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REVISED POLICY - VOL. 24, NO. 2

STUDENT RECORDS

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

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

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

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



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

- A. attendance records
- B. the students' latest ISTEP/GQE test results
- C. any secondary level and postsecondary level certificates of achievement earned by the student
- D. immunization information from the student's immunization record

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

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



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- F. psychological tests;
- G. custodial arrangements.

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

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

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

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

A "school official" is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); school psychologist, a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers). "Designated school personnel" could include, but not be limited to agents of an insurance carrier providing a defense to the Corporation or its employees or agents.



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

The Board authorizes the administration to:

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



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

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative(s) of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the Corporation will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.



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[Districts without administrative guidelines should include the following paragraph]

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

While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

F. request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with federal requirements related to those education programs. A written agreement between the parties is required under this exception (see Form 8330 F16).



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[NOTE: CHOOSE OPTION A OR OPTION B.]

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

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

() Option B [NOTE: The following two paragraphs should be selected by corporations without administrative guidelines:

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

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



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

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

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

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

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



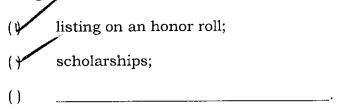
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The Corporation shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible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

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

DIRECTORY INFORMATION

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



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



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In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces". The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

The Corporation shall notify parents and students that they may request that the information not be released by the Corporation to the military recruiting representatives. This notification is to include the process necessary to request that the student not be identified to a military recruiter.

The parent or student must make the request in writing at the end of the student's sophomore year in high school. This is a one-time opt-out opportunity. If the student opts-out in his/her sophomore year and later changes his/her mind a revocation may be made.

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

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

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

Disclosure of Lists of Students for Political or Commercial Purposes

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



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Inspection of Information Collection Instrument

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

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

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

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



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- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

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

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

The Superintendent shall also develop procedural guidelines for:

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

(1) informing Corporation employees of the Federal and State laws concerning student records.

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

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



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

Violation of this policy

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

who knowingly or intentionally discloses information classified as confidential by this policy commits a Class A misdemeanor;

who intentionally, knowingly, or recklessly discloses or fails to protect information classified as confidential by this policy may be disciplined or terminated.



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

I.C. 31-39-2-13.8

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

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

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

I.C. 20-33-2-13

I.C. 20-33-7-1,2,3, 20-33-10-2

34 C.F.R. Part 99

20 U.S.C. Section 1232g, 20 U.S.C. 7165(b), 20 U.S.C. 7908

26 U.S.C. 152

The Family Educational Rights and Privacy Act of 1974 93-380 Individuals with Disabilities Education Improvement Act, 20 U.S.C. 1400 et seq.

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REVISED POLICY - VOL. 24, NO. 2

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

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

STUDENT, EMPLOYEE, AND VISITOR HEALTH AND SAFETY

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

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



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

PHASE-OUT/BANNED PRODUCTS

The Superintendent shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.



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ANIMALS IN CLASSROOMS

Use of animals in classrooms shall be limited to that necessary to support the educational mission, taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement. Animals in classrooms shall be kept in a healthy condition in appropriate cages or tanks, which are kept clean (see AG 8405A). Live animals shall be allowed in the classroom for educational purposes with the prior approval of the principal. No live animal will be allowed in the classroom longer than (*) a semester (*) a grading period (

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

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

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

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



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

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

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

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

INDOOR ENVIRONMENTAL QUALITY (IEQ)AIR QUALITY (IAQ)

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

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



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

Criteria established by the ISDH are as follows:

- A. Carbon dioxide levels shall never exceed seven hundred (700) ppm over the outdoor carbon dioxide concentration.
- B. Outdoor air shall be supplied to classrooms when occupied.
- C. Heating facilities shall be capable of and operated during periods of student occupancy to maintain a temperature not less than sixty-eight (68) degrees Fahrenheit in all instructional rooms, offices, locker rooms, and cafeteria; sixty-five (65) degrees Fahrenheit in activity rooms and shops; and sixty (60) degrees Fahrenheit in interior toilet rooms.
- D. When air conditioning is being provided, the system shall be capable of providing and operating during times of student occupancy to maintain a temperature not to exceed seventy-eight (78) degrees Fahrenheit and sixty-five percent (65%) relative humidity.
- E. The school corporation shall establish and maintain a written procedure for routine maintenance of the heating, ventilating and air conditioning system (HVAC). This procedure shall include the following items:
 - 1. a schedule for inspecting the HVAC system, including annual inspection
 - 2. ensuring that all supply and return air pathways in the HVAC system are unobstructed and perform as required
 - 3. a schedule for cleaning the HVAC coils at least annually
 - 4. a schedule for inspecting and changing filters



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

[NOTE: END OF SECTION.]

