possession or use of THC hemp extract in violation of the MSDWC Athletic Code of Conduct.

### **4120 Accidents and Illness**

If, in the opinion of school administrators and/or the school nurse, a student's life, limb or organ is in jeopardy of being lost as a result of accident, or severe illness, the school shall

do the following:

- A. Immediately arrange for transportation of the student to the hospital via the most appropriate emergency ambulance/transportation service.
- B. Contact the student's parent/guardian at home or at work. If the parent/guardian cannot be contacted the school shall call the designated emergency contact person for direction.

If a student is injured or severely ill at school to the degree that medical attention is necessary, the school shall do the following:

- A. Contact the student's parent/guardian at home or at work. If the parent/guardian cannot be contacted the school shall call the designated emergency contact person for direction.
- B. If attention at a medical facility is necessary and the student's parent/guardian cannot provide transportation for the student, the school shall have the student transported to their family physician or to the emergency room of the nearest medical facility.

Within 24 hours of a student injury, the staff member dealing with the injury must complete an Accident Report Form. All persons involved in the incident and all witnesses to the incident must complete an Accident Report Narrative statement to be attached to the Accident Report Form. A copy of the complete report shall be submitted to the Building Principal and to the Superintendent.

No student shall be permitted to go home ill without consent of parent/guardian or if the school is unable to contact the parent/guardian consent of the designated emergency contact person. Students shall be sent home ill or injured only if there is an adult there to care for them or with the specific approval of the parent/guardian in the case of a high school student or middle school student.

### **4125 "Do Not Resuscitate" Requests**

It is the policy of the District that in emergency situations involving accident or illness, employees shall be reasonably expected to render first-aid and life-sustaining care to the extent of their knowledge and training, and to seek the assistance of appropriate school medical personnel or other staff members more knowledgeable than themselves and emergency medical resources, such as ambulance services, available in the community. However, the school is not a medical care provider and its responsibility is limited to administering emergency care and contacting appropriate medical care providers, not acting as a liaison between parents and medical care providers. Therefore, implementation of a "Do Not Resuscitate" ("DNR") request is not consistent with that policy, and district employees will not comply with requests from parents or others to withhold life-sustaining emergency care from any student in need of such care while under the control and supervision of the school system. The district recognizes that the

individual needs of students with disabilities may require different types of medical resuscitation plans. Therefore, school district personnel will make every reasonable effort to follow the recommendations of the student's primary care physician and/or other treating physicians regarding specific alternative emergency procedures appropriate to the individual student.

### **4130 In-School Interviews by Child Protective Services (C.P.S.) or Law Enforcement Officers**

#### Investigation of Child Abuse or Neglect

- a. When possible, prior to visiting the school, law enforcement officials or child protective service case workers should notify either the school social worker, school administrator, or a school counselor of the date and time of the intended visit.
- b. Parents of the student to be interviewed shall not be notified by the school prior to the interview.
- c. Upon entering the school building, the C.P.S. caseworker or law enforcement officer should immediately contact either the school social worker, school administrator, or a school counselor.
- d. Unless otherwise ordered by the court, a member of the school staff shall be present whenever a student is interviewed in school. The school representative may include the school social worker, nurse, counselor, or other school staff member specially trained in dealing with serious problems of children.
- e. If the investigation team decides that the protection of the student requires the immediate taking of the student into custody, this decision and the reasons for this decision shall be promptly communicated to the school representative.
- f. If a parent subsequently calls or comes to the school demanding an explanation of the action taken by the investigative team, she/he shall be referred directly to C.P.S. No other information shall be given to the parent by the school.

#### Investigations by Law-Enforcement Officers

- A. The school shall honor court orders and warrants for arrest.
- B. The school shall permit interviews by law enforcement officers of students who are victims or witnesses during the school day only when interviews during non-

school hours are impossible, impractical, or would unduly interfere with the law enforcement.

- C. Prior to visiting the school, the law enforcement officer shall notify either the school social worker, school administrator, or school resource officer of the purpose of the intended visit and arrange a date and time for the interview that is mutually acceptable to the school and the officer.
- D. The school shall notify the parents of the student, that the student was interviewed by a law enforcement officer.
- E. Upon entering the school building, the law enforcement officer should immediately contact the school social worker, school administrator, or school resource officer.
- F. Unless otherwise ordered by the court a member of the school staff shall be present whenever a student is interviewed in school. The school representative may include the social worker, school administrator, or a school counselor.

#### **4140 Temporary Disability**

In the event of a temporary disability, the student or parents shall furnish a physician's statement to the building principal indicating that the student is physically able to attend school and participate in classes and activities without incurring undue hazards. In the case of temporary disability due to pregnancy, the student shall report her condition to the nurse, counselor, or principal. The student may continue in school with the consent of her parents, guardian, spouse, or other person or agency having her custody, if such attendance is without undue physical hazard to her and is not detrimental to other students.

The building principal or school corporation nurse may require students with a temporary disability to submit to a physical examination by a competent and reputable physician selected by the school corporation. The physician's statement shall be considered in determining the student's ability to continue participation in classes or activities without hazard or detriment to other students.

All cases involving temporary disability of students shall be handled on an individual and confidential basis and in cooperation with the parents, guardian, and appropriate agencies or authorities.

#### **4150 Student Publications**

Student publications have been established as a supervised learning experience for journalism students. These publications provide meaningful learning opportunities in journalism through responsible reporting, and educate, enlighten, and entertain school and community readers.

MSDWC recognizes that its student publications may be available to all its students and must therefore, be suitable for all students. MSDWC reserves the right to exercise editorial control over both the style and content of school speech in school sponsored publications whenever necessary to protect the school's legitimate educational concerns. For example, student publications shall not contain content that is ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

When a publication advisor becomes aware that the contemplated content of an article for one of these publications may adversely affect MSDWC educational mission, the advisor may consult with the building principal. The student staff can appeal any adverse decision promptly to the Superintendent. The Superintendent's decision shall be final.

Student journalists should cover all aspects of a topic accurately and treat sources fairly and respectfully. Each publication staff should develop and publicize its editorial policy, which should establish procedures for the expression of opposing views, for the correction of errors, and the handling of complaints with regard to content.

## **4160 Student Locker and Vehicle Inspection**

### Student Lockers

All lockers made available for student use on the school premises, including lockers located in the hallways, physical education and athletic dressing rooms, industrial education classrooms and art classrooms, are the property of the school corporation. These lockers are made available for student use in storing school supplies and personal items necessary for use at school but the lockers are not to be used to store items which cause, or can reasonably be foreseen to cause, an interference with school purposes or an educational function, or which are forbidden by state law or school rules. A student may not expect to have privacy in a locker or its contents.

The student's use of the locker does not diminish the school corporation's ownership or control of the locker. The school corporation retains the right to inspect the locker and its contents to ensure that the locker is being used in accordance with its intended purpose, and to eliminate fire and other hazards, maintain sanitary conditions, attempt to locate lost or stolen material and to prevent use of the locker to store prohibited or dangerous materials such as weapons, illegal drugs, paraphernalia, or alcohol.

Each school shall develop rules and procedures for the inspection and maintenance of school lockers.

### Vehicles

Parking facilities may be made available to students upon approval of the school administrators. The school corporation, however, reserves the right to establish reasonable rules for the use of such vehicles, including the right to examine the contents of any such vehicles while parked on school premises when an administrator has reasonable suspicion to believe that the contents of such vehicles may include items or elements which are illegal to possess, have been stolen or lost, or present a threat to the health, safety, or welfare of students or staff. Reasonable suspicion shall

include, among other things, an alert resulting from K-9 interdiction.

### **4165 Appeal of Student Expulsion Cases**

The MSD Wabash County Board of School Trustees will hear appeals in all student expulsion cases. Any student or parent, who, within ten (10) days of receipt of Notice of Action Taken in the Expulsion Meeting, requests an appeal to the Board, will be informed of the provisions of this policy. The Board will consider all appeals in the following manner:

The School Board shall hold a meeting in executive session to consider:

1. the Hearing Officer's written summary of the evidence heard at the expulsion hearing,
2. the written arguments of the principal; and (c) the written arguments of the student or the student's parent.

