



# NEOLA of INDIANA TEMPLATES

BOARD OF SCHOOL TRUSTEES

PROGRAM

*Central Name* SCHOOL CORPORATION

2623/page 1 of 1

REVISED POLICY - VOL. 24, NO. 2

## STUDENT ASSESSMENT

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

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

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

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

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

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

~~511 IAC 5-2-1~~

**511 IAC 5-2-3**

**511 IAC 6.2-3.1-3**

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**NEOLA of INDIANA**  
TEMPLATES

*Indiana Department of  
Workforce Development*

**BOARD OF SCHOOL TRUSTEES**  
**SCHOOL CORPORATION**

PROGRAM  
2623.01/page 1 of 4

**NEW POLICY - VOL. 24, NO. 2**

**TEST SECURITY PROVISIONS FOR STATEWIDE ASSESSMENTS**

It is the intent of the Board that all staff comply with the requirements of the Indiana Department of Education (IDOE) regarding test security, ~~of the statewide assessments (ISTEP+).~~

The Curriculum Director [~~position/title~~] is designated as the Corporation Test Coordinator (CTC). The CTC shall:

- A. inventory and track all assessment materials;
- B. control the secure storage, distribution, administration and collection of tests;
- C. ensure no tests are copied;
- D. following all procedures located in the testing manuals and those outlined by the IDOE;
- E. ensure that all appropriate staff has knowledge of the Indiana Ethical Testing Practices and Procedures and understand the procedures to secure, administer, and handle assessment materials while in their possession.

Upon receipt of assessment materials, the CTC shall provide for storage under lock and key at a central location. Assessment materials shall not be available to unauthorized parties. Teachers and other school staff members shall not have access to secure materials (except for the Examiner's Manual) more than twenty-four (24) hours in advance of test administration.

The CTC is responsible for the secure distribution of assessment materials to each school building. Secure test materials shall not be delivered to school buildings more than one (1) week in advance of the designated test window. ~~(+) Each building principal~~ (✓) \_\_\_\_\_ [end of choice] is designated as the Building Test Coordinator (BTC). The BTC is responsible for security of assessment materials during the time the materials are in his/her school.



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROGRAM  
2623.01/page 2 of 4

The BTC responsibilities include, but are not limited to, the following:

A. (b) establishing a testing schedule within the testing window;

~~OR~~

~~(c) adhering to the testing schedule established by the CTC;~~

- B. prohibiting the review of any secure test questions before, during, or after an administration session;
- C. establishing a process to ensure that all student assessment materials are secure when not being administered;
- D. establishing procedures for reviewing practices and materials used to prepare students for assessments and communicating these at least annually;
- E. informing appropriate staff of Indiana Ethical Testing Practices and Procedures;
- F. arranging for the secure transport of the assessment materials to the CTC at the conclusion of the testing window following procedures outlined in the Examiner's Manual.

Each person designated as an examiner is responsible for assuring that all assessment security provisions are met while each administration session is in progress. Additionally, each examiner is responsible for accounting for all assessment booklets by serial number. All answer documents, and other assessment materials until returned to the BTC at the conclusion of the administration session.

 **NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROGRAM  
2623.01/page 3 of 4

Each examiner, monitor, and other school personnel or adult volunteer authorized to be present in the room during an administration session shall be informed of prescribed assessment administration and assessment security procedures as well as ethical testing practices.

- No person shall reveal, cause to be revealed, release, cause to be released, reproduce or cause to be reproduced any secure assessment materials through any means or medium including, but not limited to, electronic, photographic, photocopy, written, paraphrase, or oral.
- Except for accommodations made in accordance with the rules adopted by the Indiana Department of Education, only materials specifically designed by the IDOE shall be provided to students or permitted in the assessment room during an administration session.
- Violations to test security include, but are not limited to the following:
  - giving examinees access to test questions prior to testing
  - copying, reproducing or use in any manner any portion of any secure assessment book for any reason
  - altering answer documents during or after a testing session
  - sharing an actual test instrument in a public forum
  - deviating from the prescribed administration procedures specified in the Examiner's Manual
  - participating in, directing, aiding, counseling, assisting, encouraging, or failing to report any acts violating this policy or Indiana Ethical Testing Practices and Procedures
  - scoring student responses on the assessment before returning the answer document for official scoring



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROGRAM  
2623.01/page 4 of 4

The CTC shall establish procedures for teachers, administrators, students, parents, and other community members to voice their concerns about practices they consider inappropriate. The CTC shall investigate any complaints on inappropriate testing practices or testing irregularities. The investigation will include, but not be limited to, the following:

