

# **Bylaws & Policies**

## **Northwest Allen County Schools**

### **5000 Policies – Students**

REPLACED BY: C375 - SEE BOARD DOCS

Last updated December 15, 2014

Adoption Resolution

Resolved, that the bylaws and policies printed and codified in the comprehensive document entitled “Bylaws & Policies of the Northwest Allen County School Corporation School Board” are hereby adopted and that all bylaws and policies heretofore adopted by the Northwest Allen County School Corporation School Board are hereby rescinded, further be it

Resolved, that in the event any policy, part of a policy, or section of the bylaws is judged to be inconsistent with law, inoperative by a court of competent jurisdiction, or is invalidated by a policy or contract duly adopted by this School Board the remaining bylaws, policies, and parts of policies shall remain in full effect.

Take notice that the foregoing resolution was adopted by the Northwest Allen County School Corporation School Board at a public meeting held at Fort Wayne, Indiana on May 3, 1993.

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## 5111 - ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The School Board establishes the following residency policy for determining eligibility to attend the schools of this Corporation.

- A. The Board will educate, tuition free, students who have legal settlement in the Corporation, and students enrolled in the Public Elementary and Secondary Schools Transfer Program according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined and the student is being supported by and living with a person whose residence is within the School Corporation, the student may be enrolled without payment of tuition. If the parents are able to support the student and have placed him/her in the home of another person primarily for the purpose of attending school in this Corporation without establishing legal guardianship or custodianship as required by Indiana law, tuition will be charged.
- C. Foreign students participating in a foreign-exchange program approved by the State School Board and living with a resident host family will be admitted tuition free.
- D. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01).
- E. Students who have completed the eleventh grade and have changed legal settlement to another school corporation may complete the twelfth grade in this Corporation.
- F. A married student living with a spouse or an emancipated minor is eligible to attend school without payment of tuition provided s/he resides in the Corporation.

### G. **Children of Divorced Parents**

Children of divorced parents may attend school in this Corporation without the payment of tuition if one (1) parent has legal settlement in this Corporation and a timely election is made. Not later than fourteen (14) days before the first student day of the school year for which the parent seeks enrollment, the parent with physical custody must notify the Superintendent of the school corporation in which the parents seeks to have the student enrolled of the election. The election may be made only once a year.

### H. **Transfer Students**

The Corporation shall enroll only those students who have legal settlement in the School Corporation. The Corporation does not accept and/or enroll cash transfer tuition students.

I.C. 20-18-2-11; 20-33-2-12, 20-33-8-17; 20-26-11-1; -20-26-11-2; 20-26-11-2.5  
Plyer v. Doe, 457 U.S. 202 (2004)

Revised 5/1/95  
Revised 5/21/01  
Revised 3/6/06  
Revised 6/19/06  
Revised 5/7/07  
Revised 7/6/10

## 5111.01 - HOMELESS STUDENTS

Children who meet the Federal definition of "homeless" will be provided a free appropriate public education in the same manner as all other students of the Corporation and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on a lack of proof of residency. No Board policy, administrative guideline, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless students.

Homeless students will be provided services comparable to other students in the Corporation, including:

- A. transportation services;
- B. educational services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs;
- C. programs for children with disabilities;
- D. programs for students with limited English proficiency;
- E. programs in vocational and technical education;
- F. programs for gifted and talented students;
- G. school nutrition programs.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

42 U.S.C. 11431 et seq.

Adopted 2/8/05

## **5112 - ENTRANCE REQUIREMENTS**

~~The School Board shall establish student entrance requirements which are consistent with Indiana law and sound educational practice and which ensure equitable treatment and proper placement.~~

### **A. Kindergarten**

~~Each child of legal settlement shall be eligible for Kindergarten providing that s/he has attained the age of five (5) on or before August 1st. This requirement shall also apply to children who transfer into the School Corporation and who may have attended private or public kindergarten in another locality.~~

### **B. First Grade**

~~If a child seeking to enroll in first grade has not attended kindergarten, the Superintendent shall make a determination as to whether the student will enroll in kindergarten or first grade based upon the assessment model found in the administrative guidelines (see AG [5112C](#)).~~

~~The Superintendent shall establish administrative guidelines which ensure compliance with State law, proper documentation of birth as well as a certified copy of any custody order or decree, appropriate screening, placement, and periodic assessment of children in kindergarten and first grade programs, and certification that proper immunization is completed or in process. These guidelines shall also include an appeal procedure for early entrance to kindergarten or first grade that is in accordance with any guidelines promulgated by the State Department of Education.~~

~~Administrative guidelines should also be established to ensure that students enrolling in the Corporation for the first time, at whatever level, submit the proper documentation and that records are promptly transferred. Any indication that a student might be a missing child should be reported immediately to the Superintendent who, in turn, shall communicate with the appropriate authorities.~~

~~I.C. 20-33-2-7~~

Revised 6/19/06 **REPLACED BY: C100 - SEE BOARD DOCS**



## **5114 - FOREIGN AND FOREIGN-EXCHANGE STUDENTS**

The School Board recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having foreign students as members of the student body of this Corporation.

The Board will permit the admission of foreign students who have received permission from the Corporation to attend school prior to entering the United States and foreign-exchange students who are participating in student exchange programs approved by the State Board of Education and whose host family resides in this Corporation. Any foreign exchange student whose host family does not reside in the Corporation, shall be eligible for admission on the same basis as other nonresident students.

The number of resident or nonresident foreign-exchange students shall be limited to five (5) or at the principal's discretion, extenuating circumstances may be considered.

I.C. 20-26-11-10

8 U.S.C. 1101 (Immigration Reform and Control Act)

Revised 5/21/01

## **5120 - ASSIGNMENT WITHIN THE CORPORATION**

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

The Board shall determine periodically the school attendance areas of the Corporation and shall expect the students within each area to attend the school so designated.

The Superintendent shall periodically review existing attendance areas and recommend to the Board such changes as may be justified by:

- A. considerations of safe student transportation and travel;
- B. financial and administrative efficiency;
- C. the need to maintain racial or ethnic balance;
- D. a wholesome and educationally sound balance of student populations.

Upon the recommendation of the building administrator, the Superintendent, with Board approval may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the student.

Every effort shall be made to continue a student in the elementary school to which s/he is initially assigned.

Wherever possible and advisable in the interests of the students, siblings shall be assigned to the same building.

The building principal shall assign students in his/her school to appropriate grades, classes, or groups. This action shall be based on consideration of the needs of the student as well as the administration of the school.

## 5130 - WITHDRAWAL FROM SCHOOL

The School Board affirms that, while Indiana Law requires attendance of each student until sixteen (16) years of age, it is in the best interests of both the students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a student, sixteen (16) to eighteen (18) years of age, wishes to withdraw from school, the Superintendent shall ensure that an exit interview will be conducted with the student, his/her parents, and appropriate members of the certified staff. The purpose of this interview is to:

- A. ascertain the reasons for the withdrawal;
- B. determine whether or not mutually-satisfactory arrangements can be made to keep the student in school;
- C. help the student and his/her parents explore the consequences of the student withdrawing without earning a diploma;
- D. obtain written acknowledgement from the student as well as written consent from the parents.

The student may not withdraw from school unless the student and the student's parent or guardian and the principal agree to the withdrawal and the parent or guardian and the principal provide written consent for the student to withdraw from school. If the principal (this duty may not be delegated to a designee) does not consent to the student's withdrawal, the student's parent may appeal the denial to the Board.

At least five (5) days before holding an exit interview, the School Corporation shall give notice by certified mail and personal delivery to the student, the student's parent(s), or the student's guardian. The student's failure to attend an exit interview or return to school if the student does not meet the requirements to withdraw from the school will result in the revocation or denial of the student's drivers license or learner's permit and employment certificate.

The Superintendent shall develop procedures for withdrawal from school which:

- A. make counseling services available to any student who wishes to withdraw;
- B. make efforts to satisfy the student's future educational needs;
- C. help the student define his/her own educational life goals and help plan the realization of those goals;
- D. inform the student of the G.E.D.;
- E. inform the student of the Adult Continuation Program;
- F. inform the student of the Indiana work permit procedure for withdrawal from school if the student is between fourteen (14) and sixteen (16) years of age;
- G. assure the timely return of all Corporation-owned supplies and equipment in the possession of the student.

The Superintendent shall establish administrative guidelines including a withdrawal form which is to be signed by the student and his/her parent in accordance with the guidelines for the exit interview.

I.C. 9-24-2-1

I.C. 20-33-2-28.5

Revised 4/00

Revised 3/6/06

## **5131 - TRANSFER OUT OF THE SCHOOL CORPORATION**

In the case of a request for transfer to another corporation by a student who has settlement, if the transferor school corporation fails to act on the transfer request within thirty (30) days after the request is received, the transfer is considered approved.

If a transfer is denied on appeal, it may be taken to the State Board of Education by the requesting parents, or student, if perfected within ten (10) days after the denial.

Other nonresident students may transfer to this Corporation upon payment of transfer tuition.

I.C. 20-26-11

Adopted 3/6/06

## 5200 - ATTENDANCE

The School Board, as an agency of the State, is required to enforce regular attendance of students. The Board recognizes that the presence in the classroom enables the student to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to instilling incentives for the student to excel.

Attendance shall be required of all Corporation students, during the days and hours that the school is in session.

The Superintendent shall require, from the parent of each student or from an adult student who has been absent for any reason, a written statement of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each single absence.

Repeated infractions of the Board's policy on attendance may result in the suspension or expulsion of a student.

An out of school suspension is an excused absence. An unexcused absence is an absence from school not authorized by School Corporation rule and is in violation of I.C. 20-8.1-3.

The Board authorizes, but does not encourage, the Superintendent to suspend a student from school if sincere efforts by the staff and parents cannot rectify the pattern of absence. In keeping with its philosophy, the Board supports efforts to provide for in-school alternative educational opportunities for truant students rather than to heighten the effects of absence through suspension.

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. a member of the Indiana wing of the civil air patrol who is participating in a civil air patrol program for not more than five (5) days in a school year
- B. illness
- C. recovery from accident
- D. required court attendance
- E. professional appointments
- F. death in the immediate family
- G. observation or celebration of a bona fide religious holiday
- H. such other good cause as may be acceptable to the Superintendent or permitted by law

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

The Board shall consider each student assigned to a program of other guided learning experiences, authorized under policy 2370, to be in regular attendance for the program provided that s/he reports daily to such staff member s/he is

assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

The Superintendent shall develop administrative guidelines for the attendance of students which:

- A. ensure a school session which is in conformity with the requirements of the law;
- B. ensure that students absent for any excusable reason have an opportunity to make up work they missed;
- C. govern the keeping of attendance records in accordance with the rules of the State Board;
- D. ensure that any student who, due to a medically-documented physical or mental impairment, exceeds or may exceed the Corporation's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

The Superintendent shall ensure that the administrative guidelines on attendance properly address the matter of truancy by including a process which:

- A. identifies the habitual truant, that is, a student who is chronically absent by having unexcused absences from school for more than ten (10) school days in one (1) school year;
- B. investigates the cause(s) of his/her truant behavior;
- C. considers, when appropriate, modification of his/her educational program to meet particular needs which may be causing the truancy;
- D. ensures that truant students are disciplined in accordance with the Corporation's policies and administrative guidelines on student discipline;
- E. provides for the reporting to the Bureau of Motor Vehicles those students who have been suspended for the second time during a school year, expelled, or excluded for misconduct.

