

**LAKE CENTRAL SCHOOL CORPORATION
SPECIAL BOARD MEETING**

**LAKE CENTRAL HIGH SCHOOL
KAY TRAPP BOARD ROOM - ENTER DOOR F**

8260 Wicker Avenue, St. John, Indiana 46373

Monday, January 23, 2023 // 6:00 pm

A meeting of the Board of School Trustees of the Lake Central School Corporation was held in the Kay Trapp Board Room, 8260 Wicker Avenue, St. John, IN on January 23, 2023. The meeting began at 6:00 pm.

Board Members Present

Nicole Kelly, Board Secretary
Howard Marshall, Board Member
Jennifer Medlen, Board Vice-President
Cindy Sues, Board President
Janice Malchow, Board Member

Board Members Not Present

Administration Present

Dr. Lawrence Veracco, Superintendent
Terry Mucha, Director of Human Resources

Administration Not Present

Yolanda Bracey, Director of Primary Education
Bill Ledyard, Director of Facilities
Rick Moreno, Director of Computer Services
Rebecca Gromala, Director of Student Services
Sarah Castaneda, Director of Secondary
Education
Rob James, Director of business Services

SPECIAL SCHOOL BOARD MEETING MINUTES

January 23, 2023

- I. Call to Order
- II. Pledge of Allegiance
- III. Official School Board Business
 - A. Bereavement Leave
 - B. Policy Review:
 - 1. BP 7540.03: Student Technology Acceptable Use and Safety
 - 2. BP 0131.1: Bylaws and Policies

3. BP 0142.2: Oath
4. BP 0167.3: Public Participation at Board Meetings
5. BP 1521: Personal Background Checks, References, and Mandatory Reporting of Convictions and Substantiated Child Abuse and Arrests
6. BP 3121: Personal Background Checks, Referenced, and Mandatory Reporting of Convictions and Substantiated Child Abuse and Arrests
7. BP 4121: Personal Background Checks, Referenced, and Mandatory Reporting of Convictions and Substantiated Child Abuse and Arrests
8. BP 2431: Interscholastic Athletics
9. BP 2464: Programs for High Ability Students
10. BP 8121: Personal Background Check - Contracted Services
11. BP 2432: Grievance Procedure for Violation of State Law Limiting Participation of Transgender Girls in Athletics.
12. BP 3120.02: Adjunct Teachers.

IV. Public Comments

V. Board of Education Comments

VI. Adjournment

Minutes of the January 23, 2022 School Board Meeting were approved and adopted by the Board of School Trustees at the February 6, 2023 School Board Meeting.

Cindy Sues, Board President

ATTEST:

Nicole Kelly, Board Secretary

Book	Forms Manual
Section	Volume 34, No. 1 - October 2021
Title	Revised Policy - Vol. 34, No. 1 - October 2021 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.03
Status	
Legal	<p>P.L. 106-554 (2000), Children's Internet Protection Act of 2000</p> <p>47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)</p> <p>18 U.S.C. 1460</p> <p>18 U.S.C. 2246</p> <p>18 U.S.C. 2256</p> <p>20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)</p> <p>20 U.S.C. 6777, 9134 (2003)</p> <p>47 C.F.R. 54.500 - 54.523</p> <p>I.C. 35-49-2-2</p> <p>I.C. 20-26-5-40.5</p>
Adopted	December 5, 2011
Last Revised	November 5, 2012

7540.03 - **STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides Technology Resources (as defined in Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, Corporation Technology Resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The Corporation's computer network and Internet system do not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Corporation Technology Resources by principles consistent with applicable local, State, and Federal laws, the Corporation's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy, its related administrative guidelines and the Student Code of Conduct govern students' use of Corporation Technology Resources and students' personal communication devices when they are connected to the Corporation computer network,

Internet connection, and/or online educational services/apps, or when used while the student is on Corporation-owned property or at a Corporation-sponsored activity (see Policy 5136).

Users are prohibited from engaging in actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like) when using Corporation Technology Resources. Because its Technology Resources are not unlimited, the Board also has instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Corporation Technology Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the Corporation's computer network and/or Internet connection).

