

# CENTRAL NINE CAREER CENTER

## SUMMARY OF NEW/REVISED/REPLACEMENT POLICIES FOR BOARD ADOPTION

### VOLUME 29 NO. 1 (IN)

&

### SPECIAL RELEASE - PHASE I - TECH (IN) OCTOBER 2016

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√	1520 – Employment of Administrators
√	1520.08 – NEW POLICY – Activity sponsors (Administrative)
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## DEFINITIONS

As used in the ~~School~~ Board's bylaws and policies and the Executive Director's administrative guidelines, the following terms shall have the meaning set forth below:

### **Administrative Guideline**

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

### **Apps and Web Services**

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

### **Board**

The Board is the governing body of the ~~Corporation~~Career Center as defined in I.C. 20-18-2-5.

### **Bylaw**

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

### **Certificated Employee**

An employee of the Board in a position that requires a license or

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

### **Classified Employee**

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



### **Corporation**

The Central Nine Career Center.

### **Due Process**

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

### **Executive Director**

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

### **Information Resources**

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

### **Full Board**

All members of the Board.

### **May**

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

### **Meeting**

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

### **Non-Certificated Employee**

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

## **Official Action**

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

## **Parent**

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

## **Personal Communication Devices**

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular or mobile phones, smartphones, and/or other web-enabled devices of any type.

## **Policy**

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

## **President**

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

## **Principal**

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

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administrator assisting a Principal with the performance of all or a portion of the duties assigned to the Principal.



## **Professional Employee or Professional Staff Member**

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

## **Public Business**

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

## **Relative**

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

## **Secretary**

An officer of the Governing Board is responsible for preparation of minutes of Board meetings and custody of the Records of the Board (see Bylaw 0170).

## **Shall**

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

## **Student**

A person who is officially enrolled in a school or program of the [Corporation Career Center](#).

## **Support Employee**

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

## **Teacher**

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

## **Technology Resources**

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

## **Vice-President**

The Vice-President of the Governing Board (see Bylaw 0170).

## **Voting**

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



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Citations to Indiana Law, Rules and Court Decisions

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

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

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

### Citations to Federal Laws, Rules and Court Decisions

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

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

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

Adopted 10/8/09  
Revised 1/8/15  
Revised 9/10/15

EMPLOYMENT OF ADMINISTRATORS IN ADDITION  
TO THE EXECUTIVE DIRECTOR

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

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

In addition to the Executive Director, individuals employed in the following certificated or noncertificated positions covered by the Indiana State Teachers' Retirement Fund (TRF) or the Public Employees Retirement Fund (PERF) positions shall be considered administrators:

- A. Assistant ~~executive D~~irector
- B. Curriculum Director
- ~~C. — guidance counselor~~
- ~~D~~C. Pprincipal
- ~~E~~D. assistant Assistant principal Principal
- ~~F~~E. Business Manager
- ~~G~~F. Director of Adult and Continuing Education

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

- A. If the administrator is a certificated employee, the~~The~~ basic contract must be the Regular Teacher's Contract as prescribed by the State Executive Director.
- B. The term of the initial contract for administrators must be for at least two (2) school years.
- C. The basic Regular Teacher's~~Contract~~ may be altered, modified, or rescinded in favor of a new contract at any time by mutual consent

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of the Board and the administrator if the contract, when reduced to writing is consistent with Indiana law.

~~D. Individuals employed in the following non-certificated positions shall also be considered administrators: Business Manager.~~ Administrators who are employed in non-certificated positions shall be employed by a specific contract. The term of the initial contract must be for at least two (2) school years.

~~Administrators who are employed in non-certificated positions shall be employed by a specific contract. The term of the initial contract must be for at least two (2) school years.~~

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

~~Such approval shall be given e~~Only to those candidates for employment recommended by the Executive Director will be employed by the Career Center.

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

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

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

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

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

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

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

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

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

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

Adopted 10/8/09  
Revised 9/8/11

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**NEW POLICY - VOL. 29, NO . 1**

**EMPLOYMENT OF PERSONNEL FOR EXTRACURRICULAR ACTIVITIES**

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

The Board authorizes the Executive Director to recommend candidates for employment by the Board.

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

I.C. 20-34-7

I.C. 20-34-8

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

To protect students and staff members, the Board requires an inquiry into the personal background of each applicant the Executive Director recommends for employment on the ~~Corporation's~~ Career Center's administrative staff.