Following a review of the written evidence, the Board may rule on the appeal in an open meeting or they may delay a ruling on the appeal until after conducting a hearing. If the Board elects to hold a hearing, the hearing will be held in executive session. At the hearing, the Board may hear from the principal, the student, the parent, or any other person whose testimony the Board may deem helpful in reaching a decision. After the hearing, the Board will rule on the Appeal in an open meeting.

### **4170 Education Records**

#### Definitions

A. Education Records. Education records are those official records, files, and data directly related to a student and maintained by the school corporation. Such records encompass all the material kept in the student's cumulative folder and include such information as general identifying data, records of attendance and of academic work completed, records of achievement, results of evaluative tests, health data, disciplinary records, test protocols, and individualized education programs. Education records are the property of the school corporation. Access to and correction of education records is governed by this policy.

B. Exclusions. Education records do not include the following:

1. Data which relates to a student or groups of students but by which the student(s) cannot be identified.
2. Records kept in the sole possession of the maker and which are not accessible or revealed to other persons except a temporary substitute. Such records may include grade books, notes on student work, transcripts of interviews, counselors' notes, and memory aids.

3. Privileged communications and information required to be furnished to law enforcement or social service agencies relating to suspected child abuse or neglect.

- C. Parent. Parent is a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. The term includes the custodial and non-custodial parent of a student.
- D. Student. Student is any individual who is or has been in attendance at the school corporation.
- E. Eligible Student. Eligible student is a student who has reached eighteen (18) years of age.
- F. Disclosure. Disclosure is to permit access to, release of, transfer of, or communication of, education records or personally identifiable information from education records to any party by any means, including oral, written, or electronic means.
- G. Personally Identifiable Information. Personally identifiable information is information by which it is possible to identify a student with reasonable certainty including, but not limited to, the following:
1. The name of a student, a student's parent, or any other family member.
  2. The address of a student or student's family.
  3. A personal identifier such as a student's social security number.
  4. A list of personal characteristics, including disability designation that would make the student's identity easily traceable.
  5. Other information that would make the student's identity easily traceable.
- F. Directory Information. Directory information is information that may be disclosed to third parties unless a student's parents or an eligible student have requested in writing that the school withhold the release of directory information. Directory information includes:
1. Name of student,
  2. Name(s) of student's parent(s),

3. Address, telephone number and electronic mail address of student and parent(s),
4. Video tapes and pictures of student,
5. Earned awards and achievements of student,
6. Student's participation in officially recognized activities and sports,

7. Weight and height of members of athletic teams,
8. Grade level of student,
9. Date and place of birth of student, Gender of student.

#### Rights of a Parent and an Eligible Student

A. Rights of a Parent. The rights afforded to a parent under this policy shall be given to either parent, including a custodial and non-custodial parent, unless the school corporation has been provided with evidence of a court order or other legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

When a student is eighteen (18) years of age or older and claimed as a dependent by the parent, the parents retains the right to review the student's record.

B. Rights of an Eligible Student. The rights afforded to a parent under this policy shall transfer to a student when the student becomes an eligible student, as defined in this policy, unless the student has been adjudicated incompetent by a court or the type and severity of the student's disabling condition would make a transfer inappropriate.

#### Custody and Protection of Education Records

A. Place Records Are Kept. Education records will generally be maintained in the cumulative record folders either in the administrative offices of the school corporation, in the special services office, or in the school in which the student is currently enrolled. With the consent of the Superintendent, or the superintendent's designee, a portion of education records may be kept in other places for reasons of effective school administration. Upon request, a list of the types and locations of education records will be provided to a parent or eligible student.

B. Control of the Records. Education records shall be under the immediate control of the person in charge of the building where the education records are maintained. This person shall be responsible for carrying out this policy.

C. Record of Access to Education Records. Each individual student cumulative folder, and each student record maintained separate from the folder, shall contain as a part thereof a written form upon which any person examining such records shall indicate the following:

1. The identity of such person,
2. The specific record examined,
3. Purpose of the examination, and
4. The date on which, or in the case of a person whose job within the school system requires repeated examination, the period of time over which such examinations were made.

No such record need be kept when the disclosure was to a parent or eligible student, school staff members with legitimate educational interests, a party with a written consent from the parent or eligible student, or a party seeking directory information.

### Access to Education Records

- A. Right of Access. A parent, a student, or an eligible student has the right to inspect and review the education records of such student or any part thereof. A representative of the parent or eligible student may also inspect and review such student's education records upon the written consent of the parent or eligible student.
- B. Manner of Exercising Such Rights. Such right shall be exercised by presenting a written request to the office of the superintendent or the superintendent's designee. The request shall specify the specific education records which the parent, student, or eligible student wishes to inspect or examine. In the event the school cannot determine the exact records as described, the designated school employee shall immediately contact the parent, student, or eligible student by letter or otherwise, to determine the desired scope of education records to be inspected. Compliance with all requests to access education records must occur without unnecessary delay and in no case more than forty-five (45) days after a request has been made. If requested, a parent or eligible student must be given access to the student's education records before any meeting regarding an individualized education program or pending due process hearing. All inspections of education records shall be made during regular business hours. A school official shall be present during any such inspection to assist in the interpretation of the records.
- C. Records Involving More Than One Student. Where the records requested include information concerning more than one student, the parent, student, or eligible student shall either receive for examination that part of the record pertaining to the student of the parent or the student making the request, or where this cannot reasonably be done, be informed of the contents of the part of the record pertaining to the student of the parent or the student making the request.

### Disclosure of Education Records to Third Parties

- A. Disclosure Without the consent of the Parent or Eligible Student. The education records of any student shall be available to the following persons, or in the following situations, without the consent of the parent or eligible student:
1. School officials within the school corporation who have legitimate educational interests. Officials with legitimate educational interests are those individuals who, at the time of access, are directly involved in the development and/or delivery of educational services to the student.
  2. Officials of another school, school corporation, or institution of postsecondary education where the student seeks or intends to enroll.

The parent or eligible student will not be notified of the disclosure of education records to another school, School Corporation, or institution of post-secondary education where the student seeks to attend or enroll. The parent or eligible student may receive a copy of the record that was disclosed upon request.

3. Officials of another school, school corporation, or educational agency where the student is enrolled or receiving services. The parent or eligible student will not be notified of the disclosure of education records to another school, school corporation, or educational agency where the student is enrolled or receiving services. The parent or eligible student may receive a copy of the record that was disclosed upon request.
4. Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the Department of Education, and authorized employees of the Indiana Department of Education, provided, however, that except where collection of personally identifiable data is specifically authorized by federal law, any data or copies collected by such officials with respect to individual students shall not include information which would permit the personal identification of any student or their parents.
5. Organizations conducting studies for, or on behalf of the school corporation for the purpose of developing, validating, or administering predictive tests, and improving instruction.
6. Accrediting organizations in order to carry out their accrediting functions.
7. Parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954.
8. Appropriate state or local officials in a health or safety emergency where such officials need the information immediately to deal with a serious threat to the health or safety of students or other individuals.
9. Where such information is furnished in compliance with a judicial order and pursuant to any lawfully issued subpoena, or where school has initiated legal action against a parent or student, upon the condition however, that a parent or eligible student is notified of all such orders or subpoenas as soon as reasonably possible after they are received. In any event no less than 24 hours before disclosure unless the disclosure is in compliance with a Federal grand jury subpoena or other subpoena for law enforcement purposes and court or issuing agency has ordered that the existence or contents of the subpoena or information furnished in response to the subpoena not be disclosed.
10. Directory information may be released upon request unless a student's parent or an eligible student has notified the school in writing of their request to withhold release of directory information. Upon receipt of a request for directory information, school principal will verify that the request is appropriate and that a student's parents or an eligible student have not filed a written request to withhold all or part of the directory information. Annual notice will be given to parents and eligible students in the school's handbook stating what information is considered directory information and how a parent or an eligible student may restrict the release of directory information. Parents or an

eligible student have until 30 days after the beginning of each school year (or 30 days after the enrollment of a student) to notify the school in writing to withhold all or part of the directory information related to a student.