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

Contributing factors to excessive moisture levels include the following:

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

As preventative measures, the Corporation shall do the following:

- A. address prevention of water intrusion as a priority IAQ issue and implement strategies toward its elimination; elimination. When a water leak or intrusion is discovered, corrective action shall be taken within forty-eight (48) hours.
- B. maintain environmental conditions in occupied areas that are in compliance with applicable regulations and strive to conform to consensus industry standards;
- C. implement a preventative maintenance program for HVAC systems which shall include, but not limited to, periodic filter replacement, inspection, cleaning and disinfecting processes, and procedures to eliminate the contribution to indoor air quality problems caused by this equipment;



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- D. implement a system for insuring materials used and purchased for use in the construction, furnishing and maintenance, including cleaning of facilities, do not contribute to health hazards to employees and students by degrading the quality of indoor air. In addition, activities that create indoor air quality health hazards shall not be permitted.
- E. When mold or mold contaminated material is discovered, corrective action shall be taken within forty-eight (48) hours.

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

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

DIESEL EXHAUST AND SCHOOL BUS IDLINGSCHOOL BUS AND OTHER VEHICLE IDLING

In accordance with the Environment Protection Agency's initiative to reduce pollution that is caused by school buses on school property, the Board will take the recommended steps to reduce the negative effect of diesel exhaust on indoor and outdoor air quality on school campuses. This effort shall include, but not be limited to, reducing bus idling time and reinforcing smart driving practices. In accordance with the Indiana State Department of Health regulations, the Board endeavors to limit vehicle emissions that may be introduced into school facilities harming the indoor air quality.

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

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



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

The Superintendent shall develop the administrative guidelines necessary to establish these practices in the Corporation. (See AG-8615)

POLLUTION CONTROL AND PREVENTION

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

SEE ALSO THE FOLLOWING RELATED POLICIES:

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

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

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PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

CHEMICAL MANAGEMENT AND PREPAREDNESS FOR TOXIC OR ASBESTOS HAZARD

The School Board is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction exposure to toxic chemicals used in the classroom as a part of an instructional program, as well as toxic chemicals used for cleaning or maintenance or from the presence of asbestos materials used in previous construction.

CHEMICAL MANAGEMENT/TOXIC HAZARDS

In order to reduce student and staff exposure to chemical hazards used or kept at the school corporation facilities, the Superintendent will be responsible for developing and implementing a plan for minimizing exposure to these toxic hazards.

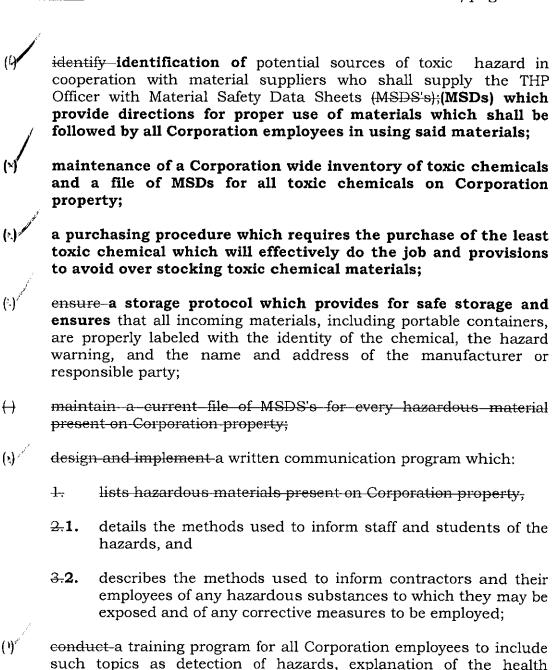
These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, in the cleaning of school buildings, buses, and equipment, and the maintaining of school grounds.

The Superintendent will appoint an employee to serve as the Toxic Hazard Preparedness (THP)—Officer. The THP Officer will:Officer who shall oversee the implementation of the Corporation's Chemical Management/Toxic Hazards Plan. The plan may include:

A. provisions to ensure when chemicals are used during a class, such as but not limited to chemistry, biology, or industrial technology, appropriate ventilation in proper working order must be used to minimize potential exposure to these chemicals (either the National Institute for Occupational Safety and Health (NIOSH) or the Occupational Safety and Health Administration (OSHA) guidelines for evaluating student exposure must be used);



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hazards to which they could be exposed in their work environment,

a disposal procedure which adheres to State environmental

and the Corporation's plan for communication, labeling, etc.

protection guidelines;



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(1)

a protocol which addresses actions to be taken in the event of a spill of toxic chemicals or other potential accidents.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

The Board may, in its discretion, appoint and charge an ad-hoc committee of community representatives to assist the THP Officer.

PHASE-OUT/BANNED PRODUCTS

The Superintendent shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.

ASBESTOS

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the Board recognizes its responsibility to:

- inspect all Corporation buildings for the existence of asbestos or asbestos-containing materials;
- take appropriate actions based on the inspections;
- establish a program for dealing with friable asbestos, if found;
- maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent shall appoint a person to develop and implement the Corporation's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Superintendent shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the Corporation is licensed pursuant to the Indiana Department of Health Regulations.