The Superintendent shall also ensure that the Board's policy on attendance and the Corporation's administrative guidelines are made available to all parents and adult students.

I.C. 20-33-2-4 et seq.  
511 IAC 1-3-1  
511 IAC 6-2-1(c)(12)

Revised 2/8/05  
Revised 3/6/06  
Revised 9/1/09

## **5230 - LATE ARRIVAL AND EARLY DISMISSAL**

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the Corporation.

The School Board recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this Corporation, the Board shall require that the school be notified in advance of such absences by written or personal request of the student's parent, which shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the principal.

If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the noncustodial parent. Absent such notice, the school will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her.

No student shall be released to anyone or excused from school unless the student is signed-out through the school office.

## 5310 - HEALTH SERVICES

If the School Corporation chooses to provide nonemergency physical exams or screenings, the Board shall directly notify the parents of students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening is scheduled or expected to be scheduled for students if examination or screening is; (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of a specific student, or other students.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Unless the physical examination or screening is permitted or required by an applicable State law, parents may refuse to allow the Board to administer a nonemergency, invasive physical examination or screening upon written notification to the Board within ten (10) days after receipt of the Board's annual public notice.

20 U.S.C. 1232(h)

Adopted 11/18/02  
Revised 6/19/06



## **~~5320 - IMMUNIZATION~~**

~~The School Board requires that all students be properly immunized against whooping cough, poliomyelitis, measles, diphtheria, rubella (German measles), tetanus, and mumps. Every child who enters kindergarten or grade 1 shall be immunized against hepatitis B, and chicken pox. Every child who enters grades 9 and 12 shall be immunized against hepatitis B. From time to time other communicable diseases may be designated by the State Board of Health.~~

~~The Superintendent shall require parents to furnish to their child's school, no later than the first day of school after enrollment, a written statement of the child's immunization accompanied by a physician's certificate or other documentation. Students whose parents do not provide the required documentation by the opening day of school may be admitted to school provided the documentation is received within twenty (20) days and is in accord with the Superintendent's administrative guidelines on immunization. If the student remains unimmunized at the close of the twenty (20) day period, the Superintendent shall commence expulsion proceedings, unless the parents have filed a religious objection or submitted a physician's statement that the needed immunizations are contra-indicated.~~

~~Information concerning meningococcal disease (meningitis) and its vaccine shall be provided to students and parents at the beginning of the school year by the Superintendent. The information must include information concerning the causes, symptoms and spread of meningococcal diseases and places where parents may obtain additional information and vaccinations for their children. The Superintendent shall consult with the State Department of Education and the State Board of Health to develop necessary information and needed materials.~~

~~Exemptions to the immunization requirements shall be granted, in accordance with State law, only for medical, religious, or other reasons allowed by the State.~~

~~The parent of each female student who is entering grade six (6) shall be provided with information prescribed by the State Department of Health concerning cervical cancer and the human papillomavirus (HPV) infection and that an immunization against the HPV infections is available. Within twenty (20) days after the first day of school, the parent shall provide a written statement as prescribed by the State Department of Health regarding the HPV information.~~

~~I.C. 20-30-5-17, 20-34-3-2, 20-34-4-2 thru 7~~

~~Revised 1/3/95~~

~~Revised 2/8/05~~

~~Revised 3/6/06~~

~~Revised 9/1/09~~

**REPLACED BY: C525 - SEE BOARD DOCS**

## ~~5330 - USE OF MEDICATIONS~~

~~The School Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours or the child is disabled and requires medication to benefit from his/her educational program.~~

~~For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.~~

~~Before any medication or treatment may be administered by school personnel to any student during school hours, the Board shall require the written prescription from the child's physician for all prescription drugs accompanied by the written authorization of the parent. In the case of nonprescription drugs, preparations, or remedies, a written authorization from the parent must be on file prior to administration of the treatment. These documents shall be kept on file in the office of the principal.~~

~~Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. Parents, or students authorized in writing by the physician and parents, may administer medication or treatment.~~

~~The Board shall permit the administration by staff of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training.~~

~~Students who may require administration of an emergency medication may have such medication, identified as a fore noted, stored in the principal office and administered in accord with this policy.~~

~~The Superintendent shall prepare administrative guidelines to ensure the proper implementation of this policy.~~

~~I.C. 20-33-8-12~~

~~I.C. 20-34-3-18~~

~~I.C. 34-30-12~~

~~511 IAC 7-21-8~~

REPLACED BY: C525 - SEE BOARD DOCS

## ~~5330.02 - CARE OF STUDENTS WITH DIABETES~~

~~A diabetes management and treatment plan shall be prepared and implemented for a student with diabetes for use during school hours or at a school-related event or activity. The plan shall be developed by~~

- ~~A. the licensed health care practitioner responsible for the student's diabetes treatment; and~~
- ~~B. the student's parent/legal guardian.~~

~~A diabetes management and treatment plan shall:~~

- ~~A. identify the health care services or procedures the student should receive at school;~~
- ~~B. evaluate the student's ability to manage his/her level of understanding of the student's diabetes;~~
- ~~C. be signed by the student's parent/legal guardian and the licensed health care practitioner responsible for the student's diabetes treatment.~~

~~The parent/legal guardian of a student with diabetes shall submit a copy of the student's diabetes management and treatment plan to the school nurse for review:~~

- ~~A. before or at the beginning of a school year;~~
- ~~B. at the time the student enrolls, if the student is enrolled in school after the beginning of a school year; or~~
- ~~C. as soon as practicable following a diagnosis of diabetes for the student.~~

~~An individualized health plan shall be developed for each student with diabetes while the student is at school or participating in a school activity. The school's nurse shall develop a student's individualized health plan in collaboration with:~~

- ~~A. the licensed health care practitioner responsible for the student's diabetes treatment to the extent practicable;~~
- ~~B. the school principal;~~
- ~~C. the student's parent/legal guardian;~~
- ~~D. one (1) or more of the student's teachers.~~

~~A student's individualized health plan shall incorporate the components of the student's management and treatment plan.~~

~~The Board is not liable for civil damages as a result of a student's self-administration of medication for an acute or chronic disease or medical condition except for an act or omission amounting to gross negligence or willful and wanton misconduct.~~

~~I.C. 20-34-5~~

~~Adopted 9/1/09~~

REPLACED BY: C525 - SEE BOARD DOCS

## **~~5335 - CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS~~**

~~Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they may be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) so that they have the same access to an education as students without disabilities. Such accommodations/modifications/interventions may be provided pursuant to a Section 504 Plan ([Form 2260.01 F13](#)). All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy [8330](#) and Policy [8350](#).~~

~~The coordinated school health practices for management of a chronic health condition shall provide for:~~

- ~~A. coordination of health care management activities by school staff;~~
- ~~B. identification of individuals with chronic health conditions;~~
- ~~C. development of individual health care action plans;~~
- ~~D. communication among school staff who interact with children with chronic health conditions;~~
- ~~E. awareness and training of school staff regarding Corporation policy on acute and routine management of chronic health conditions, information on signs and treatment of chronic health conditions, medication and administration, and emergency protocols for dealing with reactions in "unusual" situations such as field trips.~~

~~School health practices shall provide students with chronic health conditions the opportunity for:~~

- ~~A. full participation in physical activities when students are well;~~
- ~~B. modified activities as indicated by the student's health care action plan, 504 plan, or Individualized Education Plan (IEP);~~
- ~~C. access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity;~~
- ~~D. communication regarding student health status between parents, physicians, teachers (particularly physical education teachers), and coaches.~~

~~Healthcare management activities may include:~~

- ~~A. procedures to obtain, maintain, and utilize written health care action plans, signed by the child's parents and physician, for each student with a chronic health condition;~~
- ~~B. a standard emergency protocol in place for students experiencing a distress reaction if they do not have a written health care action plan on site;~~

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- ~~C. established communication strategies for students to use to tell an adult they may be having a health-related problem;~~
- ~~D. procedures for students to have immediate access to medications in accordance with Policy [5330](#) and AG [5330](#) that allow students to self-care and self-administer medications, inhalers, and Epi-pens, as prescribed by a medical professional and approved by parents/guardians;~~
- ~~E. prevention strategies to avoid causal elements;~~
- ~~F. case management for students with frequent school absences, school health office visits, emergency department visits, or hospitalizations due to chronic health conditions;~~
- ~~G. otherwise attending to the management and care of the student's chronic health condition in the classroom, in any area of the school or school grounds, or at any school related activity or event.~~

~~Staff will be trained about chronic health conditions and their control at a minimum annually in each school in which there is a student with a chronic health condition. This training shall include:~~

- ~~A. education about chronic health conditions;~~
- ~~B. the management procedures that the student and/or school personnel will be responsible for during the school day;~~
- ~~C. the early warning signs of chronic health conditions;~~
- ~~D. what to do in case of a distress reaction;~~
- ~~E. special planning needed for school functions such as parties, field trips, before and after school activities, particularly those involving physical activity or exercise;~~
- ~~F. reporting procedures for changes in the student's physical or emotional behavior and condition;~~
- ~~G. access to appropriate consulting health professionals to address questions about chronic health conditions.~~

~~Designated staff who have responsibility for specialized services such as giving inhaler treatments or injections, or conducting glucose and/or ketone tests shall be provided training specific to the procedures, at least annually, by a licensed health professional.~~

~~The school nurse shall maintain a copy of the training program and the records of training completed by school employees.~~

~~Communication by school personnel with the student's parents/guardians and healthcare providers is to begin as soon as the student with a chronic health condition is identified. In the absence of school nursing services, the principal will contact the parents/guardians to discuss the need for written physician's instructions and a health care action plan for the student with a chronic health condition to be completed and provided to the school as soon as possible. The plan shall clearly state all accommodations and emergency care procedures for the student with a chronic health condition during school~~

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~~hours or at a school-related event or activity. Healthcare action plans shall be accessible to designated staff in case of a distress reaction, or suspected onset of medical distress.~~

~~Except in an emergency, the school shall allow the student to attend to the management and care of his/her chronic health condition, as provided in the individualized healthcare action plan.~~

~~The school shall provide an information sheet to the individual who is responsible for providing transportation for or supervising a student with a chronic health condition during an off-campus school related activity that:~~

- ~~A. identifies the student with a chronic health condition;~~
- ~~B. identifies potential emergencies that may occur as a result of the chronic health conditions and appropriate responses to an emergency;~~
- ~~C. provides the telephone number of a contact in case an emergency occurs.~~

~~Adopted 11/14/11~~

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REPLACED BY: C525 - SEE BOARD DOCS

## **~~5340 - STUDENT ACCIDENTS~~**

~~The School Board believes that school personnel have certain responsibilities in case of accidents which occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.~~

~~Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.~~

~~The Superintendent may provide for an in-service program on first aid and CPR procedures.~~

~~The administrator in charge must submit an accident report to the Superintendent on all accidents.~~

**REPLACED BY: C525 - SEE BOARD DOCS**

## **5341 - EMERGENCY MEDICAL AUTHORIZATION**

The Corporation will distribute annually to parents or guardians of all students the Emergency Medical Authorization form. In the event emergency medical treatment for a student is necessary, the Corporation will adhere to the instructions on the authorization form.

