



NEOLA of INDIANA

TEMPLATES

BOARD OF SCHOOL TRUSTEES
SCHOOL CORPORATION

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REVISED POLICY - VOLUME 23, NO. 2

CHILD FIND AND SPECIAL EDUCATION

~~The School Board shall provide for a comprehensive, free and appropriate public education to all eligible educationally disabled students, unless they have completed the twelfth grade and been issued a diploma or have reached their twenty-second (22nd) birthday.~~

The Board shall provide for the location, identification and evaluation of all students at least three (3) years of age but less than twenty-two (22) years of age, who are in need of special education and related services, regardless of the severity of their disabilities, including students who:

- A. have legal settlement within the service area of the Board;
- B. attend a nonpublic school, are served by the Board, or live in an institution located within the service area of the Board;
- C. are homeless students, as defined at 511 IAC 7-32-46;
- D. are wards of the State;
- E. are highly mobile students, including migrant students; and
- F. are suspected of being students, with disabilities in need of special education even through they are advancing from grade to grade;

The Board directs the Superintendent to establish, maintain and implement written procedures to ensure the location, identification and evaluation of these students.

The Board shall provide a free and appropriate public education ("FAPE") to all students who are at least three (3) years of age, have legal settlement in the Board's service area, have been identified as a student with a disability, and have not been enrolled in a charter school or parentally-placed in a non-public school until they graduate with a high school diploma, or the end of the school year in which they become twenty-two (22) years of age, unless the case conference committee determines that the student will leave school earlier.



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The Board ~~also shall provide~~ **special education** ~~such supplemental aids and related services and supplemental aides and services~~ as may be necessary for a **student with a disability** ~~disabled child to receive a FAPE in the general such an education in the regular classroom, if that is the least restrictive environment, if appropriate for the student.~~

The Board directs the Superintendent to plan, implement, and coordinate a **comprehensive** special education program in accordance with Federal and State law.

The Board shall ~~may~~ enter into an agreement with the _____ **other school boards to form a special education cooperative to provide any or all or any part of the special education program required by this policy.**

The Superintendent shall prepare whatever administrative guidelines are necessary to ensure effective implementation of the special education program **maintained pursuant to this policy.**

20 U.S.C.A. 1400~~1~~ et seq.
~~I.C. 20-19-2-8,9~~
I.C. 20-26-5-1
I.C. 20-26-10
I.C. 20-35-4
I.C. 20-35-5
511 IAC 7



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REVISED POLICY - VOLUME 23, NO. 2

STAFF DISCIPLINE

~~The School Board believes that reasonable rules of conduct for professional employees are necessary to ensure an effective and orderly instructional environment is present at all times. To this end, the Corporation has adopted the following policy. The purpose of this policy, except in cases of gross misconduct, is to bring a professional employee's performance and conduct up to a satisfactory level.~~ **The Board believes that standards of conduct for professional employees are necessary to provide students with a positive example of adult behavior and an orderly instructional environment. To this end, the Board has adopted a policy of progressive discipline to be applied except in cases of gross misconduct. In instances of gross misconduct, the purpose of this policy is to consider if the misconduct warrants suspension without pay or termination.**

~~If the situation warrants, the Corporation may follow a system of progressive discipline geared to correct practices rather than penalize employees. This discipline may include, but is not limited to the following:~~ **As used in this policy, "progressive discipline" means imposition of the least severe sanction that the Board determines, in its sole discretion, to be likely to prevent a recurrence of the offense. If the Board finds facts that support the use of progressive discipline, the Board may impose a penalty which may include, but not be limited to one or more of the following:**

- A. Verbal counseling/oral warning in which a verbal conference between the employee and his/her supervisor is held.
- B. A written warning which is a formal notice of a performance problem or inability to follow established policy. This notice serves as a warning that continued infractions will not be tolerated and may result in recommendation for discharge.
- C. ~~A staff member may be placed on probation in connection with the written warning for a period of time determined by the supervisor.~~ **Probation for a period of time determined by the supervisor in connection with the written warning.**
- D. ~~A suspension with pay may be invoked. The length of the suspension will be at the discretion of the Superintendent according to the severity of the violation.~~ **Administrative leave with pay.**