First, the Corporation may not be able to limit access technologically, through its Technology Resources to only those services and resources that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past, when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

The Board prohibits the sending, receiving, viewing, or downloading of materials that are harmful to minors on computers and other technology related devices owned or leased by the Corporation or connected to the Corporation computer network.

Pursuant to State and Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using the Corporation Technology Resources if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Superintendent or Director of Technology _____ may temporarily or permanently unblock access to websites or online education services/apps containing appropriate material if access to such sites has been blocked inappropriately by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Parents/Guardians are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents may find inappropriate, offensive, objectionable or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Pursuant to Federal law, students shall receive education about the following:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications
- B. the dangers inherent with the online disclosure of personally identifiable information
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors

Staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor the online activities of students while at school.

[x] Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs.

Building principals are responsible for providing training so that Ed-Tech users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of Corporation Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media and in chat rooms and cyberbullying awareness and response. Users of Corporation Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

[x] Students will be assigned a school email account that they are required to utilize for all school-related electronic communications, including those to staff members, peers, and individuals and/or organizations outside the Corporation with whom they are communicating for school-related projects and assignments. **(x)** Further, as directed and authorized by their teachers, they shall use their school-assigned email account when signing up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

Students are responsible for good behavior when using Corporation Technology Resources – i.e., behavior comparable to that expected of students when they are in classrooms, in school hallways, on other school premises and at school-sponsored events. Communications on Education Technology are often public in nature. General school rules for behavior and communication apply. The Corporation does not approve any use of its Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

[NOTE: If language about social media is added to Policy 7540, it is recommended that this language be added to this policy.]

[x] Students may use Corporation Technology Resources to access or use social media only if it is done for educational purposes in accordance with their teacher's approved plan for such use.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable both civilly and criminally, for uses of Technology Resources that are not authorized by this Policy and its accompanying guidelines.

The Board designates the Superintendent and Director of Technology _____ as the administrator(s) responsible for initiating, implementing, and enforcing this Policy and its accompanying guidelines as they apply to students' use of Corporation Technology Resources.

This policy shall be posted on the Corporation's website.

P.L. 106-554 (2000), Children's Internet Protection Act of 2000
 47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)
 18 U.S.C. 1460
 18 U.S.C. 2246
 18 U.S.C. 2256
 20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)
 20 U.S.C. 6777, 9134 (2003)
 47 C.F.R. 54.500 - 54.523
 I.C. 35-49-2-2
 I.C. 20-26-5-40.5

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Bylaw - Vol. 35, No. 1, Sept. 2022 - BYLAWS AND POLICIES
Code	po0131.1
Status	
Legal	I.C. 20-26-5-4
Adopted	December 5, 2011

Revised Bylaw - Vol. 35, No. 1**0131.1 - BYLAWS AND POLICIES**

The Board shall adopt bylaws and policies for the organization and operation of this Board and the Corporation.

The bylaws and policies may be adopted, amended, and repealed at any meeting of the Board,

☐ provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected.

☐ except that the Board may, upon a vote and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law, and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.

☒ These bylaws and policies may be adopted or amended by resolution at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the Corporation.

☒ Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution as a bylaw or a policy.

Bylaws shall be adopted, amended, repealed, or suspended by a majority _____ **[2/3's recommended]** vote of the full Board (physically present in a manner authorized by law). Policies shall be adopted, amended, or repealed by a majority vote _____ **[majority vote]** vote of the full Board (physically present in a manner authorized by law). (Two-thirds (2/3's) of a five (5) member Board is four (4) members.)

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be published in the Board policy manual.

Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

Further, any policy or part of a policy that is inconsistent with the law or with a decision rendered by a court of competent jurisdiction shall no longer be in force and effect as a policy.