Emergency medical authorizations will be kept in a separate, easily accessible file in each school building during the school year. At the end of the school year, the authorization will be stored with the student's cumulative records.

When considering DO NOT RESUSCITATE orders, it is the policy of the District that in emergency situations involving accident or illness and medically fragile children, employees shall be reasonably expected to render first aid and life sustaining care to the extent of their knowledge and training, and to seek the assistance of appropriate school medical personnel and other staff members more knowledgeable than themselves and emergency medical resources, such as ambulance services, available in the community. However, the school is not a medical care provider and its responsibility is limited to administering emergency care and contacting appropriate medical care providers, not acting as a liaison between parents and medical care providers. Therefore, implementation of "Do Not Resuscitate" ("DNR") request is not consistent with that policy, and District employees will not comply with request from parents or others to withhold life-sustaining emergency care from any student in need of such care while under the control and supervision of the school system. The District recognizes that the individual needs of students with disabilities may require different types of medical resuscitation plans. Therefore, School District personnel will make every reasonable effort to follow the recommendations of the student's primary care physician and/or other treating physicians regarding specific alternative emergency procedures appropriate to the individual student.

Revised 3/98



## 5350 - STUDENT SUICIDE

The School Board recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the schools, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

The Board directs all school personnel to be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

The Superintendent 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 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

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

767 F 2d 651 (1985) Kelson v. City of Springfield, 767 F2d 651 (9th Cir. 1985)

## ~~5410 - PROMOTION, PLACEMENT, AND RETENTION~~

~~The School Board recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.~~

~~It shall be the policy of the Board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.~~

~~Such pattern should coincide with the system of grade levels established by this Board and the instructional objectives established for each.~~

~~A student will be promoted to the succeeding grade level when s/he has demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade.~~

~~A student enrolled in special education shall be promoted or retained based on the opinion of the Case Conference and the student's I.E.P.~~

~~A child's promotion or retention may be affected by his/her performance on the State Achievement Test. The promotion or retention will be in accordance with guidelines as promulgated by the State Department of Education.~~

~~No student who has completed a grade successfully shall be retained or allowed to repeat a grade in order to improve his/her ability or lengthen his/her eligibility to participate in extra-curricular athletic programs.~~

~~The Superintendent shall develop administrative guidelines for promotion, placement, and retention of students which:~~

- ~~A. require the recommendation of the professional staff for any promotion, placement, or retention;~~
- ~~B. require that parents are informed in advance of the possibility of retention of a student at a grade level;~~
- ~~C. assure that reasonable efforts be made to remediate the student's difficulties before s/he is retained;~~
- ~~D. assign to the building principal the final responsibility for determining the promotion, placement, or retention of each student.~~

REPLACED BY: E125 - SEE BOARD DOCS

## 5420 - REPORTING STUDENT PROGRESS

The School Board believes that the cooperation of school and home is a vital ingredient to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of student welfare and progress in school.

The Board directs the establishment of a system of reporting student progress which shall include written reports, and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Superintendent, in conjunction with appropriate staff members, shall develop administrative guidelines for reporting student progress to parents which:

- A. ensure that both student and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the student's status;
- B. enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- C. ensure that one (1) or more orientation sessions, established in accordance with State guidelines, are held for parents of students who will attend a summer remediation program;
- D. and for those whose children are participants in the Corporation's program for at-risk students;
- E. specify the issuance of report cards at intervals of not more than nine (9) weeks;
- F. ensure a continual review and improvement of methods of reporting student progress to parents.

I.C. 20-26-3-5

I.C. 20-26-5-4

## 5421 - GRADING

The School Board recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers, and parents determine properly how well the student is achieving the goals of the Corporation's program.

The Board believes that the Corporation's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning outcomes which are to be stated for each program at every grade level, kindergarten through twelve.

The Board directs the Superintendent to develop administrative guidelines for grading which:

- A. develop clear, consistent criteria and standards particularly when grades are based on subjective assessment;
- B. help each student understand in each course or program what behavior and/or achievement is needed to earn each grade as well as what will produce a failing grade;
- C. provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs;
- D. provide for a pass/fail grade in programs for which it is appropriate;
- E. provide students the opportunity to assess both their own achievements and their areas of difficulty.

The grading system should not inhibit the professional staff member from assessing the strengths and weaknesses of each student on an individual basis.

The grading system should be subject to continual review by staff, students, and parents. Revisions shall be made only when such changes will assure a clearer, more valid, or more reliable system of grading.

## 5430 - CLASS RANK

The School Board acknowledges the usefulness of a system of computing grade point averages and class ranking for high school students, b

oth to inform students of their relative academic placement among their peers and to provide students, prospective employers, and institutions of higher learning with a predictive device so that each student is more likely to be placed in an environment conducive to success.

The Board authorizes a system of class ranking, by grade point average, for students in grade(s) 9-12.

The Superintendent shall develop procedures for the computation of grade point averages and the assignment of class rank to implement this policy which shall include:

- A. a provision for students graduating before their class;
- B. a statement of the methods for such computation and assignment to be made available for those to whom a student's grade point average or rank in class is released.

## **5451 - STUDENT RECOGNITION**

The School Board values excellence and wishes to encourage students in the desire to do their best in all things. It shall be the policy of this Board, therefore, to recognize outstanding accomplishment in both curricular, and extra-curricular areas.

The Board authorizes the Superintendent to develop a plan for recognition of outstanding student achievement based on well-defined, consistent criteria and standards.

## 5460 - GRADUATION REQUIREMENTS

It shall be the policy of the School Board to acknowledge each student's successful completion of the instructional program appropriate to the achievement of Corporation goals and objectives as well as personal proficiency by the awarding of a diploma at fitting graduation ceremonies.

The Board shall award a regular high school diploma to every student enrolled in this Corporation who meets the requirements of graduation established by this Board as provided by the State.

There shall be only one (1) general diploma awarded by this Corporation and no distinctions shall be made between various programs of instruction. Exceptions shall be made for students who meet the State requirements for a Core 40, a Core 40 with Academic or Core 40 with Technical Honors diploma.

Special education students who have completed and are ready to exit their programs may participate in graduation activities and shall be awarded a certificate.

Beginning with the class of students who expect to graduate in the 2010 - 2011 school year, each student is required to meet:

- A. the academic standards tested in the graduation examination;
- B. the Core 40 course and credit requirements adopted by the State Department of Education;
- C. additional graduation requirements established by the Board of School Trustees.

Upon the request of the student's parents, the student may be exempted from the Core 40 curriculum requirements and be required to complete the general curriculum to graduate as required by State law. Also, school officials may initiate a discussion with the parents about exempting a student from the Core 40 curriculum if the student does not pass at least three (3) courses required under the Core 40 curriculum or if the student scores in the twenty-fifth percentile or lower the first time the student takes the graduation exam. If the parent makes the decision to exempt the student from the Core 40 requirement, the student will be required to complete the general curriculum as required by State law.

Commencement exercises will include those students who are eligible for a diploma or certificate of achievement as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct so warrants.

The Superintendent shall establish administrative guidelines for an appeals process.

I.C. 20-32-4-1 to 10 , 20-20-6, 20-35-4-11  
511 IAC 5-3-1 to 2, 6-7.1-4 through 7

Revised 12/6/99  
Revised 3/6/06  
Revised 9/1/09  
Revised 7/6/10

## **5463 - CREDITS FROM STATE-APPROVED, NONPUBLIC SCHOOLS**

In recognizing its responsibility to uphold the minimum educational standards of the State of Indiana, the School Board establishes the following policy and criteria regarding the acceptance of credits from State-approved, nonpublic schools.

For credit or course-work to be accepted for courses taken in a State-approved, nonpublic school there must be verification that:

- A. the course was taught by a certified teacher;
- B. the course met the time requirements established by the State if a regular academic course, or the total hours per year as set forth in the State Minimum Standards, if other than a regular academic course;
- C. course content is comparable to Corporation-established courses of study.

All students, grades 1 through 12, entering from a State-approved, nonpublic school may be given an individual achievement test which will be used as an aid in placing these students.

Recognition of credits or course-work from a State-approved, nonpublic school shall be granted when the above-stated criteria are satisfied and upon completion of the first year of transfer, if the student demonstrates through successful performance in the regular classroom that s/he has mastered the previous courses.



## **5464 - EARLY GRADUATION**

The School Board acknowledges that some students are pursuing educational goals which include graduation from high school at an earlier date than their designated class.

Application for early graduation shall be in accordance with State regulations. The principal may honor this request if all conditions for graduation are met and the student fulfills the graduation requirements.

The student may participate in the graduation ceremonies with his/her designated class.

511 I.A.C. 6-7-4

511 I.A.C. 6-9-3

Revised 9/98

## ~~5500 - STUDENT CONDUCT~~

~~Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.~~

~~Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this Corporation.~~

~~The Superintendent shall establish procedures to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the conduct of students in schools, on Corporation premises, and on school vehicles.~~

~~The Superintendent is authorized to establish instructional programs on the dangers of dangerous weapons which requires students to report knowledge of dangerous weapons and threats of violence by students to the building principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.~~

~~Student conduct shall be governed by the rules and provisions of the Student Code of Conduct. This Code of Conduct shall be reviewed annually.~~

~~I.C. 20-33-8-1 thru 34, 20-27-10-2~~

~~Revised 9/98~~

**REPLACED BY: C350 - SEE BOARD DOCS**

## 5511 - DRESS AND GROOMING

The School Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the schools.

Accordingly, the Superintendent shall establish such grooming guidelines as are necessary to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such guidelines shall prohibit student dress or grooming practices which:

- A. present a hazard to the health or safety of the student himself/herself or to others in the school;
- B. interfere with school work, create disorder, or disrupt the educational program;
- C. cause excessive wear or damage to school property;
- D. prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

The Superintendent may establish the dress requirements for members of the athletic teams, bands, and other school groups when representing the Corporation at a public event.

The Superintendent shall develop administrative guidelines to implement this policy which:

- A. designate the building principal as the arbiter of student dress and grooming in his/her building;
- B. invite the participation of staff, parents, students in the preparation of a dress code which may specify prescribed dress and grooming practices, but may not amplify the rationale of prohibition established by Board policy;
- C. instruct staff members to demonstrate, by example and precept, personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;
- D. ensure that all administrative guidelines impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.

## **~~5512 - USE OF TOBACCO~~**

~~In order to protect students who choose not to use tobacco from an environment that might be harmful to them, the School Board prohibits the use and/or possession of tobacco or tobacco product by students in school buildings, on school grounds, on school buses, or participating in any school-related event.~~

~~For purposes of this policy, use of tobacco shall mean all uses of tobacco, including cigar, cigarette, pipe, snuff, or any other matter or substance that contains tobacco.~~

~~The administration of each school building will take appropriate action in cases involving students who use tobacco in violation of this policy.~~

**REPLACED BY: A250 - SEE BOARD DOCS**

## **5513 - CARE OF SCHOOL PROPERTY**

Basic to the philosophy of the School Board is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including school property. Each student should realize that vandalism to school property is costly to repair and is directly related to increased school taxes.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of school materials and equipment.

