CENTRAL NINE CAREER CENTER

Draft - Policy Manual

Volume 38, No. 1 - December 2025

23 policies

November 5, 2026

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VOLUME 38, NO. 1 - DECEMBER 2025

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Overview

INDIANA OVERVIEW AND COMMENTS

Volume 38, Number 1
December 2025

This update includes four (4) legal alerts, one (1) new policy, proposed revisions to eleven (11) policies, one (1) policy with technical corrections, three (3) replacement policies, and one rescinded policy, one (1) new administrative guideline, and revisions to ten (10) administrative guidelines, one (1) replacement administrative guideline, three (3) rescinded administrative guidelines, and one (1) replacement form. The proposed changes to your manuals are the result of our ongoing work with our Indiana clients, as well as our ongoing review of statutory language at the State and Federal levels, court decisions, Office for Civil Rights investigations, et cetera. The revisions recommended in this update are deemed necessary to comply with changes in the law, both State and Federal.

Legislation approved during the last legislative session has been the subject of scrutiny by Neola and its Indiana outside counsel, Karen Glasser Sharp of Lewis Kappes. As is our practice, Neola will make revisions to policies and guidelines impacted by legislation passed in the most recent session of the General Assembly in the update that follows this Fall.

For ease of use, the policies, guidelines, legal alerts and reference document in this update are organized in numerical order in the sub-folder that has been posted in the Cooperative's BoardDocs platform.

However, policies from multiple sections are grouped together in this Overview when and if the explanation is the same for the proposed revisions to a group of policies/guidelines.

Questions?

Any content-related questions should be directed to your Cooperative's associate.

All production-related questions should be directed to the Coshocton Production Office at 632 Main Street, Coshocton, Ohio 43812 (email production@neola.com or phone 800-407-5815).

Billing questions should be directed to the Corporate Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (email czagar@neola.com, phone 330-926-0514, fax 330-926-0525).

The Update Material

The proposed new and revised policies included in this update have been thoughtfully prepared and have been reviewed by Lewis Kappes, Neola's outside legal counsel in Indiana, for compliance with Federal and State law, Federal and State Regulatory Agencies, and applicable Federal and State court decisions.

If you make substantive changes to a Neola template, or substitute in its entirety a policy or other material of your own drafting, that material should be reviewed by the legal counsel for your Cooperative to verify compliance with applicable laws, regulations and court decisions. *Neola does not review any Cooperative-Specific Material.*

If the Cooperative authors language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute Cooperative-specific edits. *Neola does not review Cooperative-specific edits to update materials or Cooperative-specific policies for statutory compliance*. (See "Caveat RE: Cooperative-Specific Edits" below.)

If a policy or guideline is marked revision, the proposed revisions will include material to be added and material to be deleted. As you review a revised policy or guideline, you may choose to accept one, many or all of the changes presented.

If a policy or guideline is marked as a replacement, that means there have been enough changes made that instead of showing each individual change, a complete, clean replacement copy has been provided. As you review a replacement policy or guideline, you should also compare the replacement materials to your current policy or guideline to determine if there is some Cooperative-specific wording in your current material that you want included in the replacement policy. If so, any wording from the current policy should be added *using BoardDocs "Track Changes" tool* before returning the replacement policy electronically to the Coshocton production office for processing.

Policies that are to be deleted from the Cooperative's Board-adopted Policy Manual require School Board action to rescind the policy.

Your Neola Associate will contact you in the near future to schedule an appointment to review this update and ensure you are current on this and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Submitting Material

The Cooperative can incorporate the proposed edits in the Update documents into the Cooperative's current policies using "Track Changes" or the editing tool in the BoardDocs platform. Mark the current materials indicating which of the proposed revisions and additions you choose to include and/or to make additional edits, before presenting them to the Board for adoption. After adoption, return the materials on the BoardDocs policy site to Neola for processing and publishing. Please be sure to leave the "track changes" in the marked-up version that you submit to the production office in Coshocton, Ohio.

Please remember to email **production@neola.com** when you've posted your material and the disposition sheet so we know to go to your folder and retrieve it, and what we can expect to find there when we access it.

Please note, even if a Cooperative chooses not to include a policy or administrative guideline in their management documents that describes a statutory requirement, the Cooperative is still obligated to follow applicable Federal and State laws relating to that policy or guideline.

Caveat RE: Cooperative-Specific Edits

Please note also that if the Cooperative chooses during any step of the Update process to incorporate Cooperative-specific material into a new policy that has been proposed or insert Cooperative-specific material into a current policy for which revisions have been proposed in an update issued by Neola, then the Cooperative agrees to hold Neola harmless for those Cooperative-specific edits and acknowledges that Neola's Warranty for legal challenges to the Cooperative-specific language in that policy will be voided. In addition, *Neola retains ownership of the text from the original policy template that remains in a policy to which Cooperative-specific edits have been made.Cooperative-specific materials include the following:*

A. materials from the existing materials for the Cooperative that the Cooperative requests be incorporated into Neola templates during the drafting process;
B. new policies or guidelines developed in their entirety by the Cooperative, exclusive of Neola; and
C. revisions to or deletions from a Neola template that substantively depart from that template.

Further, Neola does not advocate the use or incorporation of Cooperative-specific materials. Neola will, at the request of the Cooperative, incorporate Cooperative-specific materials into the licensed materials, with the implicit understanding that the Cooperative accepts all risks associated with the decision to request that such Cooperative-specific

materials be incorporated. *Neola reserves the right to, but is not obligated to, advise the Cooperative to seek its own legal review of Cooperative-specific materials by the school board attorney who represents the Cooperative.* And Neola retains the copyright to any intellectual property from its template.

Caveat RE: Neola's Warranty

Neola proudly warrants that the content of the policy templates is legally correct.

However, when Federal and State law is amended or new provisions are added to State or Federal law and revision or replacement of an existing policy template is necessitated, the copyright date noted at the end of the policy is updated as well.

Please note, Neola's warranty applies only to the policy template with the most current copyright date. All previous iterations of the policy template are no longer warranted.

Therefore, material included in each update should be adopted if the Cooperative wants assurance that their adopted policies are warranted by Neola.

Notifying Neola of a Challenge to the Legal Accuracy of a Policy

The Neola staff in Indiana is vigilant in providing policy language to our clients that has been vetted for legal accuracy by our outside counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that our outside counsel would have the opportunity to assist in the resolution of such a claim. That can occur only if we are notified immediately upon receipt of such a challenge. Please notify Neola's corporate office (330-926-0514) if an issue arises in which such a review or assistance is necessary. To be eligible for assistance under our warranty we must be notified with ten (10) business days of the receipt of such a challenge.

Legal Alerts

Four (4) Legal Alerts:

01 - Child Care Programs
02 - Preschool Programs
03 - 2025 COPPA Rule - Implications for K-12 Public Schools
04 - DOJ Issues New Rule Concerning Web Content and Mobile App Accessibility

BYLAWS AND POLICIES

After reviewing the proposed revisions to eleven (11) current Neola policy templates, and one (1) policy template with technical corrections, three (3) replacement policy templates,

and one (1) policy template to be rescinded, the Director should recommend the adoption of the new and revised material and rescission of the one (1) policy template, and the Board should approve the Director's recommendation so that the Cooperative's policies are legally consistent and correct.

If one or more of the current templates to which revisions are proposed as a result of recent changes in the Indiana Code or Federal law and included in this update are not among the policies previously adopted by the Board for the Cooperative, Neola recommends that the Cooperative reconsider the material and adopt those templates as new policies for the Cooperative.

Bylaw 0142 – Composition (Revised)

Bylaw 0142 has been revised simply to chage "Board" to "Board of Managers."

Bylaw 0167.2 – Executive Session (Revised)

Bylaw 0167.2 has been revised to incorporate amendments made to I.C. 5-14-1.5-6.1 by HEA 1143 - Executive Sessions (2025).

Policy 3220 – Staff Evaluation (Revised)

HEA 1002 - Various Education Matters (2025) revised I.C. 20-28-11.5-4 to remove and repeal the four category requirements from teacher evaluations: highly effective, effective, needs improvement, and ineffective, along with some other changes. The evaluation plan also must be posted on the cooperative's website. This became effective July 1, 2025. Other components of the evaluation plan have been made optional, as they no longer are required components under I.C. 20-28-11.5-4. HEA 1002 also removed the requirement to explain the plan to the Board before evaluations are conducted, so this has become optional as well. All references to required discussion have been revised to indicate that discussion is not required. Policy 3220 has been revised accordingly.

Policy 3220.01 – Teacher Appreciation Grants (New)

Policy 3220.01 is a new policy that has been included in this update because Cooperatives now can provide TAG payments to teachers. The Cooperatives do not receive the grant funds directly. They go to the school corporation members, but the school corporations can then provide the money to the Cooperatives to pay the TAG funds to Cooperative teachers. Policy 3220.01 includes changes to the TAG payments resulting from the rescission of I.C. 20-43-10-3.5 and adoption of I.C. 20-43-16 by HEA 1001 - State Budget (2025).

Policy 3231 - Outside Activities of Staff (Revised)

Policy 3231 has been revised to clarify that staff members may not tutor a student outside of school if the student currently is enrolled in their class and the subject of the tutoring is the same as the subject being taught in that class.

Policy 4162 - Drug and Alcohol Testing of CDL Holders and Other Employees Who Perform Safety-Sensitive Functions (Revised)

Policy 4162 is updated to comply with changes to the Federal Motor Carrier Safety Administration Substance Abuse Policy. Neola recommends that Cooperatives adopt Policy 4162 as well as Administrative Guideline 4162A and Administrative Guideline 4162B to be fully compliant with the Federal policy.

Policy 5350 – Student Suicide Awareness and Prevention (Replacement)

Policy 5350 is a replacement policy that attempts to streamline recommended options and tools available that cooperatives may use to fight depression and self-destruction in students. The policy is written to aid the Cooperative in meeting the training requirements mandated for teachers, counselors, and other licensed personnel by I.C. 20-19-3-39. The policy cites the statutory requirement for schools to develop a plan or protocols for staff to follow to prevent suicide and postvention strategies if a suicide occurs. Cooperatives should align the suicide prevention plans and postvention strategies to the Cooperative's or individual school's safety plan.

Policy 6320 – Purchasing (Revised)

Policy 6320 has been amended to incorporate the changes made to I.C. 36-1-12 by HEA 1198 - Local Public Works Projects (2025).

Policy 7440.01 – Electronic Monitoring and Recording (Revised)

Polilcy 7440.01 was amended to omit references to mandatory discussion and to revise policy language for consistency within the policy and with other Cooperative policies. Clarification also is provided regarding the options about whether recording may be used for staff evaluation.

Policy 7455 – Accounting System for Capital Assets (Revised)

Policy 7455 has been revised to explain the costs included in a capital asset and to cross reference Policy 7310 - Disposition of Surplus Property and Policy 7450 - Property Inventory when setting the threshold for capitalizing assets to ensure consistency in Board policy and comply with the EDGAR/UGG regulations. This policy also has been revised to identify the correct department of the State Board of Accounts utilized in helping determine the price or appropriate fair market value of an item at the time of acquisition.

Policy 7540.02 - Digital Content and Accessibility (Revised)

Revisions to Policy 7540.02 reflect the U.S. Department of Justice ("DOJ") final rule provisions under Title II of the Americans with Disabilities Act ("ADA") requiring state and local government entities – including public schools – to make web content and mobile applications accessible to individuals with disabilities.

Policy 8121 – Personal Background Check – Contracted Services (Replacement Policy)

Policy 8121 has been significantly revised to be consistent with PO 1521 - Personal Background Checks, References, and Mandatory Reporting, PO 3121 - Personal Background Checks, References, and Mandatory Reporting, PO 4121 - Personal Background Checks, References, and Mandatory Reporting, and PO 8120 - Volunteers.

Policy 8405 – Environmental Health and Safety Issues – Indoor Air Quality, Animals in the Classroom, and Idling Vehicles on School Property (Technical Correction)

Revisions to Policy 8405 are technical corrections to legal citations.

Policy 8452 – Automated External Defibrillators (AED) (Revised)

Policy 8452 has been revised to incorporate the revisions to I.C. 20-34-8-3.5 made by SEA 350 - Automated external defibrillator requirements (2025) and the requirements of a new Indiana statute, I.C. 20-34-8-4.5, which was added by SEA 350 - Automated external defibrillator requirements (2025). In particular, the latter addresses the specific requirements for a venue specific emergency action plan for sudden cardiac arrest.

Policy 8462 - Child Abuse and Neglect (Revised)

Policy 8462 has been revised to expand the members of the Cooperative community who are responsible to report immediately instances, whether ascertained or suspected, of child abuse or neglect resulting in physical or mental injury to a student by other than an accident. Further, this policy removes the option of reporting to appropriate law enforcement if a crime is suspected as such a report is mandatory, and the failure to report a crime could result in license revocation.

Policy 8500 – Food Service Program (Replacement Policy)

Significant revisions have been made to Policy 8500 - Food Service Program to be consistent with applicable Federal laws and regulations and to incorporate the content of Policy 8540 - Vending Machines and a number of the administrative guidelines, including AG 8500 - Food Services, AG 8500B - Meal Charge Accounts Procedures, and AG 8540 - Vending Machines, thus allowing rescission of Policy 8540 - Vending Machines and those administrative guidelines. Consequently, a replacement policy is being issued due to the number of revisions made.

Policy 8540 - Vending Machines (Rescind)

Significant revisions have been made to Policy 8500 - Food Service Program to be consistent with applicable Federal laws and regulations and to incorporate the content of Policy 8540 - Vending Machines and a number of the administrative guidelines, including AG 8500 - Food Services, AG 8500B - Meal Charge Accounts Procedures, and AG 8540 - Vending Machines, thus allowing rescission of Policy 8540 - Vending Machines and those administrative guidelines.

ADMINISTRATIVE GUIDELINES

AG 4123A - Section 504/ADA - Prohibition Against Disability Discrimination in Employment (Revised)

Revisions to Administrative Guideline 4123A have been made to correctly identify Board of Managers and Cooperative responsibilities.

AG 4162A - Alcohol Testing Program for CDL Holders and Employees Who Perform Safety-Sensitive Functions (Revised)

Administrative Guideline 4162A has been updated to comply with changes to the Federal Motor Carrier Safety Administration Substance Abuse Policy. Neola recommends that the Director approve these Administrative Guidelines to be fully compliant with the Federal policy.

AG 4162B - Handling of Test Results, Record Retention, and Confidentiality (Revised)

Administrative Guideline 4162B has been updated to comply with changes to the Federal Motor Carrier Safety Administration Substance Abuse Policy. Neola recommends that the Director approve this Administrative Guideline to be fully compliant with the Federal policy.

AG 5200 – Student Attendance (Revised)

Administrative Guideline 5200 - Student Attendance was revised to incorporate the changes made by HEA 482 - Absenteeism and Student Discipline (2025), including the definition of "chronically absent" in I.C. 20-18-2-2.4, the definition of "habitual truant" in I.C. 20-33-2-11(b), the requirement in I.C. 20-33-2-14(b) to categorize excused absences based on the reason for the absence in accordance with the categorization framework established by the Indiana Department of Education pursuant to I.C. 20-19-3-12.4, the timeframe for holding an attendance conference under I.C. 20-33-2-5.5(a), and the prohibition against suspending or expelling a student solely because the student is chronically absent or a habitual

truant in I.C. 20-33-8-16.5. Additional revisions were made for consistency. Please note that there is a conflict in the Indiana Code regarding the definition of "habitual truant." I.C. 20-18-2-6.5 defines "habitual truant" as "a student who has been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school." I.C. 20-33-2-11(b) requires a school include in its written discipline rules "(1) a definition of a child who is designated as a habitual truant, which must, at a minimum, define the term as a student who is chronically absent, by having unexcused absences from school for more than ten (10) days of school in one (1) school year[.]" Under the former, a habitual truant is a student who is absent 10 school days or more. Under the latter, a habitual truant is a student who is absent more than 10 school days. You may wish to confer with your Cooperative's legal counsel when deciding which to use.

AG 5350 – Suicide Intervention Process (Replacement)

Administrative Guideline 5350 was updated in an effort to provide building administrators with a toolkit and roadmap in case of a student suicide or attempted suicide. The administrative guideline stresses that building administrators should assess the risk of a potential suicide and also follow a five-step process in dealing with the a potential of a suicide. Administrative Guideline 5350 also includes a re-entry procedure and a postvention process. The guideline provides tools for the administrator to access in the difficult process of addressing student suicide and attempted suicide. Because of the number of changes that have been made to this administrative guideline, a replacement has been issued.

AG 5540.02 – Relationship with Governmental Agencies (New)

This new administrative guideline (5540.02) is directed specifically at interactions with governmental agencies other than law enforcement agencies and DCS. It is recommended that the Director adopt this new administrative guideline.

AG 5605A - Disciplining Special Education Students (Revised)

Administrative Guideline 5605A - Disciplining Special Education Students is being revised in conjunction with the revisions made to Policy 5605 - Suspension and Expulsion of Students with Disabilities. This administrative guideline has been revised to comply with the regulations under the Individuals with Disabilities Education Act ("IDEA") at 34 CFR Part 300 and Title 511, Article 7 of the Indiana Administrative Code ("Article 7"), 511 IAC 7-32-1 et seq. and is intended to clarify the procedures for holding manifestation determination case conferences and determining the services a student will receive during disciplinary removals.

AG 5610 - Suspension and Expulsion of Students (Revised)

Administrative Guideline 5610 - Suspension and Expulsion of Students has been revised in conjunction with the revision of Policy 5610 - Suspension and Expulsion of Students. This administrative guideline has been revised to add options for reporting expulsions and second suspensions to the Bureau of Motor Vehicles, consistent with the option selected in Policy 5610 - Suspension and Expulsion of Students, update language usage from habitually absent to habitual truant, add provisions for mandatory reports to law enforcement required by I.C. 20-33-9, and to correct punctuation, grammar and typographical errors.

AG 5610.02 - In-School Discipline (Revised)

Administrative Guidelilne 5610.02 - In-School Discipline has been revised in conjunction with the revisions made to Policy 5610 - Suspension and Expulsion of Students for consistency, to update cross references, and to remain compliant with the IDEA and Article 7.

AG 7540.02 – Functionality and Accessibility of Digital Content and Mobile Apps (Revised)

Revisions to Administrative Guideline 7540.02 reflect the U.S. Department of Justice ("DOJ") final rule provisions under Title II of the Americans with Disabilities Act ("ADA") requiring state and local government entities - including public schools - to make web content and mobile applications accessible to individuals with disabilities.

AG 8452 – Use and Maintenance of Automated External Defibrillators (Revised)

Administrative Guideline 8452 has been revised to incorporate the revisions to I.C. 20-34-8-3.5 made by SEA 350 - Automated external defibrillator requirements (2025) and the requirements of a new Indiana statute, I.C. 20-34-8-4.5, which was added by SEA 350 - Automated external defibrillator requirements (2025). In particular, the latter addresses the specific requirements for a venue specific emergency action plan for sudden cardiac arrest.

AG 8462 – Child Abuse or Neglect (Revised)

Administrative Guideline 8462 has been revised to clarify the obligation of staff members, coaches, volunteer coaches, and volunteers to report suspected child abuse or neglect and the procedure to follow to document the same. Changes also were made to correct citations, capitalization and some typographical errors.

AG 8500 - Food Services (Rescind)
AG 8500B - Meal Charge Accounts Procedures (Rescind)
AG 8540 - Vending Machines (Rescind)

Significant revisions have been made to Policy 8500 - Food Service Program to be consistent with applicable Federal laws and regulations and to incorporate the content of

Policy 8540 - Vending Machines and a number of the administrative guidelines, including AG 8500 - Food Services, AG 8500B - Meal Charge Accounts Procedures, and AG 8540 - Vending Machines, thus allowing rescission of Policy 8540 - Vending Machines and those administrative guidelines.

FORMS

Form 4162 F4 - Driver Receipt of FMCSA Substance Abuse Policy (Replacement)

This replacement form is provided for required signature by all employees covered by Policy 4162, and the Cooperative must maintain appropriate records documenting employee sign off.

VOLUME 38, NO. 1 - DECEMBER 2025

01 - Legal Alert

Legal Alert - Child Care Programs

Volume 38, No. 1 - September 2025

Legal Alert

To: Neola Clients

From: Neola Counsel

Re: Legal Alert: House Enrolled Act 1253 - Child Care Programs

Date: September, 2025

On May 1, 2025, Indiana Governor Mike Braun signed into law 1 House Enrolled Act 1253. HEA 1253 amended Ind. Code § 12-17.2-2-8 to expand the exemption from licensure for child care programs operated by public school corporations to include all children in the school corporation in which the public school is located and not just children of students or employees of schools in the school corporation in which the public school is located. The law took effect on July 1, 2025.

Although Neola currently does not have a policy pertaining to such programs, school corporations should be aware that they can now operate a child care program for all students in the school corporation without having to obtain a license from the State as a child care provider.

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Questions should be addressed to the school district's legal counsel for specific legal advice.

VOLUME 38, NO. 1 - DECEMBER 2025

02 - Legal Alert

Legal Alert - Preschool Programs

Volume 38, No. 1 - September 2025

Legal Alert

To: Neola Clients

From: Neola Counsel

Re: Legal Alert: House Enrolled Act 1102 - Preschool Programs

Date: September, 2025

On April 3, 2025, Indiana Governor Mike Braun signed into law 1 House Enrolled Act 1102. HEA 1102 amended Ind. Code § 20-20-28-5 to eliminate the prohibition on school corporations contracting with religiously-affiliated organizations to provide early childhood education
programs, preschool programs, or latch key programs. The law took effect on July 1, 2025.

Although Neola currently does not have a policy pertaining to such programs, school corporations should be aware that they can now contract with religiously-affiliated organizations to provide those programs.