☐ The Board may adopt, amend, or repeal administrative rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Bylaw - Vol. 35, No. 1, Sept. 2022 - OATH
Code	po0142.2
Status	From Neola
Legal	I.C. 5-4-1-4 I.C. 20-26-4-2
Adopted	December 5, 2011

Revised Bylaw - Vol. 35, No. 1**0142.2 - OATH**

Each newly elected, re-elected, appointed, or re-appointed Board member shall take an oath of office administered by a notary public or other qualified person ~~not~~ later than thirty (30) days after ~~the~~ beginning ~~of~~ the term of office. ~~Each Board member shall also take to which s/he was elected or appointed as well as~~ other oaths which may be required for transactions connected with or related to the educational program of the Corporation. ~~{I.C. 33-16-4-1}~~

The oath must be signed by the Board member and the person who administers it and filed in the circuit court clerk's office of the county containing the greatest percentage of the population of the ~~School Corporation~~ School Corporation. ~~{I.C. 20-26-4-2; I.C. 5-4-1-4}~~

I.C. 5-4-1-4**I.C. 20-26-4-2****© Neola ~~2022~~2023**

Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Bylaw - Vol. 35, No. 1, Sept. 2022 - PUBLIC PARTICIPATION AT BOARD MEETINGS
Code	po0167.3
Status	
Legal	I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings I.C. 20-26-4-3 Notice of meetings to Board members
Adopted	December 5, 2011
Last Revised	May 16, 2022
Last Reviewed	May 16, 2022

Revised Bylaw - Vol. 35, No. 1

0167.3 - PUBLIC PARTICIPATION AT BOARD MEETINGS

The School Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on School Corporation matters.

To permit fair and orderly public expression, the Board shall provide for oral public comment at every regular in-person meeting of the Board, including those where one or more but less than fifty percent (50%) of the Board members are participating remotely or virtually, and publish procedures to govern such participation in Board meetings. A member of the public who is physically present at a regular in-person meeting of the Board, including a meeting in which some Board members may be participating electronically under I.C. 5-14-1.5-3.5 and Bylaw 0164.5, shall be allowed to provide oral comment in accordance with the procedural rules established by the Board below. **[OPTION] () Public comment is limited to items on the Board's agenda. [END OF OPTION] [OPTION] () The Board shall provide for oral public comment at Board meetings held remotely or virtually during a "Disaster Emergency" pursuant to Indiana law. [END OF OPTION] When oral public comment is permitted on a topic, it shall occur before the Board takes final action on the topic.**

The presiding officer of each Board meeting shall administer the established procedures of the Board for conducting oral public comment. These procedural rules for oral public comment at Board meetings are reasonable rules to maintain order at the meeting, allow the Board to operate without disruptive behavior, and permit the Board to operate in an efficient manner so the business of the Board can be conducted and completed timely.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business. Provided, however, that public participation may be prohibited at any meeting that must be conducted remotely or virtually due to a disaster emergency declared by Federal, State, or local officials unless the Board has elected to allow oral public comment at

such Board meetings above.

- B. ☒ Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- C. ☒ Participants must be recognized by the presiding officer ☒ and will be requested to preface their comments by an announcement of their name, ☒ address, ☐ group affiliation, if and when appropriate **[END OF OPTIONS]**.
- D. ☒ Each statement made by a participant shall be limited to three _____ (3) minutes **[insert number of minutes]** duration.
- E. ☐ No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- F. ☒ All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- G. ☒ The presiding officer may:
1. ☒ prohibit public comments which are harassing;
 2. ☒ interrupt, warn, or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 3. ☒ request any individual to leave the meeting when that person behaves in a manner that is disruptive to the orderly conduct of the meeting;
 4. ☒ request the assistance of law enforcement officers in the removal of a person who is willfully disruptive or when that person's behavior interferes with the orderly conduct of the meeting;
 5. ☒ call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 6. ☒ waive these rules. ☒ with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business. **[END OF OPTION]**
- H. ☒ The portion of the meeting during which oral public comment is held shall be limited to thirty _____ (30) minutes **[insert number of minutes]** unless extended by a vote of the Board; provided, however, that every person who is physically present and has followed the reasonable rules set forth above shall be permitted an opportunity to provide oral public comment by dividing the total time for oral public comment by the number of persons providing oral public comment.

[START OF OPTION]

[] MEMBER OF THE PUBLIC PLACING AN ITEM ON THE BOARD AGENDA

Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than _____ () days prior to the meeting and include:

- A. ☐ name and address of the participant;
- B. ☐ group affiliation, if and when appropriate;
- C. ☐ topic to be addressed.