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

- ~~A.~~ A. an expanded national criminal history check (as defined by I.C. 20-26-2-1.5) of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or another method of positive identification
- ~~B.~~ B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~BC.~~ BC. a search of the national sex offender registry maintained by the United States Department of Justice
- ~~D.~~ D. beginning July 1, 2017, a search of the State child abuse registry
- ~~CE.~~ CE. telephone inquiry with former employers
- ~~DF.~~ DF. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- ~~EG.~~ EG. verification of the applicant's eligibility to work using the E-Verify database maintained by the federal government as required by I.C. 12-32-1
- ~~FH.~~ FH. a detailed background history including all prior employment and volunteer positions
- ~~GI.~~ GI. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

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

- ~~A.~~ A. convicted of an offense for which the applicant's license for the

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position may be revoked or suspended by State law; or

B. the subject of a substantiated report of child abuse or neglect.

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

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

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

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

During the course of his/her employment with the ~~Corporation~~ Career Center, each administrator shall be required to report ~~his/her~~ the arrest or the filing of criminal charges against the employee;

A. conviction of the employee for a crime; and

B. substantiated report of child abuse or neglect of which the employee is the subject

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

The Executive Director shall prepare administrative guidelines to implement this policy.

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

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

I.C. 20-28-5-8

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~~I.C. 10-13-3, 20-26-2-1.5~~

~~I.C. 20-26-5-10, 20-26-5-11, 20-28-5-8~~

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Adopted 10/8/09  
Revised 9/8/11

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**NEW POLICY VOL. 29, NO. 1**

**GROUP HEALTH PLANS**

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

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

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

**NEW POLICY - VOL. 29, NO. 1**

**PATIENT PROTECTION AND AFFORDABLE CARE ACT**

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

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

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

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

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

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

### 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 5-2-3  
511 IAC 6.2-3.1-3

Adopted 1/14/10  
Revised 9/13/12

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### EMPLOYMENT OF PERSONNEL FOR EXTRACURRICULAR ACTIVITIES

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

The Board authorizes the Executive Director to recommend candidates for employment by the Board.

The Executive Director shall require that each person employed as an activity sponsor is qualified, has cleared a background check required by State law and Policy 3121 or Policy 8120, and has received the training required by State law and this policy. ~~shall establish administrative guidelines to ensure that each person employed as an activity sponsor has the appropriate qualifications, has been properly interviewed, has cleared a criminal background check, and has received the required training. The guidelines shall also provide the conditions of employment and compensation.~~

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

Adopted 10/8/09  
Revised 1/8/15  
Revised 9/10/15

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

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

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

- ~~A.~~ A.—an expanded national criminal history check (as defined by I.C. 20-26-2-1.5) of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or another method of positive identification
- ~~B.~~ B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~B~~C. a search of the national sex offender registry maintained by the United States Department of Justice
- D. beginning July 1, 2017, a search of the State child abuse registry
- ~~C~~E. telephone inquiry with former employers
- ~~D~~F. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- ~~E~~G. verification of the applicant's eligibility to work using the E-Verify database maintained by the federal government as Required by I.C. 12-32-1
- ~~F~~H. a detailed background history including all prior employment and volunteer positions
- ~~G~~I. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

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

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

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

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the ~~Superintendent~~Executive Director may provide for a substitute or employ the applicant as a substitute.

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

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

During the course of his/her employment with the ~~Corporation~~Career Center, each professional employee and substitute teacher shall be required to report ~~his/her~~the arrest or the filing of criminal charges against the employee; and

A. conviction of the employee for a crime; and

B. substantiated report of child abuse or neglect of which the employee is the subject

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

~~The Executive Director shall prepare administrative guidelines to implement this policy.~~

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

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

I.C. 20-28-5-8

~~I.C. 10-13-3, 20-26-2-1.5~~

~~I.C. 20-26-5-10, 20-26-11, 20-28-5-8~~

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Adopted 10/8/09  
Revised 9/8/11

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EMPLOYMENT CONTRACTS WITH PROFESSIONAL EMPLOYEES

The Board requires that each employee it employs in a certificated position sign a Regular Teacher Contract, a Supplemental Teacher Contract, or a Temporary Teacher's Contract using the form contract promulgated by the Executive Director of Public Instruction pursuant to I.C. 20-28-6-3.