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VOLUME 38, NO. 1 - DECEMBER 2025

03 - Legal Alert

2025 COPPA Rule - Implications for K-12 Public Schools

Legal Alert

To:	Neola Clients
From:	Peters Kalail & Markakis Co., L.P.A.
Re:	2025 COPPA Rule – Implications for K-12 Public Schools
Date:	August 2025

The Children's Online Privacy Protection Act ("COPPA") was enacted in 1998 to provide parents with control over the personal information collected from children under the age of thirteen (13) by websites and online services. COPPA's implementing regulations are overseen by the Federal Trade Commission ("FTC"), which is required by law to review the COPPA Rule every five (5) years. The original COPPA Rule, implemented in 2000, was last substantively amended in 2013 to reflect emerging technologies, including the increased use of mobile apps and social networking platforms by children. While the previous rules focused primarily on basic parental consent and data collection practices, the new rules are the most sweeping to date and respond to dramatic shifts in how children interact with online platforms, including the rise of artificial intelligence and biometric data use. The 2025 amendments significantly expand protections by requiring separate parental consent for third party data sharing, implementing more prescriptive security requirements, establishing data retention limits, and broadening the definition of personal information.

The 2025 Final Rule was published on April 22, 2025, and became effective on June 23, 2025, with full compliance required by April 22, 2026 (except for specific provisions pertaining to COPPA's safe harbor programs).

While COPPA primarily regulates commercial operators of websites and online services directed to children under thirteen (13), school corporations are allowed to give consent to ed tech companies in lieu of parental consent as long as that data is solely used for educational purposes and not commercially. Nothing in the Final Rule alters the FTC's established guidance that permits schools to adopt educational technology without obtaining individual parental consent for each student. Nevertheless, schools must ensure that vendor platforms comply with the revised COPPA Rule and must train staff accordingly (i.e., concerning student data privacy).

KEY PROVISIONS AFFECTING K-12 SCHOOLS

- **Parental Consent and Educational Use**: Operators must now obtain verifiable parental consent before children's data (i.e., personally identifiable information ("PII")) is collected, used, or disclosed to third parties. This change is critical to ed tech vendors using third party analytics, advertising, or AI tools. Consent must be specific to each third party and disclosure purpose.

- **Definition of Personal Information**: The Final Rule contains an expanded definition of PII, which now includes biometric identifiers (e.g., fingerprints, faceprints, retina or iris scans, voiceprints), online contact information, persistent identifiers, and government-issued identifiers (e.g., Social Security Numbers, State identification numbers, birth certificates, or passport numbers). This expansion means schools and their vendors must reassess the data they collect, even passively.

- **Enhanced Transparency**: Operators are now required to provide clear, direct, written notice to parents (or schools acting as proxies) about how they plan to collect, use, and disclose children's data upon receiving consent. Specifically, the operator must identify what personal information is collected, how they intend to use it, the identities or specific categories of third parties receiving the data, the purposes for each data disclosure, and the operator's data retention and deletion practices.

- **Data Retention and Deletion**: Operators must establish and publish a written data retention policy, which places limits on how long children's data can be retained (it cannot be indefinite). Further, the Rule states that the data can be retained only as long as is reasonably necessary to fulfill the specific purpose for which it was collected.

- **Separate Parental Consent for Third Party Disclosures**: Schools must ensure their contracts require vendors to obtain separate parental consent if any student data is disclosed beyond the school-authorized purpose.

- **Cybersecurity Requirements**: Operators must implement a written information security program that is tailored to the sensitivity of student data, including

conducting annual risk assessments, and scaled to the operator's size, complexity, and nature and scope of activities. It will be important for schools to require vendors to certify compliance.

- **Clarification on Mixed Audience Sites**: Websites that attract both children and general users must implement "neutral" age gates and cannot collect any personal data until age is verified. Many K–8 tools fall into this category and must be configured accordingly.

WHAT SHOULD CORPORATIONS BE DOING BETWEEN NOW AND APRIL 22, 2026?

- **Conduct a Tech Audit/Carefully Analyze Vendor Agreements**: When entering or renewing vendor contracts, schools should:
    - **Require Explicit Educational Purpose Clauses**: Ensure all contracts clearly state that student data will be used solely for educational purposes, not commercial activities or targeted advertising.
    - **Demand Data Retention Policies**: The Final Rule requires operators to obtain separate parental consent before disclosing children's personal information to any third party. The Corporation's contracts need to specify data retention periods and deletion procedures.
    - **Verify Security Measures**: Request documentation of vendors' written security programs, including annual risk assessments and specific safeguards for children's data.
    - **Include Audit Rights**: Build in contractual rights to audit vendor compliance with COPPA requirements and data handling practices.
    - **Address Biometric Data**: For any systems collecting biometric information (facial recognition for security, fingerprint scanners), ensure specific protections and limitations are contractually defined.
    - **Indemnification Clauses**: Schools should seek to include indemnification clauses related to a vendor's non-compliance.
- **Train Staff on Updated COPPA Requirements**: Ensure staff (e.g., teachers, media specialists, and technology coordinators) understand the revised consent requirements, limitations on new platform usage, and how to identify PII under the 2025 Final Rule.
- **Update Parental Notification Practices**: Create/update template notices that explain what data is collected, which platforms are used, and how parents can opt out or view their child's data.

The FTC noted when it announced the 2025 COPPA Rule that it was coming at a critical time, as companies are increasingly trying to profit off children's data, and large ed tech companies are experiencing significant cybersecurity incidents that have led to mass breaches of sensitive student data. With these events as background, the Final new Rule seeks to strengthen parental control and impose stricter data privacy and security requirements that will directly affect K-12 operations. Proactive compliance—through staff training, contract review, and vendor oversight—is essential to safeguard student privacy and minimize institutional risk. Neola urges its client to act promptly to ensure vendor compliance by the April 22, 2026 full compliance deadline, while immediately reviewing new contracts under the enhanced standards taking effect June 23, 2025.

For further details, consult:

The Final Rule at https://www.federalregister.gov/documents/2025/04/22/2025-05904/childrens-online-privacy-protection-rule and the FTC's COPPA FAQs at https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions.

Information contained in this Legal Alert is provided for the general education and knowledge of its readers. It is not designed to be, and should not be used as, the sole source of information when analyzing and addressing a legal problem/issue, and it should not be substituted for legal advice, which relies on a specific factual analysis. Moreover, the laws of each jurisdiction are different and are constantly evolving. The information in this Legal Alert is not intended to create, and receipt of it does not constitute, an attorney-client relationship. If you have specific questions regarding a particular fact situation, you should obtain the services of competent legal counsel.

VOLUME 38, NO. 1 - DECEMBER 2025

04- Legal Alert

DOJ Issues New Rule Concerning Web Content and Mobile App Accessibility

Legal Alert

To:	Neola Clients
From:	Peters Kalail & Markakis Co., L.P.A.
Re:	DOJ Issues New Rule Concerning Web Content and Mobile App Accessibility
Date:	August 2025

On April 24, 2024, the U.S. Department of Justice ("DOJ") published a final rule under Title II of the Americans with Disabilities Act ("ADA") requiring State and local government entities — including public schools — to make web content and mobile applications accessible to individuals with disabilities. This rule marks the first time that the DOJ has adopted a specific technical standard for digital accessibility.

The ADA was originally enacted in 1990 to ensure that individuals with disabilities are not excluded from participation in public programs and services. While the ADA has long required effective communication and equal access, this rule clarifies the application of these principles to digital environments (i.e., websites and apps). In issuing the Final Rule, the DOJ emphasized the fact that State and local governments are increasingly providing services through websites and mobile applications. Consequently, when these digital platforms are inaccessible, they create barriers for people with disabilities to access government services; in the school context, this can include access to educational resources and course materials, registration and enrollment systems, parent portals and communication platforms, and online forms and applications. For this reason, the DOJ determined it was the appropriate time to adopt a technical standard = Web Content Accessibility Guidelines ("WCAG") 2.1, Level AA – to ensure digital content is accessible.

School corporations that have a population of 50,000+ people have to comply with the new technical standard by April 24, 2026; school corporations with populations of fewer than 50,000 have until April 26, 2027, to comply. Once a corporation is obligated to comply with the Final Rule, its web content (i.e., information and experiences available on the web, including text, images, sound, videos, and documents) and mobile applications (i.e., software applications downloaded and designed to run on mobile devices), along with web content/mobile apps provided or managed by third parties on behalf of the corporation will have to meet the WCAG 2.1, Level AA standard, which includes features such as alternative text for images, keyboard navigation, sufficient contrast for text, captioning and transcripts for audio/video content, and logical structure and screen reader compatibility.

While the regulations apply to nearly all web content and mobile apps, there are a few limited exceptions: archived web content; preexisting conventional electronic documents; third party posted content (i.e., content not posted by contracted vendors); individualized password-protected documents (i.e., documents about specific persons, properties, or accounts that can be accessed only through the use of a password); and preexisting social media posts. In order for archived web content not to have to comply with the new technical standard, it has to (a) have been created before compliance date, (b) be maintained solely for reference, research, or recordkeeping purposes and in a special archive section on the website, and (c) remain unchanged since it was archived.

Similarly, preexisting conventional electronic documents (e.g., word processing, presentation, PDF, or spreadsheet files) have to have been available before the compliance date and not be currently used for applying, accessing, or participating in corporation services in order to avoid having to comply with the WCAG 2.1, Level AA standard. Importantly, even when an exception applies, the corporation still must provide effective communication and reasonable modifications under existing ADA obligations.

To assist corporations with their compliance obligations under the Final Rule, Neola has updated Policy and Administrative Guideline 7540.02 to specify the WCAG 2.1, Level AA standard, along with the five (5) exceptions referenced above. Additionally, the vendor/contract procurement language in the documents has been strengthened.

In advance of their applicable compliance deadline, Neola recommends that corporations conduct Accessibility Audits – i.e., inventory all corporation websites, web applications, and mobile apps to assess their current WCAG 2.1, Level AA compliance status. If web content or a mobile app is found not to meet the new technical standard, the corporation should remediate the situation promptly. Be advised, this may prove more challenging than one initially may think; for example, some corporations have a fair amount of content on their websites that is posted in the Portable Document Format (i.e., PDFs), which unfortunately is not always compliant with the WCAG 2.1, Level AA standard.

Relatedly, as specified in Policy and AG 7540.02, corporations will need to prospectively conduct accessibility testing and annual compliance audits and provide a means for users to submit any concerns they may have related to web content or mobile apps not being accessible.

Next, in addition to auditing existing content and apps to assess their accessibility, corporations should review new and existing contracts (and related RFPs) with the vendors it uses to host/publish web content and/or operate mobile apps on their behalf to verify those agreements require the vendors to comply with the WCAG 2.1, Level AA standard. To that end, corporations will want to work with their local legal counsel to ensure future contracts contain language requiring vendors to ensure "all web content and mobile applications meet or exceed Web Content Accessibility Guidelines ("WCAG") 2.1, Level AA standards as required by Title II of the Americans with Disabilities Act, 28 C.F.R. § 35.104." Likewise, corporations will want those contracts to provide for vendor liability for ADA non-compliance, the right for the corporation to terminate a contract for a vendor's accessibility failures, and the opportunity for the corporation to recover any legal defense costs and damages associated with a lawsuit alleging a failure by the corporation to meet its ADA-accessibility obligations.

Finally, it will be important for corporations to ensure relevant staff are appropriately trained concerning the new technical standard so that they can assist their school in complying with WCAG 2.1, Level AA, so persons with disabilities will be able to access – on a nondiscriminatory basis – the corporation's programs and services as offered in their web content and mobile apps.

Information contained in this Legal Alert is provided for the general education and knowledge of its readers. It is not designed to be, and should not be used as, the sole source of information when analyzing and addressing a legal problem/issue, and it should not be substituted for legal advice, which relies on a specific factual analysis. Moreover, the laws of each jurisdiction are different and are constantly evolving. The information in this Legal Alert is not intended to create, and receipt of it does not constitute, an attorney-client relationship. If you have specific questions regarding a particular fact situation, you should obtain the services of competent legal counsel.

VOLUME 38, NO. 1 - DECEMBER 2025

05 Policy Disposition Sheet

Volume 38, No. 1 - December 2025

DISPOSITION OF NEW/REVISED/REPLACEMENT

POLICIES FOR BOARD APPROVAL

Date:

Coding for Corporation-Specific Edits
***1** = drafted by Corporation staff
***2** = if the material was a work for hire, that is, material the Corporation paid someone else to develop but from whom the Corporation purchased the rights to publish
***3** = if the material is copyrighted to someone else from whom the Corporation has secured permission to publish the material
(No code is needed for accepting Neola's vetted material)

Policy Number	Date Adopted	Corporation-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po0142				
po0167.2				
po3220				
po3231				
po4162				
po5350				
po6320				
po7440.01				
po7455				
po7540.02				
po8121				

Policy Number	Date Adopted	Corporation-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po8405				
po8452				
po8462				
po8500				

VOLUME 38, NO. 1 - DECEMBER 2025

po0142

Revised Bylaw - Volume 38, No. 1 - December 2025 - COMPOSITION

Revised Bylaw - Volume 38, No. 1 - December 2025

0142 - **COMPOSITION**

Unless the Cooperative agreement provides otherwise, members of the Board of Managers shall consist of the superintendents of the participating school corporations or their designees.

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VOLUME 38, NO. 1 - DECEMBER 2025

po0167.2

Revised Bylaw - Volume 38, No. 1 - December 2025 - EXECUTIVE SESSION

Revised Bylaw - Volume 38, No. 1 - December 2025

0167.2 - **EXECUTIVE SESSION**

The Board of Managers may meet in an executive session, one closed to the ~~public,~~ public (except the Board may admit those persons determined to be necessary to carry out the purpose of the executive ~~session)~~ session), after giving proper notice, for the following purposes:

A. where authorized by Federal or State statute

B. discussion of strategy with respect to 1) collective bargaining, which does not include a discussion or meeting under I.C. 20-29-6-7, 2) initiation of litigation or litigation which is pending or has been threatened in writing, 3) implementation of security systems, 4) a real property transaction, including a purchase, a lease as a lessor, a lease as a lessee, a transfer, an exchange, or a sale by the ~~governing body~~ Board, up to the time a contract or option is executed by the parties, 5) or school ~~consolidation, providing that the strategy is necessary for bargaining or competitive reasons, and the meeting does not include the competitive bargaining adversaries~~ consolidation; provided that all such strategy discussions are necessary for competitive or bargaining reasons, and the meeting does not include any competitive or bargaining adversaries.

C. for discussion of the assessment, design, and/or implementation of school safety and security measures, plans, and systems

D. to receive information about and interview prospective employees

E. with respect to any individual over whom the Board has ~~jurisdiction,~~ jurisdiction to: 1) receive information concerning the individual's alleged misconduct, and 2) to discuss, ~~prior to~~ before a determination, that individual's status as an employee, student, or independent contractor who is: (a) a physician, or (b) a school bus driver

F. discussion of records classified as confidential by Federal or State statute

G. discussion, before any placement decision, of an individual student's abilities, past performance, behavior, and needs

H. discussion of an employee's job performance evaluation , employee specific compensation, or employment matters of individual employees

I. when considering the appointment of a public official, to develop a list of prospective appointees, to consider applications and make one (1) initial exclusion of prospective appointees from further consideration . (The (the remaining list of prospective appointees shall not be less than three (3)) (See Policies and Appointment for Board Members)

J. training of Board members by an outside consultant on performance of their role as public officials and/or discussion with or between county officials, Board members, and an outside consultant concerning the performance of Board members.

K. to discuss information and intelligence intended to prevent, mitigate, or respond to a the threat of terrorism

L. to discuss either of the following:

1. employee health care options with respect to special exceptions for coverage

2. employee handbook changes

M. to review negotiations on the performance of publicly bid contracts when public knowledge regarding the review would cause a likelihood of increased costs

N. to discuss soliciting proposals for the purpose of awarding contracts for goods or services, when:

1. proprietary data, trade secrets, or other information is contained in bidder's proposal relating to the bidder's unique methods of :

a. conducting business, or

b. determining prices or premium rates to be charged for services under the terms of the proposal; and

2. public knowledge , regarding the discussion reasonably , would be expected to result in private loss to the providers of information described in N.1. above.

A final action shall be taken at a meeting open to the public.

The Board ~~of Managers~~ shall not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting shall not be recessed and reconvened with the intent of circumventing this provision.

Requirements for minutes of an executive session shall be a specific reference to an instance or instances from the above-listed purposes for an executive session. The ~~board~~ Board shall certify by a statement in the minutes that no other business was discussed in the executive session other than the subject matter specified in the public notice.

[x **]** In keeping with the confidential nature of executive sessions, no member of the Board shall disclose the content of discussions that take place during such sessions. ~~**[END OF OPTION]**~~

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Legal
I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings
I.C. 5-14-1.5-6.1
I.C. 20-26-4-3 Regular, statutory and special meetings, including notice of meetings to Board members
I.C. 20-29-6-7

VOLUME 38, NO. 1 - DECEMBER 2025

po3220

Revised Policy - Volume 38, No. 1 - December 2025 - STAFF EVALUATION

Revised Policy - Volume 38, No. 1 - December 2025

~~**[DRAFTING NOTE: Notwithstanding I.C. 20-28-11.5-4 and 511 I.A.C. 10-6-4, test scores from statewide assessments taken in the spring of 2019 and 2020 may be used for annual performance evaluation purposes only if such test scores would improve a particular certificated employee's annual performance rating. Additionally, a school's category or designation of school improvement pursuant to state law for the 2018-2019 or 2019-2020 school year may be used for annual performance evaluation purposes only if the school's category or designation would improve a particular certificated employee's annual performance rating. If statewide assessment test scores or a school's category or designation of school improvement are not used in a particular certificated employee's annual performance evaluation, the weight of all other measures used in the certificated employee's annual performance evaluation must be proportionately increased to replace measures based on statewide assessment test scores or the school's category or designation of school improvement.]**~~

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,~~ I.C. 20-28-11.5-0.5, employed by the Cooperative. This includes each certificated ~~employee~~ employee, as defined in I.C. 20-29-2-4 , ~~and,~~ and each ~~teacher~~ 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.~~ This plan may be reviewed and amended ~~( )~~ ~~annually.~~ **(x)** as needed. ~~**[END OF OPTION]**~~

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. **[x]** rigorous measures of effectiveness, including observations and other performance indicators;

C. ~~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~~

D. [x] an explanation of the evaluator's recommendations for ~~improvement,~~ improvement and the time in which improvement is expected;

E. ~~a provision that a teacher who negatively affects student achievement and growth cannot receive a rating of highly effective or effective;~~

F. [x] a pre-evaluation planning session conducted by the Director or equivalent authority for the Cooperative with the principals in the Cooperative;

G. [x] 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);

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

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~~ ~~- **[END OF OPTION]**~~ . ~~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 shall be posted on the Cooperative's website. The plan is not subject to collective bargaining, nor is discussion required. ~~; 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 collective bargaining, nor is discussion required ~~; 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
511 I.A.C. 10-6-4
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

VOLUME 38, NO. 1 - DECEMBER 2025

po3220.01

New Policy - Volume 38, No. 1 - December 2025 - TEACHER APPRECIATION GRANTS

New Policy - Volume 38, No. 1 - December 2025

3220.01 - **TEACHER APPRECIATION GRANTS**

~~**[DRAFTING NOTE: The statute places the revenue received from the Teacher Appreciation Grant outside of negotiations. Discussion of the policy for distribution of the funds with a certificated employee or group of certificated employees at one or more meetings open to all certificated employees is at the discretion of the Cooperative.]**~~

The Board of Managers adopts this policy for the benefit of the Cooperative's teachers. The Cooperative ~~**( )** shall~~ **(x)** may ~~**[END OF OPTIONS]**~~ distribute teacher appreciation grant funds as described in this policy.

Definitions:

For purposes of this policy, the following definitions apply:

The term "teacher" means a professional person whose position with the Cooperative requires a license (as defined in I.C. 20-28-1-7) and whose primary responsibility is the instruction of students.

The term "license" refers to a document issued by the IDOE that grants permission to serve as a particular kind of teacher. The term includes any certificate or permit issued by the Indiana Department of Education (IDOE).

Distribution of Annual Teacher Appreciation Grants:

The Cooperative shall identify not more than twenty percent (20%) of certified teachers as eligible grant recipients annually based on the criteria outlined below. The Cooperative shall report to each member school corporation how each recipient met the criteria outlined below.

Teacher appreciation grant funds received by the Cooperative from its member school corporations may be used only to pay stipends within the amounts described below to

licensed teachers who meet the following criteria:

A. have instructed students in the Cooperative for at least one (1) school year prior to the grant distribution year;

B. maintain employment at the Cooperative at the time of the grant distribution;

C. are determined to significantly impact student outcomes using National, State, or local assessment measures; and

D. are designated in one (1) of the following categories:

1. meets the criteria for a recognition stipend;

2. meets the criteria for an exemplary stipend; or

3. meets the criteria for an exemplary plus stipend.

The following criteria apply in evaluating a teacher for a stipend designation:

A. For a recognition stipend designation, whether the teacher demonstrates high performance in teaching based on student outcomes.

B. For an exemplary stipend designation whether the teacher:

1. demonstrates high performance in teaching based on student outcomes; and

2. meets one (1) of the following:

a. mentors or coaches another teacher to improve student outcomes, or provides instructional leadership to improve student outcomes across multiple classrooms; or

b. serves in a high need or geographic shortage area as determined by the IDOE based on educator supply and demand.

C. For an exemplary plus stipend designation, whether the teacher:

1. demonstrates high performance in teaching based on student outcomes;

2. mentors or coaches another teacher to improve student outcomes, or provides instructional leadership to improve student outcomes across multiple classrooms; and

3. serves in a high need or geographic shortage area as determined by the IDOE based on educator supply and demand.

~~**[DRAFTING NOTE: The following are optional]**~~

~~**[ ]** The Cooperative establishes the following additional criteria for a recognition stipend designation:~~

A. _____

B. _____

C. _____

~~**[ ]** The Cooperative establishes the following additional criteria for an exemplary stipend designation:~~

~~**[ ]** The Cooperative establishes the following additional criteria for an exemplary plus stipend designation:~~

A. _____

B. _____

C. _____

~~**[END OF OPTIONS]**~~

The Cooperative shall utilize the rubric developed by the IDOE pursuant to I.C. 20-43-16-7.

The Cooperative shall distribute the teacher appreciation grant funds as follows.

The amount of the stipend that the Cooperative may distribute to a teacher for a State fiscal year under this chapter must be within the following amounts:

A. For a teacher who receives a stipend for a recognition designation, $3,500.

B. For a teacher who receives a stipend for an exemplary designation, $5,000.

C. For a teacher who receives a stipend for an exemplary plus designation, $7,500.

A stipend to an individual teacher in a particular year is not subject to collective bargaining and is in addition to the minimum salary or increases in the salary set under I.C. 20-28-9-1.5. The Cooperative may discuss with a certificated employee or a group of certificated

employees at one or more meetings open to all certificated employees the policy for distribution of teacher appreciation grants.