Such requests shall be reviewed by ☐ the Board President ☐ the Superintendent and the Board President ☐ the Superintendent or the Board President **[END OF OPTION]** and shall be placed on the agenda only if approved by ☐ the Board President ☐ the Superintendent and the Board President ☐ the Superintendent or the Board President

[END OF OPTIONS]. The amount of time for agenda items for any person or group who have been approved for a presentation on the Board agenda shall be limited to _____ (___) minutes **[insert number of minutes]** as set forth above.

[END OF OPTION]

[START OF OPTION]

[x] ELECTRONIC RECORDING OF BOARD MEETINGS BY THE PUBLIC

Digital, audio, or video recordings are permitted. The person operating the recording device should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:

- A. No obstructions are created between the Board and the audience.
- B. No interviews are conducted during the Board meeting.
- C. No commentary is made that would distract either the Board or members of the audience.

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE () AND ARRESTS
Code	po1521
Status	
Legal	I.C. 5-2-22 I.C. 10-13-3 I.C. 20-26-2-1.3, 20-26-2-1.5 I.C. 20-26-5-10, -10.5, -11 and -11.5 I.C. 20-28-5-8
Adopted	December 5, 2011
Last Revised	June 5, 2017

Revised Policy - Vol. 35, No. 1

1521 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE () AND ARRESTS

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's administrative staff.

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

- A. an expanded criminal history check as defined by I.C. 20-26-2-1.5
- B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. (x) an expanded child protection index check in other states
- D. a search of the national sex offender registry maintained by the United States Department of Justice
- E. beginning July 1, 2017, a search of the State child abuse registry

- F. telephone inquiry with former employer(s)
- G. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- H. verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1
- I. ☐ fingerprint check
- J. ☒ a detailed background history including all prior employment and volunteer positions
- K. ☒ an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board requires that an expanded criminal history check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the applicant's/her employment before or not later than thirty (30) days after the start of the applicant's employment by the Corporation.

The Board requires that an Indiana expanded child protection index check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the applicant's/her employment before or not later than sixty (60) days after the start of the applicant's employment by the Corporation.

The Board requires that all references and, if applicable, the most recent employer provided by an applicant be contacted before the Corporation may hire the applicant.

The Board shall deny employment to a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5- 8(c) unless the conviction has been reversed, vacated, or set aside on appeal. Likewise, the Board shall terminate the employment of a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal.

The Board may deny employment to an applicant who is the subject of a substantiated report of abuse or neglect.

Each applicant shall certify under penalty of perjury the applicant's/her eligibility to be employed by the Board as a United States citizen or a qualified alien.

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

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

[SELECT ONE OF THE FOLLOWING OPTIONS]

☒ **[OPTION 1]**

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

[END OPTION 1]

☐ **[OPTION 2]**

The Corporation shall pay the costs associated with conducting the expanded criminal history check and obtaining the expanded child protection index check for applicants.

[END OF OPTION 2]

The Board requires that an expanded criminal history check be conducted for each Corporation employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment every five (5) years.

☐ [OPTIONAL]

In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed 5____ (5) [maximum is 5] years by annually conducting updated expanded criminal history checks for at least one fifth____ (1/5) [minimum is 1/5] of employees who are employed by the Corporation on July 1, 2017.

[SELECT ONE (1) OF THE FOLLOWING OPTIONS]

☐ [OPTION 1]

Any costs associated with obtaining the expanded criminal history check are to be borne by the employee unless otherwise agreed upon through an agreement reached following negotiations with the exclusive representative of the employees.

[END OPTION 1]

☒ [OPTION 2]

The Corporation shall pay the costs associated with conducting the expanded criminal history check for all employees, provided the exclusive representatives of the Corporation's employees do not object.

[END OPTION 2]

☐ [OPTIONAL]

☐ The Board requires that an expanded child protection index check be obtained for each Corporation employee every five (5) years. The Corporation shall pay the costs associated with obtaining the expanded child protection index check for employees.

☐ In implementing this requirement, the Corporation shall obtain the updated expanded child protection index checks for Corporation employees over a period not to exceed ____ (5) [maximum is 5] years by annually obtaining updated child protection index checks for at least ____ (1/5) [minimum is 1/5] of employees who are employed by the Corporation on July 1, 2017.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
 - 1. Murder (I.C. 35-42-1-1).
 - 2. Causing suicide (I.C. 35-42-1-2).
 - 3. Assisting suicide (I.C. 35-42-1-2.5).

