



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Technical Correction - Vol. 33, No. 1 - November 2020 - FLEX PROGRAM
Code	po2370.02
Status	

### 2370.02 - **FLEX PROGRAM**

The Board of Managers recognizes the normal instructional program might not be appropriate for all students, therefore it authorizes the Director to provide a flexible school program for select students.

In order to qualify to be enrolled in this program the student must be in grade eleven (11) or grade twelve (12) and meet any of the following:

- A. failed the ISTEP+ graduation exam at least two (2) times;
- B. been determined to be chronically absent by amassing more than ten (10) unexcused absent days in one (1) school year;
- C. been determined to be a habitual truant;
- D. been significantly behind in credits for graduation;
- E. previously undergone at least a second suspension from school during the same school year;
- F. previously been expelled from school; or
- G. been determined by the principal and the student's parent to benefit by participating in the school flex program.

An eligible student who participates in a school flex program must:

- A. attend at least three (3) hours of instructional time per school day;
- B. pursue a timely graduation;
- C. provide evidence of college or technical career education enrollment and attendance or proof of employment and labor that is aligned with the student's career academic sequence under rules ~~establish~~established by the Indiana Bureau of Child Labor;
- D. not be suspended nor expelled while participating in the school flex program;
- E. pursue course and credit requirements for a general diploma; and
- F. maintain a ninety-five percent (95%) attendance rate.

The instructional day shall consist of a minimum of three (3) hours of instructional time.

Legal

I.C. 20-30-2-2



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Technical Correction - Vol. 33, No. 1 - November 2020 -VACANCIES
Code	po3132
Status	
Adopted	October 8, 2009

3132 --~~PROMOTIONS~~ VACANCIES

It shall be the policy of the Board of Managers to employ the best-qualified individual for any Cooperative vacancy at any level.

Vacancies shall be announced, and all members of the professional staff shall be eligible for any Cooperative vacancy, providing they are properly qualified.

The Director shall establish procedures to facilitate identification and evaluation of candidates for administrative, supervisory, and other leadership positions.

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Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - STAFF EVALUATION
Code	po3220
Status	
Adopted	October 8, 2009
Last Revised	March 10, 2016

### ~~3220—STAFF EVALUATION~~

~~The Board of Managers shall adopt a plan for annual performance evaluations of each certificated employee, as defined in I.C. 20-28-11.5-0.5, employed by the Cooperative. This includes each certificated employee as defined in I.C. 20-29-2-4 and, in each school year beginning after June 30, 2014, each teacher as defined in I.C. 20-18-2-22. This plan may be amended as needed, subject to any required discussion with the teachers or the teachers' representative if there is one.~~

~~The plan approved by the Board shall include the following components:~~

- ~~A. performance evaluations for all certificated employees, as defined in I.C. 20-28-11.5-0.5, conducted at least annually;~~
- ~~B. objective measures of student achievement and growth to significantly inform the evaluation. The objective measures must include:
 
  - ~~1. student assessment results from statewide assessments for certificated employees whose responsibilities include instruction in subjects measured in statewide assessments only when such results would improve the particular certificated employee's performance rating;~~
  - ~~2. methods for assessing student growth for certificated employees who do not teach in areas measured by statewide assessments; and~~
  - ~~3. student assessment results from locally developed assessments and other test measures for certificated employees whose responsibilities may or may not include instruction in subjects and areas measured by statewide assessments;~~~~
- ~~C. rigorous measures of effectiveness, including observations and other performance indicators;~~
- ~~D. an annual designation of each certificated employee, as defined in I.C. 20-28-11.5-0.5, in one (1) of the following rating categories:
 
  - ~~1. highly effective~~
  - ~~2. effective~~
  - ~~3. improvement necessary~~
  - ~~4. ineffective~~~~
- ~~E. an explanation of the evaluator's recommendations for improvement, and the time in which improvement is expected;~~
- ~~F. a provision that a teacher who negatively affects student achievement and growth cannot receive a rating of highly effective or effective;~~
- ~~G. for annual performance evaluations for school years beginning after June 30, 2015, provide for a pre-evaluation planning session conducted by the Director or equivalent authority for the Cooperative with the principals in the Cooperative;~~
- ~~H. discussion of the evaluation between the evaluated employee and the evaluator.~~

~~In developing a performance evaluation model, the Cooperative may consider the following:~~

- ~~A. test scores of students (both formative and summative) [Note: Student assessment results from statewide assessments for certificated employees whose responsibilities include instruction in subjects measured in statewide assessments may be used in the evaluation model only when such results would improve the particular certificated employee's performance rating];~~



- B. ~~classroom presentation observations;~~
- C. ~~observation of student-teacher interactions;~~
- D. ~~knowledge of subject matter;~~
- E. ~~dedication and effectiveness of the teacher through time and effort on task;~~
- F. ~~contributions of teachers through group teacher interactivity in fulfilling the school improvement plan;~~
- G. ~~cooperation of the teacher with supervisors and peers;~~
- H. ~~extracurricular contributions of the teacher;~~
- I. ~~outside performance evaluations;~~
- J. ~~compliance with Cooperative rules and procedures; and/or~~
- K. ~~other items considered important by the Cooperative in developing each student to the student's maximum intellectual potential and performance.~~

~~The Cooperative's annual performance evaluation plan shall be in writing and shall be explained to the Board in a public meeting before the evaluations are conducted. Prior to the plan being explained to the Board, the Director shall discuss the plan with the teachers or the teachers' representative, if there is one. This discussion is not subject to the Open Door Law. The plan is not subject to bargaining; however, discussion of the plan shall be held.~~

~~The Principal of each school in the Cooperative shall report in the aggregate the results of staff performance evaluations for the school for the previous year to the Director and the Board at a public Board meeting held before August 15 of each year on the schedule determined by the Board. Before presentation to the Board, the Director shall discuss the report of completed evaluations with the teachers or the teachers' representative, if there is one. This discussion is not subject to the Open Door Law. The report of completed evaluations is not subject to bargaining; however, discussion of the report shall be held. The Cooperative annually shall provide the Indiana Department of Education with the disaggregated results of staff performance evaluations for all schools in the Cooperative before November 15 of each year.~~

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Legal	20 U.S.C.6311, Elementary and Secondary Education Act of 1965
	I.C. 20-18-2-22
	I.C. 20-28-11.5-0.5
	I.C. 20-28-11.5-4
	I.C. 20-28-11.5-9
	I.C. 20-29-2-4



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - SUSPENSION AND EXPULSION OF STUDENTS
Code	po5610
Status	
Adopted	January 14, 2010
Last Revised	October 8, 2020

#### 5610 - **SUSPENSION AND EXPULSION OF STUDENTS**

The Board of Managers recognizes that removal from the educational programs of the Cooperative, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process since removal deprives a child of the right to an education.

No student is to be suspended and/or expelled from an activity, program, or a school of the Cooperative unless his/her behavior represents misconduct or substantial disobedience while the student is on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group; off school grounds at a school activity, function, or event; or traveling to or from school or a school activity, function, or event.

In addition to the grounds specified above, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function, or the student's removal is necessary to restore order or protect persons on school property, including any unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

Furthermore, a student may be suspended or expelled for bullying, regardless of the physical location in which the bullying occurred, whenever:

- A. the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a member school corporation; and
- B. disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

A Student Code of Conduct, approved by the Board, shall specify the procedures to be followed by school officials when administering this policy. In addition to the procedural safeguards and definitions set out in this policy and the student/parent handbook, the procedures set forth in Policy 5605 shall apply to students identified as having a disability under the IDEA.

For purposes of this policy and any administrative guidelines, the following definitions shall apply:

- A. "Suspension" means any disciplinary action that does not constitute an expulsion whereby a student is separated from school attendance for a period not to exceed ten (10) consecutive school days. A student may be suspended for a longer period of time in accordance with the provisions of I.C. 20-33-8-23 pending expulsion.

If a student is suspended, the student is required to complete all assignments and school work assigned during the



period of the student's suspension. The Principal or the Principal's designee shall ensure that the student receives notice of any assignments or school work due and teacher contact information in the event the student has questions regarding the assignments or schoolwork. The student will receive credit, in the same manner as a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes. The student ( ☒ ) shall ~~( ) shall not [end-of-options]~~ be allowed to make up missed tests or quizzes when the student returns to school.

B. "Expulsion" means a disciplinary or other action whereby a student is:

1. separated from school attendance for a period exceeding ten (10) consecutive school days;
2. separated from school attendance for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or
3. separated from school attendance for at least one (1) calendar year pursuant to I.C. 20-33-8-16 for possession of firearms, deadly weapons or destructive devices, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.

The term does not include situations when a student is disciplined under I.C. 20-33-8-25, removed from school pursuant to I.C. 20-34-3-9, or removed from school for failure to comply with the immunization requirements of I.C. 20-34-4-5.

Any student who brings a firearm, as defined in I.C. 35-47-1-5, or a destructive device, as defined in I.C. 35-47.5-2-4 to school or onto Cooperative property or at a school-related activity or is in possession of a firearm shall be expelled for at least one (1) calendar year unless the superintendent of the member school corporation where the student is enrolled reduces the punishment for reasons justified by the particular circumstances of the incident, including that the student's behavior is a manifestation of his/her disability.

If the student brings a deadly weapon as defined in I.C. 35-31.5-2-86 onto Cooperative property or is found to possess a deadly weapon on Cooperative property or at a school-related activity, the member school corporation where the student is enrolled will determine if s/he **shall be** expelled for a period of not more than one (1) calendar year or **may be** expelled for a period of not more than one (1) calendar year unless the Superintendent of the member school corporation where the student is enrolled reduces the punishment for reasons justified by the particular circumstances of the incident, including that the student's behavior is a manifestation of his/her disability. The Director shall notify the law enforcement agency designated by the Prosecuting Attorney immediately when a student possesses a firearm, destructive device, or deadly weapon on Cooperative property or at a school-related activity.