#### Correction of Education Records

A parent or eligible student shall have an opportunity for a hearing to challenge the content of the student's education records to ensure that they are not inaccurate or misleading or otherwise in violation of the rights of privacy or the constitutional rights of the student. If the parent or eligible student believes that such records should be corrected or deleted, the parent or eligible student shall advise the superintendent or the superintendent's designee, who shall provide the parent or eligible student an informal conference. If the school corporation agrees to amend the contents of the records, the change shall occur within ten (10) business days of the date the request is received. The school corporation shall provide the parent or eligible student with notification of the change and a copy of the amended contents if the parent or eligible student requests.

In the event no agreement is reached, the parent or eligible student shall have an opportunity for a hearing to correct or delete the record by filing a statement of the relief requested and a hearing shall be held thereon in the manner required.

#### Copies of Education Records

Copies of education records may be provided to a parent or eligible student at no charge where such person is unable because of distance or other valid reason to personally inspect and review the education record. The superintendent or the superintendent's designee shall assess fees for all other copies. No fees may be assessed for the search or retrieval of education records.

### **4175 Non-Custodial Parent Relations**

A student may be released to a non-custodial parent unless the school is provided with a written court order prohibiting such.

### **4180 School-Aged Child Care Programs**

#### Student Eligibility

School-aged childcare services shall be provided by M.S.D. Wabash County students who are enrolled in M.S.D. Wabash County and attend kindergarten through grade 6 shall be eligible for child care services. The school corporation shall not discriminate against any person on the basis of sex, race, color, religion, national origin, age, or handicap in any of its educational programs.

#### Insurance Coverage

The school corporation shall maintain liability insurance to cover participants with \$300,000 per person and \$5,000,000 per occurrence limits.

### Hours of Operation/Calendar

Childcare services shall be provided before and after the school day and may include periods when school is not otherwise in session. Half-day kindergarten students shall not be offered services while the regular school day is in session.

Before school child care shall be offered from 6:30 a.m. until the beginning of the elementary school day. After school child care shall be offered from the end of the elementary school day until 6:00 p.m. Childcare programs shall be offered each day school is in session. A calendar shall be developed and provided to the parents utilizing the childcare services.

### Staff/Child Ratio

Every effort shall be made to maintain a maximum staff/child ratio of one to fifteen in order to provide appropriate supervision of the children being served.

### Fees

A fee schedule shall be established by the school corporation and shall include a sliding fee structure. Fees shall be assessed to cover costs related to program implementation and administration.

### Facilities/Supplies/Materials

The school-age childcare services shall be conducted in the areas of the building designated by the building principal. All areas utilized for childcare shall be left clean and neat. Materials and supplies for children to use during childcare activities shall be provided by the school corporation. All materials shall be stored when not in use.

### Student Behavior

Appropriate rules and discipline plans for the children's behavior shall be established and provided to parents. Staff of the childcare program shall be responsible for supervision and monitoring of the children's behavior and reporting problems to the parents. If behavior problems are persistent or severe, the child may be terminated from the childcare services. Parents shall be notified prior to the child's dismissal from the childcare program.

### Transportation/Pick-Up

Parents of students participating in childcare services shall be responsible for their child's transportation to the morning sessions and home from the afternoon sessions. A list of emergency phone numbers and the names of adults authorized to pick up children shall be maintained by child care staff. Students must be signed in for the morning sessions and signed out after the afternoon sessions by an authorized adult. There shall be no exceptions.

### Confidentiality/Reporting of Abuse

Staff members in the childcare program shall keep any and all information about the children in the program confidential. Should a child care employee suspect or know of any type of physical or sexual abuse or neglect, they shall follow the school corporation policy for reporting suspected child abuse and neglect.

### Health Care and Records

Parents of children participating in a child care program shall be required to provide appropriate medical information which shall be kept on file and available to the employees. If the parent does not provide the required information, the child shall not be eligible to participate in the child care program.

### Disaster Plans

Each building in the school corporation shall develop a set of plans for utilization in cases of a disaster. Childcare workers shall be responsible for acquainting themselves with the school's disaster plans, which are available from the building principal.

### Waivers

In some instances, the need for childcare services may not be great enough to support the costs. Should this case arise, the school corporation shall provide the appropriate documentation to the Indiana Department of Education for a waiver of services.

## **4190 Drug Testing Policy for Students**

The School's drug-testing program may include urinalysis tests, saliva screening and/or Breathalyzer to Determine if the Student Code of Conduct has been violated. See the MSD Wabash County Drug Testing Policy for more specific details. District administrators shall have the authority to require any student to submit to a chemical test of the student's breath or urine if the administration has reasonable suspicion the student, while at school, is using or under the influence of alcohol, marijuana, prescription narcotics (for which the student does not have a prescription) or a controlled substance as define by Indiana law.

The administration's reasonable suspicion may come from, but is not limited to, the following:

- A. A student's conduct, physical appearance and/or odor that indicates the use of alcohol, marijuana, prescription narcotics or a controlled substance.
- B. Possession of drug paraphernalia, alcohol, marijuana, prescription narcotics or a controlled substance.
- C. Reliable information communicated to an administrator indicating a student is using or under the influence of alcohol, marijuana, prescription narcotics or a controlled substance.

The administration shall proceed with disciplinary action, up to and including the recommendation for

Expulsion, as outlined in the student handbook in the following scenarios:

- A. A student's failure to produce a test sample after a reasonable period of time.
- B. A student's refusal to submit to a chemical test.
- C. A student's positive chemical test result.

## **4200 Criminal Organization Activity in Schools**

The Board of School Trustees of the Metropolitan School District of Wabash County prohibits gang or criminal organization activity and similar destructive or illegal group behavior on school property, on school buses, and/or at school-sponsored functions and prohibits reprisal or retaliation against individuals who report gang or criminal organization activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or other people with reliable information about an act of gang or criminal organization activity and similar destructive or illegal group behavior.

The following definitions apply to this policy:

Criminal Organization means a group with at least three (3) members that specifically:

(1) either:

(A) promotes, sponsors, or assists in; or

(B) participates in; or

(2) requires as a condition of membership or continued membership;

the commission of a felony or an act that would be a felony if committed by an adult or the offense of battery.

Organization or Gang Activity mean a student who knowingly or intentionally actively participates in a criminal organization or a student who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal organization.

Per state law, a school employee shall report any incidence of suspected criminal organization activity, criminal organization intimidation, or criminal organization recruitment to the principal and the school safety specialist. The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services.

Appropriate consequences and remedial actions are those that take into consideration the severity of the offenses and consider both the developmental ages of the student offenders and the students' histories of inappropriate behaviors per the code of conduct.

Any corporation and school employee who promptly reports an incident of suspected gang or criminal organization activity and who makes this report in compliance with the school corporation procedures is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The principal or designee shall conduct a thorough and complete investigation for each report of suspected gang or criminal organization activity. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident. The principal may appoint additional personnel and request the assistance of law enforcement to assist in the investigation. The investigation shall be completed and the written findings submitted to the principal as soon as possible, but not later than five school days from the date of the report of the alleged incident of criminal organization activity.

The principal shall take any appropriate disciplinary actions based upon the findings of the investigation, in accordance with the code of conduct. The superintendent of the school corporation is authorized to define the range of ways in which school staff and the principal or the principal's designee shall respond once an incident of criminal organization activity is confirmed, according to the code of conduct. Consequences for a student who engages in gang or criminal organization activity may range from positive behavioral interventions up to and including suspension or expulsion.