4. Voluntary manslaughter (I.C. 35-42-1-3).
5. Reckless homicide (I.C. 35-42-1-5).
6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (I.C. 35-42-2-1.5).
8. Kidnapping (I.C. 35-42-3-2).
9. Criminal confinement (I.C. 35-42-3-3).
10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual

desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16) years of age; or
(iii) fondling the person's genitals or the genitals of another person.

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

During the course of his/her employment with the Corporation, each administrator shall be required to report the

- A. ☒ arrest or the filing of criminal charges against the employee;
- B. conviction of the employee for a crime; and
- C. substantiated report of child abuse or neglect of which the employee is the subject

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

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE () AND ARRESTS
Code	po3121
Status	
Legal	I.C. 5-2-22 I.C. 10-13-3 I.C. 20-26-2-1.3 I.C. 20-26-2-1.5 I.C. 20-26-5-10, -10.5, -11 and -11.5 I.C. 20-28-5-8
Adopted	December 5, 2011
Last Revised	June 5, 2017

Revised Policy - Vol. 35, No. 1

3121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE () AND ARRESTS

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

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

- A. an expanded criminal history check as defined by I.C. 20-26-2-1.5
- B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. (x) an expanded child protection index check in other states
- D. a search of the national sex offender registry maintained by the United States Department of Justice

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

L. beginning July 1, 2017, a search of the State Child Abuse Registry

F. telephone inquiry with former employer(s)

G. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred

H. verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1

I. ☐ fingerprint check

J. ☐ a detailed background history including all prior employment and volunteer positions

K. ☒ an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board requires that an expanded criminal history check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the applicant's/her employment before or not later than thirty (30) days after the start of the applicant's employment by the Corporation.

The Board requires that an Indiana expanded child protection index check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the applicant's/her employment before or not later than sixty (60) days after the start of the applicant's employment by the Corporation.

The Board requires that all references and, if applicable, the most recent employer provided by an applicant be contacted before the Corporation may hire the applicant.

The Board shall deny employment to a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5- 8(c) unless the conviction has been reversed, vacated, or set aside on appeal. Likewise, the Board shall terminate the employment of a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal.

The Board may deny employment to an applicant who is the subject of a substantiated report of abuse or neglect.

Each applicant shall certify under penalty of perjury the applicant's/her eligibility to be employed by the Board as a United States citizen or a qualified alien.

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

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

[SELECT ONE OF THE FOLLOWING OPTIONS]

☒ [OPTION 1]

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

[END OPTION 1]

☐ [OPTION 2]

The Corporation shall pay the costs associated with conducting the expanded criminal history check and obtaining the expanded child protection index check for applicants.

[END OF OPTION 2]

The Board requires that an expanded criminal history check be conducted for each Corporation employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment every five (5) years.

[] [OPTIONAL]

[x] In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed five_____ (5_) **[maximum is 5]** years by annually conducting updated expanded criminal history checks for at least one fifth_____ (1/5_) **[minimum is 1/5]** of employees who are employed by the Corporation on July 1, 2017.

[SELECT ONE (1) OF THE FOLLOWING OPTIONS]**[] [OPTION 1]**

Any costs associated with obtaining the expanded criminal history check are to be borne by the employee unless otherwise agreed upon through an agreement reached following negotiations with the exclusive representative of the employees.

[END OPTION 1]**[x] [OPTION 2]**

The Corporation shall pay the costs associated with conducting the expanded criminal history check for all employees, provided the exclusive representatives of the Corporation's employees do not object.

[END OPTION 2]**[] [OPTIONAL]**

[] The Board requires that an expanded child protection index check be obtained for each Corporation employee every five (5) years. The Corporation shall pay the costs associated with obtaining the expanded child protection index check for employees.

[] In implementing this requirement, the Corporation shall obtain the updated expanded child protection index checks for Corporation employees over a period not to exceed _____ (__) **[maximum is 5]** years by annually obtaining updated child protection index checks for at least _____ (__) **[minimum is 1/5]** of employees who are employed by the Corporation on July 1, 2017.

[END OF OPTIONS]

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:

- 1. Murder (I.C. 35-42-1-1).