The Director shall ensure that a copy of this policy is sent to the State Department of Education as well as a description of the circumstances surrounding any expulsions for the above-stated firearms or weapons offense together with the name of the school, the number of students so expelled, and the types of firearms or weapons that were brought on Cooperative property.

The Director, principal, and designee have authority to suspend students from attending a Cooperative school for no more than ten (10) consecutive school days. If a student has committed an offense for which expulsion is appropriate, the recommendation for expulsion will be submitted to the superintendent of the member school corporation where the student is enrolled, and the member school corporation is responsible for handling the expulsion process and procedural due process.

The Director shall develop administrative guidelines that provide appropriate procedures for implementing this policy and comply with applicable statutes.

The Board authorizes the Director to develop administrative guidelines to provide for ☒ a program whereby a student performs community service in lieu of a suspension. ~~( ) the referral of a student to the juvenile court. [END-OF-OPTION]~~

The Director shall report all expulsions and second suspensions to the Bureau of Motor Vehicles in accordance with law and the Bureau's guidelines.

#### **Retention of Public Records, Student Records, and Investigatory Records and Materials**

All individuals charged with imposing discipline under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation of student misconduct and disciplinary action taken, including but not limited to reports, admissions, witness statements, documentary evidence, audio, video and/or digital recordings, handwritten and contemporaneous notes, e-mails related to the allegations, investigation and disciplinary action, printouts, letters, determinations, and summaries. The information, documents, ESI, and

electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation of student misconduct or disciplinary action taken shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, Policy 8330 and the Cooperative's records retention schedule.

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Legal	I.C. 20-33-8-13.5 et seq.
	I.C. 35-31.5-2-86
	I.C. 35-47-1-5
	I.C. 35-47.5-2-4
	20 U.S.C. 7151





Book Policy Manual

Section Vol. 33 No. 1 for Board Approval

Title Revised Policy - Vol. 33, No. 1 - November 2020 - STUDENT EMPLOYMENT

Code po5895

Status

### ~~5895—STUDENT EMPLOYMENT~~

~~The Board of Managers believes that attendance at school should occupy a student's full attention and should take precedence over nonschool-related employment.~~

~~If a student must work while attending school, s/he should receive counseling and assistance in seeking appropriate job opportunities and in correlating work schedules with school studies and activities. Any minor person at least fourteen (14) years of age and less than eighteen (18) years of age must secure an employment certificate issued by the proper issuing officer prior to being employed in all jobs except those excluded by State statute. The student shall receive the employment certificate from the accredited school that the student attends or from the school corporation in which the student resides.~~

~~The school principal, in writing, shall assign a staff member who meets the requirements of Indiana law to serve as the employment certificates issuing officer for the accredited school. The issuing officer may issue an employment certificate only to a minor whose employment is necessary and only after the receipt of the following two (2) documents: proof of age and proof of prospective employment. Proof of age documents are those listed in the State statute. Proof of prospective employment is a written statement signed by the person for whom the minor is to work, setting forth the nature of the work to be performed by the minor and the maximum hours per week that the minor will work.~~

~~School cooperatives The issuing officer may deny a work permit an employment certificate to a student whose academic performance does not meet the member school corporation's standards or whose attendance is not in good standing. They The issuing officer also have has the right to revoke a work permit an employment certificate previously issued to a student if the school determines that there has been a significant decrease in the student's grade point average or attendance after s/he begins to work. When it appears that a job is detrimental to a student's academic status, it is the responsibility of the school to advise the parents and the employer to ensure that the student's education remains the primary focus.~~

~~If the student fails to attend an exit interview or fails to return to school if his/her request to withdraw in accordance with Policy 5130 is denied, then the work permit employment certificate and driver's license shall may be revoked or the application shall may be denied.~~

~~Should the work permit employment certificate be revoked at the end of the school year, the student may be allowed to work during the summer while school is not in session. However, such student will lose the work permit employment certificate at the start of the new school year until s/he meets the attendance and grade standards established by the school for receiving the work permit employment certificate.~~

~~The Director shall prepare guidelines which will ensure that:~~

- ~~A. ( ) comply with Indiana laws on student employment complies with Indiana laws;~~
- ~~B. ( ) provide for all students employed in out-of-school jobs are closely to be monitored by staff regarding school attendance and achievement in order to determine the effects on school performance of the students assuming out-of-school work commitments.~~

~~I.C. 9-24-2-1~~

~~I.C. 20-33-2-28.5~~

~~I.C. 22-2-18-14~~

~~I.C. 22-2-18-16~~

~~I.C. 22-2-18-18~~

~~I.C. 22-2-18-19~~

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## Legal

I.C. 9-24-2-1

I.C. 20-33-2-28.5

I.C. 22-2-18-14

I.C. 22-2-18-16

I.C. 22-2- 18-18

I.C. 22-2-18-19



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114
Status	

#### 6114 - **COST PRINCIPLES - SPENDING FEDERAL FUNDS**

The Director is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

#### **Cost Principles**

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the School Cooperative or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;
3. market prices for comparable goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
5. whether the cost represents any significant deviation from the established practices or Board of Managers policy which unjustifiably may increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the Cooperative can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

- a. the cost is needed for the proper and efficient performance of the grant program;
- b. the cost is identified in the approved budget or application;



- c. there is an educational benefit associated with the cost;
- d. the cost aligns with identified needs based on results and findings from a needs assessment; and
- e. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received. This standard is met if the cost: 1) is incurred specifically for the Federal award; 2) benefits both the Federal award and other work of the Cooperative and can be distributed in proportions that may be approximated using reasonable methods; 3) and is necessary to the overall operation of the Cooperative and is assignable to the Federal award in accordance with cost principles mentioned here.

- B. Conform to any limitations or exclusions set forth ~~as in the~~ cost principles in 2 C.F.R. Part 200 or in the terms and conditions of the Federal award.
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the Cooperative.
- D. Be ~~afforded~~ accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been ~~assigned~~ allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.

The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

- G. Not be included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
  - 1. in the case of personal services, the Director shall implement a system for Cooperative personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;
  - 2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

I. Be incurred during the approved budget period.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to carry out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods unless waived.

## Selected Items of Cost

The Cooperative shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, Cooperative staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, Cooperative and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable, and Cooperative personnel shall follow those rules as well.

## Cost Compliance

The Director shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs



and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

### **Determining Whether a Cost is Direct or Indirect:**

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.).

- B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one cost objective and are not readily assignable to the cost objectives specifically benefitted without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the Cooperative, the governing body of the Cooperative, compensation of the Director, compensation of the chief executive officer of any component of the Cooperative, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff normally should be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Indiana Department of Education (IDOE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

### **Timely Obligation of Funds**

~~Obligations~~ Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions ~~during a given period~~ that require payment ~~by the non-Federal entity during the same or a future period~~.

This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.

The following table illustrates when funds are determined to be obligated under the U.S. Department of Education regulations: If the obligation is for:

- A. Acquisition of property - on the date which the Cooperative makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the Cooperative - when the services are performed.
- C. Personal services by a contractor who is not an employee of the Cooperative - on the date which the Cooperative makes a binding written commitment to obtain the services.

- D. Performance of work other than personal services - on the date when the Cooperative makes a binding written commitment to obtain the work.
- E. Public utility services - when the Cooperative receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the Cooperative uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

## Period of Performance

~~All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance.~~ All financial obligations must occur during the period of performance. Period of performance means the total estimated time interval between the start of an initial Federal award when the Cooperative is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one or more funded portions or budget periods. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, financial obligations under a grant may not be made until the ~~grant funding period begins or all necessary materials are submitted to the granting agency,~~ application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations ~~may begin when it makes during the grant is approved, period~~ unless an agreement exists with ~~DOE the awarding agency~~ or the pass-through entity (e.g., Indiana Department of Education) to reimburse for pre-approval expenses.

If a Federal awarding agency or pass-through entity approves an extension, or if the Cooperative extends under 2 C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the Cooperative shall liquidate all financial obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the Cooperative shall closely monitor grant spending throughout the grant cycle.

2 C.F.R. 200.344(b)  
2 C.F.R. 200.403-.407  
~~2 C.F.R. 200.403-.406~~  
2 C.F.R. 200.413(a)-(c)  
2 C.F.R. 200.430(a)  
2 C.F.R. 200.431(a)  
2 C.F.R. 200.458  
~~2 C.F.R. 200.474(b)~~  
34 C.F.R. 75.703  
34 C.F.R. 76.707-.708(a).

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## Legal

2 C.F.R. 200.344(b)  
2 C.F.R. 200.403-.407  
2 C.F.R. 200.413(a)-(c)  
2 C.F.R. 200.430(a)  
2 C.F.R. 200.431(a)  
2 C.F.R. 200.458  
34 C.F.R. 75.703  
34 C.F.R. 76.707-.708(a)





Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - PROCUREMENT - FEDERAL GRANTS/FUNDS
Code	po6325
Status	
Adopted	November 14, 2019

### 6325 - PROCUREMENT – FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid from Federal funds or ~~School~~ Cooperative matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, and Board of Managers policies and administrative procedures.

The Director shall ~~maintain~~ have and use a procurement and contract administration system in accordance with the USDOE requirements (2 ~~CFR~~ C.F.R. 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The Cooperative shall maintain ~~a contract administration system oversight~~ that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Cooperative's documented general purchasing Policy 6320 and AG 6320A.

All Cooperative employees, officers (that is, Board members), and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113 and Policy 4113 – Conflict of Interest.