Students who cause damage to school property shall be subject to disciplinary measures and restitution for damages.

The Board authorizes the imposition of fines for the loss, damage, or destruction of school equipment, apparatus, musical instruments, library materials, textbooks, and for damage to school buildings.

The Board reserves the right to file a civil action in a court of competent authority against parents of a student who willfully destroys Corporation property.

The Superintendent shall develop procedures to implement this policy which include the requirement that all incidents involving the destruction of property be reported to the Board. The Superintendent may report to the juvenile authorities any student whose damage of school property has been serious or chronic in nature.

I.C. 20-33-5-11

## **5514 - STUDENT USE OF BICYCLES**

The School Board regards the use of bicycles for travel to and from school by students as an assumption of responsibility on the part of those students; a responsibility in the care of property, in the observation of safety rules; and in the display of courtesy and consideration toward others.

The Board will not be responsible for bicycles which are lost, stolen, or damaged.

The principal shall develop administrative guidelines for the operation parking of bicycles and shall disseminate those guidelines to all students so affected.

### **STUDENT USE OF MOTOR VEHICLES**

The School Board regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility on the part of those students; a responsibility in the care of property; in the observation of safety rules; and in the display of courtesy and consideration toward others.

The Board will permit the use of motor vehicles by students, in accordance with the rules of this Corporation, provided that such students are licensed drivers and have been granted permission by the principal to drive a motor vehicle on school grounds.

The Board will not permit the use of mini-bikes or all-terrain vehicles for travel to and from school.

The Board will not be responsible for motor vehicles which are lost, stolen, or damaged.

The principal shall develop administrative guidelines for the operation parking of motor vehicles and shall disseminate those guidelines to all students so affected.

The principal shall establish standards for the granting of permits which shall contain the warning that infraction of rules may result in the revocation of the permit.

## **~~5516 - STUDENT HAZING~~**

~~The School Board believes that hazing activities of any type are inconsistent with the educational process and prohibits all such activities at any time in school facilities, on school property, and at any Corporation-sponsored event.~~

~~Hazing shall be defined for purposes of this policy as performing any act or coercing another, including the victim, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.~~

~~Administrators, faculty members, and other employees of the Corporation shall be alert particularly to possible situations, circumstances, or events which might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.~~

~~The Superintendent shall distribute this policy to all students and Corporation employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs.~~

~~I.C. 35-42-2-2~~

**REPLACED BY: C200 - SEE BOARD DOCS**

## **5517 - ANTI-HARASSMENT**

### **General Policy Statement**

It is the policy of the School Board to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School Corporation operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, or any other unlawful basis, and encourages those within the School Corporation community as well as third parties who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School Corporation community" means students, administrators, teachers, staff, and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School Corporation community at school-related events/activities (whether on or off School Corporation property).

### **Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation.  
✍
- B. Filing a malicious or knowingly false report or complaint of harassment.  
✍
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.  
✍

### **Definitions**

#### **Sexual Harassment**

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's status in



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~~class, educational program, or activity;~~

- ~~B. Submission or rejection of such conduct by an individual is used as the basis for educational decisions affecting such individual;~~
- ~~C. Such conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.~~

~~Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.~~

~~Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:~~

- ~~A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.~~
- ~~B. Physical assault.~~
- ~~C. Threats or insinuations that a person's academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of education may be adversely affected by not submitting to sexual advances.~~
- ~~D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.~~
- ~~E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the educational environment, which may embarrass or offend individuals.~~
- ~~F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.~~
- ~~G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.~~
- ~~H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.~~
- ~~I. Inappropriate boundary invasions by a Corporation employee or other adult member of the School Corporation community into a student's personal space and personal life.~~

~~Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's education, or such that it creates a hostile or abusive educational environment.~~

**NOTE: Sexual conduct/relationships with students by Corporation employee or any other adult member of the School Corporation community is prohibited, and any teacher, administrator, coach or other school authority, or staff member who engages in certain sexual conduct with a student may be disciplined up to and including termination and may also be guilty of the criminal charge of "sexual battery" as set forth in Indiana Code 35-42-4-8. In the case of a child under fourteen (14) years of age, the person may also be guilty of "child molesting" under Indiana Code 35-42-4-3. In the case of a child between the ages of fourteen (14) and sixteen (16), the person may also be guilty of "sexual misconduct with a minor" under Indiana Code 35-42-4-9. The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any employee accused of sexual relations with a student may be placed on leave with pay until school administrative proceedings are completed. Proven sexual relationships with a student regardless of the age of the student will initiate the termination process for the employee.**

### **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin Harassment**

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

## **Reports and Complaints of Harassing Conduct**

Members of the School Corporation community and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.

Members of the School Corporation community or third parties who believe they have been unlawfully harassed by another member of the School Corporation community or a third party are entitled to utilize the Board's informal and/or formal investigation and complaint process. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's participation in educational or extra-curricular programs. Individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The names and titles of the Anti-Harassment Complaint Coordinators with whom complaints of unlawful harassment should be filed are set forth in the administrative guidelines that supplement this policy. The names and titles of these individuals will be published annually in the student handbooks.

The Superintendent shall establish Administrative Guidelines describing both a formal and an informal process for making a charge of harassment, a process for investigating claims of harassment, and a process for rendering a decision regarding whether the claim of harassment was substantiated. This Policy and the Administrative Guidelines will be readily available to all members of the School Corporation community and posted in appropriate places throughout the School Corporation.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Complaint Coordinators. Thereafter, the Complaint Coordinator must contact the student if age eighteen (18) or older, or the student's parents if under the age eighteen (18), to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Complaint Coordinator or designee to conduct an investigation following all the procedures outlined for a formal complaint.

## **Privacy/Confidentiality**

The School Corporation will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

## **Informal Process for Addressing Complaints of Harassment**

The administrative guidelines will include an informal complaint process to provide members of the School Corporation community or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Members of the School Corporation community or third parties who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The administrative guidelines will include as a requirement the prerequisite that the informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process. Those members of the School Corporation community or third parties who believe that they have been unlawfully harassed may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process. However, all complaints of harassment involving a Corporation employee or any other adult member of the School Corporation community against a student will be formally investigated.

## Formal Process for Addressing Complaints of Harassment

The administrative guidelines will also include a formal complaint process. While the formal complaint process may serve as the first step to resolution of a charge of unlawful harassment, it is also available in those circumstances when the informal complaint process fails to satisfactorily resolve a concern. Because of the need for flexibility, no specific time lines are established for initiating the formal complaint process; however, once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within thirty-one (31) calendar days of the complaint being received).

Members of the School Corporation community or third parties who feel they have been unlawfully harassed should file a formal written complaint with the principal of their school building or with one (1) of the Complaint Coordinators identified in the Administrative Guidelines. Oral complaints of harassment will be reduced to writing by the individual receiving the complaint and the Complainant will be asked to verify the accuracy of the reported charge by signing the document. Complaints received by a school building principal will be immediately reported to the appropriate Complaint Coordinator identified in the Administrative Guidelines.

After a complaint is filed, the Complaint Coordinator or designee shall conduct a prompt and timely investigation. The investigation may include interviews of the complainant, the individual accused of engaging in harassing behavior, and any other witness who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

At the conclusion of the investigation the Complaint Coordinator or designee will prepare and deliver to the Superintendent a written report summarizing the evidence gathered during the investigation and providing his/her recommendations regarding whether or not the complaint of unlawful harassment has been substantiated. The written report must be based on the totality of the circumstances involved in the complaint, the nature of the alleged conduct, the context in which the alleged conduct occurred, and the ages and maturity of the individuals involved.

A copy of the written report will also be delivered to the member of the School Corporation community or third party making the complaint and the individual accused of the harassing conduct.

Upon review of the written report the Superintendent will either issue a final decision regarding whether or not the complaint of unlawful harassment was substantiated, or request that further investigation be conducted. A copy of Superintendent's action will be delivered to both the Complainant and the individual accused of the harassing conduct.

A Complainant who is dissatisfied with the Superintendent's decision may appeal it to the Board by submitting written notice to the Superintendent within ten (10) days of the date of the Superintendent's decision. Upon receipt of a notice of appeal, the Board shall meet in executive session at its next regularly scheduled meeting, which is scheduled to occur at least ten (10) days after the Superintendent's receipt of the appeal notice, to review the complaint and the summary of the investigation. Following the meeting, the Board will issue a decision either affirming, modifying, or rejecting the Superintendent's decision. The decision of the Board shall be final.

The Complaint process set forth in the policy and in the administrative guidelines is not intended to interfere with the rights of a member of the School Corporation community or a third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Indiana Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School Corporation community or third party alleging the harassment pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy and administrative guidelines or in such other manner as deemed appropriate by the Board or its designee.

## **Sanctions and Monitoring**

~~The Board shall vigorously enforce its prohibitions against unlawful harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.~~

~~Where the Board becomes aware that a prior remedial action has been taken against a member of the School Corporation community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to eliminate such conduct in the future.~~

## **Education and Training**

~~In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate training to all members of the School Corporation community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines and harassment in general will be age and content appropriate.~~

~~I.C. 35-42-4 et seq.~~

~~20 U.S.C. 1681 et seq.~~

~~29 U.S.C. 621 et seq.~~

~~29 U.S.C. 794~~

~~42 U.S.C. 2000d et seq.~~

~~42 U.S.C. 2000e et seq.~~

~~42 U.S.C. 12101 et seq.~~

~~42 U.S.C. 1983~~

~~National School Boards Association Inquiry and Analysis - May 2008~~

~~Revised 4/00~~

~~Revised 6/19/06~~

~~Revised 11/14/11~~

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**REPLACED BY: A100 - SEE BOARD DOCS**

## **5517.01 - BULLYING**

The School Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Bullying behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse as provided herein. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies regardless of the physical location in which the bullying occurred, whenever:

1. The individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within the school corporation, employees of the School Corporation, or any other person physically present on School Corporation property and
2. Disciplinary or legal action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

The Board expects adherence to all legal requirements related to bully behavior including developing and implementing a bullying prevention and intervention program, training staff members, complying with reporting requirements, and establishing administrative guidelines and related timelines.

Bullying as defined in State law means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digital or electronic transmission), physical acts committed, aggression, or any other behaviors committed by a student or group of students against another student, employee, or visitor with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted individual and create for that individual an objectively hostile school environment, which:

1. places the targeted individual in reasonable fear of harm to the targeted students' person or property;
2. has a substantial detrimental effect on the targeted individual's physical or mental health;
3. has the effect of substantially interfering with a targeted individual's academic performance; or
4. has the effect of substantially interfering with the targeted individual's ability to participate in or benefit from the services, activities, and privileges provided by the school.

Any individual who believes s/he has been or is currently the victim of bullying should immediately report the situation to the building principal or assistant principal, or the Superintendent. The individual may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying behavior directed toward any individual. Reports may be made to those identified above. Reports may also be made anonymously to those identified above.