2. Causing suicide (I.C. 35-42-1-2).
3. Assisting suicide (I.C. 35-42-1-2.5).
4. Voluntary manslaughter (I.C. 35-42-1-3).
5. Reckless homicide (I.C. 35-42-1-5).
6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (I.C. 35-42-2-1.5).
8. Kidnapping (I.C. 35-42-3-2).
9. Criminal confinement (I.C. 35-42-3-3).
10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public indecency (I.C. 35-45-4-1) committed; (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in I.C. 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

During the course of his/her employment with the Corporation, each professional employee and substitute teacher shall be required to report the

- A. **(x)** arrest or the filing of criminal charges against the employee; and
- B. conviction of the employee for a crime; and
- C. substantiated report of child abuse or neglect of which the employee is the subject

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

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE () AND ARRESTS
Code	po4121
Status	
Legal	I.C. 5-2-22 I.C. 10-13-3 I.C. 20-26-2-1.3, 20-26-2-1.5 I.C. 20-26-5-10, -10.5, -11 and -11.5 I.C. 20-28-5-8
Adopted	December 5, 2011
Last Revised	June 5, 2017

Revised Policy - Vol. 35, No. 1

4121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE () AND ARRESTS

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's support staff.

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[SELECT ONE OF THE FOLLOWING OPTIONS]

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[END OPTION 1]

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7. Aggravated battery (I.C. 35-42-2-1.5).
8. Kidnapping (I.C. 35-42-3-2).
9. Criminal confinement (I.C. 35-42-3-3).
10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
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19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public Indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in I.C. 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

During the course of his/her employment with the Corporation, each support staff employee shall be required to report the

- A. ☒ arrest or the filing of criminal charges against the employee;
- B. conviction of the employee for a crime; and
- C. substantiated report of child abuse or neglect of which the employee is the subject

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

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - INTERSCHOLASTIC ATHLETICS
Code	po2431
Status	
Legal	I.C. 20-26-5.4, 20-26-14-5, 20-30-15-6, 7, 8
Adopted	December 5, 2011

Revised Policy - Vol. 35, No. 1

2431 - INTERSCHOLASTIC ATHLETICS

The School Board recognizes the value to the School Corporation and to the community of a program of interscholastic athletics for as many students as feasible.

[x] The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the School Corporation alone.

[x] The program should foster the growth of school loyalty with the student body as a whole and stimulate community interest in athletics.

[x] Game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The Board subscribes to the administrative guidelines of the Indiana High School Athletic Association so long as the Association complies with the requirements of I.C. 20-26-14-5 but maintains responsibility for enforcement of all rules. The Board believes that it is the purpose of an interscholastic program to provide the benefits of an athletic experience to as large a number of students as feasible within the Corporation.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels. The Superintendent is to develop guidelines for coaches to follow which will ensure that as many students as possible have the opportunity to play so they have the opportunity to benefit from the learning experience.

The Superintendent shall annually prepare, approve and present to the Board for its consideration, a program of interscholastic athletics which shall include a complete schedule of events () and shall inform the Board of changes in that schedule as they occur () and shall secure Board approval before making any changes in the said schedule **[END OF OPTION]**.

The Superintendent shall develop appropriate administrative guidelines for the operation of the Athletic Program and a Code of Conduct for those who participate. Such guidelines should provide for the following safeguards:

A. ☒ Prior to enrolling in the sport:

1. ☒ each participant shall submit to a thorough physical examination by a Corporation-approved physician;
2. ☒ parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.

B. ☒ Any student who is found to have a life-threatening health condition such as a heart defect, respiratory dysfunctions, and the like, must have authorization in writing by the student's physician and parents in order to participate in any athletic activities.

C. ☒ Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.

☒ In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.

☒ The Superintendent is also to develop and then review annually guidelines so that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Such guidelines should provide a set of behavioral expectations for each type of participant. The Superintendent is authorized to implement suitable disciplinary procedures against those who do not abide by these expectations.

In order to support such a program, the Board commits itself to:

- A. ☒ recognize the value of school athletic activities as a vital part of education;
- B. ☒ adopt policies (upon recommendation of the administration) which reflect the Corporation's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;
- C. ☒ attend school athletic activities, serve as a positive role model, and expect the same from parents, fans, participants, coaches, and other school personnel;
- D. ☐ support and reward participants, coaches, school administrators, and fans who display good sportsmanship.