The principal shall provide the parents of the students who were investigated with information about the investigation. The information to be provided to parents includes the nature of the investigation, whether the corporation found evidence of criminal organization activity, and whether consequences were imposed or services provided to address the activity. This information is to be provided in an expedited manner.

As appropriate to the investigation findings, the principal also shall provide intervention and/or relevant support services. The principal shall inform the parents of all students involved in alleged incidents and discuss the availability of counseling and other intervention services.

Support services may include one or more of the following:

- A. Gang or criminal organization awareness education that shows promise of effectiveness based on research. The gang or criminal organization awareness education information should be revised and updated regularly to reflect current trends in gang or criminal organization and gang or criminal organization-like activity.
- B. Culturally and/or linguistically appropriate services/supports for parents and families.
- C. Counseling coupled with mentoring for students and their families.
- D. Community and faith-based organizations and civic groups.
- E. Viable, sustainable after-school programs developed in collaboration with other stakeholders.
- F. Job training and employment opportunities as both a deterrent to gang or criminal organization involvement and an incentive to leave gang or criminal organization involvement.
- G. School sanctioned/facilitated extra-curricular activities.

The principal shall submit the report to the superintendent of the school corporation within ten (10) school days of the completion of the investigation. The superintendent or his/her designee shall report the results of each investigation to the school board on a quarterly basis during regularly scheduled board meetings.

Each school within the school corporation shall record the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender. Each school shall report this information to the school corporation superintendent who shall submit a written report to the Indiana Department of Education by June 2 of each year.

This policy shall be annually disseminated to all parents who have children enrolled in a school within the school corporation. Notice of this policy must be published in student handbooks and all other publications of the school corporation that set forth the rules and procedures for schools within the school corporation.

School officials are encouraged to collaborate with stakeholders to provide gang or criminal organization prevention and intervention services and programs, including but not limited to:

- A. Provide training for staff and teachers on gang or criminal organization prevention and intervention resources within a jurisdiction on a periodic basis. The gang or criminal organization awareness information should be revised and updated regularly to reflect current trends in gang or criminal organization activity.
- B. Create formalized collaboration plans between local school administration and community based prevention and intervention providers (possibly using the existing County Safe School Commissions as points of contact). The formalized collaborations should make effective, coordinated, and maximized use of federal funding a priority.
- C. Coordinate resources and funding opportunities to support gang or criminal organization prevention and intervention activities.
- D. Consider integrating the Gang Resistance Education and Training (G.R.E.A.T.) Program into curricula.

LEGAL REFERENCE: IC 20-26-18

IC 20-33-9-10.5

IC 35-45-9-1

### **4210 Credit Transfer from Non Public or Unaccredited Schools**

In recognizing its responsibility to uphold the minimum educational standards of the State of Indiana, the School Board establishes the following policy and criteria regarding the acceptance of credits from nonpublic schools, including home schools and unaccredited schools.

For credit or course work to be accepted for courses taken in a nonpublic or unaccredited school there must be verification that:

- A. the course met the time requirements established by the State if a regular academic course, or the total hours per year as set forth in the State Minimum Standards, and the course is aligned with the Indiana Academic Standards if other than a regular course;
- B. course content is comparable to Corporation-established courses of study and is aligned with the Indiana Academic Standards.

All students, grades 1 through 6, entering from a nonpublic / unaccredited school may be given an individual achievement test which will be used as an aid in placing these students. Students in grades 7

through 12 will be given an appropriate semester final examination. The incoming student must score seventy percent (70%) or better in order to be granted credit in a particular course.

Recognition of credits or course work from a nonpublic / unaccredited school shall be granted when the above-stated criteria are met and upon satisfactory completion of any achievement tests given by the administration.

Although credits from nonpublic / unaccredited schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the Corporation or from a school accredited by the Indiana Department of Education or such departments in other states shall be considered in class ranking and for entering on the transcript.

## **4220 Service Animal in Schools**

The Board shall permit individuals with disabilities to use service animals in district buildings; on district property; and on vehicles that are owned, leased or controlled by the school district, in accordance with this policy and applicable laws and regulations.

### **1. Purpose**

The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from district programs, activities and services, and to ensure that the district does not discriminate on the basis of disability in violation of state or federal law.

### **2. Definition**

Service animal means any dog or other service animal individually trained to do work or perform tasks for the benefit of an individual with a disability.

The work or tasks performed by a service animal shall be directly related to the handler's disability. Examples of such work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, assisting an individual during a seizure, and providing physical support and assistance with balance and stability to individuals with mobility disabilities. The provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.

### **3. Guidelines Admission Of Service Animals To Schools**

A student or an employee with a disability may bring a service animal to school for educational or employment purposes. An applicant or employee with a disability who seeks to utilize a service animal for employment purposes shall engage in a continuing, interactive dialogue with a representative of human resources or the employee's supervisor in regard to the use of the animal. A student with a disability who seeks to utilize a service animal for educational purposes will have its care and handling procedures described in the student's IEP or 504 plan, regardless of whether the animal is a necessary component of an appropriate education.

Animals that do *not* constitute a service animal are not to be brought on school property, unless a student's team determines that the animal is necessary to an appropriate education and its use is made a substantive part of the student's IEP or 504 plan; for a pre-approved curricular purpose; or to aide in the enforcement of the law or school policy and procedures.

Parents/guardians of a student with a disability who believe the student must bring an animal to school in order to receive an appropriate education, shall notify the building principal. The respective team shall evaluate the request, gather necessary information, and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to assess the student's education-based needs and alternative methods of accommodation.

#### **4. Admission of Service Animals To Public Events**

Individuals with disabilities may be accompanied by a service animal while on district property for events that are open to the public. Such individuals are encouraged to provide the building administrator with advance notice of their visit, but no service animal will be turned away for failing to provide such notice.

School administrators may inquire of the owner or handler of an animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform, unless the work or tasks are readily apparent. Moreover, school administrators shall not ask questions about an individual's disability.

The district shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.

#### **5. Delegation of Responsibility**

The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in district buildings and on district property and vehicles.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in district buildings or on district property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, students and parents/guardians.

Unless required by a student's IEP or Section 504 plan, the owner or handler of a service animal shall be solely responsible for:

1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.
2. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.
3. Damages to district buildings, property and vehicles caused by the animal.
4. Injuries to students, employees, volunteers and visitors caused by the animal.
5. Proof of current vaccinations and immunizations required by law or regulation, including a current rabies vaccination. (The building principal shall receive and forward to the Superintendent.)

In some situations, a student's IEP or 504 plan may alter the normal rules set forth in this policy.

District administrators may exclude a service animal from district buildings, property and vehicles under the following circumstances:

1. The owner or handler is unable to control the animal;
2. The service animal is not housebroken; or
3. The presence of the animal would require a fundamental alteration to the service, program, or activity.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal and the person with the allergy may be moved to separate locations designated by the Building Principal or designee and an alternative plan will be developed with appropriate District staff. Such a plan could include the reassignment of the person with the allergy and/or the person having custody and control of the animal to a different classroom. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate staff, including the involvement of the parents/guardian of the students.

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable Board policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.

## **6. Authority**

29 U.S.C. Sec. 794

42 U.S.C. Sec. 12101, et seq.

28 CFR Sec. Part 35

29 CFR 1630

34 CFR Part 104

34 CFR Part 300

511 IAC 7-43-1

Ind. Code Sec. 16-32-3, et seq.

## **4230 Seclusion & Restraint**

The school Board believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all school employees within the school corporation. The Board recognizes that there are times when it becomes necessary for employees to use reasonable restraint and/or isolated time out to protect a student from causing harm to themselves or to others.

Isolated time out and physical restraint as defined in this policy shall be used only as a last resort as a means of maintaining a safe and orderly environment for learning and only to the extent necessary to preserve the safety of students and others. Use of isolated time out or physical restraint may also be a component of a behavioral intervention plan (BIP) and/or an Individualized Education Plan (IEP). If such is the case, the terms of the BIP or the IEP will control the use of these measures.