~~Each Board employee assigned to the position of Executive Director or Assistant Director of Special Education shall sign an initial Regular Teacher's Contract, which by Statute shall have a term of the equivalent of at least two (2) school years.~~

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

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

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

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

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

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

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

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

Adopted 10/8/09  
Revised 9/8/11  
Revised 10/9/14

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## GROUP HEALTH PLANS

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

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

### Notice of Health Insurance Marketplace

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

### Notification Requirements

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

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

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

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



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**NEW POLICY - VOL. 29, NO. 1**

**PATIENT PROTECTION AND AFFORDABLE CARE ACT**

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

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

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

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

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

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

EMPLOYMENT OF PERSONNEL FOR  
EXTRACURRICULAR ACTIVITIES

The ~~Governing~~ Board may find it necessary to employ on a part-time basis, ~~coaches~~ ~~or~~ activity sponsors who are not members of the professional staff. Such part-time employees may be members of the ~~Corporation's~~ Career Center's classified staff, support staff, or individuals from the community or nearby areas.

The Board authorizes the Executive Director to recommend candidates for employment by the Board.

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

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

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

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

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Adopted 1/8/15

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

To protect students and staff members, the Board requires an inquiry into the personal background of each applicant the Executive Director recommends for employment on the ~~Corporation's~~ Career Center's support staff.

Such an inquiry shall also be made for substitutes.

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

- ~~A.~~ A. an expanded national criminal history check (as defined by I.C. 20-26-2-1.5) ~~of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or another method of positive identification~~
- ~~B.~~ B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- ~~BC.~~ C. a search of the national sex offender registry maintained by the United States Department of Justice
- ~~D.~~ D. beginning July 1, 2017, a search of the State child abuse registry
- ~~EE.~~ E. telephone inquiry with each former employer
- ~~FF.~~ F. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- ~~GG.~~ G. verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1
- ~~FH.~~ H. a detailed background history including all prior employment and volunteer positions
- ~~GI.~~ I. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board may deny employment to an applicant who is

- A. convicted of an offense for which the applicant's license for the

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position may be revoked or suspended by State law; or

B. the subject of a substantiated report of child abuse or neglect.

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

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Executive Director may provide for a substitute or employee the applicant as a substitute.

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

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

During the course of his/her employment with the ~~Corporation~~ Career Center, each support staff employee shall be required to report ~~his/her~~ the arrest or the filing of criminal charges against the employee; and

A. conviction of the employee for a crime; and

B. substantiated report of child abuse or neglect of which the employee is the subject

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

~~The Executive Director shall prepare administrative guidelines to implement this policy.~~

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

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

I.C. 20-28-5-8

~~I.C. 10-13-3, 20-26-2-1.5~~

~~I.C. 20-26-5-10, 11, 20-28-5-8~~

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Adopted 10/8/09  
Revised 9/8/11

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## GROUP HEALTH PLANS

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

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

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**NEW POLICY - VOL. 29, NO. 1**

**PATIENT PROTECTION AND AFFORDABLE CARE ACT**

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

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

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

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

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

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

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

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

- A. The Board will educate, tuition free, students who have legal settlement in the Career Center, and students enrolled in good standing according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Career Center, the student may be enrolled without payment of tuition. If the parents are able to support the student and have placed the student in the home of another person primarily for the purpose of attending school in this Career Center without establishing legal guardianship as required by Indiana law, tuition may be charged.
- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition free, without regard to residency, to a school within the Career Center, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.
- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition free.
- E. The Career Center will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Career Center, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. Students who have completed the eleventh grade and have changed legal settlement to another Career Center may complete the twelfth grade in this Career Center.

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

H. Children of Divorced Parents

Children of divorced parents may attend school in this Career Center without the payment of tuition if one (1) parent resides in this Career Center and a timely election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.

Not later than fourteen (14) days before the first student day of the school year for which the parent seeks enrollment, the parent with physical custody of the child must notify the Director of the Career Center in which the parents seek to have the student enrolled of their election to enroll the child in the Career Center. The election may be for no less than one (1) school year.