Grievances regarding the alleged violation of I.C. 20-33-13 concerning the participation of transgender girls on athletic teams or sports may be filed under Policy 2432 - Grievance Procedure for Violation of State Law Limiting Participation of Transgender Girls in Athletics.

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PROGRAMS FOR HIGH ABILITY STUDENTS
Code	po2464
Status	
Legal	511 IAC 6-9.1 I.C. 20-36-2
Adopted	December 5, 2011

Revised Policy - Vol. 35, No. 1

2464 - PROGRAMS FOR HIGH ABILITY STUDENTS

In accordance with State law, the School Board of School Trustees shall develop and periodically update a plan to provide appropriate educational experiences to high ability students in the School Corporation in grades kindergarten through grade twelve (12)12.

The plan must include the following components:

- A. Aa broad-based planning committee that meets periodically to review the Corporation's plan for high ability students with committee representatives selected from diverse groups representing the school and community.
- B. Aa student identification system's that is multifaceted assessments to ensure students not identified by traditional assessments due to economic disadvantage, cultural background, underachievement, or disabilities are included. The assessments must identify students with high abilities in the general intellectual domain and specific academic domains.and includes performance-based assessment, potential-based assessment, and alternative assessment
- C. Pprofessional development.
- D. Ddevelopment and implementation of local services for high ability students including appropriately differentiated curriculum and instruction in core academic areas for each grade.
- E. Evaluation of the local program for high ability students.systematic program assessment
- F. Best practices to increase the number of participants in high ability student programs who are from racial and ethnic groups that have been underrepresented in those programs.

The program must be approved by the School Board and the plan must be available for public inspection as well as filed with the Indiana Department of Education.

High ability students shall be considered those who, through valid assessment:

- A. perform at or show potential for performing at an outstanding level of accomplishment in at least one (1) of the following domains: general intellectual, general creative, specific academic, technical and practical arts, visual and performing arts, and interpersonal;; and
- B. is characterized by exceptional gifts, talents, motivation, or interests.

The Superintendent shall develop administrative guidelines which shall include those for valid identification, curriculum development and implementation, and assessment of the learning outcomes.

511 IAC 6-9.1

511 IAC 6-9

I.C. 20-36-2

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES
Code	po8121
Status	
Legal	I.C. 5-2-22 I.C. 10-13-3 I.C. 20-26-2-1.3 I.C. 20-26-2-1.5 I.C. 20-26-5-10, -11, and -11.5
Adopted	December 5, 2011
Last Revised	August 19, 2019

Revised Policy – Vol. 35, No. 1

8121 - PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES

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

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

- A. an expanded criminal history check as defined by I.C. 20-26-2-1.5
- B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. () an expanded child protection index check in other states
- D. a search of the national sex offender registry maintained by the United States Department of Justice
- E. beginning July 1, 2017, a search of the State child abuse registry

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

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

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

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

Each contractor and subcontractor providing services to the Corporation shall notify the Superintendent within two (2) business days of the:

- A. ☒ arrest and/or filing of criminal charges against the contractor, subcontractor, or an employee of the contractor or subcontractor and the disposition of such arrest or filing of charges;
- B. conviction of the contractor, subcontractor, or an employee of the contractor or subcontractor for a crime; and
- C. substantiated report of child abuse or neglect of which the contractor, subcontractor, or employee of the contractor or subcontractor is the subject.

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

- A. inclusion of the requirement as a material term of the contractor's or subcontractor's contract; or
- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Corporation's files.

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

- A. inclusion of the requirement as a material term of the contractor's or subcontractor's contract; or
- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Corporation's files.