The Cooperative shall distribute all stipends from a teacher appreciation grant to individual teachers within sixty (60) business days of the date the IDOE distributes the teacher appreciation grant funds to the member school corporation from which the Cooperative received the funds.

The Cooperative shall return any part of the grant not distributed as stipends to teachers **(** **x** **)** to the IDOE not later than June 30 ~~**( )** to its member school corporations not later than _____ **[must be prior to June 30 to allow each member school corporation to return the funds to IDOE by June 30] [END OF OPTION]**~~ of the applicable State fiscal year.

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Legal
I.C. 20-18-2-22
I.C. 20-28-1-7
I.C. 20-43-16

VOLUME 38, NO. 1 - DECEMBER 2025

po3231

Revised Policy - Volume 38, No. 1 - December 2025 - OUTSIDE ACTIVITIES OF STAFF

Revised Policy - Volume 38, No. 1 - December 2025

3231 - **OUTSIDE ACTIVITIES OF STAFF**

The Board of Managers directs the Director to promulgate the following guidelines so that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the Cooperative. If non-school activities threaten a staff member's effectiveness within the school system, the Board reserves the right to evaluate the impact of such activity upon a staff member's responsibility to the students and to the Board.

A. Staff members shall not give school time to an outside activity without valid reason to be excused from assigned duties.

B. Staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.

C. Staff members shall not campaign on school property on behalf of any political issue or candidate for local, State, or National office.

D. Staff members shall not accept fees for tutoring when such tutoring is conducted during the normal workday.

E. Staff members shall not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes in the same subject that they are teaching the student while the student is enrolled in their class.

Research and Publishing

A. Professional staff members are encouraged to contribute articles to professional publications and to engage in approved professional research.

B. Publications and productions shall be subject to the following copyright provisions:

1. Rights to copyrights or patents of books, materials, devices, etc. , developed by professional staff members on their own time shall be relinquished by the Board upon request of the staff member provided that:

    a. the books, materials, devices, etc. , were prepared without the use of Cooperative data, facilities, and/or equipment;

    b. the Cooperative is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;

    c. the staff member does not become involved in any way in the selling of the product to the Cooperative.

    The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the Director. ~~( )~~ ~~who shall submit such decisions to the Board.~~

    Professional staff members who desire to publish or produce materials on their own time shall make such action known to the Director prior to the time such work is started in order that proper procedures can be established to assure that Cooperative interests and the interests of the staff member are protected.

2. All books, materials, devices, or products ~~which~~ that result from the paid work time and/or prescribed duties of professional staff members shall remain the property of the Cooperative. The Cooperative shall retain all rights and privileges pertaining to the ownership thereof.

    In the event that any of these products have commercial possibilities, the Director is authorized to secure copyrights, patents, etc. , which shall ensure the ownership of the product by the Cooperative.

    The Director is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

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Legal
I.C. 35-44-2-4(f)

VOLUME 38, NO. 1 - DECEMBER 2025

po4162

Revised Policy - Volume 38, No. 1 - December 2025 - DRUG AND ALCOHOL TESTING OF CDL HOLDERS AND OTHER EMPLOYEES WHO PERFORM SAFETY-SENSITIVE FUNCTIONS

Revised Policy - Volume 38, No. 1 - December 2025

4162 - **DRUG AND ALCOHOL TESTING OF CDL HOLDERS AND OTHER EMPLOYEES WHO PERFORM SAFETY-SENSITIVE FUNCTIONS**

The Board of Managers believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with School Cooperative-owned and/or operated ("Cooperative-owned") vehicles (collectively, "Covered Employees") must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' health and well-being.

To that end, the Board has established this policy and others related to employees' health and well-being.

The Board expects all Drivers to comply with Board Policy 4122.01 - Drug-Free Workplace, which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.

Further, the Board concurs with the Federal requirement that all Drivers should be free of any influence of alcohol or controlled substances while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Drivers.

Covered Employees

The term 'Covered Employee' means all commercial driver license (CDL) holders and regular and substitute bus drivers, as well as other staff who operate, inspect, service, and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL.

Definitions

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

A. The term ~~"alcohol"~~ **alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.

B. The term ~~"illegal drug"~~ **illegal drug** means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.

C. ~~The term "controlled substance" includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.~~ The term **controlled substance** includes the possession or use of any drug which is unlawful pursuant to Federal, State and local laws and regulations, and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions. This term includes but is not limited to marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites, and phencyclidine (PCP).

D. The term ~~"controlled substance abuse"~~ **controlled substance abuse** includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.

E. The term ~~"safety-sensitive functions"~~ **safety-sensitive functions** includes ~~all tasks associated with the operation and maintenance of Cooperative-owned vehicles. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.~~ waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading Cooperative-owned vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled Cooperative vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

F. ~~The term "Covered Employee" means all commercial driver license (CDL) holders and regular and substitute bus drivers as well as other staff who operate, inspect, service, and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL. The Board expects all CDL holders to comply with Board Policy 4122.01 on Drug-Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all Covered Employees should be free of any influence of alcohol or controlled substances while on duty.~~ The term **Driver** means all CDL holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty, as well as other service employees who may drive students in Cooperative-owned vehicles or inspect, repair, and maintain Cooperative-owned vehicles, and employees who drive vehicles designed to transport sixteen (16) or more people, and are required to hold a CDL.

G. The term **while on duty** means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time they are relieved from work and all responsibility for performing work.

H. The term **CDL license holder** means all regular and substitute bus drivers, staff members who may drive students in Cooperative-owned vehicles or inspect, repair, and maintain Cooperative-owned vehicles, and staff members who drive vehicles designed to transport sixteen (16) or more people (including the driver), who are required to hold a CDL.

The Board will not tolerate the possession, use, sale, or distribution of alcohol and/or any controlled substance or drug other than those approved for administration by the appropriate school personnel on school property, at any time. All CDL license holders must comply strictly with this policy. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substances while on duty.

The ~~Board directs the~~ Director ~~to~~ shall establish a drug and alcohol testing program whereby each Covered Employee is tested for the presence of alcohol in ~~his/her~~ their system as well as for the presence of the following controlled substances:

A. Marijuana

B. Cocaine

C. Opioids

D. Amphetamines

E. Phencyclidine (PCP)

[x] OPTION #1

The drug tests are to be conducted in accordance with Federal and State regulations **(x)** and Administrative Guideline 4162A - Alcohol Testing Program for CDL Holders and Employees who Perform Safety-Sensitive Functions ~~**[END of OPTION]**~~: a) prior to employment **(x)** (for controlled substances only) ~~**[end of option]**~~, b) reasonable suspicion, c) upon return to duty after any alcohol or drug rehabilitation, d) post-accident: 1) resulting in human death, 2) where the driver is issued a citation and the accident results in an injury that requires immediate medical attention away from the scene, or 3) where there is ~~disability~~ visible damage to any motor vehicle that requires towing, e) on a random basis, and f) on a follow-up basis.

~~**[END OF OPTION 1]**~~

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

~~The drug tests are to be conducted in accordance with Federal and State regulations **( )** and Administrative Guideline 4162A - Alcohol Testing Program for CDL Holders and Employees who Perform Safety-Sensitive Functions **[END of OPTION]** : a) prior to employment **( )** for controlled substances only **[end of option]** , b) for reasonable suspicion, c) upon return to duty after any alcohol or drug rehabilitation, d) post-accident, e) on a random basis, and f) on a follow-up basis.~~

[x] Candidates also shall be tested for the presence of alcohol in their system prior to employment.

~~**[END OF OPTION 2]**~~

~~The Director shall require that the Cooperative query the FMCSA's Drug and Alcohol Clearinghouse for current and prospective CDL holders' drug and alcohol violations before allowing a driver to operate a Cooperative-owned and/or operated vehicle, consistent with Federal regulations, including consent requirements.~~

~~Any staff member who tests positive shall be prohibited from performing or continuing to perform his/her safety-sensitive functions (e.g., driving any Cooperative-owned vehicle) immediately and be referred to the Cooperative's Employee Assistance Program. **( )** and subject to discipline, up to and including discharge, in accordance with Cooperative guidelines and the terms of any applicable collective bargaining agreements. **[END OF OPTION]** No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completing any required treatment program, and passing a retest. Return to a safety-sensitive position is solely at the Cooperative's discretion and the employee may be required to participate in ongoing services if~~

~~recommended by the SAP. Any staff member who has tested positive for alcohol or a controlled substance will be provided with a list of SAPs available and acceptable to the Cooperative.~~

No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completing any required treatment program, and passing a retest. Return to a safety-sensitive position is solely at the Cooperative's discretion and the employee may be required to participate in ongoing services if recommended by the SAP. Any staff member who has tested positive for alcohol or a controlled substance will be provided with a list of SAPs available and acceptable to the Cooperative.

Furthermore, if during any test the lab determines that an adulterant has been added to the specimen, then **(x)** the test will be considered positive and the employee shall be prohibited from driving any Cooperative-owned vehicle and be referred to the Cooperative's Employee Assistance Program. **(x)** the employee will be re-tested with an observed collection to prevent the addition of an adulterant to the specimen. ~~**[END OF OPTION]**~~

Any staff member who refuses to submit to a test shall be prohibited from performing or continuing to perform ~~his/her~~ their safety-sensitive functions (e.g., driving any Cooperative-owned vehicle) immediately.

Staff members who voluntarily disclose that they have an addiction to alcohol or controlled substances may participate in the Employee Assistance Program and will qualify for the receipt of medical insurance benefits for treatment of alcohol or substance abuse, including follow-up care, to the extent that such benefits are provided for or offered in the Cooperative's health insurance package. Voluntary disclosure of an alcohol or drug addiction by a staff member will not subject the staff member to disciplinary action unless such disclosure is made after the staff member is selected to be tested or immediately prior to the selection of staff members to be tested. Nothing herein shall prevent the Board from disciplining a staff member for misconduct associated with ~~his/her~~ their alcohol and/or drug use regardless of whether the employee has disclosed that s/he has an alcohol or drug addiction.

If a staff member admits to failing a previous drug or alcohol test, or has refused to test, the staff member will not be permitted to perform safety-sensitive functions until completing the return-to-duty process.

A staff member will be subject to disciplinary action, up to and including termination, for any of the following reasons:

A. reports for duty or performs work while consuming or possessing alcohol or drives a school bus or performs safety-sensitive functions within six (6) hours after

consuming alcohol;

B. reports for duty or performs work while consuming or possessing a controlled substance, or drives a school bus or performs safety-sensitive functions within six (6) hours after consuming a controlled substance, unless the controlled substance is consumed or possessed in accordance with a medical prescription issued by an Indiana physician to the staff member;

C. refuses to disclose any therapeutic drug use or submit to drug and/or alcohol testing;

D. alters or attempts to alter or unduly influence alcohol and/or drug testing results; or

E. fails to remain readily available for post-accident testing (including refraining from the use of alcohol for eight (8) hours following the accident or until undergoing a post-accident alcohol test, whichever occurs first, and notifying ~~his/her~~ their supervisor of ~~his/her~~ their location, if the staff member leaves the scene of the accident prior to the submission of a post accident test, unless the staff member's departure is to obtain necessary emergency medical care).

Prior to the beginning of the testing program, the Board shall provide a drug-free awareness program which will inform each Covered Employee about:

A. the dangers of illegal drug use and controlled substance and alcohol abuse;

B. indicators of probable alcohol misuse and controlled substance abuse;

C. Board Policy 4122.01 - Drug-Free Workplace, Policy 4161 - Unrequested Leaves of Absence/Fitness for Duty, Policy 4170 Substance Abuse, and Policy 4170.01 - Employee Assistance Program;

D. ( ) the topics identified in AG 4162A;

E. the sanctions that may be imposed for violations of Policy 4122.01.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at ~~his/her~~ their overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. Requests for a "split specimen" must be made within seventy-two (72) hours of receipt of the notification of a positive drug test. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under Federal law (i.e. test results shall be provided on a right to know basis - the employee, the employer, and the substance abuse professional - and the results shall not be presented until analyzed by a Medical Review Officer).

A tested individual, upon written request, will be provided copies of any records relating to ~~his/her~~ their use of drugs and alcohol, including any records pertaining to ~~his/her~~ their drug and alcohol tests, promptly. A tested individual must provide specific written consent before ~~his/her~~ their test result can be provided to any other person except as required by law.

All tests shall be conducted in accordance with Federal testing guidelines and be performed by a laboratory that is Federally certified (i.e., testing procedures and devices used will be as set forth in 49 C.F.R. Part 40).

The alcohol and drug testing program shall be under the direction of the Director.

The Director shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse. The Director shall arrange for periodic retraining of supervisors and staff members as necessary. The Director shall provide a copy of this policy and testing guidelines to all Covered Employees and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.

The Director shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

A. testing of all first and second test urine samples

B. clear and consistent communication with the Cooperative's Medical Review Officer (MRO)

C. methodology and procedures for conducting random tests for controlled substances and alcohol

D. preparation and submission of all required reports to the Cooperative, the MRO, and to Federal and State governments

The Director also shall select the agency or persons who will conduct the alcohol breathalyzer tests, the Cooperative's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Notification

A tested candidate shall be notified of the results of a pre-employment controlled substances test conducted under this part if the driver requests such results within sixty (60) calendar days of being notified of the disposition of the employment application.

A tested individual shall be notified of the results of random, reasonable suspicion and post-accident tests for controlled substances conducted under this policy if the test results are verified positive. The tested individual also shall be informed which controlled substance or substances were verified as positive.

The Director shall make reasonable efforts to contact and request each driver who submitted a specimen under the employer's program, regardless of the driver's employment status, to contact and discuss the results of the controlled substances test with a medical review officer who has been unable to contact the driver.

The Director shall notify the medical review officer immediately that the driver has been notified to contact the medical review officer within seventy-two (72) hours.

Individuals holding a CDL must notify all current employers of any DOT violations (such as testing positive for the presence of alcohol or a controlled substance in violation of this policy). The notification must be made (i) by the end of the business day following the day the individual first receives notice of the violation or (ii) prior to performing any safety-sensitive function, whichever comes first. Individuals are not required to notify the employer that administered the test or that documented the circumstances giving rise to the violation.

In the event that an individual is selected for testing, the Director will inform the individual that the test is required by applicable law.

Reporting Test Results

The Director shall report all information required by Federal regulations to the Clearinghouse in a timely manner. The Director shall prepare and maintain a summary of the results of the Cooperative's alcohol and controlled substances testing programs performed under this policy during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers. Such summaries shall be submitted in a manner and timeline as required by law.

Educational Materials Related to Certain Federal Regulations, Board Policies, and Procedures

CDL Holders and other employees who perform safety-sensitive functions will be provided educational materials that discuss the employer's policies and procedures with respect to post-accident information and positive test results, among other things, at the time of hire or at any time when required to operate a school vehicle. The educational materials shall

explain the requirements of applicable Federal regulations and the Board's policies and Cooperative's procedures with respect to meeting these Federal regulations. The Board designates the _____ **{Transportation Supervisor]** as the individual responsible for providing educational materials to CDL Holders and other employees who perform safety-sensitive functions. The educational materials will include, at a minimum, the following:

A. the contact information for the _____ **{Transportation Supervisor}**, who is the individual designated by the Board to answer questions about the educational materials

B. a statement that all CDL Holders and other employees who perform safety-sensitive functions are subject to Federal law addressing the misuse of alcohol and other controlled substances

C. information sufficient to make clear to employees the period of the work day during which they are required to comply with the regulations

D. information concerning prohibited conduct

E. the circumstances under which employees are subject to testing for alcohol and/or controlled substances

F. the procedures for testing for the presence of alcohol and controlled substances in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to confirm the results are attributed to the correct employee, including post-accident information, procedures, and instructions required under Federal regulations

G. the requirement that staff members must submit to alcohol and controlled substance testing as required by the regulations

H. an explanation of what constitutes a refusal to be tested for alcohol or controlled substances and the attendant consequences

I. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation, and treatment

J. the consequences for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04

K. information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol problem (the employee's or a co-worker's); and available methods of intervening

when a drug or alcohol and/or controlled substances problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management), and

L. information regarding the requirement that certain personal information collected and maintained under Federal law be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse

M. information indicating that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited on all Cooperative property and at school-sponsored activities. Individuals are strictly prohibited from reporting to work or being on duty while under the influence of alcohol or a controlled substance

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. Each staff member must sign a statement certifying receipt of such materials. A staff member who refuses to sign the requisite statement shall be prohibited from performing any safety-sensitive functions. Each employee (and a labor organization representing Cooperative employees) shall receive written notice of the availability of this information, and the identity of the Board's designated representative in charge of answering employee questions about the materials.

Return-to-Duty (Safety-Sensitive Positions)

Employees who are removed from performing safety-sensitive functions as a result of this policy must take and pass a return-to-duty test before returning to performing safety-sensitive functions. The return-to-duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties. The employee will not be permitted to perform safety-sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than twenty-four (24) hours following administration of the return-to-duty test.

Employees also must comply with the SAP's written follow-up testing plan, which will be administered by the Cooperative, or they will not be permitted to perform safety-sensitive duties.

Subject to any collective bargaining agreement or other legal requirements, employees who are eligible to return to performing safety-sensitive functions may not do so without the approval of the Director.

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Legal

I.C. 20-27-8-1
I.C. 20-27-8-3(b)
34 C.F.R. Part 84
49 C.F.R. Part 40
49 C.F.R. Part 382

VOLUME 38, NO. 1 - DECEMBER 2025

po5350

Replacement Policy - Volume 38, No. 1 - December 2025 - STUDENT SUICIDE AWARENESS AND PREVENTION

Replacement Policy - Volume 38, No. 1 - December 2025

~~5350 - **STUDENT SUICIDE AWARENESS AND PREVENTION**~~

~~The Board of Managers recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. Students who experience depression cannot benefit fully from the educational program of the Cooperative, and students who have attempted self-destruction pose a danger both to themselves and to other students. This Board policy is intended to increase child suicide awareness and prevention.~~

~~All Cooperative personnel shall be alert to the student who exhibits signs of extreme depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member shall be taken with the utmost seriousness and may warrant follow-up based on implementation of the intervention procedure described below.~~

~~The Director shall make information available to families of students in the schools operated by the Cooperative concerning suicide prevention services in the community. The Director shall encourage cooperation among the Cooperative and suicide prevention services in the community.~~

~~The Director shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:~~

- ~~Step 1 – Stabilization~~
- ~~Step 2 – Assess the Risk~~
- ~~Step 3 – Take Appropriate Action Based on the Risk~~
- ~~Step 4 – Communicate with Appropriate Parties~~
- ~~Step 5 – Follow-up~~

~~Take Appropriate Action Based on the Risk in Step 3 shall include providing referral information about appropriate crisis intervention services or facilities to students, parents, and Cooperative staff.~~

~~Follow-up in Step 5 and the suicide post-intervention process shall include the development of a plan to assist survivors of attempted suicide and to assist students and Cooperative staff in coping with an attempted suicide or death of a student or Cooperative employee. The plan may include counseling services for the student and the student's family related to suicide prevention.~~

~~The Cooperative shall offer to students, parents, and staff in the schools operated by the Cooperative training on warning signs and tendencies that may evidence that a student is considering suicide, including increasing awareness of the relationship between suicide and drug and alcohol use.~~

~~The Director shall confirm that all Cooperative teachers~~ ~~**[ ]**~~ ~~and any other appropriate Cooperative employees~~ ~~**[END OF OPTION]**~~ ~~who are employed at schools that provide instruction to students in any combination of grades 5-12 attend or participate in at least two (2) hours of research-based in-service youth suicide awareness and prevention training every three (3) school years. The training required under this policy shall be held during the teacher's or Cooperative employee's contracted day or at a time chosen by the teacher or employee. For purposes of this policy, "teacher" includes the following:~~

A. ~~a director who holds a license under I.C. 20-28-5;~~

B. ~~a principal;~~

C. ~~a teacher;~~

D. ~~a librarian;~~

E. ~~a school counselor;~~

F. ~~a school psychologist;~~

G. ~~a school nurse;~~

H. ~~a school social worker.~~

~~The format of this training may include an in-person presentation, an electronic or technology-based medium, including self-review modules available on an online system, an individual program of study of designated materials, or any other method approved by the Board that is consistent with current professional development standards. The in-service training required under this section shall count toward the requirements for professional development required by the Board.~~ ~~The~~ ~~research-based youth suicide~~

~~awareness and prevention training program required under this policy shall be demonstrated to be effective or a promising program and recommended by the Indiana Suicide Prevention Network Advisory Council.~~

~~The Cooperative may leverage any:~~

A. ~~existing or new State and Federal grant funds; or~~

B. ~~free or reduced cost evidence-based youth suicide awareness and prevention training provided by any State agency or qualified Statewide or local organization~~

~~to cover the costs of the training required under this Policy.~~

~~The Director shall develop any other program or activity that is appropriate to increase child suicide awareness and prevention.~~

~~The parent of a student in the Cooperative shall be allowed to review any materials used in any bullying prevention or suicide prevention program.~~

~~Throughout any intervention, it is essential that Board policies and Cooperative guidelines regarding confidentiality be observed at all times.~~

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5350 - **STUDENT SUICIDE AWARENESS AND PREVENTION**

The Board of Managers recognizes that depression and self-destruction are increasingly severe problems among children and adolescents. Students who experience depression cannot fully benefit from the educational program of the Cooperative, and students who have attempted self-destruction pose a danger to themselves and to other students.

This policy is meant to increase awareness and prevention of child suicide and self-destruction. The Board believes that a partnership between families, the community, and the Cooperative is necessary to support students with mental health needs effectively.

[DRAFTING NOTE: Based on I.C. 20-34-3-21, at least one (1) provider must be selected.]

Information regarding suicide prevention services in the community can be found **( )** on the Cooperative's website **(** x **)** and **(** x **)** by contacting a school counselor in any school corporation that is a member of the Cooperative. ~~[END OF OPTIONS] [DRAFTING NOTE: At least one source must be selected.]~~

Further information regarding crisis intervention referral is available to students, parents, and Cooperative employees by contacting **(** x **)** school counselors in any school

corporation that is a member of the Cooperative , **(** x **)** the school social worker, **(** x **)** Student Support Services at the Cooperative central office ~~by calling _____ [END OF OPTIONS]~~ . In cases of emergency, dial 911 for immediate assistance.