I.C. 20-18-2-11 (legal settlement defined)

I.C. 20-33-2-12 (transfer to another accredited or non-accredited school)

I.C. 20-33-8-17 (expulsion for lack of legal settlement)

I.C. 20-26-11-1 (residence defined)

I.C. 20-26-11-2.5 (divorced parent election)

I.C. 20-26-11-6(e) (option to not charge transfer tuition)

I.C. 20-26-11-32 (lottery selection of student transfer requests, HEA 1381 – 2013)

Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)

Divorced Parents Agreement:

<http://www.doe.in.gov/sites/default/files/legal/formiii.pdf>

Third Party Agreement:

<http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf>

Adopted 1/14/10

Revised 2/14/13

Revised 3/13/14

**DRUG PREVENTION**

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

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

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

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

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

~~The Executive Director shall establish a drug free schools committee for each school in the Career Center. Each committee must consist of not more than fifteen (15) members who represent the following from the Career Center:~~

- ~~A. school personnel~~
- ~~B. parents of students~~
- ~~C. representatives of the community~~

~~Each drug free schools committee shall:~~

- ~~A. develop a drug free school plan that:
  - ~~1. requires each school to collect and report drug related activities in the school, including suspensions, expulsions, exclusions, police actions, or any other type of drug related behavior; and~~
  - ~~2. addresses ways to eliminate illegal drugs and drug related behavior in schools;~~~~
- ~~B. oversee the implementation of the school plan;~~
- ~~C. oversee the implementation of the curriculum under I.C. 20-30-5-11 concerning the effects that alcoholic beverages, tobacco, prescription drugs, and controlled substances have on the human body and society at large.~~

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

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
  - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
  - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;

3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
  4. promotes positive emotional health, self-esteem, and respect for one's body;
  5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State's Department of Education;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;

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

- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;



- I. provide a biennial review of the ~~Corporation~~Career Center's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- J. ensure that drug-free schools committees have been established for each school in the ~~Corporation~~Career Center and that each drug-free schools committee has fulfilled the duties required by this policy;

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

I.C. 20-30-5-11

I.C. 35-48-2-4

I.C. 35-48-2-6

I.C. 35-48-2-8

I.C. 35-48-2-10

I.C. 35-48-2-12

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

~~The Executive Director shall establish administrative guidelines necessary to implement this policy.~~

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

~~I.C. 20-34-2-1 et seq.~~

~~I.C. 35-48-2-4~~

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

Adopted 1/14/10

Revised 12/12/13

Revised 1/8/15

### STUDENT FUNDRAISING

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

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

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

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

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

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

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

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Use of the name, logo, or any assets of the Career Center, including but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Executive Director.

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

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

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

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

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students and require that for any fund-raisers by approved school organizations which involve the sale to students of food items and/or beverages to be consumed on campus, the food and/or beverage items to be sold comply with the current USDA Dietary Guidelines for Americans, as stipulated by this policy;
- C. limit the kind and amount of advertising for solicitation;
- D. ensure proper distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded;
- E. ensure proper supervision of students during such activity.

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

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

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

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

[42 U.S.C. 1779](#)

[7 C.F.R. Parts 210 and 220](#)

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

Adopted 1/14/10

Revised 10/9/14

Revised 1/8/15

**NEW POLICY - VOL. 29, NO. 1**

**CROWDFUNDING**

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

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

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

FAIR LABOR STANDARDS ACT ("FLSA")

**Statement of Policy**

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

**Definitions of Terms Applicable to this Policy:**

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

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

### **Minimum Wage**

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

### **Recordkeeping Responsibilities**

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

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

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

### **Overtime**

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

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

### **Joint/Dual Employment**

Joint/Dual Employment exists when:

- A. An employee is employed in two (2) wage positions or a salaried and a wage position with the ~~Corporation~~Career Center, and
- B. at least one of the positions is non-exempt:
  - 1. If one of the positions is exempt, the hours may not have to be added together to calculate the number of overtime hours worked. To determine this, the duties of the two (2) positions must be combined as if one (1) position. If the percentage of time spent performing non-exempt duties exceeds fifty percent (50%), the employee is considered non-exempt and hours worked shall be added together for the two (2) positions.
  - 2. If both positions are non-exempt, hours worked are cumulative, and overtime shall be paid after forty (40) hours are worked in a workweek in one (1) or a combination of positions.
  - 3. If the two (2) positions are paid at different rates, a weighted average shall be used as the regular rate for determining overtime compensation due.