Neither isolated time out nor physical restraint shall be used as a form of punishment or as a disciplinary measure.

The superintendent shall determine the appropriate training program of physical restraint and isolated time out to be used in the corporation. The training program must include behavioral support, prevention, de-escalation and crisis response techniques. Training shall be done on an annual basis and

given to the appropriate employees in each building as determined by the superintendent and the building principal.

Except in the case of an emergency, only school employees who are current in the corporation-designated training program may implement physical restraints or isolated time outs with a student. An individual who applies physical restraint shall use only techniques in which he or she has received such training within the preceding two years, as indicated by written evidence of participation.

In the case of an emergency, physical restraints and/or isolated time outs should be used only when a student's physical behavior poses an imminent threat of serious physical harm to the student or to other persons present or damage to school property.

### Isolated Time Out (Seclusion)

"Isolated time out" means the confinement of a student in a time-out room or another enclosure, whether within or outside the classroom, from which the student's ability to leave the room or enclosure is restricted.

Any enclosure used for isolated time out shall be subject to the following requirements:

- A. Have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student;
- B. Be constructed of materials or objects that cannot be used by students to harm themselves or others, and be designed so that students cannot climb up the walls;
- C. Be designed to allow continuous visual monitoring of and communication with the student; and
- D. Comply with all applicable health and safety requirements.

Any device that requires the use of a key or special code or special code on any exit from the time out room or enclosure is prohibited.

An adult must supervise the student while confined and must be able to see the student at all times.

A student shall not be kept in isolated time out for more than 30 minutes after he or she ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which the isolated time out was deemed an appropriate intervention.

If a student is placed in isolated time out pursuant to a BIP or IEP, any time limitations identified in the BIP or IEP will control.

### Physical Restraint

"Physical restraint" means holding a student or otherwise restricting his or her movements.

Physical restraints should be employed only when:

- A. The student poses a physical risk to himself, herself, or others;
- B. There is no medical contraindication to its use; and
- C. The employee using the restraint has been trained in its safe application

Mechanical or chemical restraints are not authorized to be used in school.

Prone or Supine forms of restraint are not authorized to be used in school and shall be avoided.

Students shall not be subject to physical restraint for using profanity or other verbal displays of disrespect for themselves or others.

A verbal threat shall not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to carry out the threat.

Any application of physical restraint shall take into consideration the safety and security of the student. Further, physical restraint shall not rely upon pain as an intentional method of control.

In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the supervising employee shall consider the potential for injury to the student, the educational and emotional well-being of other students in the vicinity, and if applicable, any requirements pursuant to a BIP or an IEP.

If physical restraint is imposed upon a student whose primary mode of communication is sign language, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising employee determines that such freedom appears likely to result in harm to the student or to others.

A student shall be released from physical restraint immediately upon a determination by the supervising employee administering the restraint that the student is no longer in imminent danger of causing physical harm to themselves or to others.

#### Reporting and Reviewing of Incidents

Any school employee using restraint and/or isolated time out shall report such to the building principal, their supervisor, or other designated administrator. A written report of each incident shall be completed by the employee who used such techniques or by the designated administrator.

The parent or guardian must be notified of the use of the physical restraint and/or isolated time out with their student within \_\_\_\_\_ of the incident. (Insert a reasonable amount of time to notify the parent)

An annual review of the use of physical restraint and isolated time out including a review of all individual corporation cases involving the use of physical restraint and isolated time outs shall be completed and documented to ensure compliance with the school's policy and procedures.

When reviewing individual cases, it is recommended that when a student has experienced three instances of isolated time out or physical restraint, the school personnel who initiated, monitored, and/or supervised the incidents shall review the effectiveness of the procedure(s) used and prepare an individual behavior plan for the student that provides either for continued use of these interventions or for the use of other specified interventions. The plan shall be placed into the student's student record. The review shall also consider the student's potential need for an alternative program or for a referral for a special education evaluation, if the student does not have an IEP.

#### Training Requirements

Physical restraint should be applied only by individuals who have received systematic training through the corporation-designated program and who have obtained written evidence of successful participation in such training.

Training with respect to physical restraint should include but need not be limited to the following:

- A. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior and the use of alternatives to restraint;
- B. A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted, including compliance with any BIP or IEP requirements;
- C. The simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
- D. Instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- E. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- F. Demonstration by participants of proficiency in administering physical restraint

Nothing in this policy should be construed to limit the rights and abilities of school employees to keep order and administer necessary discipline in their classrooms and on school grounds as set out in state law and school board policy.

All complaints regarding the use of physical restraints and isolated time outs will be investigated according to the provisions of board policy on public complaints.

The superintendent shall develop administrative regulation to carry out the requirements set forth in this policy and any other requirements established by law.

## **4240 Indiana Student Religious Civil Liberties Act: Public Law 220-2017<sup>1</sup>**

### **Preamble**

The public school will neither promote nor disparage any religious belief or non-belief in any of its programs or services. Rather, the public school will encourage all students and staff members to be respectful and tolerant of each other's views. The public school shall endeavor to foster understanding and mutual respect among members of its school community. Accordingly, the public school's policies and procedures will accommodate religious beliefs by not requiring students or staff members to participate in practices that are contrary to their religious beliefs, except where there is an overriding concern that would prevent the allowance of an accommodation.<sup>2</sup>

Programs of the public school that teach about religion and its role in the social, cultural, and historical development of civilization, as well as the social and political context of world events, do not violate the religious neutrality the public school must maintain: The public school may teach about-but not promote-religion.<sup>3</sup> As the U.S. Supreme Court observed:

“[I]t might well be said that one's education is not complete without a study of comparative religion<sup>4</sup> or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment.”<sup>5</sup>

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1 Pursuant to Ind. Code § 20-33-12-5 (Pub. L. 220-2017, Sec. 2), the Indiana Department of Education, in collaboration with the Office of the Attorney General and organizations with expertise in religious civil liberties, is to establish a Model Policy for consideration by school corporations and charter schools in addressing the requirements of Ind. Code Chapter 20-33-12, the Indiana Student Religious Civil Liberties Act.

2 *Flore v. Sioux Falls District 49-5*, 619 F.2d 1311, 1319 (8th Cir. 1980), *cert. den.*, 449 U.S. 987 (1980).

3 *Clever, et al. v. Cherry Hill Township Board of Education*, 838 F. Supp. 929, 932 (D. N.J. 1993)

4 Neither the Indiana Constitution nor the United States Constitution defines “religion.” A religion “addresses fundamental and ultimate questions having to do with deep and imponderable matters.” A religion also “is comprehensive in nature,” consisting of “a belief system” as opposed to “an isolated teaching.” Lastly, a religion “can be recognized by the presence of certain formal and external signs.” *Altman v. Bedford Central Sch. Dist.*, 45F.Supp.2d 368, 378 (S. D. N. Y. 1999). Affirmed, reversed, vacated, and remanded in part, *Altman v. Bedford C.S.D.*, 245 F.3d 49 (2nd Cir. 2001), *cert. den.*, *Dibari v. Bedford C.S.D.*, 534 U.S. 827 (2001). In similar fashion, “[w]hether a belief is ‘religious’ and thus deserving of some protection by the First Amendment does not depend on whether the belief is true or false. Nor does it depend on whether the belief is reprehensible to the majority of society. Instead...the ‘religious’ nature of the belief depends on ...whether the belief is based on a theory ‘of man’s nature or his place in the Universe’...which is not merely a personal preference but has an institutional quality about it, and ...which is sincere.” *Brown v. Dade Christian Schools*, 556 F.2d 310, 324 (5th Cir. 1977) (citations omitted).

5 *School District of Abington Township v. Schempp*, 374 U.S. 203, 225 (1963).