- A. a formal process by which all complaints are documented and can be tracked to resolution
- B. an initial inquiry to determine whether there is credible evidence that such an event occurred is to be conducted within one (1) school day of the receipt of the complaint
- C. if any evidence of an inappropriate testing practice or testing irregularity exists, a report to the IDOE Office of Student assessment must be sent within the next seven (7) calendar days
- D. protection of the integrity of any ongoing assessments
- E. a final report to the IDOE Office of Student Assessment within four (4) weeks, unless a written request for a timeline extension has been granted
- F. the final report must clearly indicate any recommendations or findings that would impact the reliability or validity of student scores and detail actions that the School Corporation recommends the State take

Before the opening of the test window for any standardized test, the IDOE requires that training of any person associated with testing has occurred. This includes, but is not limited to, the CTC, the BTC, test examiners, proctors, and any other person associated with the testing process.

Indiana Statewide Testing for Educational Progress-Plus Program Manual



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**STUDENTS**  
5120/page 1 of 3

**REVISED POLICY - VOL. 24, NO. 2**

**ASSIGNMENT WITHIN THE CORPORATION**  
**ASSIGNMENT OF STUDENTS TO SCHOOLS AND PROGRAMS WITHIN THE**  
**SCHOOL DISTRICT**

~~The School Board directs that the assignment of students to schools within this Corporation be consistent with the best interests of students and the best use of the resources of this Corporation.~~

**Article 8, Section 1 of the Indiana Constitution establishes a right to a tuition free education in an Indiana public school district. The Indiana Student Legal Settlement statute, I.C. 20-26-11 establishes which Indiana public school district a student has a right to attend. Attendance at a particular school or program is established by Board Policy 5120 and the administrative guideline that implements this policy.**

**The Board directs that the assignment of students to schools and programs within the School District be consistent with the effectiveness of the instruction of students and the best use of the Board's resources.**

The Board shall determine the school attendance areas in the Corporation and the students in each attendance area shall attend the school **or program** designated by the Board.

When directed by the Board, the Superintendent shall review attendance areas and recommend changes as may be justified by:

- ~~( )~~ consideration of student safety, transportation, distance, and travel time;
- ~~( )~~ convenience of access to schools;**the academic and career interests of students;**
- ~~( )~~ financial and administrative efficiency;
- ~~( )~~ the effectiveness of the instructional program **or the opportunity to bring together students who would benefit from a curricular component that can only be offered at a single or limited number of sites in the School District;**
- ~~( )~~ continuing a student in an elementary school to which s/he is initially assigned.



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**STUDENTS**  
5120/page 2 of 3

( ) \_\_\_\_\_

[ ] The Superintendent may assign a student to a school **or program** other than the school serving the attendance area established by the Board if the exception is consistent with the interests of the student and ~~Corporation.~~**Board. A decision to assign a student to a school or program other than the school or program that serves the attendance area in which a student resides shall be based upon academic, safety or family considerations and shall not be made solely for participation in extracurricular activities.**

[ ] **Absent substantial considerations to the contrary, a student shall be permitted to complete their ( ) elementary, ( ) middle school, ( ) junior high, or ( ) high school education in the same school.**

[ ] ~~When in the interests of the students and Corporation, siblings shall be assigned to the same school.~~**When consistent with the interests of the students and the Board, students living in the same household shall be assigned to the same school or program.**

[ ] The Superintendent shall assign incoming students to such ~~schools, grades, and classes.~~**schools, grades, classes, and programs** that meet the student's educational needs.

[ ] A principal shall assign students in a school to grades, classes, ~~or groups based on the needs of the student and the Corporation.~~**groups, and programs based on the needs of the students and the Board.**



# NEOLA of INDIANA

## TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**STUDENTS**  
5120/page 3 of 3

[ ] **If a transfer between buildings or programs is initiated by a Principal or a designee, the student's parent/guardian or a student 18 years of age or older shall be advised of the reason for the proposed change. A parent/guardian of a student or a student 18 years of age or older may appeal the transfer to the Superintendent, whose decision shall be final unless the Superintendent elects to submit the proposed change for consideration by the Board.**

**Article 8, Section 1 Indiana Constitution**

**I.C. 20-26-5-4(2) ~~and (13)~~, (13) and (18)**

**I.C. 20-26-11**

**Parents Involved in Community Schools v Seattle, 551 U.S. 701 (2007)**

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# NEOLA of INDIANA

## TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

STUDENTS  
5130/page 1 of 2

**REVISED POLICY - VOL. 24, NO. 2**

### WITHDRAWAL FROM SCHOOL

The School Board affirms that, while Indiana Law requires attendance of each student until eighteen (18) years of age, it is in the best interests of both the students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a student, sixteen (16) to eighteen (18) years of age, wishes to withdraw from school, an exit interview will be conducted with the student, his/her parents, and the principal. **The exit interview will include a determination of whether or not the student is withdrawing for reason of financial hardship, requiring the student to be employed to support the student's family or a dependent, illness, or an order by a court that has jurisdiction over the student.**