~~(-)~~ - ~~The Cooperative~~ **(x)** T ~~t~~he student's home school corporation **[END OF OPTIONS]** provides school counseling services for students and families related to suicide prevention.

The Cooperative cooperates with the suicide prevention services in the community.

The Cooperative recognizes the relationship between suicide and drug and alcohol use. The plan, training, and programs authorized under this policy will address awareness of this correlation.

The Cooperative shall meet the training requirements for all employees in suicide awareness, prevention and response established by Indiana Law and any regulations issued by the Indiana Department of Education (IDOE) or the Indiana State Board of Education (ISBOE). Compliance with these statutes and regulations shall be reviewed annually. (I.C. 20-26-5-34.4)

Teacher licensing prerequisites include youth suicide awareness and prevention training. The ISBOE sets the timing/frequency/method for all licensure trainings. (I.C. 20-28-5.5-1)

The Director shall ensure licensed staff meet training requirements and that suicide prevention training is part of required professional learning. Suicide prevention training shall include the warning signs and tendencies that may evidence that a child is considering suicide.

The Director shall require teachers, counselors, and other licensed personnel to provide proof of suicide prevention training when applying for or renewing a license under I.C. 20-28-5. The Director shall ensure that all licensed staff have uploaded completion certificates into IDOE's Licensing Verification and Information System for license renewal purposes.

The Director shall ensure the training vendor/curriculum is approved by the ISBOE.

If an online platform is established or licensed under I.C. 20-19-3-29, then suicide-prevention training shall be delivered via that online platform.

Consistent with Indiana law, the Director shall develop a plan that describes the protocol teachers are to follow in preventing suicide, actions to be taken should a suicide occur, how best to assist survivors of attempted suicide and how to assist students and Cooperative employees in coping with a suicide or attempted suicide.

The plan shall include postvention strategies to support healing and prevent additional crises, including:

A. Assemble and activate a Crisis Response Team to manage the response, including mental health professionals and administrators.

B. Provide accurate information to staff, students, and parents, avoiding details that could lead to suicide contagion.

C. Offer grief counseling and support groups for students and staff affected by the loss.

D. Develop guidelines for memorials that honor the deceased without glorifying the act to prevent potential imitation.

E. Monitor and support high-risk students over time, recognizing that grief and trauma responses can be delayed.

F. Any other appropriate programs or activities designed to enhance awareness and prevention.

The parent of a student in the Cooperative shall be allowed to review any materials used in any suicide prevention program.

Throughout any intervention, Board policies and Cooperative confidentiality guidelines must be observed always.

The Director shall communicate the repeal of I.C. 20-28-3-6 and the amendment of I.C. 20-26-5-34.4 to Principals /building administrators and Human Resources so they know that while the legal citation has changed, the duty remains.

All provisions in this policy must be consistent with the Cooperative's school safety plan. (See Policy 8400 – School Safety Information) (I.C. 10-21-1-10; 511 IAC 6.1-2-2.5)

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Legal
I.C. 20-26-5-34.4
I.C. 20-28-3-6
I.C. 20-33-8-13.5(d)

VOLUME 38, NO. 1 - DECEMBER 2025

po6320

Revised Policy - Volume 38, No. 1 - December 2025 - PURCHASING [Interlocals Only]

Revised Policy - Volume 38, No. 1 - December 2025

6320 - **PURCHASING [Interlocals Only]**

[NOTE: The intent of the purchasing policy is to establish several levels at which purchasing can occur and to determine at what level involvement is required, when it is necessary to get a simple "quote" and when the "competitive bid" procedure is required.]

It is the policy of the Board of Directors ~~Managers~~ that the _____ ~~[Director, Business Manager, or~~ **Treasurer** ~~]~~ shall act as the purchasing agent for the Board. This policy applies only to purchases that are not paid from Federal funds or Cooperative matching funds. All purchases that are paid from Federal funds or Cooperative matching funds shall be made pursuant to Policy 6325 - Procurements - Federal Grants/Funds.

Purchase or Lease of Materials and Performance of Public Works

The Board may purchase or lease materials in the manner provided in I.C. 5-22 and perform any public work, by means of its own workforce, without awarding a contract whenever the cost of that public work project is estimated to be less than $375,000, adjusted annually by the percentage change in the Consumer Price Index for all Urban Consumers as published by the United States Bureau of Labor Statistics. The department of local government finance shall annually publish the adjusted cost estimate threshold for the current year, determined in the manner required by this subsection, on the department's website. Before the Board may perform any work under this section by means of its own workforce, the Cooperative must have a group of employees on its staff who are capable of performing the construction, maintenance, and repair applicable to that work. For purposes of this section, the cost of a public work project includes:

A. the actual cost of materials, labor, equipment, and rental;

B. a reasonable rate for use of trucks and heavy equipment owned; and

C. all other expenses incidental to the performance of the project.

Purchases of Supplies

For purposes of this policy "supplies" means any personal property. The term includes equipment, goods, and materials. The term does not include an interest in real property. For purposes of this policy "purchase" means buy, procure, rent, lease, or otherwise acquire.

The purchasing agent may make open market purchases of supplies totaling no more than ~~$_____~~ **[$50,000** ~~**maximum]**~~ for a single item or a group of similar items.

The purchasing agent shall seek at least three (3) price quotations on purchases of supplies that are more than ~~$_____~~ **[$50,000]** but less than ~~$_____~~ **[$150,000]** ~~-~~except in cases of emergency or where materials are of such nature that price quotations would not result in a savings to the Cooperative.

The purchasing agent shall mail an invitation to quote at least seven (7) days before the time fixed for receiving quotes.

If the purchasing agent receives a satisfactory quote, they shall award a contract to the lowest responsible and responsive quoter for each line or class of supplies required. The purchasing agent may reject all quotes.

If the purchasing agent does not receive a quote from a responsible and responsive quoter, they may purchase the items by following the procedure for items costing under $50,000.

When the purchase of, and contract for, single items of supplies, ~~**( )** amounts to $150,000 or more,~~ **(x)** is equal to or exceeds the amount stipulated by statute, ~~**[END OF OPTION]**~~ the ____ Treasurer _____ shall obtain competitive bids.

Competitive Bidding - Supplies

The purchasing agent shall follow the procedure described below in awarding a contract for supplies that equals or exceeds $150,000.

A. The purchasing agent shall issue an invitation for bids.

B. An invitation for bids shall include the following:

1. A purchase description.

2. All contractual terms and conditions that apply to the purchase.

3. A statement of the evaluation criteria that shall be used, including any of the following:

a. Inspection.

b. Testing.

c. Quality.

d. Workmanship.

e. Delivery.

f. Suitability for a particular purpose.

g. The requirement imposed in I.C. 5-22-3-5 for offers submitted by trusts.

h. The time and place for opening the bids.

4. A statement concerning whether the bid shall be accompanied by a certified check or other evidence of financial responsibility that may be imposed in accordance with rules or policies of the Board.

5. A statement concerning the conditions under which a bid may be canceled or rejected in whole or in part as specified in I.C. 5-22-18-2.

Evaluation criteria that will:

A. affect the bid price; and

B. be considered in the evaluation for an award

shall be objectively measurable.

Only criteria specified in the invitation for bids shall be used in bid evaluation.

The purchasing agent shall give notice of the invitation for bids in the manner required by I.C. 5-3-1. The purchasing agent also may provide electronic access to the notice through:

A. the computer gateway administered by the Office of Technology; or

B. any other electronic means available to the Cooperative.

The purchasing agent ~~( )~~ ~~or the committee appointed by the Board~~ **~~[end of option]~~** shall open bids publicly in the presence of one (1) or more witnesses at the time and place designated in the invitation for bids.

Bids shall be:

A. unconditionally accepted without alteration or correction, except as permitted below; and

B. evaluated based on the requirements provided in the invitation for bids.

A contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder.

For a bidder to be considered responsive, the proposal shall:

A. respond to all bid specifications in all material respects;

B. contain no irregularities or deviations from the bid specifications that would affect the amount of the bid or otherwise provide a competitive advantage; and

C. comply specifically with the solicitation and instructions to bidders.

The purchasing agent also may consider whether the bidder has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of a public contract.

For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning its:

A. (x) experience (type of product or service being purchased, etc.);

B. (x) financial condition;

C. (x) conduct and performance on previous contracts (with the Cooperative or other agencies);

D. (x) facilities;

E. (x) management skills; and

F. (x) ability to execute the contract properly.

The purchasing agent may consider the following factors in determining whether a bidder is responsible:

A. the ability and character of the bidder to provide the supplies;

B. the integrity, character and reputation of the bidder; and

C. the competency and experience of the bidder.

The purchasing agent shall maintain the following information:

A. The name of each bidder.

B. The amount of each bid.

C. Other information required I.C. 5-22 and its rules.

The information described above is subject to public inspection after each contract award.

x ~~**[ ] OPTIONAL PROVISIONS [DRAFTING NOTE: the Board may select one, both, or neither of the options listed below]**~~

The Board allows:

A. (x) Correction or withdrawal of inadvertently erroneous bids, provided notification to the purchasing agent is given (x) before the opening of the bids. ~~( ) not later than _____ (____) business days following opening of the bids.~~ **~~[end of option]~~**

B. (x) Cancellation of awards or contracts based on inadvertently erroneous bids.

~~**[END OF OPTIONS]**~~

~~**[ ] [DRAFTING NOTE: The Board must select this option if the Board has elected to allow correction or withdrawal of inadvertently erroneous bids or the cancellation of awards or contracts based on inadvertently erroneous bids.]**~~

The purchasing agent shall make a written decision to:

A. permit the correction of withdrawal of a bid; or

B. cancel awards or contracts based on bid mistakes.

The purchasing agent shall not permit changes in:

A. bid prices; or

B. other provisions of bids prejudicial to the interest of the Board or fair competition after bid opening.

If a bidder inserts contract terms or bids on items not specified in the invitation for bids, the purchasing agent shall treat the additional material as a proposal for addition to the

contract and may do any of the following:

A. Declare the bidder nonresponsive.

B. Permit the bidder to withdraw the proposed additions to the contract in order to meet the requirements and criteria provided in the invitation for bids.

C. Accept any of the proposed additions to the contract, subject to limitations.

Purchases of Services

For purposes of this policy "services" means the furnishing of labor, time, or effort by a person not involving the delivery of specific supplies other than printed documents or other items that are merely incidental to the required performance.

The purchasing agent may purchase as follows:

For purchases of services anticipated to exceed $_ 10,000 ____ in a single school year:

A. For purchases of services anticipated to exceed $_ 10,000 ____ in a single school year:

1. If the purchasing agent has purchased services previously from a vendor, the purchasing agent may continue to purchase services from that vendor as long as the Board is satisfied with the services delivered by the vendor.

2. If a new vendor is sought to provide services, the purchasing agent shall issue a request for proposal asking that interested vendors submit proposals to serve as vendors for those specific services. Notice of the request for proposal may be sent directly to potential vendors and/or posted on the Corporation's website. The purchasing agent shall interview those vendors who respond to the request for proposal that the purchasing agent believes are able to provide the services sought and shall select the vendor from those interviewed. The purchasing agent may seek input from other administrators or Board members in making the selection.

B. For all other purchases of services, the purchasing agent may select the vendor they believe is the most appropriate vendor who provide the services sought.

[x] The Board shall be advised, for prior approval, of all purchases of services when the purchase **(x)** was not contemplated during the budgeting process **(x)** exceeds the **(x)** line item **(x)** function ~~**[end of option]** by $_____ or ____ percent (__%)~~.

[x] The purchasing agent is authorized to make emergency purchases, without prior approval, of those services needed to keep the Corporation's schools in operation.

Such purchases shall be brought to the Board for approval at the next regular meeting.

Public Work Projects - Less than $300,000

Whenever the cost of a public work project will be at least $50,000 but less than $300,000, the following procedure applies:

A. The Board shall invite quotes from at least three (3) persons known to deal in the class of work proposed to be done by mailing them a notice stating that plans and specifications are on file in a specified office. The notice shall be mailed not less than seven (7) days before the time fixed for receiving quotes.

B. The Board shall not require a person to submit a quote before the meeting at which quotes are to be received. The meeting for receiving quotes shall be open to the public. All quotes received shall be opened publicly and read aloud at the time and place designated and not before.

C. The Board shall award the contract for the public work to the lowest responsible and responsive quoter.

D. The Board may reject all quotes submitted.

Public Work Projects - At Least $300,000 (Competitive Bidding)

Whenever the cost of a public work project will be at least $300,000, the following procedure applies:

A. The Board shall prepare general plans and specifications describing the kind of public work project required but shall avoid specifications that might unduly limit competition. If the project involves the resurfacing (as defined by I.C. 8-14-2-1) of a road, street, or bridge, the specifications shall show how the weight or volume of the materials will be accurately measured and verified.

B. The Board shall file the plans and specifications in a place reasonably accessible to the public, which shall be specified in the notice required by section C below.

C. Upon the filing of the plans and specifications, the Board shall publish notice in accordance with I.C. 5-3-1 calling for sealed proposals for the public work project. If the Board receives electronic bids, the Board also shall provide electronic access to the notice of the bid solicitation through the computer gateway administered under I.C. 4-13.1-2-2(a)(6) by the Office of Technology.

D. The notice shall specify the place where the plans and specifications are on file and the date fixed for receiving bids.

E. The period of time between the date of the first publication and the date of receiving bids shall be governed by the size of the contemplated project at the discretion of the Board. The period of time between the date of the first publication and receiving bids may not be more than:

1. six (6) weeks if the estimated cost of the public work project is less than twenty-five million dollars ($25,000,000); and

2. ten (10) weeks if the estimated cost of the public work project is at least twenty-five million dollars ($25,000,000).

F. The Board shall require the bidder to submit a financial statement, a statement of experience, a proposed plan or plans for performing the public work project, and the equipment that the bidder has available for the performance of the public works project. The statement shall be submitted on forms prescribed by the State Board of Accounts.

G. The Board shall not require a bidder to submit a bid before the meeting at which bids are to be received. The meeting for receiving bids shall be open to the public. All bids received shall be opened publicly and read aloud at the time and place designated and not before. Notwithstanding any other law, bids may be opened after the time designated if both of the following apply:

1. The Board makes a written determination that it is in the best interest of the Board to delay the opening.

2. The day, time, and place of the rescheduled opening are announced at the day, time, and place of the originally scheduled opening.

H. The Board shall:

1. award the contract for public work project or improvements to the lowest responsible and responsive bidder; or

2. reject all bids submitted.

I. If the Board awards the contract to a bidder other than the lowest bidder, the Board shall state in the minutes or memoranda, at the time the award is made, the factors used to determine which bidder is the lowest responsible and responsive bidder and to justify the award. The Board shall keep a copy of the minutes or memoranda available for public inspection.

J. In determining whether a bidder is responsive, the Board may consider the following factors:

1. Whether the bidder has submitted a bid or quote that conforms in all material respects to the specifications.

2. Whether the bidder has submitted a bid that complies specifically with the invitation to bid and the instructions to bidders.

3. Whether the bidder has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of a public contract.

K. In determining whether a bidder is a responsible bidder, the Board may consider the following factors:

1. The ability and capacity of the bidder to perform the work.

2. The integrity, character, and reputation of the bidder.

3. The competence and experience of the bidder.

L. The Board shall require the bidder to submit an affidavit:

1. that the bidder has not entered into a combination or agreement:

a. relative to the price to be bid by a person;

b. to prevent a person from bidding; or

c. to induce a person to refrain from bidding; and

2. that the bidder's bid is made without reference to any other bid.

Purchasing Using Online Reverse Auctions

The Board authorizes the purchasing agent to conduct a reverse auction for the purchase of supplies by using an Internet purchasing site for issuing an invitation for bids and receiving bids.

The purchasing agent shall establish procedures for:

A. transmitting notices, solicitations, and specifications;

B. receiving offers;

C. making payments;

D. protecting the identity of the bidder or offeror;

E. providing for the display of the amount of each offer previously submitted for public viewing;

F. establishing the deadline by which offers must be received and will be considered to be open and available for public inspection;

G. establishing procedures for the opening of offers; and

H. maintaining adequate documentation regarding reverse auctions so that the transactions may be audited according to law.

The purchasing agent may charge a bidder in a reverse auction a fee set in the written procedures adopted above.

An internet purchasing site used for a reverse auction shall do the following:

A. provide information that the purchasing entity considers necessary or beneficial to potential bidders.

B. display the amount of all bids previously submitted regarding the reverse auction for public viewing.

C. conceal information that identifies a bidder.

D. comply with I.C. 5-22.

Procurement

The president and secretary of the Board are entitled, on behalf of the Board, to sign any contract. These contracts may include, but are not limited to, employment contracts and contracts for goods and services. However, each contract shall be approved by a majority of the full Board. In the absence of the president or secretary, the vice president may sign the contract with the officer who is present.

Exceptions to the foregoing requirements may be permitted when purchasing from vendors who have been awarded State contracts or when purchasing from authorized State institutions.

All specifically identified purchases that are within **(** x **)** a program **(** x **)** a function **(** x **)** a line item ~~**[END OF OPTION]**~~ **(** x **)** and were originally contemplated in the budgeting process ~~**[END OF OPTION]**~~ may be made upon authorization . ~~of the _____.~~

The Board may designate a committee of at least two (2) of the Board members or a committee of not less than two (2) Corporation employees to open and tabulate bids:

A. in connection with the purchase of supplies, materials, or equipment;

B. for the construction or alteration of a building or facility; or

C. for any similar purpose.

Those bids:

A. may be opened by the committee at the time and place fixed by the advertisement for bids;

B. shall be read aloud and tabulated publicly, to the extent required by law for governing bodies; and

C. shall be available for inspection.

Those bids shall be reported to and the tabulation entered upon the records of the Board at its next meeting following the bid opening.

A bid may not be accepted or rejected by the committee but shall be accepted or rejected solely by the Board in a Board meeting open to the public.

[x] The Board shall be advised, for prior approval, of all purchases of supplies when the purchase **(x)** was not contemplated during the budgeting process. **(x)** exceeds the **(x)** line item **(x)** function ~~by $_____ or _____ percent (_____%)~~.

[x] The purchasing agent is authorized to make emergency purchases, without prior approval, of supplies needed to keep the Cooperative's schools in operation.

Such purchases shall be brought to the Board for approval at the next regular meeting.

In order to promote efficiency and economy in the operation of the Cooperative, the Board requires that the ___ Treasurer _____ periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped, but with staggered delivery dates, shall be made a part of the bid specifications.

Before the ___ Treasurer _____ places a purchase order, they shall **(x)** have the __ Treasurer _____ - ~~**[END OF OPTION]**~~ check whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the Cooperative. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

A. (x) an opportunity be provided to as many responsible suppliers as possible to do business with the Cooperative;

B. (x) a prompt and courteous reception, as conditions permit, be given to all who call on legitimate business matters;

C. (x) where the requisitioner has recommended a supplier, the ___ Treasurer _____ may make alternate suggestions to the requisitioner if, in their judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;

D. (x) upon the placement of a purchase order, the ___ Treasurer _____ shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations;

E. (x) unless otherwise permitted by the purchasing agent, no purchase of supplies shall be allowed without a properly-signed purchase order. Employees shall be held personally responsible for anything purchased without a properly signed purchase order.

The Board may acquire by lease, by installment payments, by lease-purchase agreements, or by lease with an option to purchase provided the contract setting forth the terms of such a purchase shall not extend for a period of more than __ three _____ (__ 3 ___) years.

During the current year, provisions may be made in these agreements for renewal for the succeeding year, subject to appropriations being available.

[x] Contracts can be awarded by the __ Treasurer _____ without Board approval for any single item or group of identical items costing less than $___ 5,000 _____. All other contracts require Board approval prior to purchase.

[x] Procurement – Federal Grants

The Director shall maintain a procurement and contract administration system in accordance with the United States Department of Education (USDOE) requirements (2 C.F.R. 200.317 - .326) for the administration and management of Federal grants and Federally-funded programs. The Cooperative shall maintain a compliance system 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 this policy and administrative guidelines (AG 6320A) and comply with 34 C.F.R. 80.36. Please refer to Policy 6325 - Procurements - Federal Grants/Funds.

~~[END OF OPTION]~~

I.C. 5-22-2-21
I.C. 5-22-2-30
I.C. 5-22-2-38
I.C. 5-22-3-3
I.C. 5-22-6-1
I.C. 5-22-6-2
I.C. 5-22-7-1 et seq.
I.C. 5-22-7.5 - Online Reverse Auctions
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
I.C. 20-26-4-6
I.C. 20-26-4-8
I.C. 20-26-5-4

I.C. 36-1-12-3

I.C. 36-1-12-4

I.C. 36-1-12-4.7

I.C. 36-1-12-4 . 9

Procurement Standards for States and Indian Tribes, 2 C.F.R. 200.317-.327
Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 75, 76, 77, 79, and 299 ~~2 C.F.R. 200.317 - .326~~

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I.C. 5-22-2-21
I.C. 5-22-2-30
I.C. 5-22-2-38
I.C. 5-22-3-3
I.C. 5-22-6-1
I.C. 5-22-6-2
I.C. 5-22-7-1 et seq.
I.C. 5-22-7.5 - Online Reverse Auctions
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
I.C. 20-26-4-6
I.C. 20-26-4-8
I.C. 20-26-5-4
I.C. 36-1-12-3
I.C. 36-1-12-4
I.C. 36-1-12-4.7
I.C. 36-1-12-4.9
Procurement Standards for States and Indian Tribes, 2 C.F.R. 200.317-.327
Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 75, 76, 77, 79, and 299

VOLUME 38, NO. 1 - DECEMBER 2025

po7440.01

Revised Policy - Volume 38, No. 1 - December 2025 - ELECTRONIC MONITORING AND RECORDING

Revised Policy - Volume 38, No. 1 - December 2025

7440.01 - **ELECTRONIC MONITORING AND RECORDING**

~~**[CHOOSE OPTION 1 OR 2]**~~

[OPTION 1]

[x] (x) In order to promote student and staff safety, and deter unauthorized access and destructive acts (e.g., theft and vandalism), ~~**[END OF OPTION]**~~ **(x)** In order to protect Cooperative property, promote security and protect the health, welfare and safety of students, staff and visitors, ~~**[END OF OPTION S; SELECT ONLY ONE (1) OF THE PRECEDING OPTIONS]**~~ the Board of Managers authorizes the use of video and audio monitoring and recording equipment on Cooperative property and on school buses. Information obtained through video and audio monitoring and recording may be used to identify intruders and persons violating the law, Board policy, or the Student Code of Conduct.