All complaints about bullying behavior that may violate this policy shall be promptly investigated.

If the investigation finds an instance of bullying behavior has occurred, it will result in prompt and appropriate disciplinary action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any officer position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

~~The complainant shall be notified of the findings of any investigation, and as appropriate, that remedial action has been taken.~~

~~Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of the substantiation of a complaint. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.~~

~~For a definition of and instances that could possibly be construed as hazing, consult Policy 5516.~~

### **Confidentiality**

~~To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations.~~

### **Safe School Committee**

~~In accordance with State law, there shall be a *Safe School Committee* in each school within this corporation (see Policy 8400 - School Safety).~~

~~The Superintendent is directed to develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.~~

~~I.C. 5-2-10.1, 20-33-8-0.2~~

~~Adopted 3/6/06~~

~~Revised 12/15/2014~~

REPLACED BY: C200 - SEE BOARD DOCS



## ~~5518 – CRIMINAL GANGS AND CRIMINAL GANG ACTIVITY IN SCHOOLS~~

~~The School Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Consistent with these beliefs, Northwest Allen County Schools prohibits gang activity or illegal group behavior on school property, school buses or at school-sponsored functions.~~

~~Northwest Allen County Schools also prohibits reprisal or retaliation against individuals who report gang activity, illegal group behavior or who are victims, witnesses, bystanders, or others who have reliable information about an act of gang activity and similar destructive or illegal group behavior.~~

~~Definition of “criminal gang” and “criminal gang activity”~~

~~“Criminal gang” defined (per IC 35-45-9-1) – “criminal gang” means a group with at least three (3) members that specifically:~~

- ~~1. either:~~
  - ~~a. promotes, sponsors, or assists in; or~~
  - ~~b. participates in; or~~
- ~~2. Requires, as a condition of membership or continued membership:~~

~~the commission of a felony or an act that would be a felony if committed by an adult or the offense of battery (IC 35-42-2-1).~~

~~“Gang Activity” occurs when a student knowingly or intentionally participates in a criminal gang, or a student knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal gang.~~

~~As required by IC 20-33-9-10.5, a school employee shall report any incidence of suspected criminal gang activity, criminal gang intimidation, or criminal gang recruitment to the principal and the school safety specialist. The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services.~~

~~Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses and consider both the developmental ages of the student offenders and students’ histories of inappropriate behaviors, per the code of student conduct.~~

~~Any school corporation or school employee who promptly reports an incident of suspected gang activity and make the report in compliance with the procedures of this policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.~~

~~The principal or designee shall conduct a thorough and complete investigation for each report of suspected gang activity.~~

~~The Superintendent or designee shall develop procedures for reporting suspected criminal gang activity and the prompt investigation of suspected criminal gang activity.~~

~~The Superintendent of the school corporation shall annually disseminate this policy to all parents who have children enrolled in a school within the school corporation. The Superintendent shall ensure that notice of the corporation’s policy appears in the student handbooks and all other publications of the school corporation that set forth the comprehensive rules, procedures and standards for behavior by students attending the school corporation.~~

~~Information about the supports and services available for students who are ‘at risk’ for and/or suspected of participating in gang activity and their families will be made available at each school.~~

~~I.C. 20-26-18~~

~~Adopted 5/23/16~~

**REPLACED BY: G125 - SEE BOARD DOCS**



## **5520 - DISORDERLY CONDUCT**

It is the purpose of the School Board, acting within the intent and letter of the law of this State, to provide instruction for students at public expense. Any act of any person(s) to interfere with or to thwart that purpose is unlawful or is in violation of Board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the School Corporation by defacing or destroying school property, by rioting, breaking-in, sitting-in, lying-in, smashing-in, or picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and Board policies and Corporation administrative guidelines promulgated thereunder.

For the purposes of this policy, the term "disorderly conduct" shall mean any unlawful student assemblage; or group act of violence, disruption, vandalism, or building seizure; or interference with the functioning of school personnel or any student or group of students.

I.C. 20-33-8-2

## 5530 - DRUG PREVENTION

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

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

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

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

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

The Superintendent shall prepare guidelines for the identification and regulation of drug use in the schools. Such guidelines shall:

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
  - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use; and
  - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol; and
  - 3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues; and
  - 4. promotes positive emotional health, self-esteem, and respect for one's body; and
  - 5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State's Department of Education.
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;  
  
The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.
- F. provide information about any drug and alcohol counseling and rehabilitation and re-entry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- I. provide a biennial review of the School Corporation's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;

- J. provide for a student assistance program which includes guidelines for prevention activities and programs, for referrals of students to outside treatment providers, and for cooperative follow-up after treatment has been provided;
- K. establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the Corporation's policy and administrative guidelines on Search and Seizure are complied with fully.

The Superintendent shall establish administrative guidelines necessary to implement this policy.

I.C. 20-30-5-11

20 U.S.C. 3171 et seq., Drug-Free Schools and Communities Act of 1986

20 U.S.C. 3224A

## **5531 - STUDENT ASSISTANCE PROGRAMS**

In keeping with its concern for the safety and well-being of both students and staff and for maintaining a school environment that is conducive to learning, the School Board has adopted policies related to student conduct in the school setting and has authorized disciplinary measures for the violation of these policies.

The Board seeks to maintain a balance between maintaining a proper educational environment and a compassion for students who suffer from or are victims of intemperate, immoral, or illegal behavior. Educational programs have been established to promote healthful, productive living and discipline shall be maintained to protect students and staff from actions that disrupt teaching and learning. However, the Board recognizes that students may experience difficulties that education programs and sound discipline do not prevent, and that other forms of assistance need to be available through the school.

The Superintendent is authorized to establish one (1) or more assistance programs for students which provide for effective intervention in areas such as substance abuse, crisis situations, and other situations which may impact the emotional, mental, and/or social well-being of the students and affect their ability to benefit from the educational program.

Administrative guidelines are to be prepared which will ensure that:

- A. the rights of both parents and students are protected;
- B. a steering committee is established which is chaired by a central office administrator and includes administrators, staff members from all academic levels, counselors and/or other clinical resource people, and parents and other members of the community;
- C. staff members are properly trained for their roles and participate in ways that comply with their certification or licensing;
- D. outside resource people and agencies are properly licensed to provide services and have a history of effective assistance;
- E. assistance activities, whether provided by the Corporation or by an outside resource, are properly supervised by Corporation personnel.

## **~~5540 - THE SCHOOLS AND GOVERNMENTAL AGENCIES~~**

~~The School Board is committed to protect students from individuals not associated with the School Corporation seeking access to students at school, but also recognizes its responsibility to cooperate with law enforcement agencies and Child Protective Services of the Welfare Department.~~

~~When such agencies request permission to interrogate a student at school, the principal shall request that the agency inform a parent unless the parent is the target of the investigation.~~

~~When Child Protective Services or a law enforcement agency states a legitimate purpose for questioning or examining a student while the student is entrusted to the school corporation, the principal or representative shall be present throughout the proceedings, unless ordered not to be present by a representative of the agency or court.~~

~~When an agency removes a student from school, the principal shall notify the student's parent and the Superintendent before the time the student would normally arrive home on that day.~~

~~No student shall be released to an agency, other than a law enforcement agency or Child Protective Services, without proper warrant or written parental permission, except in the event of emergency or for the protection of life or property as determined by the principal.~~

~~As used in this policy, "student" means any person enrolled in classes other than adult education classes, and is not limited to persons under eighteen (18) years of age.~~

~~The Superintendent shall prepare guidelines to promote understanding and cooperation between staff members and students and these agencies.~~

~~I.C. 20-33-11~~

~~Revised 9/1/09~~

**REPLACED BY: H175 - SEE BOARD DOCS**

## **~~5600 - STUDENT DISCIPLINE~~**

~~The School Board acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students.~~

~~The Board believes that the best discipline is self-imposed and students should learn to assume responsibility for their own behavior and the consequences of their actions.~~

~~The Board requires each student of this Corporation to adhere to the Code of Conduct promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:~~

- ~~A. conform to reasonable standards of socially acceptable behavior;~~
- ~~B. respect the person and property of others;~~
- ~~C. preserve the degree of order necessary to the educational program in which they are engaged;~~
- ~~D. respect the rights of others;~~
- ~~E. obey constituted authority and respond to those who hold that authority.~~

~~Data regarding disciplinary action(s) shall not be entered on a student's record.~~

~~The Superintendent will promulgate administrative guidelines for student conduct which carry out the purposes of this policy and:~~

- ~~A. are not arbitrary but bear a reasonable relationship to the need to maintain a school environment conducive to learning;~~
- ~~B. do not discriminate among students;~~
- ~~C. do not demean students;~~
- ~~D. do not violate any individual rights constitutionally guaranteed to students.~~

## Northwest Allen County Schools

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~~The Superintendent will designate sanctions for the infractions of rules, excluding corporal punishment, which:~~

- ~~A. relate in kind and degree to the infraction;~~
- ~~B. help the student learn to take responsibility for his/her actions;~~
- ~~C. are directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.~~

~~The Superintendent shall publish to all students and their parents the rules of this Corporation regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct. Parents, and students who are eighteen (18) years or older will be provided a form which is to be signed and returned to the school principal confirming that the Code of Conduct has been read and is understood. Failure to return the form shall have no effect on the utilization of the disciplinary actions contained in the Code with that student.~~

~~Discipline on Corporation vehicles shall be the responsibility of the driver on regular bus runs. When Corporation vehicles are used for field trips and other Corporation activities, however, the teacher, coach, or advisor shall be responsible for student discipline. If a student becomes a serious discipline problem on the vehicle, the Superintendent may suspend the transportation privileges of the student providing such suspension conforms with due process.~~

~~The Superintendent will appoint a committee of staff members, students, parents, to review rules of student conduct annually and to advise on alterations and modifications.~~

~~The Superintendent will report to the Board annually the methods of discipline used and the incidents of those types of student misconduct designated by the Board.~~

~~The principal shall have the authority to assign discipline to students, subject to Corporation administrative guidelines and the student's due process rights to notice, hearing, and appeal.~~

~~Teachers and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students:~~

- ~~A. in all situations and in all places where such students are within the jurisdiction of this Board;~~
- ~~B. when such conduct interferes with the educational program of the schools or threatens the health and safety of others.~~

~~No student is to be detained after the close of the regular school day unless the student's parent has been contacted and informed that the student will be detained or other suitable transportation arrangements have been made.~~

~~I.C. 20-33-8-1 et seq.~~

Revised 5/7/07

REPLACED BY: C350 - SEE BOARD DOCS

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

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

~~No student is to be suspended and/or expelled from an activity, program, or a school unless his/her behavior represents misconduct as specified in the Student Code of Conduct and approved by the Board. The Code shall also specify the procedures to be followed by school officials. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, the procedures set forth in Policy 2461 shall apply to students identified as disabled under the IDEA and/or Section 504 of the Rehabilitation Act of 1973.~~

~~For purposes of this policy and the Superintendent's administrative guidelines, the following definitions shall apply:~~