**During the exit interview, the principal shall provide the student and the student's parent(s) a copy of statistics concerning the likely consequences of life without a high school diploma.**

The student may not withdraw from school unless the student, the student's parent or guardian, and the principal agree to the withdrawal and the parent or guardian and the principal provide written consent for the student to withdraw from school. If the principal (this duty may not be delegated to a designee) does not consent to the student's withdrawal, the student's parent may appeal the denial to the Board.

At least five (5) days before holding an exit interview, the School Corporation shall give notice by certified mail and personal delivery to the student, the student's parent(s), or the student's guardian. The student's failure to attend an exit interview or return to school if the student does not meet the requirements to withdraw from the school will result in the revocation or denial of the student's drivers license or learner's permit and employment certificate.



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**STUDENTS**  
5130/page 2 of 2

The Superintendent shall develop a withdrawal form (Form 5130 F4) which is to be signed by the student, his/her parent, and the principal in accordance with this policy.

I.C. 9-24-2-1  
I.C. 20-33-2-28.5

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**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

STUDENTS  
5340.01/page 1 of 1

**NEW POLICY - VOL. 24, NO. 2**

**STUDENT CONCUSSIONS**

*instruct*  
It is the policy of the Board that the risk of student injury be considered and addressed in the planning and implementation of every student activity sponsored by the Board. The Board therefore directs and requires that ~~before beginning practice for a high school interscholastic and intramural sports activity~~, the coach/sponsor of the activity provide the parent of each high school student participant and each high school student participant who is eighteen (18) years of age or older with the information sheet on Student Concussions and form issued by the Indiana Department of Education, and require the student's parent and any student who is eighteen (18) years of age or older to sign and return the form acknowledging the receipt of the information from the Indiana Department of Education on Student Concussions.

The coach/sponsor shall maintain an original of the signed acknowledgement for each student participant and shall not allow the student athlete to participate in the sport until the signed acknowledgement from the parent and any student who is eighteen (18) years of age or older is properly executed and returned.

A high school student athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from play at the time of the injury and may not return to play until the student athlete has been seen and evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries, and the coach/sponsor receives a written clearance from the licensed healthcare provider who evaluated the student athlete that the student athlete can safely return to participation in the sport or activity.

A coach/sponsor shall maintain the original of the written clearance from the health care provider for the student athlete to return to play for no less than three (3) years.

I.C. 20-34-7

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**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
**SCHOOL CORPORATION**

STUDENTS  
5410/page 1 of 2

**REVISED POLICY - VOL. 24, NO. 2**

**PROMOTION, PLACEMENT, AND RETENTION**

The School Board recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

[ ] Such pattern should coincide with the system of grade levels established by this Board and the instructional objectives established for each.

A student will be promoted to the succeeding grade level when s/he has:

- ( ) completed the course requirements at the presently assigned grade;
- ( ) in the opinion of the professional staff, achieved the instructional objectives set for the present grade;
- ( ) demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade;
- ( ) demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

[ ] A student enrolled in special education shall be promoted or retained based on the opinion of the Case Conference and the student's I.E.P.

[ ] 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 extra-curricular athletic programs.

[ ] Following sound principles of child guidance, the Board discourages the skipping of grades.



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**STUDENTS**  
5410/page 2 of 2

The Board will comply with the requirements of the Indiana Department of Education regarding the consequences for students in grade three who fail to pass the Indiana Reading Evaluation and Determination Assessment (IREAD-3). Accordingly, a student who does not pass the IREAD-3 assessment either during the assessment period in the school year or during the summer assessment window, in the following school year, will continue to receive instruction in grade three reading, will be officially reported as a third grader, and will fully participate in the grade three ISTEP+ assessment.

Good cause exemptions that may be considered are:

- A. a student who has been previously retained two times prior to the fourth grade;
- B. a student with disabilities whose case conference committee has determined that promotion is appropriate;
- C. an English learner student whose Individual Learning Plan (ILP) Committee has determined that promotion is inappropriate;

The Superintendent shall develop administrative guidelines for promotion, placement, and retention of students which:

- ( ) require the recommendation of the professional staff for any promotion, placement, or retention;
- ( ) require that parents are informed in advance of the possibility of retention of a student at a grade level;
- ( ) assure that reasonable efforts be made to remediate the student's difficulties before s/he is retained;
- ( ) assign to the principal the final responsibility for determining the promotion, placement, or retention of each student.