~~**END OPTION 1]**~~

~~**[OR]**~~

~~**[OPTION 2]**~~

~~**[ ]** The Board of Managers authorizes the use of video and audio monitoring and recording equipment on Cooperative property and on buses. The monitoring and recording equipment shall be used to protect Cooperative property and assets from theft and vandalism, through deterrence and documentatio n. No representation shall be made that the monitoring or recording system is capable of insuring ensuring protection of persons or property.~~

[x] The monitoring and recording of the conduct of persons on Cooperative property is intended to assist students, staff, and visitors in protecting themselves and their property. Video and audio monitoring and recording is to complement other means being employed

by the Board and staff to provide a safe and secure working and learning environment for students and staff. ~~[END OF OPTION]~~

~~[END OPTION 2]~~

~~[END OF OPTIONS]~~

~~The Director is responsible for approving where and when to install and operate fixed-location monitoring and recording equipment. The building principals Principals and building administrators responsible for other facilities shall be responsible for recommending use of monitoring and recording in those facilities. Monitoring and recording equipment may be placed in common areas in Cooperative facilities. Common areas include hallways, entryways, offices where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries, parking lots and other outside areas, and in inside school buses. Except in extraordinary circumstances such as a response to possible bullying, hazing, harassment, personal injury, property damage, or theft, and only with the written authorization of the Director, monitoring and recording equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g., restrooms, locker rooms, changing areas). In assessing whether extraordinary circumstances exist, the Director shall consult with Cooperative legal counsel before authorizing placement of monitoring and recording equipment in private areas in which privileged communications occur (unless there is express consent given by the office occupant), or in conference/meeting rooms, or in individual classrooms during instructional times. Access to live monitoring or recordings made in private areas will be based on the need for access to respond to the information obtained. ( ) Cooperative employees are authorized to carry and use video and audio recording equipment when video and audio documentation would assist in performing the duties of their position. [END OF OPTION] - ( ) The Board authorizes security personnel to use body-worn monitoring and recording equipment while on duty. [END OF OPTION]~~

~~A person who blocks, moves, or alters the location or viewing angle of monitoring or recording equipment, or attempts to do so so, shall be subject to disciplinary action.~~

~~Signs Legible and visible signs shall be placed at the main entrance to buildings in which monitoring and recording equipment may be deployed utilized . These signs shall notify people entering through that entrance that their communication and actions may be monitored and recorded in the facility they are entering. Students and staff also shall also be advised of the use of monitoring the and recording equipment in Cooperative facilities and on Cooperative property.~~

~~Information obtained from monitoring and recording may be used to support the safe and orderly operation of the Cooperative's schools and facilities. This includes providing access to monitoring or recordings to law enforcement officers when proper authority in support of the requested access is provided. Records obtained through the use of monitoring and recording equipment installed and operated in compliance with this policy may be~~

~~authenticated and used as evidence in any forum in which its use would assist in the search for the truth concerning the recorded event. Recording that focuses on and follows a specific student or staff member may become a part of the student's education record or the staff member's personnel file.~~

~~Monitoring and recording equipment capability shall not be used to intercept or record communication between persons unless at least one of the participants is aware of the possibility of monitoring and recording. The results of monitoring or recording shall not be used for any tortious or criminal purpose and shall never be used in violation of the rights of the persons whose communication is monitored or recorded.~~

~~**[SELECT OPTION #1 OR OPTION #2]**~~

~~**OPTION #1**~~

[x] Not all monitoring will result in recording of what is monitored. Where a recording is made, not all recordings will include both audio and video, and the quality of recorded audio or video is not warranted to always be intelligible. Where audio or video records are made, they may be destroyed if a timely request is not made pursuant to this policy.

~~**[END OF OPTION 1]**~~

~~**[OPTION 2]**~~

~~**[ ]** Monitoring equipment will not be used to make a recording of the results of monitoring except as authorized by the Director.~~

~~**[END OF OPTIONS]**~~

[x] Monitoring and recording equipment ~~will~~ shall not be used for the purpose of routine staff appraisal/evaluation. However, prerecorded lessons or observations of online or virtual learning sessions may be included as part of an employee's evaluation ~~, subject to discussion with the exclusive representative of the Cooperative's teachers prior to adoption of this policy~~ .

Further, if an employee is assigned to work remotely (i.e., telework), the administration is authorized to conduct observations that consist of the supervisor reviewing video-recordings of the employee working and/or watching the employee perform ~~his/her~~ their job responsibilities through means of a live-stream that includes both video and audio, provided the employee is afforded advanced notice of the observation ~~, subject to discussion with the exclusive representative of the Cooperative's teachers prior to adoption of this policy~~ .

Additionally, nothing herein shall prevent the administration from using information gathered through electronic means (i.e., viewing a video-recording or live-stream of an

employee working) for employment purposes, including but not limited to completing components of an evaluation ~~, subject to discussion with the exclusive representative of the Cooperative's teachers prior to adoption of this policy~~ . ~~**[END OF OPTION]**~~

Recordings containing personally identifiable information about a student shall not be released except as required or authorized by the Family Educational Rights and Privacy Act ('FERPA'). A parent or guardian of a ~~student,~~ student and a student who is eighteen (18) years of age or older shall have access to relevant portions of any video or audio recording related to disciplinary charges against the student. Upon written request to the building principal, if the requested access does not violate State and/or Federal law (i.e., the privacy rights of any other student whose images appear on the recording), a recording may be exhibited to a parent/guardian and an eligible student. However, the parent/guardian and student will not be given a copy of the recording.

School personnel with responsibility for the program of a student may have access to relevant portions of a recording related to the services they delivered to the student and any disciplinary charge against the depicted student.

The Board shall maintain monitoring recordings for a limited period. Any request to view a recording under this policy must be made within ~~_____ (_____)~~ ~~[~~**seven (7) to thirty (30)**~~]~~ days of the event/incident. Unless an investigation is being conducted, or the Cooperative legal counsel advises that specific recordings must be preserved pursuant to a 'litigation hold' notice, recordings may be destroyed after ~~_____ (_____)~~ ~~[~~**seven (7) to thirty (30)**~~]~~ days. If, however, action is taken by the Board/administration based upon recorded events, the recordings shall be kept for a minimum of two (2) years from the date of the action taken. **(x)** Recordings ~~may~~ also may be kept beyond the normal retention period if they are going to be used for training purposes. This policy shall not be interpreted to guarantee the destruction of a recording after any specific length of time.

With the knowledge of the persons depicted, students, staff or a parent/guardian may record a school event open to the ~~public~~ public, such as a play, music performance, athletic contest, graduation, or Board meeting. Instruction may be recorded for ~~staff evaluation or~~ educational or research purposes.

~~**[DRAFTING NOTE: SELECT THE FOLLOWING OPTION ONLY IF YOU DID NOT SELECT THE OPTION ABOVE THAT BEGINS WITH "MONITORING AND RECORDING EQUIPMENT SHALL NOT BE USED FOR THE PURPOSE OF ROUTINE STAFF APPRAISAL/EVALUATION."]**~~

~~**[ ]** Instruction may be recorded for staff evaluation.~~

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

The Director may develop administrative guidelines consistent with this policy to address the use of monitoring and recording equipment in school buildings, on school ~~buses~~ buses, and on property owned and/or operated by the Cooperative.

Monitoring and recording ~~is~~ are to be implemented in accordance with this policy and the Director's guidelines. The use of monitoring and recording equipment in violation of this policy will result in disciplinary action.

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FERPA, 20 U.S.C. 1232g
34 C.F.R. 99.1-99.67
Title I of the Electronic Communication Privacy Act of 1986
18 U.S.C. 2510-2521

VOLUME 38, NO. 1 - DECEMBER 2025

po7455

Revised Policy - Volume 38, No. 1 - December 2025 - ACCOUNTING SYSTEM FOR CAPITAL ASSETS

Revised Policy - Volume 38, No. 1 - December 2025

7455 - **ACCOUNTING SYSTEM FOR CAPITAL ASSETS**

The Board of Managers shall maintain a ~~capital-asset ,~~ capital asset accounting system. The capital asset system shall maintain sufficient information to permit the following:

A. [x] the preparation of year-end financial statements in accordance with Generally Accepted Accounting Principles (GAAP)

B. [x] adequate insurance coverage

C. [x] control and accountability

Capital assets are defined as those tangible assets of the Cooperative:

A. with a useful life in excess of one (1) year;

B. an initial cost equal to or exceeding the amount determined periodically in the Cooperative's administrative guidelines;

C. which are capitalized in accordance with GAAP; and

D. which the Cooperative intends to hold or continue in use for an extended period of time.

Further, some items may be identified as 'controlled' assets that, although they do not meet all capital asset criteria, are to be recorded on the ~~capital-asset~~ capital asset system to maintain control.

Capital assets shall be classified as follows:

A. land, buildings (facilities), equipment, and intellectual property (including ~~software)~~ software), whether acquired by purchase, construction, manufacture, exchange, or

through a lease accounted for as a financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards; and

B. additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

Leased capital assets and assets ~~which~~ that are jointly-owned shall be identified and recorded on the ~~capital asset~~ capital asset system.

Capital assets shall be recorded at ~~actual, or~~ actual or, if not determinable, estimated purchase price or fair market value at the time of acquisition. The method(s) to be used to estimate such price or market value shall be established by the _____ Treasurer _____ , pursuant to the State Board of Accounts, Department of Local Government Finance, I.C. 29-1-15-14 and 2 C.F.R. 200.439 .

Normally, the cost recorded is the purchase price or construction costs of the asset. Also included are any other reasonable and necessary costs incurred to place the asset in its intended use that can be directly related to the asset. Such costs may include the following:

A. Legal and title fees, closing costs

B. Appraisal and negotiation fees, surveying fees

C. Damage payments

D. Land preparation costs, demolition costs

E. Architect and accounting fees

F. Design and consulting fees

G. Transportation charges

Donated or contributed assets should be recorded at their fair market value on the date donated or acquired.

[DRAFTING NOTE: The Federal regulation (2 C.F.R. 200.439) allows for a $10,000 threshold. Capital expenditures with a unit cost of $10,000 or more require prior written approval of the Federal awarding agency or pass-through entity. The threshold established herein shall be consistent with Policy 7310 - Disposition of Surplus Property and Policy 7450 - Property Inventory.]

The Cooperative will capitalize items with an individual value equal to or greater than $ ___ 10,000 _____. Improvements or renovations to existing machinery and equipment will be capitalized only if the change causes the total cost to exceed $ __ 12,500 _____, extends its useful life two (2) or more years, and if the total costs will be greater than the current book value and less than fair market value. The Cooperative should capitalize items whose individual acquisition costs are less than the threshold if those assets in the aggregate are significant, i.e., exceed the threshold. **[DRAFTING NOTE: For example, if the Cooperative has a $10,000 threshold and purchases five (5) computers that cost $2,500 each, the total cost when aggregated is $12,500, which is significant because it exceeds the threshold. Accordingly, those computers should be capitalized.]**

The Director shall develop administrative guidelines to ensure proper purchase, transfer, and disposal of ~~capital assets~~ capital assets.

Depreciation shall be recorded for funded capital assets using the method(s) agreed upon by the Director and the __ Treasurer _____ , pursuant to the capital asset depreciation guidelines established by the State of Indiana.

The following information shall be maintained for all capital assets:

A. description

B. asset classification (land, building, equipment, etc.)

C. location

D. purchase price

E. vendor

F. date purchased

G. voucher number

H. estimated useful life

I. estimated salvage value

J. replacement cost

K. accumulated depreciation

L. method of acquisition (purchase, trade-in, lease, donated etc.)

M. appropriation

N. manner of asset disposal

2 C.F.R. 200.1
2 C.F.R. 200.436
2 C.F.R. 200.439
2 C.F.R. 200.465
I.C. 20-40-18-6
I.C. 20-40-18-7
I.C. 29-1-15-14
U.S. Department of Education's FAQs on Uniform Guidance (July 2024)
GASB Implementation Guide No. 2021-1, Implementation Guidance Update - 2021
State of Indiana Capital Asset Management Policy (July 1, 2009)

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Legal
2 C.F.R. 200.1
2 C.F.R. 200.436
2 C.F.R. 200.439
2 C.F.R. 200.465
I.C. 20-40-18-6
I.C. 20-40-18-7
I.C. 29-1-15-14
U.S. Department of Education's FAQs on Uniform Guidance (July 2024)
GASB Implementation Guide No. 2021-1, Implementation Guidance Update - 2021
State of Indiana Capital Asset Management Policy (July 1, 2009)

VOLUME 38, NO. 1 - DECEMBER 2025

po7540.02

Revised Policy - Volume 38, No. 1 - December 2025 - DIGITAL CONTENT AND ACCESSIBILITY

Revised Policy - Volume 38, No. 1 - December 2025

7540.02 - ~~WEB CONTENT, APPS AND SERVICES~~ **DIGITAL CONTENT AND ACCESSIBILITY**

A. ~~**Creation of Content for Webpages, Websites, and Apps and Services**~~ **Creating Digital Content**

The Board of Directors ~~Managers~~ authorizes staff members **(x)** and students ~~**[END OF OPTION]**~~ to create content for ~~webpages, websites, and apps and services (see Bylaw 0100 - Definitions) that are hosted by the Cooperative on its servers or Cooperative-affiliated servers (i.e., servers the Board pays to use or otherwise sanctions the use of) and/or published on the Internet.~~ the Cooperative's website and Cooperative-approved/affiliated apps and services (Bylaw 0100 - Definitions) (digital content).

~~The content of webpages, websites, and apps and services shall~~ Cooperative-generated and school-related digital content must comply with State and Federal law, e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA), and reflect the professional image/brand of the Cooperative, its employees, and students. ~~Content of webpages, websites, and apps and services and staff-created content for webpages, websites, and apps and services is subject to prior review and approval of the Director before being published on the Internet and/or used with students.~~ Cooperative-generated digital content must be consistent with the Cooperative's **(x)** Mission Statement **(x)** policies and philosophy ~~**[END OF OPTION]**~~ and is subject to prior review and approval of the Director before being published on the Cooperative's website or Cooperative-approved/affiliated apps and services.

~~**[NOTE: CHOOSE ONE (1), BOTH, OR NEITHER OF THE FOLLOWING OPTIONS]**~~
[x] ~~Student-created content for webpages, websites, and apps and services is subject to Policy 5722 - School-Sponsored Publications and Productions.~~ School-related student-created content for the Cooperative's website or Cooperative-approved/affiliated apps and services is subject to Policy 5722 - School-Sponsored

Student Publications and Productions.

[x] ~~The creation of content for webpages, websites, and apps and services by students shall be done under the supervision of a professional staff member.~~ Creation of school-related content by students for the Cooperative's website or Cooperative-approved affiliated apps and services must be done under the supervision of a Cooperative staff member.

~~[END OF OPTIONS]~~

B. **Purpose of Digital Content ~~of Cooperative Webpages, Websites, and Apps and Services~~**

The Director shall have final editorial authority over all content placed on the Cooperative's servers or Cooperative-affiliated servers and displayed on the Cooperative's webpages, websites, and/or apps and services. The Director has the right to remove pages or links from any webpage or website, as well as require that apps and services created by a Cooperative staff member be removed from the Cooperative's servers or Cooperative-affiliated servers, based upon the Director's determination that content is inappropriate or is not accessible to individuals with disabilities.

The purpose of ~~the~~ digital content ~~of webpages, websites, and apps and services~~ covered by this policy is to educate, inform, and communicate. The following criteria shall ~~be used to~~ guide the development of ~~such content for webpages, websites, and apps and services~~ Cooperative-generated digital content:

1. **Educate**

   ~~Content~~ Digital content provided shall be suitable for and usable by students and teachers to support the curriculum and Cooperative objectives.

2. **Inform**

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

3. **Communicate**

   ~~Content~~ Digital content may communicate information about the plans, policies and operations of the Cooperative to members of the public and other persons who may be interested in and/or affected by Cooperative matters.

The information ~~contained on the Cooperative's webpages, websites, and apps and services shall~~ published on the Cooperative's website and Cooperative-approved/affiliated apps and services should reflect and support the Cooperative's policies and philosophy (x) including any mission statement ~~[END OF OPTION]~~ .

When the digital content includes a photograph or ~~personally-identifiable~~ information relating to a student, including Cooperative-issued email accounts, the Cooperative shall abide by the provisions of Policy 8330 - Student Records.

All links included on the Cooperative's webpages, websites, and apps and services also shall meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). Nothing in this paragraph shall prevent the Cooperative from linking the Cooperative's webpages, websites, and apps and services to 1) recognized news/media outlets, e.g., local newspapers' websites, local television stations' websites, or 2) to webpages, websites, and apps and services that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party webpages, websites, and apps and services may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01 - Advertising, Commercial Activities, Sponsorships, and Naming Rights, ~~( )~~ ~~AG 9700B - Criteria for Commercial Messages,~~ ~~[END OF OPTION]~~ and State and Federal law.

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

[x] Under no circumstances ~~are staff member-created webpages, websites, and apps and services, including personal webpages or websites, to be used to post~~ shall a staff member post on their personal web pages/websites or private digital accounts (i.e., non-Cooperative-approved/affiliated apps and services) student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the ~~Cooperative-specified webpages, websites, and apps and services,~~ Cooperative's website or Cooperative-approved/affiliated apps and services ~~(e.g., _____ [Skyward])~~ for the purpose of conveying information to students and/or parents. ~~[END OF OPTION]~~

[x] Staff members are prohibited from requiring students to go to the staff member's personal webpages or websites ~~(including but not limited to their Facebook, Instagram, Pinterest pages, YouTube Channel(s), or TikTok sites)~~ and/or private digital accounts (i.e., non-Cooper a tive-approved/affiliated apps and services) (including but not limited to the staff member's personal accounts on Facebook, Instagram, Pinterest, YouTube Channel(s), or TikTok site(s)) to check grades, obtain class assignments and/or class-related materials, or to turn in assignments. **[END OF OPTION]**

[x] If staff members create digital content ~~for webpages, websites, and apps and services~~ related to their classes, ~~they~~ it shall be hosted on the Cooperative's ~~server or a Cooperative-affiliated server~~ website or a Cooperative-approved/affiliated apps and services. **[END OF OPTION]**

[x] ~~Unless the content of webpages, websites, and apps and services contain a student's personally identifiable information, Cooperative webpages, websites, and apps and services that are created by students and/or staff members that are posted on the Internet shall not be password-protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the webpages, websites, or apps and services. Community members, parents, employees, staff, students, and other users generally shall be given full access to the Cooperative's webpages, websites, and apps and services.~~ The Cooperative's website, including school-specific websites, generally shall be open/available to the public unless specific digital content is unique to a specific child and/or includes student 's personally identifiable information, in which case the information must be password-protected or access to it otherwise must be restricted. When digital content involving a student 's personally identifiable information or information concerning coursework particular to a specific student's classes/assignments is password-protected/access is otherwise restricted, the student's parent(s)/guardian(s) shall continue to have access to that digital content. ~~[END OF OPTION]~~

~~The content of Cooperative webpages, websites, and apps and services shall~~ Digital content published on the Cooperative 's website should reflect an understanding that both internal and external audiences shall be viewing the information.

~~The Cooperative's webpages, websites, and apps and services shall be hosted on Cooperative-owned or Cooperative-affiliated servers.~~

The Director shall prepare administrative guidelines defining the rules and standards applicable ~~to the use of the Cooperative's webpages, websites, and apps and services and the creation of webpages, websites, and apps and services by staff. ( ) and students. **[END OF OPTION]**~~ staff **(x)** and students ~~**[END OF OPTION]**~~ who publish digital content on the Cooperative 's website and Cooperative-approved/affiliated apps and services.

The Cooperative retains all proprietary rights related to the design of ~~webpages, websites, and apps and services that are hosted on Cooperative-owned or Cooperative-affiliated servers,~~ and Digital content for its website(s) and any apps and services it operates and/or is affiliated with, absent written agreement to the contrary.

In order for a student's school work (i.e., work that is created in or for a class ~~, at school,~~ or as part of a school-sponsored extracurricular activity) to be displayed on the Cooperative's website, the student (who is eighteen [18] years of age or older , unless a guardian has been appointed for the student) or the student's parent (if the student is seventeen [17] years of age or younger or if the parent has been appointed as the guardian for the student) shall provide written permission and expressly license its display without cost to the Cooperative.

Likewise, prior written permission of a student (who is eighteen [18] years of age or older) or the student's parent (if the student is seventeen [17] years of age or younger) is necessary for a student to be identified by name on the Cooperative's website.

C. **~~Website~~ Accessibility of Digital Content on Cooperative's Website, Mobile Apps, and Apps and Services**

The Cooperative is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the Cooperative's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The Cooperative is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any Cooperative programs, services, and activities delivered online through the web or a mobile app , as required by Section 504 ~~and Title II of the ADA~~ of the Rehabilitation Act of 1973, 29 U.S.C. 794 and 34 C.R.R. Part 104, and Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131 and 28 C.F.R. Part 35, and their implementing regulations; and that they receive effective communication of the Cooperative's programs, services, and activities delivered in person or online.

This policy reflects the Cooperative's commitment to and intention to comply with the requirements of Section 504 ~~of the Rehabilitation Act of 1973, 29 U.S.C. 794, 34 C.F.R. Part 104, and Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131,~~ and Title II of the ADA and 28 C.F.R. Part 35, in all respects. For purposes of this policy, "web content" means "information and sensory experience s to be communicated to the user by means of a user agent, including code or markup that

defines the content's structure, presentation, and interactions." Examples of web content include text, images, sounds, videos, controls, animations, and conventional electronic documents (e.g., content in the following electronic file formats: portable document formats ("PDF"), word processor file formats, presentation file formats, and spreadsheet file formats). Additionally, "mobile applications" ("mobile apps") means "software applications that are downloaded and designed to run on mobile devices, such as smartphones and tablets."