- ~~A. "Suspension" shall be the temporary removal of a student by the school principal from the Corporation's program for a period not to exceed ten (10) school days. A student may be suspended for a longer period of time in accordance with the provisions of I.C. 8.1-5.1-16 pending expulsion.~~
- ~~B. "Expulsion" shall be the removal of a student from the schools of this Corporation for a period not to exceed the number of school days remaining in the school year in which the incident took effect, if the incident occurs during the first semester. If the incident occurs in the second semester, the Superintendent may expel the student for the remainder of the current school year, summer school, and the first semester of the next school year in accordance with the provisions of I.C. 8.1-5.1-14.~~

~~Any student who brings a firearm, as defined under I.C. 35-47-1-5, or a destructive device, as defined in I.C. 35-47.5-2-4 to school or onto school property or at a school-related activity or is in possession of a firearm shall be expelled for at least one (1) calendar year unless the Superintendent reduces the punishment for reasons justified by the particular circumstances of the incident.~~

~~If the student brings a deadly weapon as defined in I.C. 35-41-1-8 on to Corporation property or is found to possess a deadly weapon on Corporation property or at a school-related activity, s/he may be expelled for a period of not more than one (1) calendar year. The Superintendent shall notify the law enforcement agency designated by the Prosecuting Attorney when a student possesses a firearm, a destructive device or deadly weapon on school property or at a school-related activity.~~

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

~~(20 U.S.C. 3351)~~

~~The Board of School Trustees has voted to hear all expulsion appeals.~~

~~The Superintendent shall develop administrative guidelines which provide appropriate procedures for implementing this policy and comply with applicable statutes.~~

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

~~I.C. 20-33-8-14 et seq., 35-41-1-4.3, 35-47-1-5, 35-47.5-2-4  
20 U.S.C. 3551, 20 U.S.C. 8922, 20 U.S.C. 7151~~

**REPLACED BY: C375 - SEE BOARD DOCS**

~~Revised 1/3/95  
Revised 11/21/95  
Revised 1/5/04  
Revised 5/7/07~~



## ~~5610.02 - DETENTION/SATURDAY SCHOOL/IN-SCHOOL RESTRICTION/IN-SCHOOL SUSPENSION~~

~~It is the purpose of this policy to provide an alternative to out-of-school suspension. The availability of these options is dependent upon the financial ability of the School Board to support such programs.~~

~~In-school restriction/in-school suspension will only be offered at the discretion of the building principal for offenses found in the Student Code of Conduct.~~

~~The Superintendent is to establish administrative guidelines for the proper operation of such programs and to ensure that appropriate due-process procedures are followed as applicable.~~

~~Revised 9/2/97~~

REPLACED BY: C375 - SEE BOARD DOCS

## **~~5611 - DUE PROCESS RIGHTS~~**

~~The School Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Corporation's disciplinary procedures.~~

~~The Superintendent shall establish administrative guidelines to ensure that all members of the staff follow due process procedures when dealing with students. In addition, a statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.~~

~~I.C. 20-33-8-19~~

REPLACED BY: C350 - SEE BOARD DOCS

## 5620 - COURT ASSISTED RESOLUTION OF SUSPENSION AND EXPULSION

The Superintendent and the juvenile court may enter into a voluntary agreement for court assisted resolution of school suspension and expulsion cases. The agreement may require the court to supervise or provide for the supervision of the expelled or suspended student who has been referred to the court by the School Corporation.

The agreement may require the court do one (1) or more of the following:

- A. establish a flexible program for the suspension of the student;
- B. supervise the student;
- C. require the student to participate in a school program including an alternative educational program.

The agreement may require that the School Corporation do one (1) or more of the following:

- A. define the violation for which the student has been suspended or expelled;
- B. refer the student to the court;
- C. establish a school program including an alternative school educational program for the supervision of the student.

If the School Corporation enters into the agreement, the discipline rules adopted by the School Corporation must specify violations for which the student may be referred to the court. The agreement must provide how the expenses of supervising the student are funded.

A student shall be given an informal hearing before the court in a setting agreed upon by the court and the School Board as soon as practicable following the student's referral to the court after notice of the hearing has been provided to the student's parents. The hearing is not a hearing to determine whether the student is a child in need of services. However, if the court determines that a student may:

- A. be a child in need of services;
- B. have committed a delinquent act;

**REPLACED BY: C525**  
**- SEE BOARD DOCS**  
the court may notify the office of Family and Children or the prosecuting attorney. A parent or guardian may be present, and may be required to be present, during the hearing.

All records of the student's court appearance shall be expunged from his/her record upon the student's completion of the out-of-school suspension or expulsion program.

I.C. 20-33-8-12  
20 U.S.C. 1415

Adopted 3/6/06

## ~~5630 - CORPORAL PUNISHMENT~~

~~While recognizing that students may require disciplinary action in various forms, the School Board cannot condone the use of unreasonable force and fear as an appropriate procedure in student discipline.~~

~~Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to removal of the student from the classroom or school through suspension or expulsion procedures.~~

~~Professional staff as well as support staff, within the scope of their employment, may use and apply reasonable force and restraint to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.~~

~~When an employee inflicts unnecessary, unreasonable, irrational, or inappropriate force upon a student, s/he may be subject to discipline by this Board and criminal assault charges as well.~~

~~Corporal punishment shall not be permitted. If any employee threatens to inflict, inflicts, or causes to inflict unnecessary, unreasonable, irrational, or inappropriate force upon a student, s/he may be subject to discipline by this School Board and possibly criminal assault charges as well. This prohibition applies as well to volunteers and those with whom the Corporation contracts for services.~~

~~The Superintendent shall provide administrative guidelines which shall include a list of alternatives to corporal punishment.~~

~~I.C. 20-26-5-4~~

~~General Assembly Resolution, March, 1993~~

**REPLACED BY: C400 - SEE BOARD DOCS**

## **~~5630.01 - USE OF SECLUSION AND RESTRAINT WITH STUDENTS~~**

~~It is the policy of the Board to limit or prohibit the use of seclusion, physical, mechanical or chemical restraint in the education and discipline of students to circumstances in which the strategy can be used safely in a manner that is in the best interests of the student and as defined in this policy.~~

### **~~Use of Seclusion~~**

~~The use of seclusion on a student shall not be permitted except when the conditions described in this policy exist. The use of seclusion on a student with disabilities shall also be subject to any conditions in the student's IEP and any BIP established for the student in addition to the conditions established in this policy.~~

~~An enclosure used for seclusion of a student shall have the same ceiling height, lighting, ventilation, and temperature as the surrounding room or rooms. The room or enclosure shall be large enough to accommodate the student being isolated and any other person necessary to accompany that student. The room or enclosure shall not be locked or use any device that requires a key or other device or special knowledge such as a combination lock to exit from the enclosure or room. The enclosure or room shall comply with all applicable health, fire and emergency safety requirements, and the student placed in seclusion shall be included in any evacuation or safety plan or drill for the facility. The enclosure or room shall not be named, labeled, or referred to by a staff member so as to label or stigmatize a student placed in the enclosure or room.~~

~~An enclosure or room used for seclusion must be constructed of materials or objects that cannot injure or be used by a student to injure themselves or others. It must be designed so that a student cannot climb up the walls and shall allow continuous visual monitoring and communication with the student by a staff member. The staff member's duties shall be assigned so that the staff member can supervise the isolated student and see and hear the student at all times. An enclosure or room shall still be considered to be used for seclusion if more than one student is placed in the room under circumstances that would otherwise qualify as seclusion, and if more than one student is placed in the room or enclosure, the staff member shall insure that the students do not have the potential to injure one another.~~

~~A student shall not be isolated for more than thirty (30) minutes after the student stops the specific behavior for which seclusion was imposed or any other behavior for which seclusion would be an appropriate response according to this policy. If a student with a disability is placed in seclusion pursuant to a BIP or IEP, the time limitations identified in the~~

~~BIP or IEP shall be determined and applied by the staff member immediately following placement of the student with a disability in seclusion.~~

### **Use of Physical or Mechanical Restraints**

~~A student shall not be subjected to physical or mechanical restraint except as specifically authorized in this policy. Restraint of any kind shall not be used in any instance in which the sole justification is to punish the student for a violation of a directive from a staff member, violation of student conduct rule, the student's use of vulgar or profane language, a verbal threat, or a display of disrespect for another person. A verbal threat shall not be considered as sufficient justification for the use of physical or mechanical restraint unless a student has or has immediate access to the means of acting on the threat.~~

~~A restraint shall not be implemented with the intention of using physical pain to achieve control of a student's behavior or punish misconduct, and a restraint of any kind shall never be applied in a manner that restricts a student's blood flow or respiration. Failure of a student to complain or object to a restraint or the successful use of a restraint with another student shall not justify the use of a restraint.~~

~~Physical or mechanical restraint shall not be used if there is a medical contraindication to its use identified for the student, and shall only be applied and supervised by a staff member who has been trained in the safe application and supervision of the specific means of restraint applied. Application of physical or mechanical restraint to a student with a disability shall take into consideration the IEP and any BIP established for the student.~~

~~Physical or mechanical restraint may be used on a student if an emergency requires the use of the restraint. As used here, "emergency" means circumstances in which a staff member reasonably believes that application of a restraint on the student is necessary in response to a physical risk of harm to the student or others.~~

~~Physical or mechanical restraint may be used to conduct a medical exam or treatment on a student that is necessary to diagnose or treat a suspected condition that if not diagnosed and treated could interfere with the student's ability to receive the benefit of the student's program of instruction or IEP.~~

~~A mechanical restraint may be used on a student if the student's treating physician has authorized the use of the mechanical restraint before the restraint is applied or not later than thirty (30) minutes after the mechanical restraint is first applied. A mechanical restraint shall be applied and supervised by a staff member who is trained and competent to apply and supervise the specific mechanical restraint utilized. If a mechanical restraint is used pursuant to this provision, the physician who authorized or approved the restraint or an attending physician must examine the student as soon as practicable following application of the restraint. A student who has been mechanically restrained must be given the opportunity to move and exercise the body parts that are restrained at least ten (10) minutes every sixty (60) minutes of restraint unless ordered otherwise by the physician who authorized or approved the mechanical restraint. If a mechanical restraint is used pursuant to this provision, a staff member shall loosen or discontinue the restraint every fifteen (15) minutes to determine if the restraint is still necessary and its implementation is not endangering the student's health. A mechanical restraint shall be stopped immediately if a staff member determines that the student will stop or control his/her inappropriate behavior without the use of the restraint, the restraint restricts the student's respiration or blood flow, or the degree of the student's resistance to the mechanical restraint is likely to result in serious bodily injury to the student.~~

~~While a student is subject to a mechanical restraint, a staff member shall continuously monitor the student and the impact of the mechanical restraint on the student. A mechanical restraint shall only be used as necessary to contain the behavior of the student until the student is no longer an immediate threat of causing physical injury to himself/herself or others or causing severe property damage.~~

~~Mechanical restraint may only be used on a student with disabilities in circumstances other than the conditions described above if the mechanical restraint is used to address the medical needs of the student, protect a student who is known to be at risk of injury to himself/herself because of a lack of coordination or frequent loss of consciousness, provide proper body alignment to a student, or position a student who has physical disabilities in a manner prescribed in the student's IEP.~~