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- E. ~~A suspension without pay may be invoked. The length of the suspension will be at the discretion of the Superintendent according to the severity of the violation. (Note: Such suspension must be on a weekly basis, i.e. Monday through Friday.)~~ **Suspension without pay imposed in compliance with the applicable Indiana statutes.**
- F. **Termination imposed in compliance with applicable Indiana statutes.**

~~Exceptions to this disciplinary procedure may be made, in cases where good practice demands immediate suspension or dismissal. Examples include, but are not limited to the following:~~ **Exceptions to the principle of progressive discipline contained in this policy may be made in cases in which the Board finds that the interests of students and the school community make the application of the principle of progressive discipline inappropriate. Examples include, but are not limited to the following:**

- A. ~~reporting for duty under the influence of alcoholic beverages or drugs~~ **Reporting for duty under the influence of an alcoholic beverage, an illegal drug, or a prescription drug used other than in accordance with a prescription.**
- B. ~~bringing alcoholic beverages or drugs onto the school premises or to events sponsored by the Corporation~~ **Possession or use of alcoholic beverages or drugs on school property or at an event sponsored by the Board.**
- C. ~~insubordination~~ **Willful refusal to follow established rules or standards for the conduct of a professional employee, i.e. insubordination.**
- D. ~~theft of Corporation property~~ **Theft, fraud, or another violation of criminal law.**
- E. ~~arrest, with subsequent conviction~~ **Arrest and subsequent conviction of a crime.**
- F. ~~falsification of application or medical information~~ **Falsification or omission of a material fact in the application for employment by the Board.**



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- G. ~~threats and/or acts of violence~~ **Threats of and/or acts of violence to a person or substantial property damage.**
- H. ~~repeated violations of school regulations~~ **Poor professional judgment resulting in a risk of physical harm to a person.**
- I. **Harassment in violation of Board policy on harassment.**

In the event a professional staff member is recommended for suspension without pay or dismissal, the procedures required by Indiana law will be implemented.

Professional employees of the Board shall be paid on a "salary basis" and suspension of a professional employee without pay shall not negate the professional employee's exemption from the Fair Labor Standards Act overtime provisions pursuant to 29 C.F.R. 541.303.

I.C. 20-28-6 and 7

I.C. 20-28-9-21 through 23

~~29 CFR Part 541.11B~~

~~Auer V Robbins, U.S. 117 S.Ct.905(1997)~~

29 C.F.R. 541.303



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REVISED POLICY - VOLUME 23, NO. 2

WHISTLEBLOWER PROTECTION
REQUIRED REPORTS AND PROTECTION OF WHISTLEBLOWERS

The School Board ~~expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages staff~~ **recognizes that its employees teach its students by example and serve as a role model for students. It therefore requires that they exemplify high standards of honesty and integrity and comply with Indiana and Federal law, Board policies and administrative guidelines in their words and actions. To implement these expectations, the Board requires its employees to report possible violations of these Board expectations to their immediate supervisors. standards to their immediate supervisor.**

~~It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent. If the reported conduct relates to the Superintendent, the report may be filed directly with the Board President.~~ **An employee who is aware of words or acts of a Board member or employee that may violate Federal or Indiana law, Board policy, or administrative guidelines shall bring the words or actions to the attention of the employee's immediate supervisor. If the immediate supervisor does not respond within a reasonable time, or the immediate supervisor is the officer or employee whose words or actions are in question, the employee shall make the report required by this policy to the Superintendent. If the words or acts that violate this policy are the Superintendent's words or acts, the report shall be made to the Board president.**

Employees are subject to disciplinary action, up to and including termination for knowingly or recklessly making a false report under this policy or failing to make a report required by this policy.



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~~After such a report is made, the immediate supervisor will ask that employee's report be put in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor.~~**After a verbal report of a violation of this policy is made, the immediate supervisor will direct that reporting employee put the report in writing. If a reporting employee requires assistance in making a written report, the immediate supervisor shall assist the reporting employee.**

An employee making a report required by this policy shall be protected from discipline, retaliation, or reprisal for making a report required by this policy as long as the employee had a good faith belief in the truth and accuracy of the information reported at the time of the report. A report in compliance with this policy is not required if the employee confirms that another employee has reported the same words or actions.