1. **Technical Standards**

~~The Cooperative shall adhere to the technical standards of compliance identified at _____ **[insert link to the Cooperative's website]** . The Cooperative measures the accessibility of online content and functionality according to the **[CHOOSE ONE OF THE FOLLOWING OPTIONS] ( )** World Wide Web Consortium's (W3C's) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (or most current recommended level), and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content. **( )** _____ **[insert another acceptable standard selected by the Cooperative, e.g., the Section 508 Information and Communication Technology Accessibility Standards published by the U.S. Access Board, which serves as the standards the Federal Government uses for its own websites]** . **[end of option]**~~

~~**[DRAFTING NOTE: While OCR currently (as of December 2022) recommends WCAG 2.0 Level AA, WCAG 2.1 gradually is becoming the standard courts cite as the ADA accessibility standard that public entities should use for websites, mobile applications, and digital content compliance. Further, W3C published a working draft of WCAG 2.2 in August 2020 and a Candidate Recommendation draft of WCAG 2.2 in September 2022; a final version of WCAG 2.2 was released in October 2023. The W3C states that WCAG 2.0 and 2.1 remain its recommendation, but version 2.2 should be used to maximize future applicability of accessibility efforts. The WC also encourages the use of the most current version of WCAG when developing or updating Web accessibility policies.]**~~

Digital content on websites, mobile apps , and apps and services that the Cooperative provides and/or makes available, directly or through contractual, licensing or other arrangements, shall comply with the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.1, Level AA standards, unless the Board can demonstrate that such compliance would result in a fundamental alteration in the nature of its programs, services, or activities, or an undue financial and administrative burden.

[DRAFTING NOTES:

Cooperatives with a population of 50,000 or more residents must fully comply with WCAG 2.1, Level AA standards by April 24, 2026; Cooperatives with fewer than 50,000 residents must fully comply with WCAG 2.1, Level AA standards by April 26, 2027.

While the Department of Justice's Final Rule allows public entities to employ alternative designs, methods, or techniques if they provide equivalent or greater accessibility and usability, Neola does not recommend that approach. If the Board wants to consider an alternative technical standard, it should consult with its legal counsel.]

Notwithstanding the preceding, Federal regulations provide for the following content types to have limited exemption from the WCAG 2.1, Level AA requirements:

1. Archived web content (provided all four [4] Federal criteria are met).
2. Preexisting conventional electronic documents (with specific restrictions).
3. Third party content that is not created pursuant to a contract between the Cooperative and a third party.
4. Password-protected documents pertaining to a specific student or account.
5. Preexisting social media posts.

Even when the preceding exceptions apply, however, the Cooperative still will provide effective communication and reasonable modifications in accordance with the ADA.

In addition, documents currently used for accessing Cooperative programs, services, and/or activities do not qualify for the above exceptions, regardless of creation date.

When a person with a disability cannot access Cooperative-generated or affiliated digital content on its websites, mobile apps, or apps and services that meet WCAG 2.1, Level AA standards, the Cooperative will: 1) provide alternate means of access to the same information and functionality; 2) make reasonable modifications to policies, practices, or procedures; 3) ensure effective communication through appropriate auxiliary aids and services; and

4) respond to accommodation requests within __ Five ~~ten~~ _____(_ 5 ~~10~~ __) business days. Such accommodations may include: a) alternative document formats (large print, Braille, audio); b) telephone or in-person assistance for online services; or c) email or mail delivery of information typically accessed online. ~~[INSERT TIMEFRAME]~~

2. ~~**Web**~~ **Digital Accessibility Coordinator**

The Board designates its **[CHOOSE ONE OF THE FOLLOWING OPTIONS]** **X Section 504/ADA Compliance Coordinator** ~~**( )** Section 504/ADA Compliance Coordinator(s) **(x)** Technology Director **( )** _____ **[END OF OPTION]**~~ as the Cooperative's ~~Web~~ Digital Accessibility Coordinator(s). That/Those individual(s) is/are responsible for coordinating and implementing this policy.

[x] The Board commits to providing the ~~Web~~ Digital Accessibility Coordinator with sufficient resources and authority to coordinate and implement this policy and any corresponding guideline(s), subjected to oversight by the Director and the Board.

~~**[Select Option 1 or 2]**~~

[x] [OPTION 1] **[SELECT THIS OPTION ONLY IF YOU HAVE CHOSEN ABOVE TO HAVE THE SECTION 504/ADA COMPLIANCE COORDINATOR(S) SERVE AS THE DIGITAL ACCESSIBILITY COORDINATOR]**

See Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability for the Section 504/ADA Compliance Coordinator('s)(s') contact information.

~~**[END OPTION 1]**~~

~~**[ ] [OPTION 2]**~~

~~The Cooperative's Web Digital Accessibility Coordinator(s) can be reached at _____ **[Insert name or title (recommended), address, email, and phone]** .~~

~~**[END OPTION 2]**~~

3. **Third Party Content**

Links included on the Cooperative's ~~webpages, websites, and apps and services, that pertain to its programs, benefits, and/or services also shall meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section~~

~~504, ADA, and COPPA). While the Cooperative strives to provide access through its webpages, websites, and apps and services to online content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online content) that is in an accessible format, that is not always feasible. The Cooperative's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The Cooperative's Web Accessibility Coordinator(s) or designees shall vet online content on its webpages, websites, and apps and services that is related to the Cooperative's programs, benefits, and/or services for compliance with these criteria for all new content published on the Cooperative's webpages, websites, and apps and services after adoption of this policy.~~ website and Cooperative-approved/affiliated mobile apps and apps and services that pertain to its programs, activities, and/or services also shall meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). The Cooperative's Digital Accessibility Coordinator(s) or designee(s) will vet online content available on the Board's website and through Cooperative-approved/affiliated mobile apps that are related to the Cooperative's programs, activities, and/or services for compliance with the criteria for all new digital content published on the Cooperative's website , mobile apps , and apps and services after adoption of this policy.

Digital content posted by third parties (e.g., members of the public) on Cooperative platforms is exempt from the WCAG 2.1, Level AA requirements. Those platforms, however, along with digital content posted by the Cooperative staff or contractors, must be fully compliant.

~~Nothing in the preceding paragraph, however,~~ Additionally, nothing herein shall prevent the Cooperative from including links on ~~the Cooperative's webpages, websites, and apps and services to~~ its website(s) , mobile apps, and apps and services to :

a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or

b. webpages, websites, mobile apps, or apps and services that are developed and hosted by outside vendors or organizations that are not part of the Cooperative's program, benefits, or services.

The Board recognizes that such third party webpages, websites, mobile apps, and apps and services may contain advertisements that are not age-appropriate or consistent with the requirements of Policy 9700.01 - Advertising, Commercial Activities, Sponsorships, and Naming Rights, ~~( )~~ ~~AG 9700B - Criteria for Commercial Messages,~~ ~~**[END OF OPTION]**~~ and State and Federal law.

4. **Regular Audits**

The Cooperative, under the direction of the ~~Web~~ Digital Accessibility Coordinator(s) or designees, shall audit at regular intervals, the Cooperative's ~~online content and measure this content against the technical standards adopted above~~ digital content to ensure it meets the required technical standards.

(x) This audit shall occur ~~**[CHOOSE ONE OF THE FOLLOWING OPTIONS]** ( ) quarterly - ( ) semi-annually~~ **(x)** at least annually ~~quarterly monitoring of high-priority content and newly published materials **[OR] ( )** annually **( );** with quarterly monitoring of high-priority content and newly published materials **[END OF INTERNAL OPTIONS]** ( ). **( )** no less than once every two (2) years **[END OF OPTION]**~~ .

~~If problems are identified through the audit, such problems shall be documented, evaluated, and, if necessary, remediated within a reasonable period of time.~~
~~**[SELECT OPTION 1 OR OPTION 2]**~~

[x] [OPTION 1]

[x] The audit must be documented **(x)** and include compliance assessment reports, identified accessibility barriers, remediation plans with specific timelines, vendor compliance status, and user complaint tracking and resolution. ~~**[END OF INTERNAL OPTION]**~~

~~**[END OF OPTION 1] [ ] [OPTION 2] [ ]** If problems are identified through the audit, such problems will be documented, evaluated, and if necessary, remediated within a reasonable period.~~

~~**[END OF OPTION 2]**~~

~~**[END OF OPTIONS]**~~

5. **Reporting Concerns or Possible Violations**

If a person accessing the digital content on the Cooperative's ~~webpages, websites, or apps and services~~ web site and/or Cooperative-approved/affiliated mobile apps and apps and services (e.g., a student, prospective student, employee, guest, or visitor) ("user") believes that ~~the Cooperative has violated the technical standards identified above in its online content, the user may contact the Web~~ specific digital content on the Cooperative's website and/or a Cooperative-approved/affiliated mobile app or apps and services has violated the WCAG 2.1, Level AA standards, the user may contact the Digital Accessibility Coordinator with any accessibility concerns. The user also may file a formal complaint utilizing the

procedures set out in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

D. **Instructional Use of Apps and Services**

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

~~**[SELECT OPTION 1 or 2]**~~
[x] [OPTION 1]

The Board requires the ~~**[CHOOSE ONE OF THE FOLLOWING]**~~ **(x)** Director ~~**( )** _____ **[END OF OPTION]**~~ pre-approve each of the apps and services that a teacher intends to use to supplement and enhance student learning. To be approved, the apps and services shall have a FERPA-compliant privacy policy and comply with all requirements of ~~COPPA and CIPA **( )** and Section 504 and the ADA~~ the COPPA, CIPA, and Section 504/ADA, including the WCAG 2.1, Level AA accessibility standards.

~~**[END OF OPTION 1]**~~

~~**[ ] [OPTION 2]**~~

~~A teacher who elects to supplement and enhance student learning through the use of apps and services is responsible for verifying/certifying to the **[CHOOSE ONE OF THE FOLLOWING OPTIONS] ( )** Director **( )** _____ **[END OF OPTION]** that the apps and services have a FERPA-compliant privacy policy and comply with all requirements of COPPA and CIPA **( )** and Section 504 and the ADA - the COPPA, CIPA, and Section 504/ADA, including the WCAG 2.1, Level AA accessibility standards :~~

~~**[END OF OPTION 2]**~~

~~**[END OF OPTIONS]**~~

The Board further requires ~~**[THE BOARD MAY SELECT ONE, BOTH OR NEITHER OF THE FOLLOWING OPTIONS]**~~ **(x)** the use of a Cooperative-issued ~~e-m ail~~ email address in the login process for Cooperative-approved/affiliated apps and services ~~:~~ **(x)** prior written parental permission for a student seventeen (17) years of age or younger to use the student's personal ~~e-mail~~ email address in the login process for Cooperative-approved/affiliated apps and services **(x)** (and) prior written parental permission for a student eighteen (18) years of age or older if the parent has been named as the student's guardian to use the student's personal

email address in the login process for Cooperative-approved/affiliated apps and services .

E. ~~Annual~~ **Training**

The Cooperative will provide ~~( )~~ ~~annual~~ **(x)** periodic ~~**[END OF OPTION]**~~ training for its employees who:

1. create digital content, documents, or multimedia materials;
2. manage the Cooperative's website and digital services , including Cooperative-approved/affiliated mobile apps and apps and services ;
3. select and contract with technology vendors; and
4. work on online communications. The training should cover:

~~**[CHOOSE OPTION 1 OR OPTION 2]**~~
~~**[ ] [OPTION 1]**~~

a. ~~WCAG 2.1, Level AA guidelines and success criteria;~~
b. ~~accessible document creation (PDFs, Word, PowerPoint);~~
c. ~~alternative text requirements for images and media;~~
d. ~~video captioning and audio description requirements;~~
e. ~~accessible form and navigation design;~~
f. ~~color contrast and visual design standards;~~
g. ~~vendor accessibility evaluation criteria; and~~
h. ~~the Cooperative's responsibilities under Title II of the ADA, including its grievance procedures.~~

~~**[END OF OPTION 1]**~~

[x] [OPTION 2]

this Policy and responsibilities associated with the specified staff members' roles related to the implementation of this policy and ensuring the Cooperative's digital content is appropriate and accessible.

~~**[END OF OPTION 2]**~~

~~**[END OF OPTIONS]**~~

~~The Cooperative shall provide **[CHOOSE ONE OF THE FOLLOWING OPTIONS] ( )** annual **( )** periodic **[END OF OPTION]** training for its employees who are responsible for creating content or distributing information online so that these employees are aware of this Policy and understand their roles and responsibilities with respect to web design and creation and/or uploading of documents and multimedia content.~~

[x] Such training shall be facilitated by ~~an individual with sufficient knowledge, skill and experience to understand and employ the technical standards set forth in Board policies and administrative guidelines.~~ qualified individuals with demonstrated knowledge, skill, and experience concerning the accessibility standards and ADA compliance.

F. **One-Way Communication Using the Cooperative ~~Webpages,~~ Websites ~~, and~~ and/or Cooperative-Approved/Affiliated Mobile Apps and Apps and Services**

The ~~Cooperative~~ Board approves the use of ~~its webpages, websites, and apps and services~~ the Cooperative's website and Cooperative-approved/affiliated mobile apps and apps and services to promote school activities and inform stakeholders and the general public about Cooperative news and operations. Such communications constitute public records that shall be archived.

When the Board or Director designates communications distributed via ~~Cooperative webpages, websites, and apps and services~~ the Cooperative's website and/or Cooperative-approved/affiliated mobile apps and apps and services to be one-way communication, public comments are not solicited or desired, and the ~~webpages, websites, or apps and services are~~ website, mobile app , or apps and service s is /are to be considered a nonpublic forum.

If the Cooperative uses mobile apps ~~and~~ or apps and services that do not allow the Cooperative to block or deactivate public comments, the Cooperative's use of those mobile apps ~~and~~ or apps and services shall be subject to Policy 7544 - Use of Social Media, unless the Cooperative is able to withhold all public comments automatically.

If unsolicited public comments can be automatically withheld, the Cooperative shall retain the comments in accordance with its adopted record retention schedule ~~( ) (see AG 8310A – Requests for~~ Access to Public Records ~~and AG 8310E - Record Retention and Disposal) **[END OF OPTION]**~~, but it shall not review or consider those comments.

~~[DRAFTING NOTE: Cooperatives are advised to adopt a new category of records that covers such "hidden public comments" on social media. Unless dictated by State law, retention periods established by the Cooperative for such unsolicited communications should be limited.]~~

15 U.S.C. 6501 et seq., Children's Online Privacy Protection Act
20 U.S.C. 1232g, Family Educational Rights and Privacy Act
20 U.S.C. 6777, 9134
47 U.S.C. 254, Communications Act of 1934, as amended
P.L. 106-554, Children's Internet Protection Act
28 C.F.R. Part 35, Subpart H (Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities - Effective 6/24/2024)
34 C.F.R. Part 99, Family Educational Rights and Privacy Act
47 C.F.R. 54.520, Children's Internet Protection Act

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Legal
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VOLUME 38, NO. 1 - DECEMBER 2025

po8121

Revised Policy - Volume 38, No. 1 - December 2025 - PERSONAL BACKGROUND CHECK - CONTRACTED SERVICES

Revised Policy - Volume 38, No. 1 - December 2025

8121 - **PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES**

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

The Director shall establish the necessary procedures to provide that (1) individuals serving as contractors or subcontractors submit to a background check and (2) entities operating as contractors or subcontractors conduct an inquiry into the background information of their employees who are likely to have direct, ongoing contact with children, that shall include the following:

A. an expanded criminal history check as defined by I.C. 20-26-2-1.5

B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3

C. ( )an expanded child protection index check in other states

D. a search of the national sex offender registry maintained by the United States Department of Justice

E. beginning July 1, 2017, a search of the State child abuse registry

F. ~~verification of enrollment in and use of the Federal E-Verify program to check eligibility to be employed (all employees)~~

G. ( ) an Indiana Bureau of Motor Vehicles driver history if the position involves driving

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

Eligibility

Each contractor and subcontractor shall require that their employees certify under penalty of perjury their eligibility to be employed by the contractor/subcontractor as a United States citizen or a qualified alien as a condition of any contract with the Cooperative.

Each contractor and subcontractor shall require that their employees certify under penalty of perjury their eligibility to be employed by the contractor/subcontractor as a United States citizen or a qualified alien as a condition of any contract with the Cooperative.

Background Checks, Including Expanded Criminal History and Expanded Child Protection Index

The Board requires that an expanded criminal history check be conducted for each contractor or subcontractor who is likely to have direct, ongoing contact within the scope of their contract, before or not later than thirty (30) days after the start of the contract. Likewise, the Board requires that each entity operating as a contractor or subcontractor conduct an expanded criminal history check for each employee who is likely to have direct, ongoing contact with children within the scope of their employment before or not later than thirty (30) days after the start of their employment.

If a third party vendor is used to provide an expanded criminal history check, and the vendor offers more than one type of expanded criminal history check, the Board shall evaluate all available types of criminal history checks to select and employ the expanded criminal history check that would best protect the Cooperative's students.

The Board requires that an Indiana expanded child protection index check be conducted for each contractor or subcontractor who is likely to have direct, ongoing contact with children within the scope of their contract, before or not later than sixty (60) days after the start of the contract. Likewise, the Board requires that each entity operating as a contractor or subcontractor conduct an Indiana expanded child protection index check for each employee who is likely to have direct, ongoing contact with children within the scope of their employment before or not later than sixty (60) days after the start of their employment.

The Board shall not contract with ~~a person~~ an individual who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal. Likewise, the Board shall cease contracting with or terminate the contract of ~~a person~~ an individual who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal. If the contract is with an entity, no employee of that contractor or subcontractor who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) may provide services under the contract with the ~~Corporation~~ Cooperative unless the conviction has been reversed, vacated, or set aside on appeal.

The Board shall not contract with an individual who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal. Likewise, the Board shall cease contracting with or terminate the contract of an individual who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal. If the contract is with an entity, no employee of that contractor who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) may provide services under the contract with the Cooperative unless the conviction has been reversed, vacated, or set aside on appeal.

The Board also shall not contract with an individual who has been convicted of an offense listed in I.C. 20-26-5-11.2(b), unless the conviction has been reversed, vacated, or set aside on appeal. Likewise, the Board shall terminate the contract of an individual who has been convicted of an offense listed in I.C. 20-26-5-11.2(b) unless the conviction has been reversed, vacated, or set aside on appeal. If the contract is with an entity, no employee of that contractor who has been convicted of an offense listed in I.C. 20-26-5-11.2(b) may provide services under the contract with the Cooperative, unless the conviction has been reversed, vacated, or set aside on appeal.

The Board may refuse to contract with or terminate the contract of an individual who is the subject of a substantiated report of child abuse or neglect. If the contract is with an entity, the Cooperative may refuse to contract with the entity or terminate the contract with the entity if it employs or contracts with an individual who is the subject of a substantiated report of child abuse or neglect.

~~**[DRAFTING NOTE: THE BOARD MAY SELECT ONE, BOTH, OR NEITHER OF THE FOLLOWING TWO OPTIONS. THE BOARD SHOULD BE SURE TO SELECT THE SAME OPTIONS HERE AS IT SELECTS IN POLICY 1521 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING, POLICY 3120.02 - ADJUNCT TEACHERS, POLICY 3121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING, POLICY 4121 -PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING, AND POLICY 8120 - VOLUNTEERS.]**~~

~~**[ ] [OPTION 1]**~~

~~Per I.C. 20-26-5-11.2(c), the Cooperative may employ or contract with an individual convicted of any of the following offenses if a majority of the Board approves the employment or contract as a separate, special agenda item [select the items below that the Board wishes to permit] :~~

A. ~~( ) An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5.~~

B. ~~( ) Battery (I.C. 35-42-2-1), unless it is a Class A, B, or C felony conviction (for a crime committed before July 1, 2014) or a Level 2, 3, or 5 felony conviction (for a~~

~~crime committed after June 30, 2014).~~

C. ~~( )~~ ~~Domestic battery (I.C. 35-42-2-1.3), unless it is a Class A, B, or C felony conviction (for a crime committed before July 1, 2014) or a Level 2, 3, or 5 conviction (for a crime committed after June 30, 2014).~~

D. ~~( )~~ ~~Contributi~~ ~~ng to the delinquency of a minor (I.C. 35-46-1-8).~~

E. ~~( )~~ ~~An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5.~~

F. ~~( )~~ ~~An offense relating to controlled substances under I.C. 35-48-4, other than: 1) an offense involving marijuana or paraphernalia used to consume marijuana; or 2) an offense requiring license revocation under I.C. 20-28-5-8(c).~~

~~**[END OF OPTION 1]**~~

~~**[ ] [OPTION 2]**~~

~~Per I.C. 20-26-5-11.2(h), the Cooperative may hire or contract with an individual~~ ~~[select the items below that the Board wishes to permit]~~ ~~:~~

A. ~~( )~~ ~~who is required to wear an ankle monitor as the result of a criminal conviction~~

B. ~~who entered into an agreement to settle an allegation of misconduct relating to the health, safety, or well-being of a student at a school corporation, charter school, or State-accredited nonpublic school, if the agreement included a nondisclosure agreement covering the alleged misconduct [as defined in I.C. 20-26-5-11.2(i)]~~ ~~( )~~

C. ~~( )~~ ~~who, in an academic environment, engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition the child for sexual activity [as defined in I.C. 35-42-4-13]~~

~~If a majority of the Board approves the employment or contract as a separate, special agenda item.~~

~~**[END OF OPTION 2]**~~

~~**[END OF OPTIONS]**~~

[x] Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the contractor or subcontractor.

Information and records obtained from inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, defend a decision made pursuant to this policy, or comply with any mandatory State reporting requirements.

Mandatory Reporting

Each contractor and subcontractor providing services to the Cooperative and each employee of a contractor or subcontractor providing services to the Cooperative shall notify the Director within two (2) business days of the:

A. **[x]** arrest and/or filing of criminal charges against the contractor, subcontractor, or an employee of the contractor or subcontractor and the disposition of such arrest or filing of charges;

B. conviction of the contractor, subcontractor, or an employee of the contractor or subcontractor in Indiana or another jurisdiction for an offense listed in I.C. 20-28-5-8(c);

C. conviction of the contractor, ~~subcontract~~ subcontractor, or an employee of the contractor or subcontractor ~~for a crime~~ in Indiana or another jurisdiction for an offense listed in I.C. 20-26-5-11.2(b) or I.C. 20-26-5-11.2(c); and

D. substantiated report of child abuse or neglect of which the contractor, subcontractor, or employee of the contractor or subcontractor is the subject.