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Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

Asbestos School Hazard Abatement, 20 U.S.C. 4011 et seq. Asbestos Hazard Emergency Act, 40 C.F.R. Part 763 Toxic Substances Control Act 15, U.S.C. 2601 et seq. I.C. 16-9-3-5, 16-41-37.5 410 IAC 33-4-8

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NEW POLICY - VOL. 24, NO. 2

IDLING SCHOOL BUSES AND OTHER IDLING VEHICLES ON SCHOOL PROPERTY

The Board seeks to limit vehicle emissions that might be brought into school corporation buildings to reduce exposure to these emissions and to improve indoor air quality for students, staff, and visitors. This policy applies to all public and private vehicles on any school property and to school buses while transporting students at any time.

The school shall post signs in areas where idling is prohibited. Drivers of vehicles are to turn off the engine if the vehicle is to be stopped for more than five (5) minutes.

Exceptions to this policy include, but are not limited to:

- A Safety of children or emergencies
 - 1. use of lift equipment during loading of individuals with special needs
 - 2. use of defroster, heater, air conditioning, or other equipment during loading or unloading for health or safety concerns
 - 3. use of bus headlights or flasher warning lights for safety or visibility purposes
 - 4. other safety or emergency issues
- B. Hot or cold weather
 - 1. during hot weather and the bus has air conditioning to keep students cool while on the bus
 - 2. during cold weather to warm the bus (this should be done outside the school zone)



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- C. Maintenance operations
 - 1. buses may idle as necessary as part of a pre-safety inspection
 - 2. if necessary to make emergency repairs to vehicles

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

The Superintendent shall prepare administrative guidelines to implement anti-idling and smart driving procedures for all personnel driving School Corporation owned vehicles or drivers of buses contracted to transport students.

Complaints of non-compliance are to be filed with the Superintendent.

I.C. 16-9-3-5, 16-41-37.5

410 IAC 33-4-3

Indiana Department of Health Idling Vehicles Sample Policy

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REVISED POLICY - VOL. 24, NO. 2

INDEMNIFICATION

DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

It is the policy of the Board to defend and indemnify Board members and employees in claims brought against them if:

- A. the acts and omissions which gave rise to a claim arise out of their office or employment;
- B. the Board receives timely notice of the claim and has the opportunity to evaluate the defend against the claim; and
- C. the Board member or employee's acts or omissions which are the basis of the claim are not predicated on or arise out of bad faith or malfeasance.

The Board may purchase one or more policies of insurance or self-insure to implement this policy. Where counsel is provided by an insurance carrier, the Board shall be advised in the implementation of this policy by that counsel and the school attorney appointed by the Board.

It is the policy of the School Board to carry liability insurance protection for As used in this policy, the term "Board members and employees" means

• •	Board members,		
(i)	employees,		
• ()	volunteers		
() student-teachers;			
() parent organizations.			
()	Other		



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As used in this policy, "defend and indemnify" means paying all costs of defense including attorneys' fees, court costs, and costs of litigation as well as any judgment or settlement of a claim. Pursuant to the authority given to the Board by I.C. 20-26-5-4(15), the Board may purchase liability insurance or self insure to pay these expenses.

As used in this policy, the term "claim" includes a demand or cause of action based upon an alleged tort, breach of contract, or violation of an Indiana and Federal statute or constitution.

In implementing this policy, the Board may authorize the defense and indemnification of a Board member or employee by adopting a resolution pursuant to the authority given the Board in I.C. 20-26-5-4(17). A resolution adopted pursuant to this policy may reserve to the Board the right to make a final determination concerning the defense and indemnification of the Board member or employee when the facts which gave rise to the claim have been fully investigated and evaluated. If a resolution of the Board reserves a right to make a final determination, and the Board does not exercise that reserved right, the preliminary resolution shall become the Board's final determination. Failure to pass a resolution shall not affect the Board's authority or responsibility to defend or indemnify a Board member or employee. However, if a resolution is put to a vote by the Board and the resolution fails, the Board shall not defend or indemnify the Board member or employee pursuant to this policy.



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It is the policy of the Board to pay all costs and fees incurred by or on behalf of any employee of the Corporation, including a member of a committee, a commission, an authority, or another instrumentality of the Board, in defense of any suit arising out of the performance of duties for, or employment with, the Corporation, except in the case of a civil rights suit as discussed below, provided the Board by resolution determines that such action was taken in good faith. The Corporation shall, subject to the provisions of statute, also pay any judgement, compromise, or settlement of the claim, or suit when the Board determines that it is in the best interest of the Corporation, the act or omission causing the loss is within the scope of the employee's employment, and the employee did not act in bad faith or with malfeasance in office or employment. The intent is to save any such employee harmless from any liability, cost, or damage in connection therewith, including but not limited to the payment of any legal fees, except where such liability, cost, or damage is predicated on, or arises out of, the bad faith of such employee or is a claim or judgment based on his/her malfeasance in employment.

I.C. 20 26 5 4, 34 4 16.7 1, 34 13 2 1, 34 13 3 5, 34 13 3 20, 34 13 4 1 I.C. 20-26-5-4(15) and (17), 34-13-2 through 4, 34-13-3-20

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