**I.C. 20-32-8.5**  
**511 IAC 6.2-3.1-3**



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**STUDENTS**  
5464/page 1 of 1

**REVISED POLICY - VOL. 24, NO. 2**

**EARLY GRADUATION**

The School Board acknowledges that some students are pursuing educational goals which include graduation from high school at an earlier date than their designated class.

Application for early graduation shall be in accordance with State regulations. The principal may honor this request if all conditions for graduation are met and the student fulfills the graduation requirements.

The student may participate in the graduation ceremonies with his/her designated class.

**A student qualifying for early graduation by the end of grade eleven (11) is eligible for a state early graduation scholarship subject to the provisions of Indiana statutes. Any student requesting an early graduation may obtain information regarding the scholarship from \_\_\_\_\_.**

~~I.A.C. 511-6-7-4~~  
~~I.A.C. 511-6-9-3~~  
**I.C. 21-12-10**

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**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

FINANCES  
6520/page 1 of 4

**REVISED POLICY - VOL. 24, NO. 2**

**PAYROLL DEDUCTIONS**

For those employees not covered by the terms of a negotiated agreement, the School Board authorizes that certain deductions may be made from an employee's paycheck upon ~~proper authorization on the appropriate form. Deductions shall be made for~~ **receipt of proper written authorization on the appropriate form. Subject to I.C. 22-2-6-2 and other applicable law, deductions may be made for:**

- A. ~~Federal and State income tax;~~ **Federal, State, and local income tax;**
- B. **Social Security and Medicare (FICA);**
- C. **Indiana State Teachers Retirement Fund or Public Employees Retirement Fund;**
  - (✓) ~~county local option income tax;~~
  - (✓) ~~Section 125 deductions (cafeteria plans);~~
  - (+) ~~Section 401(a) deductions;~~
  - (✓) ~~Section 403(b) deductions;~~
  - (-) ~~Section 457(b) deductions;~~
  - (-) ~~U.S. Savings Bonds;~~
  - (+) ~~political contributions;~~
  - (✓) ~~savings in a chartered credit union;~~
  - (✓) ~~contributions to charitable corporations not for profit and community fund organizations;~~ **or nonprofit organizations;**
  - (✓) ~~payment of dues to labor or other organizations~~ **organizations of which the employee is a member;**



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

FINANCES  
6520/page 2 of 4

- () payment of group **health or life** insurance premiums, ~~for a plan in which at least ten (10) percent of the Corporation employees participate;~~
- () ~~payment for benefits of part-time employees who elect to participate in benefits provided to full-time staff.~~ **purchase of merchandise from the Corporation.**

**Employees shall notify the Corporation's administrative offices in writing if they wish to participate in this payroll deduction program. Any payroll deduction agreement provided by an employee must otherwise comply with all of the provisions of applicable law and may be terminated as said law provides upon notice given in writing by either party.**

~~To the extent permitted by law and in accordance with the procedures set forth below law,~~ the Board also declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) of the Internal Revenue Code, and in accordance with the Corporation's administrative guidelines. However, it shall be clearly understood that the Board's only function shall be the deduction and remittance of employee funds. **contribute such withheld amounts to an employee benefit plan described in section 403(b) or 457(b) of the Internal Revenue Code, which has been made available by the Corporation ("403(b) or 457(b) Plan"). Such contributions will be subject to the terms and conditions of the employee's salary reduction agreement and the Corporation's administrative guidelines that are adopted form time to time with respect to the 403(b) or 457(b) Plan, including the following:**

- A. **Amounts withheld at an employee's election for contribution to a 403(b) or 457(b) Plan will only be forwarded to a company/vendor that has been previously approved by the board and continues to remain on the Board's approved list of vendors.**
- B. **An employee must complete a standard salary reduction agreement that has been pre-approved by the Corporation.**



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

**FINANCES**  
6520/page 3 of 4

- C. By providing employees with payroll deduction services for contributions to a benefit plan, the Board is not providing any financial advice to employees.**
- D. The Board does not guarantee the return or quality of any tax-sheltered annuity, mutual fund, or other investment selected by an employee, and it is intended that the Board and the Corporation shall have no liability whatsoever for any investment alternative offered by an approved vendor or selected by an employee.**
- E. All costs incurred in the administration of the 403(b) or 457(b) Plan and corresponding investment fees shall be paid from the assets of the applicable 403(b) or 457(b) Plan.**
- ( ) \_\_\_\_\_ (Other)**