Each individual serving as a contractor or subcontractor who is likely to have direct, ongoing contact with children in the course of providing services to the Cooperative shall be required to report the **(x)** arrest and the filing of criminal charges against the contractor or subcontractor, ~~**[end of option]**~~ conviction of the contractor or subcontractor for a crime, and substantiated report of child abuse or neglect of which the contractor or subcontractor is the subject. Compliance with this requirement shall be verified by either:

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

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

Each contractor and subcontractor providing services to the Cooperative shall screen all employees who are likely to have direct, ongoing contact with children in the course of providing services to the Cooperative. Screening shall be required only one (1) time during the period of the current contract with the Cooperative as long as the contractor has continuously screened new hires, required the same of its subcontractors, and required that these employees report the **(x)** arrest and the filing of criminal charges against the employee, ~~**[end of option]**~~ conviction of the employee ~~for a crime,~~ in Indiana or another jurisdiction for an offense listed in I.C. 20-28-5-8(c), I.C. 20-26-5-11.2(b), or I.C. 20-26-5-11.2(c) and substantiated report of child abuse or neglect of which the employee is the subject. Compliance with this requirement shall be verified by either:

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

B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Cooperative's files.

Non-compliance with these requirements shall be a breach of a material term of any contract between a contractor/subcontractor and the Cooperative.

The Cooperative may obtain an expanded criminal history check or an expanded child protection index check at any time if the ~~Corporation~~ Cooperative has reason to believe that the contractor, subcontractor, or employee of a contractor or subcontractor:

A. is the subject of a substantiated report of child abuse or ~~neglect~~ neglect; or

B. has been charged with or convicted of ~~one (1) of the following crimes~~ an offense requiring license revocation per I.C. 20-28-5-8(c); or:

C. has been charged with or convicted of an offense listed in I.C. 20-26-5-11.2(b).

1. ~~Murder (I.C. 35-42-1-1).~~
2. ~~Causing suicide (I.C. 35-42-1-2).~~
3. ~~Assisting suicide (I.C. 35-42-1-2.5).~~
4. ~~Voluntary Manslaughter (I.C. 35-42-1-3).~~
5. ~~Reckless homicide (I.C. 35-42-1-5).~~
6. ~~Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~
7. ~~Aggravated battery (I.C. 335-42-2-1.5).~~
8. ~~Kidnapping (I.C. 35-42-3-2).~~
9. ~~Criminal confinement (I.C. 35-42-3-3).~~
10. ~~A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).~~
11. ~~Carjacking (I.C. 35-42-5-2) (before its repeal).~~

12. ~~Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

13. ~~Incest (I.C. 35-46-1-3).~~

14. ~~Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

15. ~~Child selling (I.C. 35-46-1-4(d)).~~

16. ~~Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

17. ~~An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

18. ~~An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

19. ~~An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

20. ~~An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~

21. ~~Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.~~

22. ~~Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16)~~

~~years of age; or (iii) fondling the person's genitals or the genitals of another person.~~

23. ~~An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.~~

The Director shall develop administrative guidelines to implement this policy. These procedures shall provide for the review of each reported **( )** arrest and/or criminal charge, **[end of option]** criminal conviction of a contractor, subcontractor or employee of a contractor or ~~subcontractor,~~ subcontractor in Indiana or another jurisdiction for an offense listed in I.c. 20-28-5-8(c), I.C. 2026-5-11.2(b), or I.C. 20-26-5-11.2(c) and substantiated report of child abuse or neglect of which the contractor, subcontractor, or employee of a contractor or subcontractor is the subject and for a response to the reported information that protects members of the school community from persons who may be dangerous to them. Failure of a contractor or subcontractor to remove an employee from direct contact with students, upon request from the Director, shall be considered to be a material breach of the contractor's or subcontractor's contract with the Cooperative.

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Legal
I.C. 5-2-22 I.C. 10-13-3
I.C. 20-26-2-1.3
I.C. 20-26-2-1.5
I.C. 20-26-5-10, -11, and -11.5

VOLUME 38, NO. 1 - DECEMBER 2025

po8405

Technical Correction - Volume 38, No. 1 - December 2025 - ENVIRONMENTAL HEALTH AND SAFETY ISSUES - INDOOR AIR QUALITY, ANIMALS IN THE CLASSROOM, AND IDLING VEHICLES ON SCHOOL PROPERTY

Technical Correction - Volume 38, No. 1 - December 2025

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~~ Wastewater 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~~ 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~~ 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~~ shall 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~~ Finance Authority in 2017 and 2018;

B. is tested in the lead sampling program for school buildings and ~~child care~~ childcare facilities conducted by the Indiana ~~finance authority~~ 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, and 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~~ childcare facilities conducted by the Indiana ~~finance authority~~ 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,~~ 16-41-21.2

I.C. 16-41-37.5
410 IAC 33-4-1 through ~~8~~ 10
40 C.F.R. Part 141

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Legal

Indiana Department of Health Model Policies

I.C. 16-41-21.2

I.C. 16-41-37.5

410 IAC 33-4-1 through 10

40 C.F.R. Part 141

VOLUME 38, NO. 1 - DECEMBER 2025

po8452

Revised Policy - Volume 38, No. 1 - December 2025 - AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

Revised Policy - Volume 38, No. 1 - December 2025

8452 - **AUTOMATED EXTERNAL DEFIBRILLATORS (AED)**

The Board of Managers has determined that it may enhance school safety to have an automated external defibrillator (AED) placed in building(s) within the Cooperative.

An AED is a medical device that contains a heart monitor and defibrillator that is used to administer an electric shock through a person's chest wall to the heart. The built-in computer system of the AED assesses the patient's heart rhythm, determines whether defibrillation is needed, and then administers a shock, if necessary. Audible and/or visual prompts guide the user through the process of using the AED.

~~**[OPTIONAL PROVISION]**~~

~~[ ]~~ The Cooperative shall develop a ~~venue-specific~~ venue specific emergency action plan for sudden cardiac arrest and, for the 2025-2026 school year, do so in collaboration with the Indiana Department of Education (IDOE) and the local health department, that includes the following:

A. ~~requires that AEDs are maintained properly;~~ A cardiac emergency response plan (CERP) that includes the core elements set forth by either the American Heart Association or other nationally recognized recommendations, including recommendations set by the National Athletic Trainers Association.

B. ~~establishes a goal of responding within three (3) minutes to a sudden cardiac arrest occurring within the venue;~~ A requirement that the CERP be widely distributed and posted throughout the school, rehearsed frequently, and updated annually.

C. ~~requires periodic drills;~~ A requirement that AEDs must be clearly marked and easily accessible at each venue where an athletic activity may occur or within one (1) to three (3) minutes of where each athletic activity is held. AEDs must be placed in accordance with guidelines set by the American Heart Association or other nationally recognized guidelines focused on emergency cardiovascular care.

D. ~~requires the plan to be posted in a conspicuous place in the venue visible to participants;~~ A requirement that the Board work directly with local providers of emergency medical services (as defined in I.C. 16-18-2-110) to integrate the CERP into the community's local provider protocols.

E. ~~requires the plan be shared with each head coach or assistant coach of an athletic activity, marching band leader, drama or musical leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest and all student participants before the beginning of the season for each event in which students have an increased risk of sudden cardiac arrest; and~~ A requirement that the AEDs must be made available for use by all individuals, regardless of an individual's training.

F. ~~is distributed to the Board ( ) and all Cooperative employees.~~ A requirement that appropriate school staff and volunteers are trained in first aid, cardiopulmonary resuscitation, and AED use in a manner that follows evidence-based guidelines set forth by the American Heart Association or other nationally recognized guidelines focused on emergency cardiovascular care.

G. **(** x **)** A systematic procedure for maintaining each AED in proper functioning order and storing needed supplies with the AED.

H. **(** x **)** Periodic drills to prepare each head coach and assistant coach of an athletic activity, marching band leader, drama or musical leader, sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest, and other appropriate venue staff for a sudden cardiac arrest.

~~[END OF OPTIONAL PROVISION]~~

Each Principal or building administrator shall manage the venue specific emergency action plan for sudden cardiac arrest. The plan shall be shared with each head coach and assistant coach of an athletic activity, marching band leader, drama or musical leader, and sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest. The plan shall be posted in a conspicuous place so that it is visible to participants of an activity in the venue. Before the beginning of each season in a venue hosting activities in which students have an increased risk of sudden cardiac arrest, the plan shall be shared with the participating students. The plan also shall be distributed to the Board **(** x **)** and all Cooperative employees. ~~[END OF OPTION]~~

The Director shall develop a system by which each AED is maintained properly.

Each head coach or assistant coach of an athletic activity, marching band leader, drama or musical leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest shall be required to participate in a sudden cardiac arrest training course ~~which~~ that includes the use of an AED. ~~(See Policy 1520.08 -~~

~~Employment of Personnel for Extracurricular Activities, Policy 3120.08 - Employment of Personnel for Extracurricular Activities, Policy 4120.08 - Employment of Personnel for Extracurricular Activities, and Policy 8455 - Coach Training, References, and IHSAA Reporting)~~

The Board directs the Director to develop guidelines that govern AEDs, including the use of the ~~AED,~~ AED and the placement of the AED ~~, training and oversight by a medical doctor or by the local EMS Medical Director~~. The Board also directs the Director, in conjunction with the ~~Medical Director~~ local emergency medical services, to review the guidelines, as appropriate. ~~The AED devices shall be located at school buildings for use by employees with proper AED training.~~ AEDs must be made available for use by all individuals, regardless of training.

~~I.C. 16-31-3.5~~
I.C. 16-31-6.5
I.C. 20-34-8
I.C. 34-30-12-1
I.C. 34-30-12-2

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Legal
I.C. 16-31-6.5
I.C. 20-34-8
I.C. 34-30-12-1
I.C. 34-30-12-2

VOLUME 38, NO. 1 - DECEMBER 2025

po8462

Revised Policy - Volume 38, No. 1 - December 2025 - CHILD ABUSE AND NEGLECT

Revised Policy - Volume 38, No. 1 - December 2025

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~~ **[,]** ~~and the _____~~ **[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.~~ Each staff member and youth coach employed by this Cooperative, volunteer coach, and any volunteer 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, they shall make a report immediately to the Department of Child Services ("DCS") by calling the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556 and, if a crime is suspected, the appropriate local law enforcement agency. 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 and/or the appropriate local law enforcement agency. 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 and, if a crime is suspected, the appropriate local law

enforcement agency to ensure that they have received the report and an investigation has begun.

~~[ ] -~~ 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]**~~, ~~- [ ] or the _____ [local law enforcement agency] [end of option]~~ and, if a crime is suspected, the appropriate local law enforcement agency. 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, ~~- [ ] and the _____ [local law enforcement agency] [end of option]~~ and, if a crime is suspected, the appropriate local law enforcement agency. 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~~ their 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. (x) an in-person presentation;

B. (x) an electronic or technology based medium, including self-review modules available on an online system;

C. (x) 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.

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 teacher, 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. (x) an in-person presentation;

B. (x) an electronic or technology based medium, including self-review modules available on an online system;

C. (x) 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)

VOLUME 38, NO. 1 - DECEMBER 2025

po8500

Replacement Policy - Volume 38, No. 1 - December 2025 - FOOD SERVICE PROGRAM

Replacement Policy - Volume 38, No. 1 - December 2025

8500 - **FOOD SERVICE PROGRAM**

The Board of Managers will provide cafeteria or serving facilities in all schools served by the Cooperative where space and facilities permit and food service for the purchase and consumption of lunch for all students, as appropriate given their individual schedules.

[ ] The Board also will provide a breakfast program in accordance with procedures established by the State Department of Education.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, genetic information, or any other legally protected category (collectively, 'Protected Classes') in its educational programs or activities, including the Food Service program. Students and all other members of the Cooperative community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation related to the Food Service program to a teacher, administrator, supervisor, or other Cooperative official so that the Board may address the conduct. See Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The Food Service program will comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

Dietary Modifications

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student with a disability or the parent of a student with a disability, without delay and at no additional charge. The adult student with a disability or the parent of a student with disability making such a request of the Food Service Director shall be informed that medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted within _____ (_____) school days from a health care provider who has prescriptive authority in the State of Indiana or the dietary modification may be discontinued until such statement is received.

The medical certification must identify:

A. the student's physical or mental impairment and why the student's disability or medical condition necessitates such a restriction of the student's diet;
B. an explanation of what the Food Service Program must do to accommodate the student's disability; and
C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula)

After a request for a dietary modification is submitted to the Director of Food Service, the Director of Food Service shall, in turn, notify the Principal/building administrator, school nurse, and the members of the student's IEP Team that the dietary modification shall be made for the student, pending the receipt of the required medical certification.

If deemed necessary by the student's IEP Team, the dietary modification shall be included in the student's IEP.

An adult student with a disability or the parent of a student with a disability who believes the accommodation requested is not being appropriately addressed may access the processes and assistance described in Policy 2260 and/or Policy 2260.01 by contacting the Cooperative's Compliance Officer named in those policies.

For students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

[Choose one of the following two options.]

[ ] The Food Service Program shall not accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

[ ] The Food Service Program shall accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

[End of Options]

Operation and Supervision of the Food Service Program

The operation and supervision of the Food Service program is the responsibility of the _____. The Food Service program will be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board will assist the program by furnishing available space, initial major equipment, and utensils.

Meal Charges

Lunches sold by the Cooperative may be purchased by students, staff members and community residents in accordance with the procedures established by the Director of Special Education ('Director').

[ ] The Director shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

[ ] The Board recognizes that circumstances may result in a student's need to charge lunch or breakfast on occasion and shall permit such charges.

[ ] Staff members and adult community residents shall not be permitted to charge meals.

The Director shall develop procedures regarding meal charges, which shall be implemented by the _____. This procedure will provide direction so that deposits into a student's account are not considered income to the child nutrition program

until the student charges a meal to his/her account. Further, the procedures will provide direction so that: 1) students attending Cooperative schools who do not have funds in their account or on-hand to cover the cost of their meal at the time of service are treated consistently, 2) address feeding students with unpaid meal balances without stigmatizing them, 3) provide for notification of parents when a student charges a meal, and 4) establish a plan to collect the charges made by students so that the unpaid charges are not classified as 'bad debt' at the end of the school year.

Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of $_____.

[CHOOSE ONE OF THE FOLLOWING TWO OPTIONS]

[Option 1]

[ ] If a student has a significant negative lunch account balance, the student shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to the student's negative lunch account balance.

[End of Option 1]

[Option 2]

[ ] If a student has a significant negative lunch account balance, the student shall be provided an alternate meal **( )** at a reduced price recommended by the Director and approved by the Board **[end of option]** , the cost of which shall continue to accrue to the student's negative lunch account balance, and the student's parent(s) shall be contacted to collect the outstanding charges. The alternate meal will be a low-cost alternative to the regular reimbursable meal and shall meet USDA nutritional standards or the Smart Snacks in Schools Regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.

[End of Option 2]

Furthermore, if a student has a significant negative lunch account balance, the student shall not be permitted to charge any à la carte food or beverage items.

Any significant negative lunch account balance should be pursued for collection before it is determined to be uncollectible pursuant to Policy 6151.

The Board's policy and Director's procedure related to meal charges shall be distributed in writing to all households of students attending Cooperative schools at the start of each school year and to households of students transferring to a Cooperative school during the school year. Additionally, the Board's policy and Director's procedure related to meal charges shall be distributed to all Cooperative staff responsible for policy enforcement, including Cooperative food service employees, accounting staff, and all other staff involved in enforcing any aspect of the meal charge policy **( )** at the beginning of the school year **( )** and upon hire during the school year. If the Cooperative contracts with any third party to provide food services, the Board's policy and Director's procedure also must be distributed to the contractor and its employees working in the Cooperative schools.

A lunch account becomes inactive after weeks with no deposits or withdrawals. An inactive lunch account that has a positive balance of $_____ **[SBOA recommends $10.00]** or less may be receipted back into the _____ **[select one of the following options]** **( )** school lunch fund **( )** extracurricular activity fund **[END OF OPTION]** where the School Lunch Program funds are maintained. An inactive lunch account that has a nominal negative account balance of $_____ or less may be offset against the positive

balances in the Fund; provided, however, that if the parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.

Bad Debt/Uncollectible Debt

Significant negative lunch account balances that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the Cooperative for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the Cooperative operations fund or other State or local funding to make that reimbursement.

Once the uncollectible/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b). Any related collection costs, including legal costs, arising from such bad debt after they have been determined to be uncollectible also are unallowable.

Bad debt may be removed from accounts receivable in accordance with Policy 6151.

Additional Compliance

In accordance with Federal law, the _____ will take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request. **[Please note: schools participating in more than one (1) child nutrition program are required to obtain only two (2) food safety inspections per school year if the nutrition programs offered use the same facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that offer only the Special Milk Program.]**

A periodic review of the Food Service accounts will be made by the _____.

Any surplus funds from the National School Lunch Program will be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from à la carte foods may accrue to the Food Service program.

With regard to the operation of the Cooperative Food Service program, the Director shall require:

A. maintenance of sanitary, neat premises free from fire and health hazards;
B. preparation of food that complies with Federal food safety regulations;
C. planning and execution of menus in compliance with USDA requirements;
D. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1214, Policy 3113, Policy 3214, Policy 4113, Policy 4214, and Policy 6460);
E. compliance with food holds and recalls in accordance with USDA regulations;
F. accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;

G. safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
H. regular maintenance and replacement of equipment;
I. compliance with the Cooperative's time and effort record-keeping policy by all Cooperative employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost share requirement. (See Policy 6116)

The Cooperative's Food Service program will serve only food items and beverages as determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans. Any competitive food items and beverages that are available for sale to students à la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period also shall comply with the current USDA *Nutrition Standards for the National School Lunch and School Breakfast Programs* , and the USDA *Smart Snacks in Schools* regulations. Foods and beverages unassociated with the food-service program may be vended subject to the rules and regulations set forth in Policy 8540.

The Director shall require that the Food Service program serve foods in the schools of the Cooperative that are wholesome and nutritious and reinforce the concepts taught in the classroom.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: https://www.usda.gov/sites/default/files/documents/Complain_combined_6_8_12_508.pdf , or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture
   Director, Center for Civil Rights Enforcement
   1400 Independence Avenue, SW
   Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; or
3. E-mail: program.intake@usda.gov

This institution is an equal opportunity provider.

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the Cooperative must be forwarded to the Center for Civil Rights Enforcement of USDA Food and Nutrition Service within three (3) days.

The Board of Managers shall provide cafeteria or serving facilities in all schools operated by the Cooperative where space and facilities permit and food service for the purchase and consumption of lunch for all students, as appropriate given their individual schedules.

It is the intent of the Board to participate in the National School Lunch and School Breakfast Program and to offer paid, free, or reduced-price meals in accordance with the Child Nutrition Program, the National School Lunch Act, and Indiana law. The operation of the food service program shall also be in compliance with the regulations set forth in State law and regulations.

Students who are eligible for free or reduced-price meals shall be approved and properly accounted for by the Principal or building administrator in accordance with criteria established by the Child Nutrition Program and National School Lunch Act. The Board

requires that the identity of students receiving free or reduced-price meals be safeguarded and kept confidential .

The operation and supervision of the food service program shall be the responsibility of the ( ) School Nutrition Program Director _____ [END OF OPTION] . The Cooperative will adhere to the professional standards for school nutrition personnel who manage and operate the food service program, including the requirements related to hiring and training that are set forth in United States Department of Agriculture ("USDA") regulations. ( )

Further, as required by USDA regulations and upon recommendation of the Director, the Board shall certify annually:

A. the ( ) School Nutrition Program Director _____ meets the hiring standards and training requirements set forth in USDA regulations; and ( )

B. each employee in the food service program has completed the applicable training requirements set forth in USDA regulations.

The Food Service program shall comply with Federal and State laws and regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. Further, the food service program shall comply with Federal and State laws and regulations pertaining to the fiscal management of the program as well as all the requirements pertaining to food service hiring and food service manager/operator licensure and certification. In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

Further, the Food Service program shall comply with the School Lunch Fund provisions of Chapter 4 of the State Board of Accounts Uniform Compliance Guidelines for Indiana Public School Corporations.

The Director shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

School Breakfast

[ ] OPTION 1

School breakfast meals shall be made available to students at all schools operated by the Cooperative. Each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the bus less than fifteen (15) minutes before the first bell rings and shall allow the student at least fifteen (15) minutes to eat the breakfast.

[END OF OPTION 1]

[ ] OPTION 2

School breakfast meals shall be made available to students at all Cooperative schools that serve any combination of grades kindergarten through five (5).

[ ] Additionally, the Board shall provide breakfast meals in all Cooperative schools in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals. [END OF OPTION]

[ ] Breakfast meals shall be available if a student arrives at a Cooperative school on the bus less than fifteen (15) minutes before the first bell rings and shall allow the student at least fifteen (15) minutes to eat the breakfast.

[END OF OPTION 2]

[END OF OPTIONS]

Summer Food Service

The Board shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer for financial reasons, the Board will communicate that decision to the residents of its member school corporations in a manner it determines to be appropriate.

Nutrition Standards

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of the Cooperative schools and shall specify the time and place each type of food or beverage may be sold.

In adopting such standards, the Board shall:

A. consider the nutritional value of each food or beverage;

B. consult with a dietitian licensed under I.C. 25-14.5-4, a dietetic technician registered with the Commission on Dietetic Registration, or a school nutrition specialist certified or credentialed by the School Nutrition Association;

C. consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the USDA and the United States Department of Health and Human Services; and

D. consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

The Cooperative's food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines.

The Director shall require that the food service program serve foods in the schools operated by the Cooperative that are wholesome and nutritious and reinforce the concepts taught in the classroom.

The Director is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report annually to the Board at one of its regular meetings regarding the Cooperative's compliance with the standards. ( ) The Director shall assure that the Cooperative's vendors and/or Food Service Management Contractor is/are provided a copy of this policy and any implementing guidelines and that any pertinent agreements are consistent with this policy and any implementing guidelines.

[END OF OPTION]

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

Competitive Food Sales

The Food and Nutrition Services Department shall comply with the provisions set forth in Federal law, incorporated in Indiana Code 20-26-9-18.5, regarding the sale of competitive food and foods of minimal nutritional value.

[CHOOSE ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]

[ ] OPTION 1

Only the Food and Nutrition Services Department shall sell food and beverages to students in elementary schools during regular school hours.