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



## **Volunteers**

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

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

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

## **Exemptions**

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

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

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

### A. Administrative

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

- ~~1. The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;~~

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- ~~2. The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and~~
- ~~3. The employee's primary duty includes the exercise of discretion and independent judgement with respect to matters of significance.~~

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

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

~~B.~~ **Learned Professionals**

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

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

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

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

~~C.~~     **Computer Employees**

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

- ~~1.     The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;~~
- ~~2.     The employee's primary duty must consist of:~~
  - ~~a.     The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications;~~
  - ~~b.     The design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;~~

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

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

D. **Deduction from Exempt Employees Pay**

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

**Deduction from Exempt Employees Pay**

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

- ~~1.~~A. when the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability;
- ~~2.~~B. for absences of one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice or providing compensation for salary lost due to illness;
- ~~3.~~C. to offset amounts employees receive as jury or witness fees, or military pay against the salary due for that particular week~~or for military pay~~;
- ~~4.~~D. for penalties imposed in good faith for infractions of safety rules of major significance;

5.E. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions.

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

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

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

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

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

B. the employee's accrued leave has been exhausted; or

C. the employee chooses to use leave without pay.

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

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

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

Adopted 1/14/10

## COMPUTER TECHNOLOGY AND NETWORKS

The Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of ~~Corporation~~ Career Center operations. ~~It also recognizes that safeguards have to be established to ensure that the Corporation's investment in both hardware and software is achieving the benefits of technology and inhibiting negative side effects.~~

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

The Executive Director shall develop, and implement a written Career Center Technology Plan (CTP). One of the primary purposes of the CTP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient and effective Career Center operations. The Board will financially support, as the budget permits, the CTP, including recommendations to provide new and developing technology for students and staff.

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

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

The Executive Director, in conjunction with the Technology Coordinator shall review the CTP and recommend the approval of any changes, amendments, or revisions to the Board annually.

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using Career



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Center Technology Resources (including but not limited to privacy in the content of their personal files, e-mails and records of their online activity when using the Career Center's computer network and/or Internet connection).

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

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

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

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

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

~~The Executive Director is directed to establish administrative guidelines not only for proper acquisition of technology but also to provide guidance to staff and students concerning making appropriate and ethical use of the computers and other equipment as well as any networks that may be established. The responsibility for the educational value of Internet access is the joint responsibility of school staff, the students with access to the Internet, and their parents.~~

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~~Such guidelines shall also ensure that parents are provided the option to request alternative activities not requiring Internet access.~~

~~The Executive Director shall establish appropriate procedures to inform both staff and students about disciplinary actions that will be taken if Corporation technology and/or networks are abused in any way or used in an illegal or unethical manner.~~

~~This policy and the guidelines and agreements established by the Executive Director are to be made available for review by parents, members of the staff, and members of the community.~~

~~The provisions of this policy and associated guidelines and agreements are subordinate to local, State, and Federal law.~~

Adopted 1/14/10

## TECHNOLOGY PRIVACY

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

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

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

Career Center Technology Resources ~~Computers, electronic mail, and voice mail~~ are to be used only for business and educational purposes. No personal messages should be exchanged via ~~Corporation~~Career Center-owned technology. Staff members are encouraged to keep their personal records and personal business at home.

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

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

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discovered will be limited to those who have a specific need to know that information.

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

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

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

Adopted 1/14/10

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CAREER CENTER WEB PAGE WEB CONTENT, APPS AND SERVICES

Creating Web Pages, Sites, Apps and Services

The ~~Governing~~ Board authorizes staff members and students to create web content, apps and web services (see Bylaw 0100 - Definitions) that will be hosted by the Career Center on its servers or Career Center-affiliated servers and published on the Internet.

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

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

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

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

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

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

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

**A. Educate**

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

**B. Inform**

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

**C. Communicate**

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

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

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

All links included on the ~~pages~~ Career Center's website(s), web content, apps and web services also must ~~must also~~ meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, and COPPA ~~Children's Internet Protection Act, Children's Online Privacy Protection Act, ADA~~). Nothing in this paragraph shall prevent the Career Center from linking the Career Center's website(s) to 1) recognized news/media outlets, e.g., local newspapers' websites, local television stations' websites, ~~outlets (e.g., local newspapers' websites, local television stations websites)~~ or 2) to websites, web content, apps, and/or web services that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

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

Under no circumstances ~~is a~~ are staff member-created web content, apps or web services, ~~page/site~~, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Career Center-specified ~~The Board maintains its own~~ website, web content, app or web service, student management and online learning systems ~~that employees are required to use~~ for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal web pages/sites (including but not limited to Facebook, Instagram, or Pinterest ~~including, but not limited to, their Facebook or MySpace pages~~) to check grades, obtain class assignments ~~and/or~~ class-related materials, ~~and~~ or to turn in assignments.