The Cooperative shall avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Cooperative may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

### Competition

All procurement transactions for the acquisition of property or services required under a Federal award paid for from Federal funds or Cooperative matching funds shall be conducted in a manner that encourages full and open competition and is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Cooperative shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business;



- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive pricing practices between firms or between affiliated companies;
- D. noncompetitive contracts to consultants that are on retainer contracts;
- E. organizational conflicts of interest;
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- G. any arbitrary action in the procurement process.

Further, the Cooperative shall not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the Cooperative is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the Cooperative uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Cooperative allows vendors to apply for consideration to be placed on the list following a request for proposal (RFP) **[insert frequency. see Drafting Note].**

**[Drafting Note: The Cooperative shall allow vendors not on the pre-qualified list to apply for placement on the list periodically. The Cooperative may determine how frequently the pre-qualified list becomes open for new vendors or whether it is open continuously.]**

The Cooperative shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The Cooperative shall not preclude potential bidders from qualifying during the solicitation period.

#### **Solicitation Language (Purchasing Procedures)**

The Cooperative shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and the solicitation shall identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

#### **Procurement Methods**

The Cooperative shall ~~utilize~~ have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

##### **A. Informal Procurement Methods**

When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are not required. The Cooperative may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

1. [ ☒ ] Micro-purchases



Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$ 10,000 **[not to exceed \$10,000]**. To the maximum extent practicable, the Cooperative ~~shall~~ should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Purchasing Agent identified in Policy 6320 considers the price to be reasonable based on research, experience, purchase history, or other relevant information and documents are filed accordingly. The Cooperative ~~maintains~~ shall maintain evidence of this reasonableness in the records of all purchases made by this method.

~~[ ] Unless otherwise defined by State or local law, cooperatives are responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the Cooperative shall be authorized or not prohibited under State, local, or tribal laws or regulations. A cooperative which is qualified as a low-risk auditee for the most recent audit (2 C.F.R. 200.520) may increase the micro-purchase threshold up to \$50,000. An eligible cooperative may self-certify the increased micro-purchase threshold on an annual basis after completing the annual internal institutional risk assessment to identify, mitigate, and manage financial risks. The self-certification, in accordance with 2 C.F.R. 200.335, must include a justification, clear identification of the threshold, and supporting documentation of the qualifications listed above. [DRAFTING NOTE: The Federal regulation allows for a \$50,000 threshold. While this authority is allowed for an entity qualified as a low-risk auditee, Neola does not suggest its use due to the complexity and subjectivity of the mechanism.]~~

## 2. ~~( )~~ Small Purchases

~~Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property the cost of which exceeds \$3,500 but is less than the competitive bid.~~ Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$ 250,000 [not to exceed \$250,000]. Small purchase procedures require price or rate quotations shall be obtained from ~~( )~~ ( x ) an adequate number of [END OF OPTION] qualified sources. [Drafting Note: **The Unless the pass-through entity or State law defines the number of quotes required, the Cooperative may define in policy how many quotations are adequate. The number must be greater than one (1).**]

Cooperatives are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the Cooperative must be authorized or not prohibited under State, local, or tribal laws or regulations.

## B. Formal Procurement methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 2 C.F.R. 200.319 or non-competitive procurement. The formal methods of procurement are:

### 1. ( x ) Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment amounts to more than \$ 250,000 **[the lesser of the established Small Purchase threshold or \$250,000]** and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Indiana statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a complete, adequate, and realistic specification or purchase description is available;
- two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

- Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from ~~( )~~ ( x ) an adequate number of [END OF OPTION] qualified suppliers,



providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.

- b. The invitation for bids shall include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids shall be opened at the time and place prescribed in the invitation for bids; bids shall be opened publicly.
- d. A firm fixed price contract award shall be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may be used to determine the low bid only when prior experience indicates that such discounts are usually taken.
- e. The Board reserves the right to reject any or all bids for sound documented reason.

## 2. ~~(-) Competitive~~ Proposals

Procurement by ~~competitive proposal, normally conducted with more than one source submitting an offer,~~ proposals is a method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. Indiana law stipulates a threshold for which sealed bids are required. (See Policy 6320.) **[Drafting Note: Federal law does not require a competitive proposal unless the procurement is for over \$250,000. The State/Cooperative may set a lower threshold for sealed bids and competitive proposals. Sealed bids are required when the Board seeks to build, repair, enlarge, improve, or demolish a school building/facility if the cost will exceed \$50,000 (See Policy 6320).]** If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an ~~(-)~~ (x) adequate number of **[END OF OPTIONS]** sources.
- c. The Cooperative shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Cooperative may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can be used only in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

## 3. ( ) Noncompetitive ~~Proposals~~ Procurement

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. micro-purchases
- b. the item is available only from a single source
- c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation
- d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Cooperative
- e. after solicitation of a number of sources, competition is determined to be inadequate

## **Domestic Preference for Procurement**

As appropriate and to the extent consistent with law, the Cooperative shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

## **Contract/Price Analysis**

The Cooperative shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Cooperative shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Cooperative shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

## **Time and Materials Contracts**

The Cooperative uses a time and materials type contract only 1) after a determination that no other contract is suitable,<sup>†</sup> and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the Cooperative is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Cooperative sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Cooperative shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

## **Suspension and Debarment**

The Cooperative shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Cooperative and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Cooperative shall consider such factors as 1) contractor integrity; 2) compliance with public policy; 3) record of past performance; and 4) financial and technical resources.

The Director shall have the authority to suspend or debar a person/Cooperative, for cause, from consideration or award of further contracts. The Cooperative is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 ~~CFR~~ C.F.R. Part 180.

Suspension is an action taken by the Cooperative that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 ~~CFR~~ C.F.R. Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 ~~CFR~~ C.F.R. Part 180 Subpart G)

Debarment is an action taken by the Director to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 ~~CFR~~ C.F.R. Chapter 1). A person so excluded is debarred. (2 ~~CFR~~ C.F.R. Part 180 Subpart H)

The Cooperative shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the Cooperative shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov); collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 ~~CFR~~ C.F.R. Part 180 Subpart C)

## **Bid Protest**

The Cooperative maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.



A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Director within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Director shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

### **Maintenance of Procurement Records**

The Cooperative ~~maintains~~ shall maintain records sufficient to detail the history of all procurements. These records

Legal	I.C. 5-22-2-21
	I.C. 5-22-2-30
	I.C. 5-22-3-3
	I.C. 5-22-2-38
	I.C. 5-22-6-1
	I.C. 5-22-6-2
	I.C. 5-22-7-1 et seq.
	I.C. 5-22-8-2
	I.C. 5-22-8-3
	I.C. 5-22-10-1 et seq.
	I.C. 5-22-16-1
	I.C. 5-22-16-2
	2 C.F.R. 200.317 - .326
	2 C.F.R. Appendix II to Part 200



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - ANIMALS ON COOPERATIVE PROPERTY
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## 8390 - **ANIMALS ON COOPERATIVE PROPERTY**

### **Introduction**

The Board of Managers recognizes that there are many occasions when animals are present on Cooperative property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents/guardians, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and Indiana law and this policy.

This policy shall apply to all animals on Cooperative property, including service animals (x) emotional support animals (x) therapy dogs.

### **Definitions**

- A. **Animal** shall be held to include every living creature other than a plant or a human.
- B. **Service animal** as used in this policy has the meaning of the term in I.C. 16-32-3-1.5 and means an animal trained and providing services constituting a reasonable accommodation to a person with a disability. The term includes but is not limited to:
1. a hearing animal;
  2. a guide animal;
  3. an assistance animal;
  4. a seizure alert animal;
  5. a mobility animal;
  6. a psychiatric service animal; or
  7. an autism service animal.

For purposes of the administration of this policy, note that while some Federal regulations limit the scope of the term "service animal" to a dog or miniature horse, Indiana law establishes the broader definition set out above.

- C. (x) "Emotional Support Animal": Emotional support animals provide comfort to individuals but are not trained to perform a specific job or task and therefore would not meet the definition of a "service animal." This definition does not include psychiatric service animals who are properly trained and certified as a "service animal." See 28 C.F.R 36.104
- D. (x) "Therapy Dog": Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing affection and comfort to aid in a particular purpose, such as healing or learning. A therapy dog in a school setting serves the function of assisting students in the learning process while providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs. (source: American Kennel Club/AKC)

**[OPTION]**

**[NOTE: The following section should be included in the policy only if the Cooperative intends to require this of any animal brought onto Cooperative property for official purposes or on a regular/recurring basis.]**

**[ x] Vaccination, Licensing and/or Veterinary Requirements**

Animals admitted or housed on Cooperative property or brought on Cooperative property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought onto Cooperative property on a regular basis for any purpose, including service animals (x) emotional support animals (x) therapy dogs, must meet every veterinary health and inoculation requirement set forth in State law and local regulation or ordinance, including but not limited to a current rabies vaccination.

**[END OF OPTION]**

**Non-Service Animals in Schools and Elsewhere on Cooperative Property**

Animals permitted in schools and elsewhere on Cooperative property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), those that provide a reasonable accommodation to a student in accordance with an Individualized Education Program ("IEP"), or those that serve as service animals as required by Federal and State law.

A non-service animal that is poisonous, a bite risk, or is otherwise dangerous to persons shall be housed and maintained in a manner so as to eliminate a risk of injury to a person. The risk of injury shall take into account that a student may not follow safety directives established for the handling of the non-service animal. This evaluation may result in a decision that despite the educational value of the non-service animal's presence, the educational value does not outweigh the risk of injury to a person.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the principal may permit animals other than service animals to be present in a Cooperative school to support curriculum-related projects and activities only under the following conditions:

A. The staff member seeking approval to have a non-service animal in his/her classroom shall:

1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
2. take precautions deemed necessary to protect the health and safety of students and other staff;
3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
4. keep the surrounding areas in a clean and sanitary condition at all times.