~~The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.~~**for the reports required by this policy.**

I.C. 36-1-8-8



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STUDENT SUPERVISION AND WELFARE

~~Each professional staff member~~ **Professional staff members** shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and ~~responsibilities~~ **responsibilities and are expected to establish and maintain professional staff-student boundaries that are consistent with their legal, professional and ethical duty of care for students.**

~~It is the responsibility of the Superintendent to prepare administrative guidelines for the maintenance of~~ **The Superintendent shall maintain and enforce** the following standards:

- (✓) A professional staff member shall immediately report to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- (✓) A professional staff member shall provide proper instruction in safety matters as presented in assigned course guides.
- (✓) Each professional staff member shall immediately report to a building administrator knowledge of threats of violence by students.
- (✓) A professional staff member shall not send students on any personal errands.
- (✓) A professional staff member shall not associate ~~inappropriately with students~~ **or fraternize with students** at any time in a manner which ~~that~~ may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity ~~which~~ **that** could be considered abusive or sexually suggestive or involve **harmful substances such as illegal** drugs, alcohol or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal ~~liability and discipline~~ **prosecution and disciplinary action by the Board** up to and including termination of employment.



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- (✓) If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationship, etc., the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the Corporation **or community** who specialize in the assessment, diagnosis, and treatment of the student's stated problem. Any staff member who determines that a student is in need of services shall report the matter to appropriate authorities. ~~Under~~ **However, under** no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should any such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- (✓) [✓] Parents are to be notified.
- (✓) A professional staff member shall not transport students in a private vehicle without the approval of the principal.
- (✓) A student shall not be required to perform work or services that may be detrimental to his/her health.
- (✓) Staff members shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.



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(✓) Staff members are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a school-sponsored publication or production in accordance with Policy 5722.

[✓] Since most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, alleged child abuse, and any other record information.

Pursuant to the laws of the State and Board Policy 8462, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

I.C. 31-33-5



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REVISED POLICY - VOLUME 23, NO. 2

USE OF TOBACCO BY PROFESSIONAL STAFF

The School Board recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board. *Central High Career Center is a tobacco-free environment.*
For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substance that contains tobacco, as well as electronic, "vapor," or other substitute forms of cigarettes.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board cannot, even by indirection, condone the use of tobacco, the Board prohibits the use of tobacco by professional staff members in school buildings at all times. Such prohibition also applies

- (1) ✓ on school grounds
- (4) ✓ on school buses
- (4) ✓ at any school-related event

~~() except at designated times~~

~~() and in designated areas.~~

I.C. 16-41-37
20 U.S.C. 6081 et seq.



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REVISED POLICY - VOLUME 23, NO. 2

WHISTLEBLOWER PROTECTION

REQUIRED REPORTS AND PROTECTION OF WHISTLEBLOWERS

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~~It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent. If the reported conduct relates to the Superintendent, the report may be filed directly with the Board President.~~ **An employee who is aware of words or acts of a Board member or employee that may violate Federal or Indiana law, Board policy, or administrative guidelines shall bring the words or actions to the attention of the employee's immediate supervisor. If the immediate supervisor does not respond within a reasonable time, or the immediate supervisor is the officer or employee whose words or actions are in question, the employee shall make the report required by this policy to the Superintendent. If the words or acts that violate this policy are the Superintendent's words or acts, the report shall be made to the Board president.**

Employees are subject to disciplinary action, up to and including termination for knowingly or recklessly making a false report under this policy or failing to make a report required by this policy.