~~In any case where the employee designates the agent, broker or company through whom the Board shall arrange for the placement or purchase of the tax-sheltered annuity, the agent, broker or company must execute a reasonable service agreement, an information sharing agreement, and/or other similar agreements as determined at the discretion of the Corporation. The service agreement shall include a provision that protects, indemnifies, and holds the Corporation harmless from any liability attendant to procuring the annuity in accordance with provisions of the Internal Revenue Code and other applicable Federal or State law.~~

- ~~{ } The agent, broker or company must be designated by a number of employees equal to at least one percent (1%) of the Board's full time employees or at least five (5) employees, whichever is greater (except under no circumstances shall the agent, broker or company need to be designated by more than fifty (50) employees).~~
- ~~{ } The Board may waive this requirement for new employees who have already purchased annuities from an agent, broker or company, not utilized by current employees in the Corporation, while the individuals were employed by another public entity.~~
- ~~{ } The Board may limit the number of participating providers and select approved providers.~~



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

FINANCES  
6520/page 4 of 4

~~The Board, by providing employees with payroll deduction services for annuities, is not providing any financial advice to employees, and is not vouching for the suitability of any investment or any annuity provider. The Corporation assumes no responsibility or liability for any investment decisions or losses with respect to employee annuity purchases.~~

~~Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall notify the Superintendent's Office in writing if they wish to participate in such a program.~~

**I.C. 22-2-6-2**  
**Internal Revenue Service Code Section 403(b)**

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# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 1 of 13

**REVISED POLICY - VOL. 24, NO. 2**

**Version # 1**

**WIRELESS COMMUNICATION ALLOWANCE AND  
STAFF USE OF WIRELESS COMMUNICATIONS DEVICES**

**Eligibility for Wireless Communication Allowance**

Wireless communication devices ("WCDs") (i.e. cellular and wireless telephones, pager/beepers, personal digital assistants (PDAs), Blackberries/Smartphones, WiFi-enabled or broadband access devices, etc.) enable communication whenever a situation arises necessitating immediate contact, regardless of the person's location at the time. Therefore, the Superintendent and administrators who meet one or more of the following criteria are required as a condition of employment to own a WCD and obtain an appropriate service plan so that the WCD is available for use for business-related communications:

- A. their jobs require them to spend a considerable amount of time outside of their assigned office or work area during normal working hours and have regular access to telephone and/or Internet connections while outside their office or assigned work area;
- B. their jobs require them to be accessible outside of scheduled or normal working hours or to be contacted and respond in the event of an emergency;
- C. their jobs consistently require timely and business critical two (2) way communication for which there is no reasonable alternative technology;

(This is not intended to include occasional, incidental access or purely voluntary access such as checking e-mail from home).

- ( ) safety requirements indicate having a WCD is an integral part of meeting the requirements of the employee's job description;
- ( ) more than fifty percent (50%) of the employee's work is conducted outside the employee's assigned office or work area;



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 2 of 13

**Version # 1**

- ( ) the employee is required to be contacted on a regular basis outside normal work hours;
- ( ) the employee is required to be on-call 24/7;
- (~~) the employee's job requirements include critical Corporation wide decision-making.~~

Administrators who are required to have a **personal** WCD as a condition of their employment shall receive a monthly wireless communication allowance ("allowance"), up to an amount approved annually by the School Board to compensate them for the costs associated with acquiring and utilizing a **Board to reimburse them for the costs associated with maintaining and using a personal** WCD for business purposes. Additionally, other staff members who believe that they meet the above-identified criteria may apply for an allowance.

**Amount of the Allowance**

- [ ] The allowance may consist of the following:
- ( ) a monthly allowance of up to a specific dollar amount for wireless telephone service;
  - OR**
  - ( ) a monthly allowance of up to a specific dollar amount for wireless telephone service and Internet/data connection;
  - OR**
  - ( ) a monthly amount {[as set forth in either of the two (2) preceding options]} plus a prorated amount (i.e. usually spreading the cost of the device over twenty-four (24) months) to cover the cost of the WCD **{(NOTE: remember, simple wireless telephones are significantly less expensive than WCDs that include Internet/data connection ability)}**;



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 3 of 13

**Version # 1**

**OR**

- a monthly allowance up to a specific dollar amount for wireless telephone service ~~{[NOTE: possibly including Internet/data service]}~~ and a one-time stipend to cover the employee's cost of acquiring the WCD. **[NOTE: If either of the latter options is selected, include language limiting the equipment allowance to no more than once every two (2) years, or some other reasonable period of time.]**

~~The allowance is not intended to compensate the employee's dollar-for-dollar cost for wireless service. Under no circumstances will the monthly allowance be more than~~

- ~~the cost of the employee's monthly service plan for his/her WCD, or~~
- ~~the cost of the employee's monthly service plan plus an approved amount to cover the employee's cost of acquiring the device.~~

**The allowance shall not reimburse for employee's dollar-for-dollar costs for the wireless service, and shall not exceed the expenses the employee actually incurs in maintaining the personal WCD.**

The allowance **shall not serve as a substitute for a portion of the staff member's regular wages, and** does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades or benefits based on a percentage of salary, etc. The Board will pay only the Board-approved allowance even if actual monthly costs exceed the allowance. If the amount of the allowance needs to be changed because of documented business purpose, the employee should notify the Superintendent by submitting a new Wireless Communication Allowance Request Form.