~~In determining whether a student who is being physically or mechanically restrained should be moved from the area where the need was first noted or the restraint was first applied, the supervising staff member shall consider the potential for injury to the student, the educational and emotional well-being of the restrained student and other students who would observe the application of the restraint, and any requirements of a BIP or IEP established for a student with a disability.~~

~~If physical or mechanical restraint is utilized in compliance with this policy on a student whose primary mode of communication is sign language, the student shall be permitted to have his/her hands free of restraint for brief periods unless the supervising staff member determines that such freedom is likely to result in harm to the student or others.~~

~~A physical or mechanical restraint shall be used no longer than necessary to contain the behavior of the student so that the student is no longer an immediate threat of causing physical injury to himself/herself or others or causing severe property damage. The use of force in the application of the restraint shall not exceed the force that is reasonably necessary in the circumstances justifying the use of the restraint.~~

~~A student shall be released from physical or mechanical restraint immediately upon a determination by the supervising staff member administering or overseeing the use of restraint that the circumstances permitting the use of restraint in this policy no longer exist.~~

~~If physical or mechanical restraint is used on a student, the use of the restraint shall be noted in writing in the student's cumulative record and a confidential file maintained for the student not later than one (1) working day after the restraint is used. The confidential file on the student shall include a notation that confirms the facts necessary to determine if this policy was fully implemented. A copy of the report shall be provided to the Superintendent, the student's individualized education program team, and the parent/guardian of the student.~~

### **~~Use of Chemical or Drug Restraint~~**

~~The administration of drugs prescribed by a physician for the student shall be in accordance with the terms of the prescription established by the physician, the written consent of the parent/guardian, Board Policy [5330](#), and the rules of the Indiana State Board of Education. (511 IAC 7-36-9) However, a parent/guardian shall not be required to obtain a prescription for medication for a student as a condition for attending school, receiving an educational evaluation under 511 IAC 7-40, or receiving special education or related services.~~

~~The administration of drugs prescribed by a physician for the purpose of responding to acute or episodic aggressive or destructive behavior by a student shall be limited to those circumstances when alternative intervention techniques have failed to effectively limit or control the acute or episodic aggressive or destructive behavior. This limitation does not apply to the administration of drugs prescribed by a physician to treat the symptoms of mental, physical, emotional or behavioral disorders that assist a student with a disability in gaining self-control over impulses.~~

### **~~Mandatory Training for Staff~~**

~~No employee of the Board, or person in a Corporation facility shall be permitted to use seclusion, physical, mechanical, or chemical restraint until the person has received sufficient training in the use of the strategy or procedure to allow the person to utilize the measure safely and in compliance with any IEP or BIP established for a student with a disability.~~

~~The Superintendent shall require that staff members responsible for implementing this policy receive training that includes:~~

- ~~A. positive methods to modify the environment of students to promote adaptive behavior and reduce the occurrence of inappropriate behavior;~~
- ~~B. methods to teach skills to students with disabilities so that the students can replace inappropriate behavior with adaptive behavior;~~

- C. ~~methods to enhance the independence and quality of life for students with disabilities;~~
- D. ~~the use of least intrusive methods to respond to and discourage inappropriate behavior of students while reinforcing positive behavior of students, and;~~
- E. ~~a process for designing interventions based upon the student's needs that are focused on promoting appropriate changes in behavior as well as enhancing the overall quality of life for the student.~~

~~The Superintendent shall also require that appropriate training is provided for the immediate supervisors of Corporation employees who are authorized to supervise the use of seclusion, physical, mechanical, or chemical restraint to provide that those measures are only implemented as permitted in this policy.~~

#### **Report of Violations and Corrective Plan Requirement**

~~The principal of a school where a violation of this policy occurs shall report the violation in writing to the Superintendent not later than twenty-four (24) hours after the violation occurs, or as soon thereafter as the violation is discovered. The Superintendent shall take corrective action as necessary to address the circumstance that led to the violation.~~

#### **Disciplinary Action for a Violation of This Policy**

~~In addition to any penalty prescribed by law, the Superintendent is directed by this policy to see that a Board employee who intentionally, knowingly or recklessly violates this policy is subject to correction or disciplinary action as necessary to prevent a reoccurrence of the violation. A Board employee engages in conduct "intentionally" if, when s/he engages in the conduct, it is his/her conscious objective to do so. A Board employee engages in conduct "knowingly" if, when s/he engages in the conduct, s/he is aware of a high probability of a violation of this policy. A Board employee engages in conduct "recklessly" if s/he engages in conduct in violation of this policy in a plain, conscious, and unjustifiable disregard of harm that might result to a student and the disregard involves a substantial deviation from acceptable standards of conduct established by this policy.~~

~~Discipline of a staff member for violation of this policy shall take into account the degree to which the violation risked serious bodily injury to a student and the staff member's history of compliance with this policy and other Board policies.~~

#### **Retaliation for Fully Implementing or Reporting Violations**

~~No Board employee shall be permitted to retaliate against a person for reporting or objecting to actions in violation of this policy or providing information regarding a violation of this policy.~~

#### **Definition of Terms**

~~The following definitions apply in this policy regardless of the term(s) used to describe the conduct when it occurs.~~

- A. **"Behavioral Intervention Plan" or "BIP"** has the meaning given it in the rules of the Indiana State Board of Education. (511 IAC 7-32-10)
- B. **"Case Conference Committee"** has the meaning given it in the rules of the Indiana State Board of Education. (511 IAC 7-32-12)
- C. **"Chemical Restraint"** means the administration of drugs for the specific purpose of controlling an acute or episodic aggressive behavior. The term does not include the administration of drugs on a regular basis, as



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~~prescribed by a physician, to treat the symptoms of mental, physical, emotional, or behavioral disorders, to assist a student in gaining self-control over his/her impulses.~~

- ~~D. **"Electric Shock"** means the intentional application of electric current to a student's skin or body. The term does not include electroconvulsive therapy administered by or pursuant to the order of a physician.~~
- ~~E. **"Emergency"** means a situation in which immediate intervention is necessary to protect the physical safety of a student or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage.~~
- ~~F. **"Individualized Education Program" or "IEP"** has the meaning given to it in the rules of the Indiana State Board of Education. (511 IAC 7-32-18)~~
- ~~G. **"Seclusion"** means isolated time-out or the confinement of a student outside the presence of other students or staff in a time-out room or other enclosure.~~
- ~~H. **"Mechanical Restraint"** means the use of devices including, without limitation, mittens, straps, belts, or restraint chairs to limit a student's movement or hold a student immobile.~~
- ~~I. **"Physical Restraint"** means the use of physical contact by a person to limit a student's movement or hold a student immobile.~~
- ~~J. **"Physician"** means a person holding an unlimited license to practice medicine in Indiana, and includes an M.D. (medical doctor) and a D.O. (osteopathic physician).~~
- ~~K. **"Serious Bodily Injury"** means injury to a person that creates a substantial risk of death or that causes permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss or impairment of the function of a bodily member or organ.~~
- ~~L. **"Verbal or Mental Abuse"** means actions or utterances that are intended to cause and actually cause severe emotional distress to a student.~~

### ~~Administrative Guidelines and Forms~~

~~The Superintendent is authorized to issue administrative guidelines, directives, and forms as needed to fully implement this policy and document compliance.~~

~~Adopted 7/6/10~~

**REPLACED BY: C400 - SEE BOARD DOCS**

## **5710 - STUDENT COMPLAINTS**

The School Board recognizes that, as citizens, students have the right to request redress of complaints. Further, the Board believes that the inculcation of respect for lawful procedures is an important part of the educational process. Accordingly, individual and group complaints should be provided for and appropriate appeal procedures implemented.

For purposes of this policy, a student complaint or concern shall be any such that arises out of actions, procedures, and policies of this Board or its employees or the lack of such policy or procedure.

The Board or its employees will hear the complaints of the students of this Corporation provided that such complaints and grievances are made according to the procedures established by the Superintendent and Indiana law.

I.C. 20-33-8-20

REPLACED BY: C525

- SEE BOARD DOCS

## **5720 - STUDENT ACTIVISM**

It is the policy of the School Board to encourage students to express opinions and ideas, take stands, and support policies, publicly and privately, orally and in writing. Students may be given this opportunity for expression through established school media. Such expression should not interfere with the educational program or present a health or safety hazard. Students may advocate change of law or school regulations and pursue their advocacy provided they follow administrative guidelines establishing the time, place, and manner.

Students may not use obscenity, slanderous, or libelous statements, or disruptive tactics, or advocate violation of the law or school regulations.

## **~~5722 - SCHOOL SPONSORED PUBLICATIONS AND PRODUCTIONS~~**

~~The School Board may sponsor student publications and productions as means by which students learn, under adult direction, the rights and responsibilities of public expression in a free society.~~

~~For purposes of this policy, "publications" shall include any audio, visual, or written materials such as tapes, banners, films, pamphlets, notices, newspapers, books, or other like materials. "Productions" shall include theatrical performances as well as impromptu dramatic presentations.~~

~~Such publications and productions also play a vital role in the school program by:~~

- ~~A. interpreting students and the school to the community;~~
- ~~B. serving as a public relations media;~~
- ~~C. developing skills in communication via the mass media;~~
- ~~D. developing acceptable methods for preserving the constitutional provision of free speech.~~

~~In sponsoring a student publication or production, the Board is mindful of the fact that it could be available to any student attending this school, and must, therefore, generally be suitable for all students.~~

~~Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a school sponsored publication provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.~~

~~Advertising is permitted in school newspapers, yearbooks, programs, etc., which are published by student organizations. Permission shall be given by the principal.~~

~~The Board reserves the right to designate and prohibit the publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:~~

- ~~A. are grossly prejudicial to an ethnic, religious, racial, or other delineated group;~~
- ~~B. libel any specific person or persons;~~
- ~~C. seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect, or point of view;~~
- ~~D. advocate the use or advertise the availability of any substance or material which may reasonably be believed to:~~
  - ~~1. constitute a direct and substantial danger to the health of students;~~
  - ~~2. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them;~~

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- ~~3. incite violence, advocate the use of force, or urge the violation of law or school regulations.~~

~~The Board also prohibits publications and productions which:~~

- ~~A. fail to identify the student or organization responsible for distribution;~~
- ~~B. solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board;~~
- ~~C. promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any election.~~

~~The decision as whether or not something is published or produced shall be made by the advisor with appeal to the principal and Superintendent.~~ **REPLACED BY: C475 - SEE BOARD DOCS**

## **5724 - PREPARING FOR VOTER REGISTRATION**

The School Board believes that preparing students to assume the responsibilities which our democratic society places on each of its citizens is an important function of the schools. Supplying our high school students with all pertinent information regarding voter registration is one crucial means of meeting this goal.

Accordingly, the Superintendent, using such resources as the high school administration, faculty and student body, local officials, and others, can provide and develop a nonpartisan, voter education program for the high school.

The administration of the high schools shall offer to all students who reach the age of majority the opportunity to register as voters.