## **Elective Coursework: Comparative Study of World Religions**

### **Authority: Ind. Code § 20-30-6.1-1**

The social, cultural, and historical role of religion on the development of civilization “is an appropriate, if not desirable, subject of secular study.”<sup>7</sup> To this end, the public school may provide an elective course in the comparative study of world religions. Such a course shall be presented in a neutral and objective manner so as not to promote or inhibit religion or religious practices or beliefs, or to excessively entangle the public school with religion.<sup>8</sup> The public school shall not censor the curriculum based on objections to the content, viewpoint, or inclusion of the religions addressed therein.<sup>9</sup>

Instructional materials shall be sufficiently comprehensive and appropriate to the students enrolled in the course. Such instructional materials will be selected so as to:

- Provide representative selections from many religious, ethnic, and cultural groups so as to demonstrate their contributions to world civilization and American heritage;
- Provide a background of information that will enable students to make intelligent judgments in their daily lives;
- Stimulate growth in factual knowledge, literary and artistic appreciation, aesthetic values, and ethical standards;
- Enrich and support the overall curriculum of the public school;
- Provide contrasting sides of issues so that students may develop, under guidance, the practice of critical analysis; and

- Place principle above personal opinion and reason above prejudice.

## **Religious Viewpoint Generally**

**Authority: Ind. Code § 20-33-12-2; Ind. Code § 20-30-5-6(b) (13)**

The public school will not discriminate against or otherwise sanction a student or the student's parent or guardian based on expression of a religious viewpoint regarding an otherwise permissible subject to the same extent the public school will not discriminate or sanction a student or the student's parent or guardian for expression of a secular or non-religious viewpoint on an otherwise permissible subject.

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6 for the purpose of the Model Policy, "public school" shall include a school corporation and a charter school. "Student" shall refer to a pupil enrolled in a "public school."

7 *Clever, et al. v. Cherry Hill Township Board of Education*, 838 F. Supp. 929, 939 (D. N. J. 1993).

8 *Lemon v. Kurtzman*, 403 U.S. 602 (1971).

9 *Florey v. Sioux Falls District 46-5*, 619 F. 2d 1318 (8th Cir. 1980), cert. den., 449 U.S. 987 (1980) ("The public schools are not required to delete from the curriculum all materials that may offend any religious sensibility").

The public school will encourage its students to respect the rights of others to have their own views and religious beliefs. The public schools will not permit in any of its publications or other media of expression any statements that seek to establish the supremacy of a particular religious denomination, sect, or point of view. In all such matters, the public school shall remain neutral and shall not be considered to have endorsed any view.<sup>10</sup>

## **Classroom Assignments; Religious Content**

**Authority: Ind. Code § 20-30-5-3(e)**

A student will not be sanctioned or rewarded for religious content in homework, artwork, or in any other written or oral classroom assignment. A classroom assignment will be graded based on the ordinary academic and pedagogical standards applicable to all student work.<sup>11</sup>

## **Religious Expression by Students**

**Authority: Ind. Code § 20-33-12-4(a)**

Students may pray or engage in religious activities or religious expression before, during, and after the school day to the same extent that students may engage in nonreligious activities or expression.<sup>12</sup>

## **Moment of Silence**

**Authority: Ind. Code § 20-30-5-4.5**

Each student is guaranteed the free exercise of religion while at the public school, subject to the least possible coercion from the school. Each public school shall provide its students a daily opportunity for a moment of silence, either in the classroom or on school grounds. During the moment of silence, each student may make the individual choice to pray, meditate, or engage in any other silent activity so as not to impede or interfere with another student's individual choice.<sup>13</sup>

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10 *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260, 270-71, 273-76 (1988) (school could exercise editorial control over the style and content of student articles in school newspaper because newspaper was part of journalism class experience and, accordingly, was part of a school-sponsored expressive activity; however, such editorial control must be “reasonably related to legitimate pedagogical concerns.” Editorial discretion applies to other media of expression controlled by the public school). See also Policy 5722, Evansville-Vanderburgh School Corporation, at <http://district.evscschools.com/cms/One.aspx?portalId=74772&pageId=157497> (“The Board reserves the right to ...prohibit...publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which...seek to establish the supremacy of a particular religious’ denomination, sect, or point of view over any other religious denomination, sect or point of view.”)

11 See *Religious Expression in Public Schools: A Statement of Principles*, United States Department of Education (June 1998), available at <http://files.eric.ed.gov/fulltext/ED416591.pdf>.

12 “Students may also participate in before or after school events with religious content, such as ‘see you at the flag pole’ gatherings, on the same terms as they may participate in other non-curriculum activities on school premises. School officials may neither discourage nor encourage participation in such an event.” *Religious Expression in Public Schools: A Statement of Principles*, United States Department of Education (June 1998), available at <http://files.eric.ed.gov/fulltext/ED416591.pdf>.

## **Accommodation of Religion**

The public school will accommodate the religious beliefs of a student or the student’s parent or guardian where it is reasonable to do so and the accommodation will not impede or interfere with the rights of other students.

The following accommodations will be provided by the public school based on religious beliefs:

- Excusal from the requirements of compulsory immunizations. Ind. Code § 20-34-3-2.
- Excusal from participation in the Pledge of Allegiance, although expression of a religious objection is not a precondition under law.<sup>14</sup> Ind. Code § 20-30-5-0.5.
- Excusal from health and hygiene courses. For secondary students, one (1) credit from either a science, family and consumer science, or health and physical education may be substituted for the hygiene course the student objects to on religious grounds. Ind. Code § 20-30-5-9; 511IAC 6-7-6.1(c)(6).

The following accommodations may be made by the public school based on religious beliefs:

- Excusal from curricular content that is objectionable to the student or the student’s parent or guardian based on religious beliefs.
- Release for religious instruction, at the discretion of the building principal, subject to the policies of the governing body of the public school. Such a release may be for up to 120 minutes a week. Permission will not be unreasonably declined.<sup>15</sup> Ind. Code § 20-33-2-19.

## **Educationally Related Non-Classroom Activity; Exception to Compulsory Attendance**

**Authority: Ind. Code § 20-33-2-17.5**

A student who may be absent from school for religious reasons shall have the same opportunity as a student absent from school for non-religious reasons to apply for an “educationally related non-classroom activity” exception to compulsory attendance.<sup>16</sup>

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13 See **Wallace v. Jaffree**, 472 U.S. 38 (1985) and **Sherman ex rel. Sherman v. Koch**, 623 F.3d 501 (7th Cir. 2010)

14 **West Virginia State Board of Education v. Barnette**, 319 U.S. 624 (1943).

15 See **Moore, et al v. MSD of Perry Township**, 2001 WL 243292 (S.D. Ind. February 7, 2001) and **H.S. v. Huntington County Community School Corporation**, 616 F. Supp.2d 863 (N.D. Ind. 2009). See also **Illinois ex rel. McCollum v. Board of Education, School District No. 71**, 333 U.S. 203, 68 S. Ct. 461 (1948) and **Zorach v. Clauson**, 343 U.S. 306, 72 S. Ct. 679 (1952).

16 See **Church of God (Worldwide, Texas Region), et al. v. Amarillo Independent School District, et al.**, 511 F. Supp. 613 (N.D. Texas 1981), *affirmed*, 670 F. 2d 46 (5th Cir. 1982) (school district’s “excused absence policy” that awarded no credit for work performed during such absences substantially burdened the religious practices of religious adherents in the school district who were required to attend an annual seven-day religious convocation).

## Dress Code

**Authority: Ind. Code § 20-33-8-12(a)(1)(A); Ind. Code § 20-33-12-4(d)**

A public school is authorized to establish an appropriate dress code or uniform policy for its students. The public school will provide a reasonable accommodation for a student whose religious belief’s may be manifested in the wearing of clothing, accessories, or jewelry not otherwise permitted by the dress code or uniform policy, provided such accommodation is for religious purposes and the accommodation will not, or is not likely to, cause a substantial disruption or material interference with school purposes or impinge on the rights of other students.