B. Other staff members and parents/guardians of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

**[OPTION FOR ALLOWING EMOTIONAL SUPPORT ANIMALS ON COOPERATIVE GROUNDS]**

**[ x] Emotional Support Animals for Students**



An emotional support animal is not granted the same access to school buildings and classrooms as service animals. The Cooperative is not required to grant students' requests that they be permitted to bring an emotional support animal to classes or on school grounds for any purpose. ( x ) Based on established criteria, the Director may grant a student use of an emotional support animal on a case-by-case basis if necessary and not disruptive to the environment or other students.

An emotional support animal is the personal property of the student and/or parents/guardians. The Board does not assume responsibility for training, daily care, healthcare, or supervision of a student's emotional support animal unless the provision of an emotional support animal is required for a student to receive a free appropriate public education ("FAPE"), in which case the Cooperative's obligation must be stated in the student's IEP or Section 504 Plan. By admitting an emotional support animal to Cooperative property, the Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of emotional support animals on Cooperative property or at Cooperative sponsored events.

An emotional support animal that meets the definition set forth in this policy shall be under the control of the student with a disability or a separate handler if the student is unable to control the animal. An emotional support animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, in which case the emotional support animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the emotional support animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Board Policy 8120.

The principal will be responsible for reviewing and determining whether the required documentation has been provided for the student's emotional support animal. Services to a student shall not be suspended or withheld pending receipt of the requisite documentation for the emotional support animal until the student or a parent/guardian has been given a reasonable period of time to submit any required documentation.

### **Removal or Exclusion of Emotional Support Animals**

If an emotional support animal demonstrates that it is not under the control of the student or its handler, the principal is responsible for documenting such behavior and for determining if and when the emotional support animal is to be removed and/or excluded from school property.

Similarly, if an emotional support animal has demonstrated that it is not housebroken, the principal is responsible for documenting such behavior and for determining whether the emotional support animal is to be removed and/or excluded from school property.

The principal or administrator responsible for the Cooperative facility shall notify the Executive Director immediately ~~Superintendent and \_\_\_\_\_~~ by e-mail if an emotional support animal has been removed and/or excluded and shall document the reasons for the removal or exclusion.

### **Emotional Support Animal's Access to Transportation**

A student with a disability may be permitted to access Cooperative transportation with his/her emotional support animal at the discretion of the principal. There also may be a need for the emotional support animal's handler, if the handler is someone other than the student, to access Cooperative transportation, again at the discretion of the principal.

When an emotional support animal is going to ride on a school bus owned or leased by the Cooperative, the student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, shall ( x ) meet with the ( x ) principal ( x ) Transportation Supervisor ( x ) bus driver \_\_\_\_\_ to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the emotional support animal should be secured on the bus/vehicle with a leash, tether or harness.

At the discretion of the ~~principal,~~ ( x ) Transportation Supervisor, \_\_\_\_\_, an orientation will take place for students and staff who will be riding the bus/vehicle with the emotional support animal regarding the emotional support animal's functions and how students should interact with the emotional support animal. ✕✕

The emotional support animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The emotional support animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the emotional support animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the emotional support animal include:



- A. the student, or handler, is not able to control the emotional support animal's behavior, which poses a threat to the health or safety of others; or
- B. the emotional support animal urinates or defecates on the bus.

Prior to the first day of transportation, an eligible student (i.e., one who has reached the age of eighteen (18) and has not had a guardian appointed) or his/her parents/guardians shall be informed in writing of the types of emotional support animal behaviors that could result in cessation of transportation privileges for the emotional support animal.

Although transportation may be suspended for the emotional support animal, it remains the Cooperative's responsibility to transport the student. Furthermore, unless the behavior that resulted in the emotional support animal's removal from the bus/vehicle is also documented during the school day, the service animal still may accompany the student in school, unless the Superintendent revokes permission for a student to bring an emotional support animal on Cooperative property.

**[END OF OPTION]**

**[OPTION FOR ALLOWING CERTIFIED THERAPY DOGS ON COOPERATIVE GROUNDS]**

**[x ] Therapy Dogs**

Therapy dogs are the personal property of the handler and are specially trained to help all students in the assigned classroom, program, or school. Authorization for a therapy dog to be on Cooperative grounds may be granted by the (x ) Executive Director (-) building principal (-) \_\_\_\_\_ [END OF OPTIONS], provided the following conditions are met each year:

- A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC.
- B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation.
- C. Documentation that the therapy dog is not younger than one (1) year -old and is properly licensed according to local requirements.
- D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff.
- E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on Cooperative grounds.
- F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog, its care, cleaning, feeding, and cleanup while on Cooperative grounds.
- G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on Cooperative grounds.

Authorization for a therapy dog to be on Cooperative grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress of a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the therapy dog to be on Cooperative grounds requires approval by the ( x ) Executive Director -) \_\_\_\_\_. Authorization for a therapy dog to be on Cooperative grounds may be withdrawn at any time by the Director.(-)

**[END OF OPTION]**

**Humane Treatment of Animals**

Animals kept on school premises shall be treated humanely and shall not be subjected to cruel treatment or housed in unsanitary or unnecessarily restrictive conditions. For purposes of this provision, "humanely" includes the provision of adequate food and fresh water, and the term "animal" means a sentient creature capable of assessing and responding to its environment.

**Service Animals for Students**

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.



A service animal is the personal property of the student and/or parents/guardians. The Board does not assume responsibility for training, daily care, healthcare, or supervision of a student's service animal unless the provision of a service animal is required for a student to receive a free appropriate public education ("FAPE"), in which case the obligation must be stated in the student's IEP. By admitting a service animal to Cooperative property, the Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on Cooperative property or at Cooperative-sponsored events.

A service animal that meets the definition set forth in this policy shall be under the control of the student with a disability or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means) or under the control of a handler other than the student.

The principal or designee will be responsible for reviewing and determining whether the required documentation has been provided for the student's service animal. Services to a student shall not be suspended or withheld pending receipt of the requisite documentation for the service animal until the student or a parent/guardian has been given a reasonable period of time to submit any required documentation.

### **Removing and/or Excluding a Student's Service Animal**

If a service animal demonstrates that it is not under the control of the student or its handler, the principal or designee is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from Cooperative property.

Similarly, if a service animal has demonstrated that it is not housebroken, the principal or designee is responsible for documenting such behavior and for determining whether the service animal is to be removed and/or excluded from school property.

The principal or administrator responsible for the Cooperative facility shall notify the Executive Director ~~immediately and~~ by e-mail if a service animal has been removed and/or excluded, and shall document the reasons for the removal or exclusion.

The principal's or administrator's decision to remove and/or exclude a service animal from school property may be appealed in accordance with Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity and the complaint procedure set forth in ~~AG 2260B—Complaint Procedures for Nondiscrimination~~ Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The procedures that are set forth in ~~AG 2260B—Complaint Procedures for Nondiscrimination~~ Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity shall not preclude a student and his/her parent/guardian from pursuing a complaint with the United States Department of Education's Office for Civil Rights, the United States Department of Justice, the Indiana Department of Education, or the Indiana Civil Rights Commission.

### **Eligibility of a Student's Service Animal for Transportation**

A student with a disability shall be permitted to access Cooperative transportation with his/her service animal. There also may be a need for the service animal's handler, if the handler is someone other than the student, to access Cooperative transportation.

When a service animal is going to ride on a school bus owned or leased by the Cooperative, the student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, shall meet with the ( x ) principal ( x ) Transportation Supervisor ( x ) bus driver [END OF OPTION] to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on the bus/vehicle with a leash, tether or harness.

At the discretion of the ( ~~—~~ ) principal ( x ) Transportation Supervisor ( ~~—~~ ) \_\_\_\_\_, an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the service animal's functions and how students should interact with the service animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet. Situations that would cause cessation of transportation privileges for the service animal include:



- A. the student, or handler, is not able to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

Prior to the first day of transportation, an eligible student (i.e., one who has reached the age of eighteen (18) and has not had a guardian appointed) or his/her parents/guardians shall be informed in writing of the types of service animal behaviors that could result in cessation of transportation privileges for the service animal.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the ( **x** ) Transportation Supervisor. ~~( ) principal. ( )~~

Although transportation may be suspended for the service animal, it remains the Cooperative's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus/vehicle also is documented during the school day, the service animal ~~may~~ still may accompany the student in school.

### **Service Animals for Employees**

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Cooperative provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the interactive process mandated by the Americans with Disabilities Act.

### **Food Service Employees**

Food service employees who use a service animal shall be required to comply with the standards applicable to food preparation and food service set out in FDA Food Code Section 2-403.11. Failure to comply with these requirements represents a direct threat to the health or safety of others. This provision prohibits handling of animals by employees engaged in food preparation or service, but allows employees to use service animals if certain specific conditions are met. Section 6-501.115 states that service animals may be permitted in food consumption areas not used for food preparation. Food service employees may handle their service animals if, after handling a service animal, the employee washes his/her hands for at least twenty (20) seconds using soap, water, and vigorous friction on surfaces of the hands, followed by rinsing and drying as per Section 2-301.12.

Employees of vendors shall be accommodated as employees of the Cooperative as long as this accommodation does not cause undue hardship for the Cooperative or a direct threat to the health or safety of employees or others.

### **Service Animals for Parents/Guardians, Vendors, Visitors, and Others**

Individuals with disabilities who are accompanied by a service animal are permitted access to all areas of the Cooperative's facilities where members of the public, as participants in services, programs, or activities, as vendors, or as invitees, are permitted to go.

Individuals who will access any area of the Cooperative's facilities with their service animal should notify the Director or building administrator that their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at School Events.