**[NOTE: START OF FIRST SET OF OPTIONS CHOOSE OPTION #1 OR OPTION #2]**

**Option #1**

No allowance will be paid when the employee is on an unpaid leave status, or is on an extended paid leave during which timely, business-essential communications are not likely to be necessary.



**NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 4 of 13

**Version # 1**

**[ ] Option #2**

If an employee is absent for more than \_\_\_\_\_ **[insert time-frame - e.g. thirty (30)]** days on either a paid or unpaid leave of absence, the allowance will be temporarily discontinued (i.e. it will be prorated during the period of absence) unless

- ( ) the employee can demonstrate s/he needs the device for business-essential communications during the period of absence, and/or
- ( ) the Superintendent approves the continuation of the allowance.

**[NOTE: END OF FIRST SET OF OPTIONS]**

To be eligible to receive the allowance, **the employee must maintain the type of wireless telephone coverage ( ) and Internet/data plan [NOTE: end of option] that is reasonably related to his/her job responsibilities. Beginning** no later than \_\_\_\_\_ **[insert month]** annually, each covered administrator and staff member making application for the allowance, must submit to the Superintendent a Wireless Communication Allowance Request Form, including a copy of his/her most recent monthly invoices for his/her wireless service plan to substantiate the amount of the allowance and a document identifying the telephone number of his/her WCD (including any pin number associated with a Blackberry device) so that the employee may be contacted as the need arises. ( ) If the employee receives either a one-time equipment allowance or a part of his/her monthly allowance is attributable to the cost of acquiring the device, the employee must also include documentation of the cost of the WCD with the Form. The employee must maintain an active wireless service contract while the allowance is being provided.

- [ ] The Superintendent should use knowledge of each employees' **employee's** duties (e.g. the projected number of minutes of monthly business-related calls, and whether the employee requires Internet/data service), and budget considerations to determine the amount of monthly allowance to recommend to the Board for each employee. In determining the amount of the allowance to recommend to the Board, the Superintendent may take into consideration the cost of the basic equipment, whether Internet/data service is needed, and the cost of the employee's monthly wireless service plan.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 5 of 13

Version # 1

In order to continue to receive the allowance, administrators are required to answer all business-related calls on his/her WCD and promptly respond to any messages. **( ) [Select this optional language if non-exempt (for FLSA purposes) employees receive the allowance]** In order to continue to receive the allowance, non-exempt employees are required to answer all business-related calls on his/her WCD and promptly respond to any messages during his/her work hours.

### Allowance is Is Not Considered Taxable Income

**Provided the employee maintains and uses his/her personal WCD for business purposes as described herein, the allowance should not be considered additional income to the employee (i.e., the allowance will be treated as a non-payroll reimbursement of a business expense - similar to mileage reimbursements - and no payroll taxes will be withheld from the employee's paycheck for the amount of the allowance and the amount of the allowance will not be reported as wages on the employee's yearend W-2 statement.**

~~Staff members who receive an allowance are not required to submit a log documenting their business-related use of the WCD; however, they will be informed that the allowance is considered additional compensation for income tax purposes (i.e. the allowance will be paid through the Corporation's payroll system as taxable income and appropriate payroll taxes on the amount of the allowance will be withheld from the employee's paycheck, and the amount of the allowance paid during the calendar year will be included in the wages line on the staff members' year-end W-2 statements).~~ **Additionally, staff members who receive an allowance are not required to submit a log documenting their business-related use of the WCD.** For determination of individual taxability, employees should check with their tax advisor.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 6 of 13

**Version # 1**

## **Employee's Responsibilities**

The employee is responsible for choosing his/her WCD, the voice and/or data plan, and the wireless service provider. Since the WCD is the **personal** property of the employee, the WCD may be used for personal calls (see below concerning the making of personal calls during work time) and be combined or enhanced with other personal plans (i.e. the employee may also, at his/her own expense, add extra services or equipment features, as desired). The employee is responsible for paying all monthly service charges in full and on time. The Board does not accept any liability for claims, charges, or disputes between the service provider and the staff member. Because the employee is personally responsible for the WCD, any replacement for loss or damage will be at the expense of the employee. Such replacement or repair must be completed promptly and the Superintendent must be notified if the employee will not be available by their WCD for a period of time.