If a staff member creates web content, apps or web services ~~a website~~ related to his/her class, ~~it they~~ must be hosted on the Career Center's server or a Career Center-affiliated server.

Unless the web content, app, or web service ~~page/site~~ contains student personally identifiable information, Career Center websites, web content, apps and web services that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features,



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whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users ~~will~~ generally will be given full access to the Career Center's website(s), web content, apps and web services~~sites created pursuant to this policy.~~

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

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

The Executive Director shall prepare administrative guidelines defining the rules and standards permissible for web-site use applicable to the use of the Career Center's website and the creation of web content, apps and web services by staff and students.

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

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

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

### **Instructional Use of Apps and Web Services**

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

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

The Board further requires the use of a Career Center-issued e-mail address in the login process.

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

Adopted 1/14/10  
Revised 1/8/15

## VOLUNTEERS

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

The Executive Director shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The Executive Director shall not be obligated to make use of volunteers whose abilities are not in accord with ~~Corporation~~Career Center needs. Each volunteer who is in direct contact with students will be required to submit a Limited Criminal History Record Check.

The Executive Director is to inform each volunteer that s/he:

- A. shall agree to abide by all Board policies and ~~Corporation~~Career Center guidelines while on duty as a volunteer;
- B. will be covered under the ~~Corporation~~Career Center's liability policy but the ~~Corporation~~Career Center shall not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the volunteer eligible for workers' compensation;
- C. will be asked to sign a form releasing the ~~Corporation~~Career Center of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services;
- D. ~~will be required to report any arrests of or the filing of criminal charges against him/her while serving as a volunteer; will be required to report any personal arrests on the filing of criminal charges while serving as a volunteer.~~
- E. will be required to report any substantiated report of child abuse or neglect of which s/he is the subject.

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

I.C. 5-2-22  
I.C. 10-13-3  
I.C. 20-26-2-1.3

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I.C. 20-26-2-1.5

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

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Adopted 1/14/10

PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES

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

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

- ~~A.~~ A. an expanded national criminal history check (as defined by I.C. 20-26-2-1.5) of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or another method of positive identification
- ~~B.~~ an expanded child protection index check as defined by I.C. 20-26-2-1.3
- B. a search of the national sex offender registry maintained by the United States Department of Justice
- C. arrest and/or filing of criminal charges against each employee within two (2) business days of the occurrence and the disposition of such arrest or filing of charges concerning employees of contractors and sub-contractors
- D. a detailed background history including all prior employment and volunteer positions
- ~~E.~~ an Indiana Bureau of Motor Vehicles driver history if the position involves driving

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

Each contractor and subcontractor providing services to the Career Center shall notify the Executive Director within two (2) business days of the:

- ~~A.~~ arrest and/or filing of criminal charges against an employee of the contractor or subcontractor and the disposition of such arrest or filing of charges;

- B. conviction of an employee of the contractor or subcontractor for a crime; and
- C. substantiated report of child abuse or neglect of which the employee of the contractor or subcontractor is the subject.

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

- A. inclusion of the requirement as a material term of the contractor's or sub-contractor's contract; or

- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the ~~Corporation~~Career Center's files

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

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

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

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

~~I.C. 10-13-3, 20-26-2-1.5~~

~~I.C. 20-26-5-10, 11, 20-28-1-2, 6, 8~~

Adopted 1/14/10

## STUDENT RECORDS

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

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the Career Center 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 Career Center 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 Executive Director 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 Career Center records to any place not within the control of the Career Center. This includes any laptop computer or portable storage medium.

The ~~Governing~~ Board is responsible for maintaining records of all students attending schools in this Career Center. In addition to records mandated by the Federal Government, the State of Indiana requires that the Career Center 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.B.~~ any secondary level and postsecondary level certificates of achievement earned by the student
- ~~D.C.~~ immunization information from the student's immunization record  
any dual credit courses taken that are included in the core transfer  
library under I.C. 21-42-5-4

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,
- D. verified reports of serious or recurrent behavior patterns;
- E. rank in class and academic honors earned;
- F. psychological tests;
- G. custodial arrangements.

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

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

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

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

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

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

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

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

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the Career Center" or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the Career Center 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 Career Center in which a student of this Career Center seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification – Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  - 2. the parent or eligible student, upon request, receives a copy of the record; and
  - 3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;

- B. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information to a third party;
- D. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Career Center 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 Career Center will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

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

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

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

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

The Career Center 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 Career Center's policy and administrative guidelines and/or those specified in the law.