I.C. 16-32-3: Rights of Blind and Other Physically Disabled Persons

28 C.F.R. Part 35: Justice Department Regulations for Nondiscrimination on the Basis of Disability in State and Local Government Services

29 C.F.R. 1630: EEOC Regulations Implementing the ADA as amended

34 C.F.R. Part 104: Section 504 of the Rehabilitation Act, 29 U.S.C. 794

34 C.F.R. Part 300: Individuals with Disabilities Education Act (IDEA) Regulations

29 U.S.C. 794

~~511 IAC 7-43-1(1)(2)(B): Related Services for Students~~

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## Legal

I.C. 16-32-3: Rights of Blind and Other Physically Disabled Persons

28 C.F.R. Part 35: Justice Department Regulations for Nondiscrimination on the Basis of Disability in State and Local Government Services

29 C.F.R. 1630: EEOC Regulations Implementing the ADA as amended

34 C.F.R. Part 104: Section 504 of the Rehabilitation Act, 29 U.S.C. 794

34 C.F.R. Part 300: Individuals with Disabilities Education Act (IDEA) Regulations

29 U.S.C. 794



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - SCHOOL SAFETY
Code	po8400
Status	
Adopted	January 14, 2010
Last Revised	October 8, 2020

#### 8400 - **SCHOOL SAFETY**

The Board of Managers is committed to maintaining a safe environment in all of the Cooperative's schools. To that end, in accordance with State and Federal law,

**[Choose one (1) of the following options: Option 1 is required by State law; Option 2 is not required but the Board may choose it instead. Please use the same option as selected in AG 3122.01 and AG 4122.01.]**

#### **[OPTION 1]**

**(x)** the Cooperative shall establish a *Safe School Committee* for the entire Cooperative, the composition of which shall be in accordance with the Director's guidelines.

~~(-) the *Safe School Committee* shall be a subcommittee of the committee that develops the Cooperative's strategic and continuous school improvement and achievement plan.~~

#### **[OPTION 2]**

~~(-) each school within the Cooperative shall establish a *Safe School Committee*, the composition of which shall be in accordance with the Director's guidelines.~~

~~(-) the *Safe School Committee* at each school shall be a subcommittee of the committee that develops the school's strategic and continuous school improvement and achievement plan.~~

#### **[END OPTION 2]**

The *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, criminal organization activity, child abuse and child sexual abuse, and other issues that prevent the maintenance of a safe school.

~~**[if Option 1 was chosen above]** safe schools.~~

**[if Option 2 was chosen above]** 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 Cooperative 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 Cooperative's security.

In developing the plan, the *Safe School Committee* shall seek input from representatives of the following:

- A. the State Department of Education;
- B. the Cooperative's school safety specialist;
- C. ~~( ) School Resource Officer (s);~~
- D. ~~( ) local law enforcement ( ) agency ( ) agencies;~~
- E. ~~( ) the local Fire Marshal(s) or his/her designee(s);~~
- F. ~~( ) local emergency medical services;~~
- G. ~~( ) a member of the Board;~~
- H. ~~( ) building administrators;~~
- I. ~~( ) the local emergency management service agency;~~
- J. ~~( ) (other, please specify) \_\_\_\_\_~~
- K. ~~( ) (other, please specify) \_\_\_\_\_~~

☒ [If Option 1 was chosen above] The Director shall recommend the approval and adoption of the Cooperative's plan.

~~[ ] [If Option 2 was chosen above] The Director shall recommend the approval and adoption of each school's plan.~~

#### **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 Cooperative 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.

~~[ ] To apply annually for matching grant funds from the Indiana secured school fund, the Cooperative shall certify to the Department of Homeland Security that it has:~~

- A. ~~conducted a threat assessment for each school building it uses; and~~
- B. ~~a memorandum of understanding (MOU) in place with a community mental health center established under State law or a provider certified or licensed by the State to provide mental or behavioral health services to students;~~

#### **School Safety Specialist**

The Cooperative shall designate an individual to serve as the school safety specialist for the Cooperative. The school safety specialist shall be chosen by the Director with the approval of the Board. The school safety specialist shall perform the following duties:

- A. Serve on the county school safety commission, if a county school safety commission is established under I.C. 5-2-10.1-10.
- B. Participate each year in a number of days of school safety training that the council determines.
- C. With the assistance of the county school safety commission, if a county school safety commission is established under I.C. 5-2-10.1-10, develop a safety plan for each school in the Cooperative.
- D. Coordinate the safety plans of each school in the Cooperative as required under rules adopted by the Indiana state board of education; and
- E. Act as a resource for other individuals in the Cooperative on issues related to school discipline, safety, and security.

### **School Safety Plan**

A school safety plan developed by the school safety specialist must:

- A. include the requirements set forth in I.C. 20-26-18.2-2(b), namely:
  - 1. protect against outside threats to the physical safety of students,
  - 2. prevent unauthorized access to Cooperative property,
  - 3. Secure Cooperative schools against violence and natural disasters, and
  - 4. on or before July 1, 2020, identify the location of bleeding control kits;
- B. be provided to a member of the secured school safety board, as established by I.C. 20-21-1-3, if a member requests the plan; and
- C. be filed with the county school safety commission under I.C. 5-2-10.1-10 if the county has established a county school safety commission.

### **Bleeding Control Kits**

A "bleeding control kit" means a first aid response kit that contains at least the following:

- A. One (1) tourniquet endorsed by the Committee on Tactical Combat Casualty Care.
- B. A compression bandage.
- C. A bleeding control bandage.
- D. Protective gloves and a permanent marker.
- E. Scissors.
- F. Instructional documents developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, or both.
- G. Other medical materials and equipment similar to those described in subdivisions (A) through (C), and any additional items that:
  - 1. are approved by local law enforcement or first responders;

2. can adequately treat a traumatic injury; and
3. can be stored in a readily available kit.

Beginning in the 2020-2021 school year and each school year thereafter and subject to either:

- A. an appropriation by the general assembly; or
- B. the Cooperative receiving sufficient bleeding control kits for each school in the Cooperative from:
  1. donations from individuals or entities; or
  2. gifts necessary to purchase the bleeding control kits;

The Cooperative shall develop and implement a Stop the Bleed program that meets the requirements set forth in I.C. 20-34-3-24(c), namely:

- A. requires bleeding control kits be assigned to designated rooms in easily accessible locations to be determined by local first responders or the school safety specialist;
- B. includes bleeding control kits in the emergency plans of the Cooperative, including the presentation and use of the bleeding control kits in all drills and emergencies;
- C. provides that all Cooperative schools have a minimum of five (5) individuals in each school building who obtain appropriate training in the use of the bleeding control kit, including:
  1. the proper application of pressure to stop bleeding;
  2. the application of dressings or bandages;
  3. additional pressure techniques to control bleeding; and
  4. the correct application of tourniquets;
- D. requires bleeding control kits in school inventories to be inspected annually to ensure that the materials, supplies, and equipment contained in the bleeding control kits are not expired, and that any expired materials, supplies, and equipment are replaced as necessary; and
- E. requires a bleeding control kit to be restocked after each use and any materials, supplies, and equipment to be replaced as necessary to ensure that the bleeding control kit contains all necessary materials, supplies, and equipment.

The Cooperative's Stop the Bleed program must include each school in the Cooperative.

The Cooperative ( ☒ ) may ~~( ) shall [end of option]~~ request direction to resources that are available to provide bleeding control kits to the Cooperative from:

- A. the Department of Homeland Security
- B. the State Department of Education

#### **School Resource Officers**

"School resource officer" means an individual who:

- A. has completed the training described below;



B. is assigned to one (1) or more Cooperative schools to:

1. assist the school safety specialist with the development and implementation of the school safety plan; and
2. carry out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding and to:
  - a. protect against outside threats to the physical safety of students;
  - b. prevent unauthorized access to Cooperative property; and
  - c. secure Cooperative schools against violence and natural disasters; and

C. is:

1. employed by a law enforcement agency;
2. appointed as a police reserve officer (as described in I.C. 36-8-3-20) or as a special deputy (as described in I.C. 36-8-10-10.6) if the police reserve officer or special deputy:
  - a. is subject to the direction of the sheriff or appointing law enforcement agency;
  - b. is required to obey the rules and orders of the sheriff's department or appointing law enforcement agency;
  - c. is required to complete all training required of regular full-time law enforcement officers employed by the sheriff's department or appointing law enforcement agency; and
  - d. may be removed by the sheriff or appointing law enforcement agency at any time, with or without cause; or
3. a school corporation police officer appointed under I.C. 20-26-16-3.

Before being appointed as a school resource officer, an individual must have:

- A. successfully completed the minimum training requirements established for law enforcement officers under I.C. 5-2-1-9; and
- B. received at least forty (40) hours of school resource officer training through:
  1. the Indiana law enforcement training board established by I.C. 5-2-1-3;
  2. the National Association of School Resource Officers; or
  3. another school resource officer training program approved by the Indiana law enforcement training board.

The training described above must include instruction regarding skills, tactics, and strategies necessary to address the special nature of:

- A. school campuses; and
- B. school building security needs and characteristics.

A school resource officer may be employed:

- A. by one (1) or more school corporations<sup>[1]</sup> or charter schools through a contract between a local law enforcement agency and the school corporation or school corporations or the charter school or charter schools;

- B. by one (1) or more school corporations or charter schools;
- C. by a local law enforcement agency that assigns the school resource officer to one (1) or more school corporations or charter schools through a memorandum of understanding between the local law enforcement agency and the school corporation or school corporations or the charter school or charter schools; or
- D. through a contract between an Indiana business that employs persons who meet the qualifications of a school resource officer and the school corporation or school corporations or the charter school or charter schools.

The contract or memorandum of understanding described above for the employment of a school resource officer must state the nature and scope of a school resource officer's duties and responsibilities. A school resource officer's duties and responsibilities include the duty to assist the Cooperative's school safety specialist with the development and implementation of a school safety plan that does the following:

- A. Protects against outside threats to the physical safety of students.
- B. Prevents unauthorized access to Cooperative property.
- C. Secures Cooperative schools against violence and natural disasters.
- D. On or before July 1, 2020, identifies the location of bleeding control kits (as defined in I.C. 20-34-3-24(a)).