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~~After such a report is made, the immediate supervisor will ask that employee's report be put in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor.~~**After a verbal report of a violation of this policy is made, the immediate supervisor will direct that reporting employee put the report in writing. If a reporting employee requires assistance in making a written report, the immediate supervisor shall assist the reporting employee.**

An employee making a report required by this policy shall be protected from discipline, retaliation, or reprisal for making a report required by this policy as long as the employee had a good faith belief in the truth and accuracy of the information reported at the time of the report. A report in compliance with this policy is not required if the employee confirms that another employee has reported the same words or actions.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.~~for the reports required by this policy.~~

I.C. 36-1-8-8



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REVISED POLICY - VOLUME 23, NUMBER 2

STUDENT SUPERVISION AND WELFARE

~~Each support staff member~~ **Support staff members** shall maintain a standard of care for the supervision, control, and protection of students commensurate with assigned duties and responsibilities. **responsibilities and are expected to establish and maintain professional staff/student boundaries that are consistent with their legal, professional and ethical duty of care for students.**

~~It is the responsibility of the Superintendent to prepare administrative guidelines for the maintenance of~~ **The Superintendent shall maintain and enforce** the following standards:

- (✓) Each support staff member shall report immediately to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- (✓) Each support staff member shall immediately report to a building administrator any knowledge of threats of violence by students.
- (✓) A support staff member shall not send students on any personal errands.
- (✓) A support staff member shall not associate ~~inappropriately with students~~ **or fraternize with students** at any time in a manner which ~~that~~ may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which ~~that~~ could be considered abusive or sexually suggestive or involve **harmful substances such as illegal drugs, alcohol or tobacco**. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and discipline **prosecution and disciplinary action by the Board** up to and including termination of employment.



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- (✓) A support staff member shall not transport students in a private vehicle without the approval of a building administrator.
- (✓) A student shall not be required to perform work or services that may be detrimental to his/her health.
- (✓) If a student approaches a support staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the support staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the Corporation or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should a support staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such support staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- [✓] Parents are to be notified.
- (✓) Staff members shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.
- (✓) Staff members are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a school-sponsored publication or production in accordance with Policy 5722.



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Since most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, alleged child abuse, and any other record information.

Pursuant to the laws of the State and Board Policy 8462, each support staff member shall report to the proper legal authorities, immediately, any sign of suspected child abuse or neglect.



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USE OF TOBACCO BY SUPPORT STAFF

The School Board recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board. *Central Nine Career Center is a tobacco-free environment,*

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substance that contains ~~tobacco~~ **tobacco, as well as electronic, "vapor," or other substitute forms of cigarettes.**

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board cannot, even by indirection, condone the use of tobacco, the Board prohibits the use of tobacco by support staff members in school buildings at all times. Such prohibition also applies

- ☒ on school grounds
- ☒ on school buses
- ☒ at any school-related event

☐ ~~except at designated times~~

☐ ~~and in designated areas.~~

I.C. 16-41-37
20 U.S.C. 6081 et seq.



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ASSIGNMENT WITHIN THE CORPORATION

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

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

() ~~_____~~ annually

() ~~_____~~ periodically

~~the school attendance areas of the Corporation and shall expect the students within each area to attend the school so designated.~~

The Superintendent shall

() ~~_____~~ annually

() ~~_____~~ periodically

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

() ~~considerations of safe student transportation and travel;~~ **consideration of student safety, transportation, distance, and travel time;**

() convenience of access to schools;

() financial and administrative efficiency;

() ~~the need to maintain racial or ethnic balance;~~



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- () the effectiveness of the instructional program,
- () ~~a wholesome and educationally sound balance of student populations.~~

() _____

- [] ~~The Superintendent may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the student.~~
The Superintendent may assign a student to a school other than the school serving the attendance area established by the Board if the exception is consistent with the interests of the student and Corporation.
- [] ~~Every effort shall be made to continue a student in the~~
Continuing a student in an elementary school to which s/he is initially assigned.
- [] ~~Wherever possible and advisable in the interests of the students, siblings shall be assigned to the same building.~~
When in the interests of the students and Corporation, siblings shall be assigned to the same school.
- [] ~~The Superintendent shall assign incoming transfer students to such schools, grades, and classes as may afford each student the greatest likelihood of realizing his/her fullest educational potential.~~
The Superintendent shall assign incoming students to such schools, grades, and classes that meet the student's educational needs.
- [] ~~The principal shall assign students in his/her school to appropriate grades, classes, or groups. This action shall be based on consideration of the needs of the student as well as the administration of the school.~~
A principal shall assign students in a school to grades, classes, or groups based on the needs of the student and the Corporation.

I.C. 20-26-5-4(2) and (13)