Students may wear clothing, accessories, and jewelry that display religious messages or contain religious symbols to the extent that students are permitted to wear clothing, accessories, and jewelry that display non-religious messages or contain non-religious symbols.<sup>17</sup>

The public school will not permit speech or messages that are lewd, vulgar, or indecent, or speech or messages that promote activities that are illegal for students<sup>18</sup>

## Religious Clubs

**Authority: Ind. Code § 20-33-12-4(a)**

Students may organize prayer groups, religious clubs, or other religious gatherings before, during, and after school to the same extent students are permitted to organize other noncurricular student student groups, clubs, or gatherings before, during, and after school.

This is in addition to the requirements of the Equal Access Act, 20 U.S.C. §§4071-4074.<sup>19</sup>

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17 “**Student garb**: Schools enjoy substantial discretion in adopting policies relating to student dress and school uniforms. Students generally have no Federal right to be exempted from religiously-neutral and generally applicable school dress rules based on their religious beliefs or practices; however, school may not single out religious attire in general, or attire of a particular religion, for prohibition or regulation. Students may display religious messages on items of clothing to the same extent that they are permitted to display other

comparable messages. Religious messages may not be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages.” *Religious Expression in Public Schools: A Statement of Principles*, United States Department of Education (June 1998), available at <http://files.eric.ed.gov/fulltext/ED416591.pdf>.

18 *Bethel School District No. 403 v. Fraser*, 478 U.S. 675, 681, 683, 685-86, 106 S. Ct. 3159 (1986) (student’s sophomore speech-which contained offensive, indecent, lewd references-was not protected speech and could be regulated because vulgar or indecent speech and lewd conduct in the classroom or school context is inconsistent with the fundamental values of public school education). *Morse v. Fredrick*, 551 U.S. 393, 127 S. Ct. 2618 (2007) (a message reasonably viewed as advocating illegal drug use- “Bong HiTS 4 Jesus”-need not result in a substantial disruption before school officials could restrict such speech on school property or at a school event).

19 *Board of Education of Westside Community Schools v. Mergens*, 496 U.S. 226 (1990).

## **Disclaimer**

### **Authority: Ind. Code § 20-33-12-4(a). (c)**

The public school is not required to promote the speech of students, including religious expression by students. The public school may indicate that any activity or expression by a student or students for religious reasons that occurs at the public school or during an activity sponsored by the public school is neither sponsored nor endorsed by the public school. Such disclaimers shall be neutral towards religion.<sup>20</sup>

## **Equal Access to Public School Facilities**

### **Authority: Ind. Code § 20-33-12-4(b)**

Student groups shall have the same right of access to school facilities for meetings and school-based communication avenues (e.g., bulletin boards, homeroom announcements), irrespective of the viewpoint of the student group or the content of the student group’s message, consistent with the policies of the governing body with respect to student speech generally.

## **Survey, Personal Analysis, or Evaluation**

### **Authority: Ind. Code § 20-30-5-17(b)(2)**

No student shall be required, without the written consent of the student’s parent or guardian or the written consent of the student, if the student is an adult or is emancipated, to submit to a survey, a personal analysis, or an evaluation not directly related to academic instruction where such survey, personal analysis, or evaluation reveals information concerning, *inter alia*, religious beliefs or practices of the student or the student’s family.

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20 *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988). See also “Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools,” U.S. Department of Education (February 7, 2003), available at [http://www2.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](http://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html) (“To avoid any mistaken perception that a school endorses student or other private speech that is not in fact attributable to the school, school officials may make appropriate, neutral disclaimers to clarify that such speech (whether religious or nonreligious) is the speaker’s and not the school’s”).

## **4250 SUICIDE AWARENESS, PREVENTION, AND RESPONSE**

The purpose of this policy is to protect the health and well-being of all students by having procedures in place to prevent, screen for the risk of, intervene in, and respond to suicide. The corporation recognizes that physical, behavioral, and emotional health is an integral component of a student’s educational outcomes, and that suicide is a leading cause of death among young people. The corporation has a responsibility to take a proactive approach in preventing deaths by suicide and acknowledges the school’s role in providing an environment which is sensitive to the factors that place youth at greater risk for suicide and helps to foster positive youth development.

This policy covers actions that take place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles, at bus stops, and at school-sponsored out-of-school events where school employees are present. This policy applies to the entire school community, including teachers, administrators, corporation staff, students, parents/guardians, and volunteers.

### **Prevention**

#### **Policy Implementation**

A corporation suicide awareness/prevention/response coordinator (SAPR Coordinator) shall be designated by the Superintendent. The corporation suicide prevention coordinator will be responsible for planning and coordinating implementation of this policy for the school corporation.

Each school principal shall designate a school suicide awareness/prevention/response coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. All staff members shall report students they believe to be at elevated risk for suicide to the school suicide prevention coordinator.

#### **Professional Development**

All teachers (as defined in IC 20-18-2-22) and other appropriate staff employees in schools with grades 5-12 shall attend or participate in at least two hours of evidence-based in-service youth suicide awareness and prevention training every three school years.

The training will include additional information regarding groups of students known to be at elevated risk for suicide.

#### **Suicide Prevention Programming**

Developmentally-appropriate, student-centered education materials will be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials will include: 1) the

importance of safe and healthy choices and coping strategies, 2) how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others, 3) help-seeking strategies for oneself or others, including how to engage school resources and community-based suicide prevention services. In addition, schools may provide supplemental small group suicide prevention programming for students.

The school corporation will work in cooperation with community-based suicide prevention services to provide educational and referral information about crisis intervention to at-risk students, their parents, and school employees. Referral information and the availability of suicide prevention services in the local community will be made available by the school corporation through its employee training and student education programs to its employees, its students, and their parents.

### **Screening and Referral**

When a student is identified by a staff person as potentially suicidal or a student self-refers, the student will be seen by a school employed school counselor or social worker immediately or as logistically able/ASAP to screen for risk and facilitate referral.

If there is no school counselor or social worker available, a school nurse or administrator will fill this role until a mental health professional can be brought in.

For students at risk:

1. School staff will continuously supervise the student to ensure their safety.
2. The principal and school suicide prevention coordinator will be made aware of the situation as soon as reasonably possible.
3. The school counselor, social worker, or principal will contact the student's parent or guardian and will assist the family with an urgent referral. When appropriate, this may include calling emergency services or bringing the student to the local Emergency Department, but in most cases will involve assisting the parent/ guardian in setting up an outpatient mental health or primary care appointment and communicating the reason for referral to the healthcare provider.
4. Staff will ask the student's parent or guardian for written permission to discuss the student's health with outside care, if appropriate.

### **Crisis Team**

The superintendent or designee will appoint a crisis team, which will be a multidisciplinary team consisting of primarily administrative, school counselor, social worker, School Nurses and safety professionals, and support staff whose primary focus is to address crisis preparedness, interventions/response and recovery. Members of the crisis team should be professionals who have been specifically trained in crisis preparedness through recovery. The crisis team will take the leadership role in developing crisis plans, ensuring school staff can effectively execute various crisis protocols, and may provide mental health services for effective crisis interventions and recovery supports.

### **Publication and Distribution of Policy**

This policy and its regulations will be distributed on district/school websites.

## **ADMINISTRATIVE REGULATIONS**

### **Parental Notification and Involvement**

If a staff member becomes aware of a suicide attempt by a student that is in progress, the staff member will:

1. Call the police and/or emergency medical services, such as 911.
2. Inform the student's parent or guardian.
3. Inform the school suicide prevention coordinator and principal.

If a student contacts a staff member and expresses suicidal ideation, the staff member should maintain contact with the student (either in person, online, or on the phone). The staff member should then enlist the assistance of another person to contact the police while maintaining verbal engagement with the student.

In situations where a student is screened to be at risk for suicide or has made a suicide attempt, the student's parent or guardian will be informed as soon as practicable by the principal, designee, school counselor, or social worker.