A school resource officer shall consult with local law enforcement officials and first responders when assisting the Cooperative's school safety specialist in the development of the school safety plan.

A school resource officer shall participate in the development of programs designed to identify, assess, and provide assistance to troubled youth.

A school resource officer shall not be reassigned to other duties by the Cooperative.

A school resource officer may:

- A. make an arrest;
- B. conduct a search or a seizure of a person or property using the reasonable suspicion standard;
- C. carry a firearm on or off school property; and
- D. exercise other police powers with respect to the enforcement of Indiana laws.

A school resource officer has jurisdiction in every county where the Cooperative operates a school or where the Cooperative's students reside. This does not restrict the jurisdiction that a school resource officer may possess due to the officer's employment by a law enforcement agency.

The Cooperative shall report all instances of:

- A. seclusion
- B. chemical restraint
- C. mechanical restraint
- D. physical restraint

involving a school resource officer in accordance with the restraint and seclusion plan adopted by the Cooperative under I.C. 20-20-40-14.

[1] The school corporations who are members of the Cooperative may act cooperatively to employ a school resource officer for the Cooperative.

## Security Police Training

In the case of a special police officer who is assigned as a security police officer for the Cooperative, the Board shall require that the police officer receives training and education, approved by the State Board of Education, that will enable the police officer to appropriately deal with individuals with autism and Asperger's syndrome.

## Mental or Behavioral Health Services

The Cooperative shall enter into a memorandum of understanding (MOU) with a community mental health center established under State law or a provider certified or licensed by the State to provide mental or behavioral health services to students.

The Cooperative may not refer a student to a mental health care provider or community mental health center for services unless the Cooperative has received the written consent of the student's parent or guardian. If a referral is made, the Cooperative may note the referral in the student's cumulative record but shall not include any possible diagnosis or information concerning the student's mental health other than any medication that the student takes for his/her mental health. A student's record that contains medical information shall be kept confidential. A school counselor or other Cooperative employee may not diagnose a student as having a mental health condition unless his/her scope of practice includes diagnosing a mental health condition.

Prior to providing any referrals under a MOU, the Cooperative must:

- A. Develop a process for a teacher or Cooperative employee to notify a school official to contact a student's parent if the student demonstrates a repeated pattern of aberrant or abnormal behavior. The parental notification process must include a conference with the school, student, and the student's parent;
- B. Require that the aforementioned conference address the student's potential need for and benefit from:
  1. mental or behavioral health services; or
  2. mental or behavioral health services provided by the community mental health center or appropriate provider that is contracted and paid for by the Cooperative;
- C. Establish a procedure for a parent who chooses to seek services for the student to follow that includes granting written parental consent for the student to receive mental or behavioral health services by a community mental health center or appropriate provider; and
- D. Protect the confidentiality of any medical records that result from a student's participation in any treatment described in subpart B. above and adopt a policy that prohibits the Cooperative from:
  1. sharing any reports or notes resulting from the provision of mental or behavioral health services described in subpart B.-1. above with other school officials; and
  2. maintaining any reports, notes, diagnosis, or appointments that result from a student's participation in any treatment described in B.1 or B.2 above in the student's permanent educational file. (See Policy 8330 - Student Records.)

## Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the Cooperative 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 exceeds the threshold number established in State policy, the Director shall refer this to the *Safe School Committee* [ x ] **[If Option 1 was chosen above]** for the Cooperative ~~[ ] [If Option 2 was chosen above] for the school which exceeded the threshold number of reportable incidents of violent criminal offenses [END OF OPTION]~~ so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.



When developed, the 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 Director shall meet with the *Safe School Committee* ☒ **[If Option 1 was chosen above]** for the Cooperative, ~~☐ **[If Option 2 was chosen above]** for the school which was identified as persistently dangerous, **[END OF OPTION]**~~ to 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.

~~☐ If a school in a neighboring cooperative is identified as persistently dangerous and there is not another school in that cooperative, the Cooperative will admit students from that school in accordance with Board Policy 5113.02.~~

### 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.

I.C. 5-2-10.1-9  
 I.C. 5-2-10.1-10  
 I.C. 5-2-10.1-12  
 I.C. 20-26-5-31  
 I.C. 20-26-18.2  
 I.C. 20-30-5-11  
 I.C. 20-34-3-20  
I.C. 20-34-3-21  
 I.C. 20-34-3-24

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)

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I.C. 5-2-10.1-9  
 I.C. 5-2-10.1-10  
 I.C. 5-2-10.1-12  
 I.C. 20-26-5-31  
 I.C. 20-26-18.2  
 I.C. 20-30-5-11  
 I.C. 20-34-3-20  
 I.C. 20-34-3-24

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)



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	ENVIRONMENTAL HEALTH AND SAFETY ISSUES - INDOOR AIR QUALITY, ANIMALS IN THE CLASSROOM, AND IDLING VEHICLES ON SCHOOL PROPERTY
Code	po8405
Status	
Adopted	January 14, 2010
Last Revised	October 8, 2020

**8405 - ENVIRONMENTAL HEALTH AND SAFETY ISSUES - INDOOR AIR QUALITY, ANIMALS IN THE CLASSROOM, AND IDLING VEHICLES ON SCHOOL PROPERTY**

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

- A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of Cooperative facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a cooperative-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 Cooperative safe school 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 Cooperative.
- 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 Cooperative 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 ( ) a grading period ( ) \_\_\_\_\_ ( ) weeks.~~

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 and service animals 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 Director shall appoint a person to serve as the Indoor Air Quality (IAQ) Coordinator for the cooperative. The IAQ Coordinator shall serve as the lead contact person for matters related to indoor air quality in the facilities operated by the Cooperative. The IAQ Coordinator contact information shall be available to all students, parents, employees, and visitors by publishing the information on the cooperative's website and in school handbooks. The cooperative 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.

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

Criteria established by the ISDH are as follows:

- A. Carbon dioxide levels shall never exceed seven hundred (700) ppm over the outdoor carbon dioxide concentration.
- B. Outdoor air shall be supplied to classrooms when occupied.



- C. Heating facilities shall be capable of and operated during periods of student occupancy to maintain a temperature not less than sixty-eight (68) degrees Fahrenheit in all instructional rooms, offices, locker rooms, and cafeteria; sixty-five (65) degrees Fahrenheit in activity rooms and shops; and sixty (60) degrees Fahrenheit in interior toilet rooms.
- D. When air conditioning is being provided, the system shall be capable of providing and operating during times of student occupancy to maintain a temperature not to exceed seventy-eight (78) degrees Fahrenheit and sixty-five percent (65%) relative humidity.
- E. The Cooperative 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 Cooperative shall comply with the ISDH's manual of best practices for managing indoor air quality at schools, including but not limited to the recommendations for radon testing.~~

**[NOTE: END OF SECTION.]**

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

Contributing factors to excessive moisture levels include the following:

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

As preventative measures, the Cooperative 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 ensuring 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 cooperative 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 Director 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 IEQ 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 Cooperative 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 Cooperative 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.

### **DRINKING WATER TESTING**

The Director is responsible for implementing the appropriate testing of drinking water in all school buildings in the Cooperative prior to January 1, 2023. The Director must test the water to determine whether the drinking water equals or exceeds the action level for lead established in the Code of Federal Regulations of fifteen (15) parts per billion or fifteen one-thousandths (.015) milligram of lead per liter of water. The Director may satisfy the requirement for testing the drinking water in a school building if the drinking water in the school building:

- A. was tested during the lead sampling program for school buildings conducted by the Indiana finance authority in 2017 and 2018;
- B. is tested in the lead sampling program for school buildings and child care facilities conducted by the Indiana finance authority in 2019 and 2020; or
- C. otherwise has been tested for compliance with the federal standards set forth above since calendar year 2016.

**[NOTE: After calendar year 2022, the drinking water in every school building located in Lake County shall be tested at least one (1) time in each period of two (2) calendar years to determine whether the drinking water equals or exceeds the action level for lead.]**

Any system exceeding the action level for lead shall implement all applicable source water treatment requirements established by the State of Indiana and pursuant to the Code of Federal Regulations necessary to reduce the lead level to below the action level for lead set forth above. After the implementation of applicable corrosion control and source water treatment requirements have been met, any system exceeding the lead action level shall complete a lead service line replacement. The Director must provide a notice of lead tap water monitoring results to all students, staff, community members who are serving at the school sites that have been tested. If a system exceeds the lead action level, the Director shall implement the public education requirements. The results of the treatment provisions shall be reported to the State of Indiana. The Cooperative shall maintain records of the program in accordance with the Code of Federal Regulations.

The Director shall seek any State and Federal grant money available for lead sampling or testing, including any money available under the lead sampling program for school buildings and child care facilities conducted by the Indiana finance authority.

### **SEE ALSO THE FOLLOWING RELATED POLICIES:**

Policy 8420 - Emergency Evacuation of Schools

Policy 8431 - Chemical Management and Preparedness for Toxic 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

I.C. 16-41-37.5

410 IAC 33-4-1 through 8

40 C.F.R. 141

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Legal

Indiana Department of Health Model Policies

I.C. 16-19-3-5, 16-41-37.5

410 IAC 33-4-1 through 8

40 C.F.R. 141





Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - CHILD ABUSE AND NEGLECT
Code	po8462
Status	
Adopted	January 14, 2010
Last Revised	October 8, 2020

#### 8462 - **CHILD ABUSE AND NEGLECT**

As an agency of the State, the Board of Managers is concerned with the physical and mental well-being of the children served by this Cooperative and will cooperate in the identification and reporting of cases of suspected child abuse or neglect in accordance with law.