Employees should contact the carrier through which they purchased their WCD and purchase their wireless service for support.

[ ] Employees may contact the Corporation's IT Department/Support Staff for consultation on the type of equipment to purchase if they are obtaining Internet/data service in order to enable e-mail and calendar support through the Corporation's servers (e.g. through Microsoft Exchange, Novell GroupWise, etc.) and to obtain assistance in setting up their device to connect to the Corporation's servers. The Corporation's IT Department/Support Staff will assist employees who have Internet/data service with e-mail and calendar functionality.

## **Changing or Ending a Wireless Service Contract Early**

If prior to the end of a wireless service contract, a personal decision by the employee results in the need to end or change the WCD contract, the employee will bear the costs of any fees associated with the change or cancellation.

If prior to the end of a wireless service contract, the employee's misconduct, or misuse of the WCD, results in the need to end or change the WCD contract, the employee will bear the costs of any fees associated with the change or cancellation.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_  
**SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 7 of 13

**Version # 1**

If prior to the end of a wireless service contract, the Board determines to reduce or cancel (unrelated to employee misconduct) the employee's monthly allowance, the Board will bear the cost of any fees associated with the change or cancellation. For example, if the employee is reassigned and/or his/her duties are changed, and the WCD is no longer needed for business purposes, if the employee does not want to retain the current contract, changes or cancellation fees will be reimbursed by the Board.

When selecting the duration of his/her wireless service contract, the employee should take into consideration the length of his/her Board-approved employment contract and not select a duration of the wireless service contract that exceeds the employment contract. If the employee is nonrenewed or voluntarily resigns while the wireless service contract is still in effect, the Board will not be responsible for any fees associated with the employee's decision to subsequently change or cancel the contract.

Once the allowance is given to the employee to purchase a device, the WCD remains the employee's **personal** property. However, upon termination, nonrenewal or resignation, the Board will immediately discontinue the monthly allowance.

**Safe Use of Wireless Communications Devices**

Employee safety is a priority of the Board, and responsible use of WCDs includes safe use.



# NEOLA of INDIANA TEMPLATES

BOARD OF SCHOOL TRUSTEES  
\_\_\_\_\_ SCHOOL CORPORATION

PROPERTY  
7530.01V1/page 8 of 13

Version # 1

**[NOTE: START OF SECOND SET OF OPTIONS - CHOOSE OPTION #1 OR OPTION #2 OR OPTION #3]**

**[ ] Option #1**

[ ] Employees whose job responsibilities include regular or occasional driving and who use a personal WCD for business use are expected to refrain from using their device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call, reading or sending a text message, instant message or e-mail, or browsing the Internet. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options (e.g. headsets or voice activation) if available, refrain from the discussion of complicated or emotional topics, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving **(including any laws that prohibit texting with the WCD or using the WCD in its entirety while driving)**.

[ ] In situations where job responsibilities include regular driving and accepting of business calls, the employee should consider the use of hands-free equipment to facilitate the provisions of this policy.

**[ ] Option #2**

Employees are responsible for operating Board-owned vehicles and potentially hazardous equipment in a safe and prudent manner, and therefore, employees are prohibited from using personal WCDs while operating such vehicles or equipment. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
**SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 9 of 13

**Version # 1**

**[ ] Option #3**

Using a WCD while operating a vehicle is strongly discouraged. Employees should plan their work accordingly so that calls are placed, text messages/instant messages/e-mails read and/or sent, and/or the Internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving (**including any laws that prohibit texting with the WCD or using the WCD in its entirety while driving**).

**[NOTE: END OF SECOND SET OF OPTIONS]**

**Duty to Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements**

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their WCDs.

Wireless communications, including calls, text messages, instant messages, and e-mails sent from WCDs, may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to students.

Additionally, wireless communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using his/her personal WCD may constitute public records if the content of the message concerns Corporation business, or an education record if the content includes personally identifiable information about a student. Wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 - Public Records. Wireless communications that are student records should be maintained pursuant to Policy 8330 - Students Records. Finally, wireless communications and other electronically stored information (ESI) stored on the staff member's personal WCD may be subject to a Litigation Hold pursuant to Policy 8315 - Information Management. Staff are required to comply with Corporation requests to produce copies of wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 10 of 13

## **Version # 1**

Except in emergency situations, employees are prohibited from using WCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal or Superintendent.