In secondary schools, the Food and Nutrition Services Department shall be the sole provider of food and beverage items sold until ( ) thirty (30) minutes ( ) one (1) hour ( ) _____ [END OF OPTION] following the last lunch period, at which time other school organizations may begin to sell food and beverage items in accordance with Board Policy 8510 - Wellness with Principal or building administrator approval. Accordingly, all food and beverage items for sale to students for consumption on campus from vending machines or school stores or as fundraisers by student clubs and organizations, parent groups, or boosters clubs shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations and applicable State law and regulations and shall be available only between thirty (30) minutes following the last school lunch period and thirty (30) minutes after the close of the regular school day.

[END OF OPTION 1]

[OPTION 2]

The Food and Nutrition Services Department shall be the sole provider of food and beverage items sold in all schools until ( ) thirty (30) minutes ( ) one (1) hour ( ) _____ [END OF OPTION] following the last lunch period, at which time other school organizations may begin to sell food and beverage items in accordance with Board Policy 8510 and with Principal or building administrator approval. Accordingly, all food and beverage items for sale to students on campus from vending machines or school stores or as fundraisers by student clubs and organizations, parent groups, or boosters clubs shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations, and applicable State law and regulations and shall be available only between thirty (30) minutes following the last school lunch period and thirty (30) minutes after the close of the regular school day.

[END OF OPTION 2]

[END OF OPTIONS]

[ ] Food and beverage items sold during the school day outside the cafeteria may be operated on a "profit share" program with prior approval of the Director of the Food and Nutrition Services Department and the Principal or building administrator.

Meal Charges

Lunches sold by the Cooperative may be purchased by students, staff members and community residents in accordance with the procedures established by the Director.

A periodic review of the food service accounts shall be made by the _____. Any surplus funds from the National School Lunch Program or the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a la carte foods may accrue to the food service program.

Cafeteria purchases ( ) shall ( ) may [END OF OPTION] be prepaid into individual food service accounts ( ) before meal service begins ( ) or paid as they receive meals [END OF OPTION] . Prepayments into individual food service accounts may be made _____.

[DRAFTING NOTE: Describe the process for prepaying into accounts, such as payments may be made anytime, weekly, monthly, for a set amount, online, etc.]

The only deductions made from prepaid accounts will be for the purchase of meals or other allowable food purchases in the cafeteria.

If a student withdraws or graduates and has a positive balance of less than $_____, the balance may be receipted into the (·) school lunch fund (·) extracurricular activity fund [END OF OPTION] where the school lunch program funds are maintained unless the parent requests a refund. If a student withdraws or graduates with a positive balance greater than $____ [DRAFTING NOTE: use the same amount as above] , the (·) parents (·) student [END OF OPTION] shall be notified by mail and given the option of receiving a refund within _____ (___) days. If no response is received within _____ (___) days [DRAFTING NOTE: Use the same number of days as stated in the notice] , the account will be closed and the funds will no longer be available. Unclaimed balances will be transferred to (·) the school lunch fund (·) the extracurricular activity fund [END OF OPTION] where the school lunch program funds are maintained.

[·] If a student repeatedly comes to school with no lunch and no money for lunch, the Food Service Manager shall notify the Principal or building administrator as this may be a sign of abuse or neglect and proper authorities may be contacted. [END OF OPTION]

Bad Debt/Uncollectable Debt

Significant negative lunch account balances that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program.

Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable. Any significant negative lunch account balance shall be pursued in accordance with Policy 6152 - Student Fees and Charges for collection before it is determined to be uncollectable pursuant to Policy 6151 - Bad Checks and Uncollectable Debts.

Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the Cooperative for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the Cooperative operations fund or other State or local funding to make that reimbursement.

Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b). Any related collection costs, including legal costs, arising from such bad debt after they have been determined to be uncollectable also are unallowable.

Any significant negative lunch account balance shall be pursued initially in accordance with Policy 6152 - Student Fees and Charges for collection before it is determined to be uncollectable pursuant to Policy 6151 -Bad Checks and Uncollectable Debts. Further, bad debt may be removed from accounts receivable in accordance with Policy 6151 - Bad Checks and Uncollectable Debts.

Negative Account Balances

[DRAFTING NOTE: USDA regulations provide local control with respect to permitting negative lunch account balances, including prohibiting it altogether. As a practical matter, a hard-line rule prohibiting any negative account balances is not recommended. Rather, permitting some limited negative balances to occur, while placing some restrictions on those situations, is likely the most appropriate. Nonetheless, this first option recognizes that the Cooperative does have the choice to prohibit a negative balance without any exceptions.]

Parents initially shall be notified by _____ [DRAFTING NOTE: enter method of first notification (e.g., phone call, email, letter, etc.)] of a negative balance in their child's account _____ [DRAFTING NOTE: enter a time period, (e.g., upon every occurrence, every week, etc.)] . Negative balances are expected to be corrected upon notification by Cooperative personnel. The _____ [DRAFTING NOTE: enter staff assigned responsibility for initial notification] shall be responsible for making this initial notification to parents.

[ ] OPTION 1

No student shall be permitted to purchase any meals for which the student does not have a sufficient balance in their food service account or sufficient cash on hand to purchase the food items.

Students receiving paid or reduced-price lunch who do not have a sufficient account balance or cash on hand to purchase a meal (-) shall not be provided an alternative meal (-) shall be provided an alternative meal [END OF OPTION] that meets the USDA guidelines applicable to alternative meal options. The Director shall, in coordination with the Cooperative's food service, assure that any alternative meals that are provided meet the requisite USDA guidelines for alternative meals. The cost of the alternative meal will be added to the delinquent account.

[END OF OPTION 1]

[ ] OPTION 2

Students shall be permitted to purchase meals from the Cooperative's food service using either cash on hand or a food service account. A student may be allowed to incur a negative food service account balance subject to the following conditions.

Students may be permitted to accumulate a negative food service account balance not to exceed (-) $_____ (-) an amount equal to one school week of regular price meals [END OF OPTIONS] . (-) Students up to grade 8 shall be allowed to incur a negative food service account balance not to exceed $_____. [END OF OPTIONAL SENTENCE] [DRAFTING NOTE: The Board may establish a different permissible negative balance for elementary grades to account for the students' lower level of responsibility for managing these accounts at the younger grade levels.] A student (-) shall be (-) shall not be [END OF OPTION] permitted to purchase a la carte items without a sufficient food service account balance or cash on hand. (-) Likewise, any student who has a negative food service account balance may not purchase a la carte items with cash unless the student also is able to bring their food service account current. [END OF OPTION]

[ ] A student who has exceeded the permissible negative balance amount in their food service account and does not have cash on hand sufficient to purchase a meal shall be treated respectfully. The Cooperative shall provide meals to students with unpaid meal balances without stigmatizing them, shall provide parents of students who charge meals

with notification when a student charges a meal, and shall make efforts to collect the charges incurred by the students so that the unpaid charges are not classified as bad debt at the end of the school year.

[ ] [Option A]

If a student has reached the permissible level of negative food service account balance, they shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to a negative food service account balance.

[End of Option A]

[ ] [Option B]

If a student has a significant negative food service account balance, they shall be provided an alternate meal (.) at a reduced price recommended by the Director and approved by the Board [END OF OPTION] , the cost of which shall continue to accrue to a negative food service account balance, and the student's parent(s) shall be contacted to collect the outstanding charges. The alternate meal shall be a low-cost alternative to the regular reimbursable meal and shall meet USDA nutritional standards or the Smart Snacks in Schools Regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.

[End of Option B]

[END OF OPTIONS]

[ ] Negative food service account balances shall carry-over from year-to-year until paid in full or until a student enters ninth (9th) grade. Upon entering 9th grade, any negative food service account balances shall be converted to school fees. Parents/Guardians shall be responsible for paying all fees in accordance with Policy 6152 - Student Fees and Charges.

[END OF OPTION]

Parents of students who have qualified for free lunches remain responsible for paying off any debt that was incurred prior to the student qualifying for free lunches.

Modifications Based on Compliant Medical Documentation

[DRAFTING NOTE: The section below contains three (3) categories of circumstances in which a student may receive a modified meal. The first category, "Compliant Medical Documentation," is mandatory; whereas the second two (2) categories, i.e., "Noncompliant Medical Requests" and "Requests Not Based on a Medical Statement," are optional. The Board may choose either or neither of the two (2) optional categories.]

An adult student or student's parent requesting special dietary accommodations for a student with a disability that restricts the diet must provide the Medical Statement for Special Dietary Needs signed by a State-authorized medical authority, which is a medical professional authorized in the State of Indiana to write prescriptions. The request must contain the following information:

A. an explanation of how the student's physical or mental impairment restricts the diet;
B. the food(s)/type(s) of foods to be avoided;
C. the food(s)/type(s) of foods to be substituted;
D. additional pertinent information, if any, that will assist in accommodating the student's needs.

If a Medical Statement for Special Dietary Needs is incomplete, unclear, or lacks sufficient detail, the special dietary accommodation coordinator or food service director shall request that the student or parent/guardian, as applicable, request that the medical authority supplement the response so that a safe meal can be provided.

A special dietary accommodation for a student who has a disability that restricts the student's diet must be supported by a Medical Statement for Special Dietary Needs, which should be submitted to ( ) the Food Service Director who shall serve as the Special Dietary Accommodation Coordinator ( ) the Special Dietary Accommodation Coordinator [END OF OPTIONS] insert name, address, phone number, email address. [DRAFTING NOTE - at least one person must be identified as responsible for coordinating compliance with disability-based dietary modifications per 7 C.F.R. 15b.6.]

A student with a disability may have an individualized education program (IEP) or Section 504 plan that requires specific instruction, services, or accommodations related to the student's nutritional needs. If a student's IEP or Section 504 plan contains the same information that is required on a Medical Statement for Special Dietary Needs, then it is not necessary to obtain and submit a separate Medical Statement for Special Dietary Needs.

The individual making an initial request for such substitutions must inform the Food Service Director or Special Dietary Accommodation Coordinator that the student has a disability that restricts the student's diet. The Corporation will honor the request upon receipt of the required documentation from a State-authorized medical authority. If the Special Dietary Accommodation Coordinator is unable to grant a requested accommodation following receipt of the medical authority's statement, the student or parent shall be provided with an explanation of the basis for the decision. Compliant requests shall be implemented immediately.

Disability Accommodation Grievance Procedure

The following procedure is intended to provide prompt and equitable resolution to any concern or disagreement regarding the food service program's administration of meal modifications made or requested on the basis of a student's disability. None of the procedures described in this section shall prevent a student or parent from pursuing a complaint with any State or Federal agency, including the USDA, using the procedures described at the end of this policy or otherwise available under Indiana or Federal law.

A. If an initial request for accommodation in the form of substituted meals is denied, the student or parent may request review of that decision by the ( ) Principal or building administrator ( ) Cooperative's Compliance Coordinator ( ) Director ( ) _____ [END OF OPTIONS] [DRAFTING NOTE: The grievance procedure can be designed as appropriate for each Cooperative] and shall provide any communications between the student or parent and food service officials concerning the accommodation request, any documentation provided by a medical authority, and any additional information the student or parent believes is pertinent to the decision. A review of the materials provided and of the initial decision shall be completed and a response provided to the student or parent as soon as practicable following receipt of the request for review. If the initial decision is reversed, including due to additional information provided on review, the dietary accommodations shall be implemented without delay. If the initial decision is

affirmed, ( ) the decision is final ( ) the decision may be appealed to the Director, whose decision is final ( ) _____ [END OF OPTIONS] .

B. Any other complaint or disagreement with the food service administration concerning the implementation of special dietary accommodations based on a student's disability shall be presented to the Special Dietary Accommodation Coordinator. The student or parent shall specify the nature of the concern and any requested remedy in writing. The Coordinator shall promptly review the grievance and either contact the student or parent for any required clarification of the request or to seek to reach an agreement regarding how to best address the concern. If no agreement is reached, the Coordinator shall make a determination and notify the student or parent in writing as soon as practicable. If the grievance is affirmed in any respect, the Coordinator shall propose a plan for implementing appropriate remedial measures. If the student or parent is dissatisfied with the Coordinator's determination, the student or parent may submit a written request to the Principal or building administrator or the Director for review. The determination by the Principal or building administrator or the Director shall be final.

[Optional Provision - for medical statements not compliant with 7 C.F.R. Part 15b]

[ ] Modifications Based on Noncompliant Medical Requests

On a case-by-case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who provide a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs, but which does not comply with the requirements above. To qualify for such consideration and substitutions, the medical statement must identify:

A. the medical or dietary need that restricts the student's diet; and

B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

[END OF OPTION]

[Optional Provision, based on preferences with no medical documentation]

[DRAFTING NOTE: If the Board chooses to include this category of modification, it also must choose among the options below.]

[ ] Modification Based on Student/Parental Preference

When a request for a special dietary accommodation is not supported by an authorized Medical Statement for Special Dietary Needs or included in a student's IEP or 504 plan, the Cooperative cannot provide modified meals that are not in compliance with USDA Child Nutrition Program requirements. However, the Board authorizes the following:

A. [ ] Fluid Milk Substitution [If Selected, Choose ONE]

[ ] The Cooperative shall have no legal obligation to accommodate a student's or a parent's preference for a fluid milk substitute if there is no Medical Statement for Special Dietary Needs on file requiring such a substitute. However, the Cooperative shall assist the student in choosing a reimbursable meal through offer versus serve (OVS).

[ ] The Cooperative shall offer a Federally approved milk substitute with a written

and signed request from a parent that identifies the reason for the special dietary accommodation.

B. [ ] Religious Reason [If Selected, Choose ONE]

[ ] The Cooperative shall have no legal obligation to accommodate a student's or parent's request for accommodations based on religious requests. However, the Cooperative shall assist the student in choosing a reimbursable meal through offer versus serve (OVS).

[ ] The Cooperative shall provide substitutions based on religious requests to any student, for any religious reason, with a written and signed request by a parent that identifies the reason for the accommodation. A substitution for a religious request must meet USDA Child Nutrition Program meal pattern requirements.

C. [ ] General Dietary Preference [If Selected, Choose ONE]

[ ] The Cooperative shall have no legal obligation to accommodate a student's or parent's general health, nutrition, or food preferences. However, the Cooperative shall assist the student in choosing a reimbursable meal through offer versus serve (OVS).

[ ] The Cooperative shall provide substitutions based on lifestyle preferences to any student with a written and signed request by a parent that identifies the reason for the accommodation. A substitution for a personal request must meet USDA Child Nutrition Program meal pattern requirements.

[END OF OPTIONS]

Review

Upon receipt of a request for a special dietary accommodation, the Food Service Director or Special Dietary Accommodation Coordinator shall review the request to ensure it is supported as required by Federal law and Board policy, and if not, shall request additional or clarifying information from the student or parent making the request.

Implementation

When the need for a special dietary accommodation is supported by a Medical Statement for Special Dietary Needs signed by a State-authorized medical authority, the Cooperative shall offer a reasonable modification that effectively accommodates the student's disability. Following USDA Child Nutrition Program regulations, the Cooperative may consider factors such as cost and efficiency and is not required to prepare a specific meal, provide a specific brand of food, or provide a meal beyond the meals provided to other students.

For students who have an IEP or Section 504 plan that requires specific food-related accommodations, the Cooperative shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

A special dietary request shall be approved and implemented upon submission of a completed authorized Medical Statement.

Student Absence

If a student receiving a special dietary accommodation is absent or does not wish to participate in school lunch on a day an accommodation is planned, the student or parent

shall contact the Special Dietary Accommodation Coordinator by 9:00 a.m. _____ [enter a time in not 9:00 a.m.] the same day.

Renewing A Special Dietary Request

An authorized Medical Statement does not need to be updated annually. However, the Special Dietary Accommodation Coordinator may seek clarification or updates on special dietary requests annually.

Discontinuation of a Special Dietary Request

A special dietary request or part of a request may be discontinued by a parent by submitting the request in writing to the Special Dietary Accommodation Coordinator or shall be discontinued consistent with the medical authority's recommendation provided with the Medical Statement for Special Dietary Needs.

Emergency First Aid

In each school cafeteria, there shall be a poster that is easily visible and prominently placed that contains step-by-step instructions on how to provide emergency first aid for choking on conscious individuals. During all times while the food service program is operating and students are being served food, at least one (1) employee shall be present in the area in which the food is being consumed who has received instruction in methods to prevent choking and demonstrated an ability to perform the Heimlich maneuver.

Food Safety Compliance

In accordance with Federal law, the _____ shall take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection shall be posted in a publicly visible location, and a copy of the report shall be available upon request. [Please note: schools participating in more than one (1) child nutrition program are required to obtain only two (2) food safety inspections per school year if the nutrition programs offered use the same facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that offer only the Special Milk Program.]

Operation of the Food Service Program

With regard to the operation of the Cooperative Food Service program, the Director shall require:

A. maintenance of sanitary, neat premises free from fire and health hazards;
B. preparation of food that complies with Federal food safety regulations;
C. planning and execution of menus in compliance with USDA requirements;
D. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130 – Conflict of Interest, Policy 1214 – Staff Gifts, Policy 3113 – Conflict of Interest, Policy 3214 – Staff Gifts, Policy 4113 – Conflict of Interest, Policy 4214 – Staff Gifts, and Policy 6460 – Conflicts of Interest and Vendor Relations);
E. compliance with food holds and recalls in accordance with USDA regulations;
F. accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
G. safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
H. regular maintenance and replacement of equipment;

I. compliance with the Cooperative's time and effort record-keeping policy by all Cooperative employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost share requirement. (See Policy 6116 – Time and Effort Reporting)

The Cooperative's Food Service program will serve only food and beverage items as determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans. Any competitive food and beverage items that are available for sale to students à la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period also shall comply with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs, and the USDA Smart Snacks in Schools regulations. Foods and beverages unassociated with the food service program may be vended subject to the rules and regulations set forth in this policy.

The Director shall require that the Food Service program serve foods in the schools of the Cooperative that are wholesome and nutritious and reinforce the concepts taught in the classroom.

Vending Machines

The Board recognizes that vending machines can produce revenues that are useful to augment programs and services for students and staff. It shall, therefore, authorize their use in Cooperative facilities, provided that the following conditions are satisfied:

A. (-) all contracts relative to the installation, servicing, stocking, and maintenance of the vending machines must be approved by the Board;
B. (-) the location of the vending machines within a facility or at other places on Cooperative property may be selected by the administrator in charge of the facility or area of Cooperative property, subject to the approval of the Director;
C. (-) no money will remain in vending machines overnight;
D. (-) all monies collected from vending machines will be deposited with the Treasurer in accordance with the current guidelines established by the State Board of Accounts in its Handbook of Instruction for extracurricular accounts;
E. (-) the installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products;
F. (-) no products are vended that would conflict with or contradict information or procedures contained in the Cooperative's educational programs on health and nutrition;
G. (-) no food or beverages are to be sold or distributed that will compete with the Cooperative's food service program;
H. (-) food and beverage items (-) available for sale to students [END OF OPTION] in vending machines for consumption on campus shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations and applicable State law.

In accordance with the nutritional standards adopted by the Board, the placement of vending machines in any classroom where students are provided instruction is prohibited unless the classroom also is used to serve meals to students.

The profits from the sale of items in a vending machine shall be credited in the following manner:

A. ~~( ) profit from vending machines available to students shall be used for the benefit of the students;~~

B. ~~( ) profit from vending machines not available to students may be used for the benefit of school, Cooperative, or staff needs;~~

C. ~~( ) profit from vending machines sponsored by an authorized student organization may be used to benefit the sponsoring organization if approved by the Director.~~

~~Nondiscrimination Statement~~

~~In accordance with Federal civil rights laws and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender status, sexual orientation, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "protected classes") or reprisal or retaliation for prior civil rights activity.~~

~~Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible State or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.~~

~~To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf or https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sfa-civil-rights-complaints-procedure-template.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of the alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:~~

1. ~~Mail: U.S. Department of Agriculture~~
   ~~Office of the Assistant Secretary for Civil Rights~~
   ~~1400 Independence Avenue, SW~~
   ~~Washington, D.C. 20250-9410; or~~
2. ~~Fax: (833) 256-1665 or (202) 690-7442; or~~
3. ~~E-mail: program.intake@usda.gov~~

~~This institution is an equal opportunity provider.~~

~~All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the Cooperative must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service within three (3) days.~~

~~The above non-discrimination statement complements the Cooperative's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.~~

~~Policy Distribution~~

This policy shall be distributed in writing to all households at the start of each school year and to households transferring to the school or Corporation during the school year. The policy will also be provided to all Corporation staff with responsibility for enforcing the policies.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq. Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

I.C. 20-26-9-18

I.C. 20-26-9-18.5

I.C. 25-14.5-4

2 C.F.R. Part 200

7 CFR Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

2 C.F.R. Part 200

34 C.F.R. Part 104

USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

34 CFR Part 104

Uniform Compliance Guidelines for Indiana Public School Corporation (Indiana State Board of Accounts)

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Legal

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq. Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

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VOLUME 38, NO. 1 - DECEMBER 2025

po8540

Rescind Policy Volume 38, No. 1 - November 2025 - VENDING MACHINES

Rescind Policy Volume 38, No. 1 - November 2025

~~8540 - **VENDING MACHINES**~~

~~The Board of Managers recognizes that vending machines can produce revenues that are useful to augment programs and services to students and staff. It will, therefore, authorize their use in Cooperative facilities provided that the following conditions are satisfied:~~

A. ~~The installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products.~~

B. ~~The Cooperative's share of the revenues is managed by the Treasurer in accordance with relevant Board policies and administrative guidelines.~~

C. ~~No products are vended between 12:00 am midnight and thirty (30) minutes following the end of the school day that would conflict with or contradict information or procedures contained in the Cooperative's educational programs on health and nutrition or with Policy 8510 - Wellness.~~

D. ~~Food items and beverages available for sale to students in vending machines for consumption on campus between 12:00 am midnight and thirty (30) minutes following the end of the school day shall comply with the current USDA's Dietary Guidelines for Americans and Smart Snacks for Schools regulations.~~

~~The Director shall develop and implement administrative guidelines that require that these conditions are adhered to on a continuing basis and that the proper procedures are established regarding location, operation, and maintenance of the equipment as well as for the dispensing of products.~~

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42 U.S.C. 1779