Each staff member employed by this Cooperative shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse, abandonment, cruelty, or neglect resulting in physical or mental injury to a student by other than accidental means. If a staff member has reason to believe a child is a victim of abuse or neglect, s/he shall immediately make a report to the Department of Child Services ("DCS") by calling the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556 **[x]** ] and the appropriate **[local law enforcement agency][end of option]**. After making the report, the staff member shall notify the appropriate building administrator of the circumstances that led to the report that the staff member made to DCS or the police. The building administrator shall document the report and, if unable to confirm the date and time it was made and/or the identity of the person to whom the report was made, shall contact DCS or the police to ensure that they have received the report and an investigation has begun.

**[x]** The building administrator shall secure prompt medical attention for any such injuries reported.

Information concerning alleged abuse or neglect of a student is confidential information and is not to be shared with anyone other than the administration, DCS, **( x )** the local prosecutor **[END OF OPTION]**, **[ x ]** or the appropriate **[local law enforcement agency] [end of option]**. If the parent or a member of the household is not the subject of the investigation, the Cooperative may notify the parents that a report was made.

Failing to report suspected child abuse or neglect is a Class B misdemeanor, which is punishable by up to 180 days in jail and a \$1,000 fine.

Building administrators should be mindful of the possibility of physical or mental abuse inflicted by a staff member. A staff member who violates this policy also may be subject to disciplinary action. Information concerning alleged abuse of a student by a teacher is confidential information and is not to be shared with anyone other than the parent(s), administration, DCS, **[x]** ] and the appropriate **[local law enforcement agency] [end of option]**. Any such instances, real or alleged, should be dealt with in accordance with the administrative guidelines established by the Director after making a report of suspected abuse or neglect as described above.

The Board requires that each Cooperative employee who is likely to have direct, ongoing contact with children within the scope of his/her employment attend or participate in training on child abuse and neglect, including:

- A. training on the duty to report suspected child abuse or neglect under I.C. 31-33-5; and
- B. training on recognizing possible signs of child abuse or neglect

at least once every two (2) years. This training may include:

**[Select one or more of the options listed below]**

- A. ( ☒ ) an in-person presentation;
- B. ( ☒ ) an electronic or technology based medium, including self-review modules available on an online system;
- C. ( ☒ ) an individual program of study of designated materials;
- D. ( ☐ ) ~~[insert training format]~~ \_\_\_\_\_

**[END OF OPTIONS]**

The training required by this policy shall count toward the Board's requirements for professional development and be provided during the Cooperative employee's contracted day or at a time chosen by the employee.

~~Not later than December 15, 2018 and annually thereafter,~~ Annually, the Cooperative shall provide age appropriate and research and evidence based instruction on child abuse and child sexual abuse to students in Kindergarten through Grade 12 who attend schools operated by the Cooperative. This instruction may be delivered by a school safety specialist, school counselor, school social worker, school psychologist, or any person with training and expertise in the area of child abuse and child sexual abuse.

Also, the Board requires each Cooperative employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in at least one (1) hour of training at least every two (2) years on the identification and reporting of human trafficking. The format of this training may include:

- A. ( ☒ ) an in-person presentation;
- B. ( ☒ ) an electronic or technology based medium, including self-review modules available on an online system;
- C. ( ☒ ) an individual program of study of designated materials;
- D. ( ☐ ) \_\_\_\_\_ **[insert other format]**

This training shall count toward the requirements for professional development required by the Board.

A staff member who violates this policy in any way may be subject to disciplinary action, up to and including termination.

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Legal	I.C. 20-26-5-35.5
	I.C. 20-28-3-4.5
	I.C. 20-28-3-7
	I.C. 20-30-5-5.7
	I.C. 31-33-1-1
	I.C. 31-33-5-1
	I.C. 31-33-5-2(b)
	I.C. 31-33-5-3
	I.C. 31-33-5-5(b)
	I.C. 31-33-22-1(a)





Book Policy Manual

Section Vol. 33 No. 1 for Board Approval

Title Revised Policy - Vol. 33, No. 1 - November 2020 - TRANSPORTATION

Code po8600

Status

## 8600 - TRANSPORTATION

~~Day to day transportation for all students served by the Cooperative for whom transportation is a related service and who attend school in the school corporation the student would attend if s/he did not have a disability shall be provided ☐ by the school corporation which the student would attend if s/he did not have a disability. ☐ by the Cooperative. ☐ as indicated in the Cooperative Agreement. **[END OF OPTION]**~~

~~A child whose case conference committee has determined s/he will attend a school outside the boundaries of the school corporation in which s/he lives or has enrolled as a transfer student shall receive transportation as a related service that shall be provided ☐ by the school corporation which the student would attend if s/he did not have a disability. ☐ by the Cooperative. ☐ as indicated in the Cooperative Agreement.~~

~~On or before September 1, 2019, and each September 1 thereafter, Each September,~~ the Cooperative must review the Cooperative's school bus routes and school bus safety policies to improve the safety of students and adults.

A special purpose bus is any motor vehicle designed and constructed for the accommodation of more than ten (10) passengers that meets the Federal school bus safety standards, except the requirement for stop arms and flashing lights, and that is used by the Cooperative for transportation purposes not appropriate for school buses. A special purpose bus is not required to be constructed, equipped, or painted as specified for regular school buses.

A Special purpose bus may not be used to provide ~~regular~~ transportation of school children between their residence and school except for persons enrolled in a special program, i.e., for the habilitation or rehabilitation of students with developmental disabilities, orthopedic impairments, or multiple disabilities, between their residence and the school.

☒ A special purpose bus may be used for transportation of students from one school to another school.

☐ A special purpose bus may be used to transport students and their supervisors, including coaches, managers, and sponsors to athletic, other extracurricular school activities, and field trips.

### ~~**[ ] [OPTIONAL]**~~

~~If the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid operator's, chauffeur's, commercial driver's, or public passenger chauffeur's license. If the special purpose bus has a capacity of more than fifteen (15) passengers or is used to provide transportation: 1) between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a development or physical disability, and, if applicable, the individual's sibling, 2) between an individual's resident and the preschool facility site for preschool children who attend preschool offered by the Cooperative, or 3) between an individual's residence and the program for persons with a developmental disability for persons with a development disability, the operator must meet the requirements of a regular school bus driver.~~

~~between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a development or physical disability, and, if applicable, the individual's sibling, between an individual's resident and the preschool facility site for preschool children who attend preschool offered by the Cooperative, or between an individual's residence and the program for persons with a developmental disability for persons with a development disability, the operator must meet the requirements of a regular school bus driver. A special purpose bus is not required to be constructed, equipped, or painted as specified for a regular school bus.~~

~~**[END OF OPTION]**~~



**[ ] [OPTIONAL]**

~~A special purpose bus may be used to transport homeless or foster students. If more than seven (7) students are being transported to schools in the same Cooperative, a school bus or a special purpose bus must be used. If seven (7) or fewer students are being transported to schools in the same Cooperative, a special purpose bus or an "appropriate vehicle" may be used to transport the students. The driver must meet the qualifications for the driver of a school bus or special purpose bus set forth in State statute, as applicable, if a school bus or special purpose bus is used as set forth in I.C. 20-27-9-5(c). An "appropriate vehicle" is defined as a vehicle that: 1) owned by the Cooperative or contracted for by the Cooperative and 2) has a seating capacity of not more than eight (8) passengers including the driver. The term "appropriate vehicle" includes a car, truck, sport utility vehicle, or minivan.~~

- ~~A. is owned by the Cooperative or contracted for by the Cooperative and~~
- ~~B. has a seating capacity of not more than eight (8) passengers including the driver.~~

~~The term "appropriate vehicle" includes a car, truck, sport utility vehicle, or minivan.~~

**[END OF OPTION]****[START OF OPTION]**

[ x ] A special purpose bus may be used to transport students for career and technical education programs. If more than seven (7) students are being transported to or from a career and technical education program, a school bus or a special purpose bus must be used. If seven (7) or fewer students are being transported to or from a career and technical education course an appropriate vehicle may be used to transport the students. The driver of the vehicle used to transport students to or from technical education programs must meet the qualifications for a driver of a school bus or special purpose bus set forth in State statute, as applicable, if a school bus or special purpose bus is used. A special purpose bus may be used to transport students from school to school or to/from school and a career and technical education program but may not be used to transport students between their residence and a career and technical education program.

An "appropriate vehicle" is defined as a vehicle that:

- A. is owned by the Cooperative or contracted for by the Cooperative; and
- B. has a seating capacity of not more than eight (8) passengers including the driver.

The term "appropriate vehicle" includes a car, truck, sport utility vehicle, or minivan.

**[END OF OPTION]**

If the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid operator's, chauffeur's, commercial driver's, or public passenger chauffeur's license. If the special purpose bus has a capacity of more than fifteen (15) passengers or is used to provide transportation: 1) between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a development or physical disability, and, if applicable, the individual's sibling, 2) between an individual's resident and the preschool facility site for preschool children who attend preschool offered by the Cooperative, or 3) between an individual's residence and the program for persons with a developmental disability for persons with a development disability, the operator must meet the requirements of a regular school bus driver.

- A. between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a development or physical disability, and, if applicable, the individual's sibling,
- B. between an individual's resident and the preschool facility site for preschool children who attend preschool offered by the Cooperative, or
- C. between an individual's residence and the program for persons with a developmental disability for persons with a development disability, the operator must meet the requirements of a regular school bus driver.

the operator must meet the requirements of a regular school bus driver.

**[ x ]** The Board of Managers may enter into an agreement with an agency or organization serving persons with a developmental disability in which a school bus or special purpose bus used by the Cooperative may be used to transport persons with a developmental disability who are at least two (2) years of age to and from programs for persons with a developmental disability.