REPLACED BY: C525

- SEE BOARD DOCS

## **5730 - EQUAL ACCESS FOR NONCORPORATION-SPONSORED, STUDENT CLUBS AND ACTIVITIES**

The Board of Education will not permit the use of school facilities by noncorporation-sponsored, student clubs and activities and/or Corporation-sponsored, extra-curricular clubs and activities during instructional hours. During noninstructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

An application for permission for noncorporation-sponsored, student clubs and activities to meet on school premises shall be made to the principal, who shall grant permission provided that s/he determines that:

- A. the activity has been initiated by students;
- B. attendance at the meeting is voluntary;
- C. during instructional time, no agent or employee of the Corporation will promote, lead, or participate in the meeting during instructional time;
- D. the meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
- E. nonschool persons do not direct, conduct, control, or regularly attend the activity.

A student initiated group granted permission to meet on school premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, creed, religion, gender, national origin, disability, or social or economic status.

The Board will not permit the organization of a fraternity, sorority, or secret society. A student initiated meeting may be attended by no more than one (1) outside resource person(s). The Superintendent may exclude nonstudents from directing, controlling, or attending any such meetings of students.

A certified staff member may be assigned to attend a student initiated meeting in a custodial capacity but shall not participate in the activity. No certified staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

Equal Access Act of 1984, 20 U.S.C. 4071 et seq.  
Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.  
Civil Rights Act of 1964, 42 U.S.C. 2000e

## **5751 - PARENTAL-MARRIED STATUS OF STUDENTS**

Neither marriage nor pregnancy shall be limiting factors for the education of any student in the schools of this Corporation.

The School Board's responsibility for the education of all school-age children includes the education of pregnant students, whether married or unmarried. Any variation from continuing regular school classes shall be based upon the assessed needs of such students.

The school may request medical verification of a student's ability to continue in all classes in his/her program



## **~~5771 - SEARCH AND SEIZURE~~**

~~The School Board recognizes its obligation to balance the privacy rights of its students with its responsibility to provide student, faculty, and authorized visitors with a safe, hygienic, and drug-free learning environment.~~

~~In balancing these competing interests, the Board directs the Superintendent to utilize the following principles:~~

### **~~A. School Property~~**

~~School facilities such as lockers and desks are school property provided for student use subject to the right of the Superintendent and his/her designee to enter the facility as needed and inspect all items in the facility searched. Students shall not have an expectation of privacy in any facility provided by the school.~~

### **~~B. Student Person and Possession~~**

~~Searches of the student's person and personal items in the student's immediate possession shall be done with the consent of the student if the student consents. If the student does not consent, such a search shall be permitted based upon the administrator's individualized reasonable suspicion to believe that the search will produce evidence of a violation of a law, school rule, or a condition that endangers the safety or health of the student or others. Searches of the person of a student shall be conducted and witnessed by a person of the same gender as the student and shall be conducted in a private office. The student shall be given the option of selecting the witness from the faculty members on the school premises at the time of the search. A searched student's parent or guardian shall be notified of the search within twenty-four (24) hours if possible.~~

~~This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board as defined by I.C. 20-8.1-5-4.~~

~~Permission for a student to bring a vehicle on school property shall be conditioned upon consent of the search of the vehicle and all containers inside the vehicle by a school administrator with reasonable suspicion to believe the search will produce evidence of a violation of law, a school rule, or a condition that endangers the safety or health of the student driver or others. The student shall have no expectation of privacy in any vehicle or in the contents of any vehicle operated or parked on school property.~~

~~The Superintendent may request the assistance of a law enforcement agency in implementing any aspect of this policy. Where law enforcement officers participate in a search on school property or at a school activity pursuant to a request from the Superintendent, the search shall be conducted by the law enforcement officers in accordance with the legal standards applicable to law enforcement officers.~~

## **Use of Dogs**

~~The Board authorizes the use of specially-trained dogs to detect the presence of drugs or devices such as bombs on school property under the conditions established in the Superintendent's administrative guidelines.~~

~~Anything found in the course of a search pursuant to this policy which constitutes evidence of a violation of a law or a school rule or which endangers the safety or health of any person shall be seized and utilized as evidence if appropriate. Seized items of value shall be returned to the owner if the items may be lawfully possessed by the owner. Seized items of no value and seized items that may not lawfully be possessed by the owner shall be destroyed.~~

~~The Superintendent shall promptly record in writing the following information for each search pursuant to this policy:~~

- ~~A. the information upon which the search was based~~
- ~~B. the time, date, location, students, or places searched, and persons present~~
- ~~C. a description of any item seized and its disposition~~
- ~~D. the time and date of notice to the parent or guardian in the case of the search of the person of a student~~

~~The Superintendent shall prepare administrative guidelines to implement this policy.~~

~~I.C. 20-33-8-32~~

~~U.S. Constitution, 4th Amendment~~

~~Revised 11/21/95~~

**REPLACED BY: C550 - SEE BOARD DOCS**

## **~~5772 - WEAPONS~~**

~~The School Board prohibits students from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the Corporation for the purpose of school activities approved and authorized by the Corporation including, but not limited to, property leased, owned, or contracted for by the Corporation, a school-sponsored event, or in a Corporation vehicle without the permission of the Superintendent.~~

~~The term "weapon" means any object which, in the manner in which it is used, intended to be used, or represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives. A "knife" is defined as "an instrument that: 1) consists of a sharp edge or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds; and 2) is intended to be used as a weapon." I.C. 35-47-5-2.5(a)~~

~~This policy also encompass such actions as possession of look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.~~

~~The Superintendent is authorized to establish administrative guidelines on weapons which require students to immediately report knowledge of weapons and threats of violence by students and staff to the building principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.~~

~~The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student also may be subject to disciplinary action, up to and including expulsion.~~

~~Items pre-approved by the building principal as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy; (Working firearms and any ammunition will never be approved as part of a presentation.)~~

~~I.C. 20-33-9-1 et seq.~~

~~I.C. 35-41-1-8~~

~~I.C. 35-47-5-2.5~~

~~I.C. 35-47-9~~

~~I.C. 35-41-1-4.3~~

~~Revised 9/98~~

~~Revised 11/18/02~~

~~Revised 5/7/07~~

**REPLACED BY: A200 - SEE BOARD DOCS**

## **5780 - STUDENT RIGHTS**

The School Board recognizes that students possess not only the right to an education but the rights of citizenship as well.

In granting students the education to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, no student shall be deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant upon the rights guaranteed to each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the administrative guidelines of this Corporation.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

## **5820 - STUDENT GOVERNMENT**

The School Board acknowledges the importance of offering students the opportunity to participate in self-government within the establishment of the schools.

Students shall have the right to organize, conduct meetings, elect officers and representatives, and consult with the administration.

The Board will recognize the student council as the official voice of the student body for students in grades K-12 and for the purpose of:

- A. giving students practical experience in organizing, planning, and affecting outcomes;
- B. developing student leadership;
- C. providing a learning experience in democratic decision making.

The Superintendent shall establish administrative guidelines to implement this policy.

## 5830 - STUDENT FUND RAISING

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

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

The Board will permit student fund raising by students in school, on school property, or at any school-sponsored event only when the profit therefrom is to be used for school purposes or for an activity connected with the schools.

Fund raising by approved school organizations, those whose funds are managed by the Corporation, may be permitted in school by the principal. Such fund raising off school grounds may be permitted by the Superintendent.

Fund raising by students on behalf of school-related organizations whose funds are not managed by the Corporation may be permitted on school grounds by the Superintendent. Door-to-door canvassing by students below grades five (5) shall not be permitted.

A list of all fund raising activities shall be submitted for Board approval at the second scheduled meeting of the Board in October.

All other fund raising shall be done in accordance with Board Policy [9700](#).

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

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students;
- C. Limit the kind and amount of advertising for solicitation;
- D. ensure proper distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded;
- E. ensure proper supervision of students during such activity.
- F. describe the process for submitting fund raising requests to the Board.

The Superintendent shall distribute this policy and the guidelines which implement it to each organization granted permission to solicit funds.

**REPLACED BY: C375 - SEE BOARD DOCS**

## **~~5840 - STUDENT GROUPS~~**

~~It is the policy of the School Board that student groups be recognizes as authorized school organizations only if they are approved by the school administration, sponsored by school personnel, composed of members of the current student body, hold the majority of their meetings at school, and have established aims which are educational in nature.~~

~~Membership in the organization or operation of any high school fraternity, sorority, or any other secret society as described by law is prohibited throughout the School Corporation. In addition, the Board shall not tolerate any type of gang or gang-related activity or occur on Corporation property or while students are under the auspices of the Board.~~

~~Revised 11/21/95~~

**REPLACED BY: G125 - SEE BOARD DOCS**

## 5850 - SOCIAL EVENTS

The School Board recognizes the value of student social events in enhancing and enriching the educational experience for the children of this community.

The Board will make school facilities available and provide appropriate staff for the conduct of social events within the school facilities which have been approved by the principal.

School social events which take place outside school facilities must be approved by the Superintendent.

As voluntary participants in school social events, students shall be held responsible for compliance with rules set forth for their conduct, and infractions of those rules will be subject to the same disciplinary measures applicable during the regular school program.

Participation in school events is not a right and may be denied to any student who has demonstrated disregard for the rules of the school.

The Superintendent shall develop administrative guidelines for the conduct of student social events which shall include:

- A. provisions for chaperonage, adult supervision, and/or police protection required by the circumstances of the event;
- B. provisions for the safety of all students and adults involved.



## **5870 - STUDENT PRODUCTION OF GOODS AND SERVICES**

It is the policy of the School Board that students may produce goods and services for nonprofit community organizations or groups during school hours or in school activities only to the extent that such production furthers the educational development of those students. Care must be exercised by the administration in interpreting this policy to avoid exploitation of the students.

## 5880 - PUBLIC PERFORMANCES BY STUDENTS

The School Board recognizes the value to students of sharing their talents and skills with the community through participation and performances in public events.

The Board endorses such performances when:

- A. they constitute a learning experience which contributes to the educational program;
- B. they do not substantially interfere with other scheduled activities of the school;
- C. the circumstances of the event do not pose a threat to the health, safety, and well-being of the students who will be involved.

All requests for public performances by students require the approval of the Principal.

The Superintendent shall develop administrative guidelines to implement this policy which require that:

- A. all requests for public performances by student groups shall be presented for approval;
- B. parental permission is sought and received before students participate;
- C. when public performances are scheduled as a regular part of a course of study taken for credit, students shall be informed in advance of the obligation to participate and will be excused from participation only in accordance with the administrative guidelines governing school attendance;
- D. no student, group of students, or employee of this Board may receive personal compensation for the performance in public by students organized for a school activity but may collect a donation to an approved student activity fund;
- E. the interests of our students be protected and guarded against exploitation;
- F. student behavior is governed by common courtesy and the Student Code of Conduct.

## 5895 - STUDENT EMPLOYMENT

The School Board believes that attendance at school should occupy a student's full attention and should take precedence over non-school-related employment.

If a student must work while attending school, s/he should receive counseling and assistance in seeking appropriate job opportunities and in correlating work schedules with school studies and activities.

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

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

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

The Superintendent shall prepare guidelines which will ensure that:

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

I.C. 9-24-2-1, 20-33-2-28.5

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