If the student has exhibited any kind of suicidal behavior, the parent or guardian should be counseled on receiving an assessment by a mental health professional. Staff will also seek parental permission to communicate with outside mental health care providers regarding their child.

Through discussion with the student, the principal, school counselor, or social worker will screen whether there is a further risk of harm due to parent or guardian notification. If the principal, designee, school counselor, or social worker believes, in their professional capacity, that contacting the parent or guardian would endanger the health or well-being of the student, they may delay such contact as appropriate. If contact is delayed, the reasons for the delay should be documented. The Department of Child Services shall need to be contacted in this situation.

### **Postvention**

1. Development and Implementation of an Action Plan.

The crisis team will develop an action plan to guide school response following a death by suicide. A meeting of the crisis team to implement the action plan should take place immediately following news of the suicide death. The action plan may include the following steps:

- A) Verify the death. Staff will confirm the death and determine the cause of death through communication with a coroner's office, local hospital, the student's parent or guardian, or police department. Even when a case is perceived as being an obvious suicide, it should not be labeled as such until after a cause of death ruling has been made. If the cause of death has been confirmed as suicide, but the parent or guardian will not permit the cause of death to be disclosed, the school will not share the cause of death but will use the opportunity to discuss suicide prevention with students.

B) Assess the situation. The crisis team will meet to prepare the postvention response, to consider how severely the death is likely to affect other students and to determine which students are most likely to be affected. The crisis team will also consider how recently other traumatic events have occurred within the school community and the time of year of the suicide.

C) Share information. Before the death is officially classified as a suicide, the death should be reported to staff, students, and parents/guardians with an acknowledgment that its cause is unknown. Inform the faculty that a sudden death has occurred. Write a statement for staff members to share with students. The statement should include the basic facts of the death and known funeral arrangements (without providing details of the suicide method), recognition of the sorrow the news will cause, and information about the resources available to help students cope with their grief. The crisis team may prepare a letter with the input and permission from the student's parent or guardian to send home with students that include facts about the death, information about what the school is doing to support students, the warning signs of suicidal behavior, and a list of resources available. Also caution against the use of terms "committed suicide" or "successful suicide" when sharing information about a suicide. Advised terminology is "died by suicide."

D) Avoid suicide contagion. It should be explained to staff that one purpose of trying to identify and give services to other high risk students is to prevent another death. The crisis team will work with teachers to identify students who are most likely to be significantly affected by the death. The crisis team will review suicide warning signs and procedures for reporting students who generate concern with the staff. Advise caution in attempts by fellow students and/or family to memorialize the student's death within the school. Exception may be in a counseling area or limited to the use of ribbons (American Foundation for Suicide Prevention).

E) Initiate support services. Students identified as being more likely to be affected by the death will be screened by a School Counselor, School Social Worker, School Nurse, or contracted/ ancillary mental health services to determine the level of support needed. The crisis team will coordinate support services for students and staff in need of counseling. In concert with parents or guardians, crisis team members will refer to community mental healthcare providers to ensure a smooth transition from the crisis intervention phase to meeting underlying or ongoing mental health needs.

## 2. External Communication

The school principal or designee will be the sole media spokesperson. Staff will refer all inquiries from the media directly to the spokesperson. The spokesperson will:

A) Keep the corporation suicide awareness, prevention and response coordinator and superintendent informed of school actions relating to the death.

B) Prepare a statement for the media including the facts of the death, postvention plans, and available resources. The statement will not include confidential information, speculation about the victim's motivation, means of suicide, or personal family information.

C) Answer all media inquiries as appropriate to the well-being of our students and the affected family.

If a suicide is to be reported by news media, the spokesperson should encourage reporters not to make it a front-page story, not to use pictures of the suicide victim, not to use the word suicide in the caption of the story, and not to describe the method of suicide. They should also be encouraged not to speculate about the reason for suicide. Media should be asked to offer the community information on suicide risk factors, warning signs, and resources available. Also caution against the use of terms “committed suicide” or “successful suicide”. Advised terminology is “died by suicide.”

### **In-School Suicide Attempts**

In the case of an in-school suicide attempt, the health and safety of the student is paramount. In these situations:

1. Call 911 as indicated
2. First aid will be rendered until professional medical treatment and/or transportation can be received, following district emergency medical procedures.
3. School staff will supervise the student to ensure their safety.
4. Staff will move all other students out of the immediate area as soon as possible.
5. If appropriate, staff will immediately request a mental health screening for the student.
6. The school building’s Suicide Prevention Coordinator or principal will contact the student’s parent or guardian, as described in the Parental Notification and Involvement section.
7. Staff will immediately notify the principal or school suicide prevention coordinator regarding in-school suicide attempts.
8. The school will engage as necessary the crisis team to assess whether additional steps should be taken to ensure student safety and well-being.

### **Re-Entry Procedure**

For students returning to school after a mental health crisis (e.g., suicide attempt or psychiatric hospitalization), School Counselor/ Social Worker, any outside mental health professional, and the principal, or designee will meet with the student’s parent or guardian, and if appropriate, meet with the student to discuss re-entry and appropriate next steps to ensure the student’s readiness for return to school.

1. A mental health professional or another designee will be identified to coordinate with the student, their parent or guardian, and any outside mental health care providers.
2. The parent or guardian will provide documentation from a mental health care provider that the student has undergone examination and that they are no longer a danger to themselves or others.
3. The development of a Safety Plan for school if indicated.
4. The designated staff person(s) will periodically check in with the student to help the student readjust to the school community and address any ongoing concerns.

### **#4260 Use of Metal Detectors**

When the school administration has reasonable suspicion to believe that weapons are in the possession of any person on school grounds, the administration is authorized to use a mobile metal detector to

search that person. Any search of a person as a result of the activation of the detector will be conducted in private and in accordance with the Student Handbook on Search and Seizure. Only school personnel who have been trained in the usage of metal detectors, law enforcement officers assigned to the school corporation, or school resource officers shall operate the metal detectors under the direction of the administration.

### **#4270 Homeless Students: Enrollment Rights and Services**

To the extent practical and as required by law, the corporation will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school.

Homeless students will be provided corporation services for which they are eligible, including Head Start, Title I, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs. Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Are abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; or
7. Are migratory children living in conditions described in the previous examples.

An unaccompanied youth is a homeless student who is not in the physical custody of a parent or guardian.

The superintendent shall designate an appropriate staff person to be the corporation's liaison for homeless students and their families.

Homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area the student is actually living. Attendance rights by living in attendance areas, other student assignment or student choice or transfer policies are available to homeless families on the same terms as families who are resident in the school corporation.

If there is an eligibility or enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent, guardian, or unaccompanied youth shall be informed of the corporation's decision and their appeal rights in writing. The corporation's liaison will carry out the dispute resolution as provided by state rule.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to corporation policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the corporation liaison is to assist in this process. Records from the student's previous school shall be requested from the previous

school pursuant to corporation policies. Emergency contact information is required at the time of enrollment consistent with corporation policies.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different school corporation, or a homeless student is living in another school corporation but will attend his or her school of origin in this corporation, the two school corporations will coordinate to determine the responsibilities and costs of each corporation to provide the transportation services necessary for the student. If the two school corporations do not agree upon an arrangement, the responsibilities and costs for the transportation services will be shared equally by the two school corporations.

The corporation's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school corporations on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the education and appeal rights of homeless students in a manner understandable to the homeless students, their parents or guardians, and unaccompanied youth. The notice shall be disseminated in locations frequented by homeless students, their parents or guardians, and unaccompanied youth.

The corporation's liaison will be responsible to review and recommend amendments to corporation policies that may act as barriers to the enrollment of homeless students.

Legal Reference: 42 U.S.C. Section 11431  
42 U.S.C. Section 11432(g)  
42 U.S.C. Section 11432a

Date Adopted: 5/28/19