[ ☒ ] The Board may allow, by written authorization, the use of school bus or a special purpose bus for the transportation of adults at least sixty-five (65) years of age or adults with developmental or physical disabilities.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

If the vehicle is equipped with safety belts that meet the standards stated in Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) and are standard equipment installed by the manufacturer, then each occupant shall have a safety belt properly fastened around his/her body at all times when the vehicle is in forward motion, as required by ~~I.C. 9-19-10-2~~ State statute.

If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or State route, the Director shall present the school bus route to the Board for approval.

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#### Legal

I.C. 9-13-2-161 ("school bus" defined)  
I.C. 9-19-10-2 (use of safety belt by motor vehicle occupants)  
I.C. 9-21-12 (school bus operation)  
I.C. 20-26-5-4(a)(5) (purchase of buses) and (8) (employ drivers)  
I.C. 20-27-3 (State School Bus Committee)  
I.C. 20-27-9 (use of school buses)  
I.C. 20-27-12  
I.C. 36-1-7-2





Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES
Code	po8800
Status	
Adopted	January 14, 2010
Last Revised	March 8, 2018

#### 8800 - **RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES**

Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.

Cooperative staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or an act of worship or celebration. The Cooperative shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on Cooperative property by any party shall be in accordance with Policy 7510A - Use of Facilities and Policy 9700 - Relations with Special Interest Groups.

The Board of Managers acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's religious beliefs. Such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate. However an individual who is required by his/her religious beliefs to engage in religious exercise (e.g. a formal prayer during the school day) will be accommodated unless such accommodation would disrupt an educational function.

In order that the right of each student to the free exercise of religion is guaranteed within the school and the freedom of each student to either engage in or refrain from religious observation on school grounds is subject to the least possible coercion from the State, the Board shall establish the daily observance of a moment of silence in each classroom or on school grounds.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

The United States flag shall be displayed in each classroom of every school in the Cooperative.

~~**[ ] The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.**~~

**[ x ]** The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

The flags of the United States and of Indiana shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flags shall be raised before the opening of school and taken down at its close every



day.

The Board shall provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance in each classroom or on school grounds. A student is exempt from participation and may not be required to participate if the student chooses not to or the student's parent chooses not to have the student participate. The Director shall develop administrative guidelines which ensure that any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student.

~~Each classroom teacher and building administrator may post the national motto "In God We Trust" in their classroom or building in an historic and/or patriotic context, but not in a religious setting. Whenever possible, the motto should be placed near the American flag.~~

#### Legal

I.C. 1-1-11-2

I.C. 1-2-2-1

I.C. 1-2-3-6

I.C. 20-30-3-5

I.C. 20-30-5-4.5

I.C. 20-30-5-0.5

I.C. 20-33-12

20 U.S.C. 4071 et seq.



Book	Policy Manual
Section	Vol. 33 No. 1 for Board Approval
Title	Revised Policy - Vol. 33, No. 1 - November 2020 - RELATIONS WITH SPECIAL INTEREST GROUPS
Code	po9700
Status	
Adopted	January 14, 2010
Last Revised	March 9, 2017

#### 9700 - 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, fundraising, 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 of Managers that students, staff members, and Cooperative 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 ~~( ) Board~~ ( ☒ ) Executive Director ~~( ) building principal~~ **[END OF OPTION]** on the basis of their ( ☒ ) educational contribution to part or all of the school program, ( ☒ ) benefit to students, ☒ ) good taste **[END OF OPTION]** and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

#### **[CHOOSE BETWEEN OPTION #1 AND OPTION #2 BELOW]**

#### **[SELECTION OF FIRST OPTION PRECLUDES SELECTION OF SECOND OPTION.]**

~~**[Option #1]** [ ] The Board shall not permit the use of any type of educational material, program, or equipment in its curricular or extra-curricular activities or at any time during the school day if such materials, programs, or equipment contain partisan political or commercial messages or are designed to persuade students or staff members to acquire a particular product or service offered by a named individual, company, organization, association, or agency. Professional staff may, however, utilize political materials or those provided by special interest groups in adopted courses of study with the approval of the principal. **[OR]**~~

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

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

[ ☒ ] Outside speakers representing commercial organizations will be welcome only when the commercial aspect is limited

to naming the organization represented and the subject matter advances the educational aims of the Cooperative.

**[END OF OPTIONS]**

**B. Patriotic Youth Membership Organizations**

The Board may permit a representative of a Patriotic Youth Membership Organization, as defined and organizations listed in Title 36 of the United States Code (e.g., Boy Scouts of America, Girl Scouts of the United States, Big Brothers and Big Sisters of America, and Boys and Girls Club of America) that has an educational purpose and promotes patriotism and civic involvement to provide an oral, written, or oral and written information regarding the organization to students of the Cooperative.

If the organization makes such a request to provide oral or written information to students, the Cooperative is required to provide at least one (1) time each school year, with a specific day and time specified, for the organization to provide the information on Cooperative property.

Prior to the representative from the Patriotic Youth Membership Organization being permitted on Cooperative property, the Cooperative shall conduct an expanded criminal history check on the representative seeking to present information to students on Cooperative property. The Cooperative may request written consent for the expanded criminal history check from the representative of the organization. The representative is responsible for all costs associated with obtaining the expanded criminal history check.

A Cooperative may, upon receipt of the expanded criminal history check, refuse to allow a representative to provide information if the representative that has been selected from the Patriotic Youth Membership Organization has been convicted of a felony listed in I.C. 20-28-5-8(c) or I.C. 20-28-5-8(d).

**C. Contests/Exhibits**

The Board recognizes that contests, exhibits, and the like may benefit individual students or the Cooperative 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. ( ☒ ) make unreasonable demands upon the time and energies of staff or students or upon the resources of the Cooperative;
3. ( ☒ ) involve any direct cost to the Cooperative;
4. ( ☒ ) interrupt the regular school program;
5. ( ☒ ) unless the student body as a whole derives benefit from such activities;
6. ( ☒ ) cause the participants to leave Cooperative property, unless:
  - a. ( ☒ ) Board Policy 2340 - Field and Other Cooperative- 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.

**D. 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 Cooperative property either during or after school hours ( ☒ ) without the permission and prior review of the ~~( ☒ ) Board~~ ( ☒ ) Executive Director. ~~( ☒ ) principal.~~ **[END OF OPTION]**

The Director shall establish administrative guidelines which ensure that:

1. ( ☒ ) criteria established in Policy 5722 – School-Sponsored 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. ( ☒ ) the school mail system is not used by students or staff for distribution of nonschool-related materials;
4. ( ☒ ) no materials from any profit-making organization are distributed for students to take home to their parents;  
( ) unless authorized by the Director;
5. ( ☒ ) the time, place, and manner of distribution of all nonschool-related materials is clearly established and communicated;

#### E. Solicitation of Funds

##### [CHOOSE BETWEEN OPTION #1 OR OPTION #2 BELOW]

~~( ) Option #1 Because the Cooperative cannot accommodate every organization that desires to solicit funds for worthy purposes, the Board shall not permit any organization not related to the Cooperative to solicit funds on Cooperative property. OR~~

##### ( ☒ ) Option #2

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 ~~( ) Board~~: ( ☒ ) Executive Director. [END OF OPTION]

##### [END OF OPTIONS]

Permission to solicit funds will be granted only to those organizations, individuals, or staff members who meet the permission criteria established in the Cooperative'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 student may participate in the solicitation without the Director's approval.

[ ☒ ] The Board disclaims all responsibility for the protection of, or accounting for, such funds.

[ ☒ ] Solicited funds are not to be deposited in any regular or special accounts of the Cooperative.

[ ☒ ] A copy of this policy, as well as the relevant administrative guidelines, shall be given to any individual granted permission to solicit funds on Cooperative property.

[ ☒ ] This policy does not apply to the raising of funds for Cooperative-sponsored or school-sponsored activities.

[ ☒ ] Use of the name, logo, or any assets of the Cooperative, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the ( ) Board. ( ) Director.

##### [CHOOSE BETWEEN OPTION #1 OR OPTION #2 BELOW]

~~( ) OPTION #1 The Board does not permit or sanction the use of crowdfunding for Cooperative or specific school programs or activities, including co-curricular or extra-curricular activities. OR~~

##### ( ☒ ) OPTION #2

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. ~~( ) Board upon recommendation of the Director.~~

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

##### [END OF OPTIONS]

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.

## F. **Prizes/Scholarships**

~~The Board of Managers is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this Cooperative. 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, and any restrictions upon it, shall be approved by the ( ) Board. ( ) Director. ( ) principal. [END OF OPTION]~~
3. ~~( ) The principal, together with a committee of staff members designated by the principal, shall be involved in the selection of the recipient. ( ) and, if agreeable to the sponsoring organization, the selection shall be left entirely to the principal and staff committee.~~

## G. **Sale of School Supplies**

~~In determining the appropriateness of the sale of school supplies by organizations other than the Cooperative, the Board requires that:~~

1. ~~( ) the organization have a purpose which will benefit the Cooperative and its students;~~
2. ~~( ) the organization's planned activities are clearly in the best interest of the Cooperative and its students;~~
3. ~~( ) the organization has submitted the following information and assurances on the form provided by the Cooperative: a statement noting the purpose of the organization, financial accountability assurances, and use of facility assurances.~~

~~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**

No 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 Director. If approved in accordance with the Director's criteria, a copy of the results and the proposed manner of their communication are to be provided to the 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

I.C. 20-26-20

I.C. 20-28-5-8(c)

I.C. 20-28-5-8(d)

I.C. 20-30-5-5

I.C. 20-30-5-6

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I.C. 4-32.2-4

I.C. 4-32.2-5

I.C. 4-32.2-5-21

I.C. 20-26-20

I.C. 20-28-5-8(c)

I.C. 20-28-5-8(d)

I.C. 20-30-5-5

I.C. 20-30-5-6