### **DIRECTORY INFORMATION**

Each year the Executive Director shall provide public notice to students and their parents of the Career Center'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; or awards received.

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

In accordance with Federal 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 Executive Director is authorized to charge mailing fees for providing this information to a recruiting officer.

The Career Center shall notify parents and students that they may request that the information not be released by the Career Center 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 Career Center to disclose any or all of such "directory information" upon written notification to the Career Center within ten (10) days after receipt of the Executive Director'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 Career Center 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))

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 Executive Director at least ten (10) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within ten (10) business days of the Executive Director receiving the request.

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

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

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



The Executive Director 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 Career Center noncompliance with the United States Department of Education;
- F. obtain a copy of the Career Center's policy and administrative guidelines on student records.

The Executive Director shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of record;
- B. informing Career Center 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 Career Center specifically as a consequence of permitting access or furnishing students' records in accordance with this policy and administrative guidelines.

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

Violation of this Policy

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

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

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

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

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

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

I.C. 5-14-3-10

I.C. 5-15-6-8

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

I.C. 20-33-2-13

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

I.C. 20-33-10-2

I.C. 31-39-2-13.8

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

26 U.S.C. 152

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

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

20 U.S.C. 7165(b)

20 U.S.C. 7908

34 C.F.R. Part 99

Adopted 1/14/10

Revised 9/13/12

Revised 1/8/15

**REQUEST FOR LETTER OF REFERENCE OR EMPLOYMENT REFERENCE**

**LETTERS OF REFERENCE**

**Letter of Reference:**

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

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

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

**Employment Reference:**

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

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

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

The Executive Director shall develop the administrative guidelines necessary to implement this policy.

I.C. 20-26-5-11.5

I.C. 22-5-3-1

Section 8546 of the Every Student Succeeds Act (ESSA)

Adopted 1/14/10

## SCHOOL SAFETY

The ~~Governing~~ Board is committed to maintaining a safe environment ~~in all of the Corporation's schools~~at the Career Center. To that end, in accordance with State law, Central Nine Career Center shall establish a *Safe School Committee*, the composition of which shall be in accordance with the Executive Director's guidelines and ~~the Safe School Committee shall be a subcommittee of the committee that develops the school's strategic and continuous school improvement and achievement plan.~~

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

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

In developing the school's plan, the ~~School Safety~~Safe School Committee may seek input from representatives of the following:

- A. local law enforcement agencies;
- B. the local Fire Marshall(s) or his/her designee(s);
- C. emergency medical services;
- D. a member of the Board;

- E. building administrators;
- F. the local emergency management service agency;
- G. School Resource Officer(s).

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

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

- A. develop a drug-free school plan that:
  - 1. requires each school to collect and report drug related activities in the school, including suspensions, expulsions, exclusions, police actions, or any other type of drug related behavior; and
  - 2. addresses ways to eliminate illegal drugs and drug related behavior in schools;
- B. oversee the implementation of the school plan;
- C. oversee the implementation of the curriculum under I.C. 20-30-5-11 concerning the effects that alcoholic beverages, tobacco, prescription drugs, and controlled substances have on the human body and society at large.

**Persistently Dangerous Schools**

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

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Executive

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Director shall refer this to the ~~School Safety~~*Safe School* Committee so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequence year.

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

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

In addition, the Executive Director shall meet with the ~~School Safety~~*Safe School* Committee, discuss the school's designation as a persistently dangerous school, and develop a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

**Victims of Violent Crime**

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



**CorporationCareer Center Police**

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

I.C. 5-2-10.1-12

I.C. 20-26-16

I.C. 20-26-5-31

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

I.C. 20-30-5-11

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

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

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

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

Adopted 1/14/10

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~~Career Center property and at ~~Corporation~~Career Center-sponsored activities. To achieve this, it is the intent of the Board that the ~~Corporation~~Career Center 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~~Career Center shall develop and implement an environmental health and safety program that is positive, proactive, integrates responsibilities within the ~~Corporation~~Career Center, and promotes and incorporates the following:

- A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of ~~Corporation~~Career Center facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a ~~corporation~~Career Center-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~~Career Center 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~~Career Center.