**[NOTE: START THIRD SET OF OPTIONS - CHOOSE OPTION #1 OR OPTION #2 OR OPTION #3 OR OPTION #4]**

### **Privacy Issues**

#### **[ ] Option #1**

The use of WCDs that contain built-in cameras (i.e. devices that take still or motion pictures, whether in a digital or other format) is prohibited in locker rooms, classrooms, bathrooms ( ) and/or swimming pool.

#### **[ ] Option #2**

The use of WCDs in locker rooms, classrooms, bathrooms and/or ( ) swimming pool is prohibited.

#### **[ ] Option #3**

WCDs, including but not limited to those with cameras, may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower facilities, restrooms, ( ) classrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The building principal has authority to make determinations as to other specific locations and situations where possession of a WCD is absolutely prohibited.

 **NEOLA of INDIANA**  
TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 11 of 13

**Version # 1**

**Option #4**

The use of WCDs that contain built-in cameras is prohibited in school, on school property, during after school activities, and at school-related functions.

**[END OF THIRD SET OF OPTIONS]**

**Personal Use of WCDs While at Work**

**[NOTE: START OF FOURTH SET OF OPTIONS - CHOOSE OPTION #1 OR OPTION #2]**

**Option #1**

During work hours personal communications made or received, regardless of whether on a WCD, or a regular telephone or network computer can interfere with employee productivity and distract others. Employees are expected to use discretion in using WCDs while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board's policy in this regard.

**Option #2**

Board employees may carry personal WCDs with them while at work ( ) including while operating Board equipment, but are subject to the following restrictions:

- A. Excessive use of a WCD for personal business during work hours is considered outside the employee's scope of employment and may result in disciplinary action.
- B. Employees are personally and solely responsible for the care and security of their personal WCDs. The Board assumes no responsibility for theft, loss, damage, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices.

**[NOTE: END OF FOURTH SET OF OPTIONS]**

At no time may any WCD be utilized by an employee in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 12 of 13

**Version # 1**

## **Potential Disciplinary Action/Termination of the Allowance**

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a WCD in any manner contrary to local, State or Federal laws will constitute misuse, and will result in immediate termination of the allowance.

### **[ ] Reimbursement for Business Calls on a Personal WCD**

If a Board employee's job duties do not include frequent need for a WCD, the employee is not eligible for a wireless communication allowance or a Board-provided WCD. Such employees, however, may request reimbursement for the actual extra expenses of business cell phone calls. Reimbursement for per-minute "air time" charges is limited to the total ~~coverage~~ **overage** charge shown on the invoice; expenses for minutes included in the employee's personal plan will not be reimbursed. The employee should make personal payment to the provider, and then submit a request for reimbursement, which details the date/time of the call, to whom the call was placed or from whom the call was received, and a brief description of the purpose of the call. A copy of the employee's wireless service bill must be attached to the request for reimbursement (the employee ( ) may ( ) should redact any personal calls from the bill prior to submitting it). Business calls made on school property should be made from traditional land-line phones, when readily accessible, and therefore will not be reimbursed if made on a personal WCD.



# NEOLA of INDIANA TEMPLATES

**BOARD OF SCHOOL TRUSTEES**  
\_\_\_\_\_ **SCHOOL CORPORATION**

PROPERTY  
7530.01V1/page 13 of 13

**Version # 1**

**[OPTIONAL ADDITION]**

Employee Use of Board-Owned WCDs

The Corporation will provide Board-owned WCDs to certain employees who require specific equipment or similar technology to perform Corporation functions (e.g., school safety, physical plant maintenance, etc.) and never expect to use these devices for personal use. The Superintendent must approve such exceptions. Employees who qualify for this exception must submit to the Treasurer's Office monthly documentation in the form of a copy of their respective WCD usage logs, verifying business use. The log must note the date/time of the phone call, to whom the call was placed or from whom the call was received, a brief statement of the purpose of the call, ( ) and if the WCD is Internet/data-enabled, a statement that all use of the Internet/data capabilities of the device were business related. The employee's immediate supervisor will be required to approve all charges, attesting that all calls were business related, by initialing the copy of the usage logs. If an employee fails to keep current with this documentation requirement, s/he will be required to return the WCD.

**[SELECT ONE OF THE FOLLOWING]**

- If a personal call inadvertently occurs, restitution must be made to the Corporation.
- If the employee uses the WCD for personal business, a prorated portion of that month's bill, which is related to the employee's personal use of the device, will be treated as compensation for the employee.
- The employee will be required to reimburse the Corporation for a prorated portion of that month's bill, which is related to the employee's personal use of the device.

**[END OF OPTIONS]**

The Board reserves the right to switch an employee to the allowance program if excessive calls are made or if required documentation is not submitted in a timely manner.