- 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~~Career Center employee health and safety issues that include, but are not limited to, provision of work areas free from recognized hazards and OSHA-related programs that are required by Federal and State law, such as, employee safety and health training and training in hazard recognition, and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and provides communication about accidents to employees and stakeholders.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

### **ANIMALS IN CLASSROOMS**

Live animals shall be allowed in the classroom for educational purposes with the prior approval of the principal. No live animal will be allowed in the classroom longer than a semester.

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

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

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

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

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

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

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

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

## **INDOOR AIR QUALITY (IAQ)**

The Superintendent shall appoint a person to serve as the Indoor Air Quality (IAQ) Coordinator for the ~~school corporation~~Career Center. 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~~Career Center. The IAQ Coordinator contact information shall be available to all students, parents, employees, and visitors by publishing the information on the ~~school corporation~~Career Center's website and in school handbooks. The ~~school corporation~~Career Center 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.

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-Career Center corporation~~ shall establish and maintain a written procedure for routine maintenance of the heating, ventilating and air conditioning system (HVAC). This procedure shall include the following items:
  - 1. a schedule for inspecting the HVAC system, including annual inspection

2. ensuring that all supply and return air pathways in the HVAC system are unobstructed and perform as required
3. a schedule for cleaning the HVAC coils at least annually
4. a schedule for inspecting and changing filters

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

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~~Career Center shall do the following:

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

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

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

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

### **SCHOOL BUS AND OTHER VEHICLE IDLING**

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

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

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

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

### **POLLUTION CONTROL AND PREVENTION**

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

**SEE ALSO THE FOLLOWING RELATED POLICIES:**

- Policy 8420 - Emergency Evacuation of Schools
- Policy 8431 - Chemical Management and Preparedness for Toxic 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

Adopted 1/14/10  
Revised 9/13/12

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### RELATIONS WITH SPECIAL INTEREST GROUPS

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

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

#### **A. Political/Commercial Interests**

All materials or activities proposed by outside political or commercial sources for student or staff use or participation shall be reviewed by the Executive Director on the basis of their educational contribution to part or all of the school program, benefit to students, and good taste and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

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

#### **B. Contests/Exhibits**

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

1. have the primary effect of advancing a special product, group, or company;

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

**C. Distribution/Posting of Literature**

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

The Executive Director shall establish administrative guidelines which ensure that:

1. criteria established in Policy 5722 - Student Publications and Productions are used to make a decision regarding materials that students seek to post or distribute;
2. distribution or posting of materials employees wish to distribute on behalf of an employee organization comply with the terms of negotiated collective bargaining agreements;
3. no materials from any profit-making organization are distributed for students to take home to their parents unless authorized by the Executive Director.

**D. Solicitation of Funds**

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

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

1. The Board disclaims all responsibility for the protection of, or accounting for, such funds.
2. Solicited funds are not to be deposited in any regular or special accounts of the ~~Corporation~~Career Center.
3. This policy does not apply to the raising of funds for ~~Corporation~~Career Center-sponsored or school-sponsored activities.
4. Use of the name, logo, or any assets of the Career Center, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Executive Director.

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

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

Any booster club or school-support group that may use students in a fundraising activity must comply with I.C. 4-32.2-5-21 and Board Policy 5830 for any of the following types of fundraising events: bingo games, charity game nights, raffles, door prizes, fundraising festivals, activities related to pull tabs, punch-boards, tip-boards, and the like. Moreover, any fundraiser involving games of chance must comply with Indiana law, including obtaining the appropriate license or permits. ~~Any booster club or school support group that may use students in a fund-raising activity must comply with I.C.~~

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~~4 32 9 34, namely, that no student under the age of eighteen (18) may play, participate in, or sell tickets for any of the following types of fund raising events—bingo games, charity game nights, raffles, door prizes, fund raising festivals, activities related to pull tabs, punchboards, tip boards, and the like.~~

**E. Prizes/Scholarships**

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

1. No information, either academic or personal, shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen (18), or the parents of a student who is younger in accordance with the Board's policy on student records.
2. The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the Executive Director.

**F. Sale of School Supplies**

In determining the appropriateness of the sale of school supplies by organizations other than the ~~Corporation~~Career Center, the Board requires that the organization's planned activities are clearly in the best interest of the ~~Corporation~~Career Center and its students.

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

**G. Surveys and Questionnaires**

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

I.C. 4-32.2-4

I.C. 4-32.2-5

I.C. 4-32.2-5-21

Adopted 1/14/10