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

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

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

B. has been charged with or convicted of one (1) of the following crimes:

1. Murder (I.C. 35-42-1-1).
2. Causing suicide (I.C. 35-42-1-2).
3. Assisting suicide (I.C. 35-42-1-2.5).
4. Voluntary manslaughter (I.C. 35-42-1-3).
5. Reckless homicide (I.C. 35-42-1-5).
6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (I.C. 35-42-2-1.5).
8. Kidnapping (I.C. 35-42-3-2).
9. Criminal confinement (I.C. 35-42-3-3).
10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

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

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Book	Forms Manual
Section	Volume 35, No. 1 - September 2022
Title	New Policy - Vol. 35, No. 1, Sept. 2022 - GRIEVANCE PROCEDURE FOR VIOLATION OF STATE LAW LIMITING PARTICIPATION OF TRANSGENDER GIRLS IN ATHLETICS
Code	po2432
Status	
Legal	I.C. 20-26-14-1 "Association" I.C. 20-33-13 Athletic Teams and Sports

REJECT

New Policy - Vol. 35, No. 1

2432 - GRIEVANCE PROCEDURE FOR VIOLATION OF STATE LAW LIMITING PARTICIPATION OF TRANSGENDER GIRLS IN ATHLETICS

The School Board provides the following grievance procedure to address grievances for violation of the State law limiting the participation of transgender girls in athletics, as required by I.C. 20-33-13. Any School Corporation student or the parent of a student in the Corporation may file a grievance under this policy for an alleged violation of I.C. 20-33-13.

Application of this Grievance Procedure

This Grievance Procedure applies to the following:

- A. an athletic team or sport that is organized, sanctioned, or sponsored by the Corporation in which the students participating on the athletic team or in the sport compete against students participating on an athletic team or in a sport that is organized, sanctioned, or sponsored by another school corporation, public school, or nonpublic school;
- B. an athletic team or sport that is organized, sanctioned, or sponsored by a nonpublic school that voluntarily competes against an athletic team or sport that is organized, sanctioned, or sponsored by the Corporation; and
- C. an athletic team or sport approved or sanctioned by an association for purposes of participation in a high school interscholastic athletic event.

Definitions

"Association" means an organization that conducts, organizes, sanctions, or sponsors interscholastic high school athletic events as the organization's primary purpose.

"Public school" means the following:

- A. A school maintained by a school corporation.
- B. A charter school.

Designation of Athletic Teams and Sports

The Corporation shall designate each athletic team or sport that it organizes, sanctions, or sponsors as one of the following:

- A. a male, men's, or boys' team or sport;
- B. a female, women's, or girls' team or sport; or
- C. a coeducational or mixed team or sport.

Limitation on Participation of Transgender Girls on Athletic Teams or Sports

Pursuant to State law, a male student, based on the student's biological sex at birth in accordance with the student's genetics and reproductive biology, may not participate on an athletic team or sport designated under this section as being a female, women's, or girls' athletic team or sport.

Grievance Procedure:

A Corporation student or the parent of a Corporation student may submit a grievance to the school for a violation of I.C. 20-33-13 and this policy as follows **[SELECT ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]:**

☐ **[OPTION 1]**

GRIEVANCE LEVELS

Step 1 – Team-Level Grievance:

A student or parent wishing to file a grievance may submit a grievance, in writing, to the Coach or advisor/sponsor of the athletic team or sport about which the grievance is being submitted. The Coach or advisor/sponsor will investigate the grievance and make a written finding as to whether or not the State law and school policy have been violated. It is anticipated that this investigation will conclude within () fifteen (15) () _____ () **[ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days. If the Coach or advisor/sponsor finds that a violation occurred, the Coach or advisor/sponsor will recommend a resolution, in writing, with input from the Grievant.

Step 2 – Building-Level Grievance:

If the matter cannot be satisfactorily resolved at the First Level, the Grievant may request a review by the Principal of the school building associated with the athletic team or sport about which the grievance was submitted. The Grievant should specify the manner in which the Grievant disagrees with the determination of the Coach or advisor/sponsor. The Principal will review the documentation of the investigation of the Grievance and the recommendation issued by the Coach and/or advisor/sponsor and any documentation related to the Grievance presented by the Grievant, then issue a written determination. It is anticipated that this review will conclude within () ten (10) () _____ () **[ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days.

Step 3 – Corporation-Level Grievance: If the matter cannot be satisfactorily resolved at the Second Level, the Grievant may request a conference with the Superintendent. At this conference, the Superintendent will discuss with the Grievant the reason for the Grievant's disagreement with the Principal's determination. Following the conference, the Superintendent will issue a written determination within () five (5) () _____ () **[ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days of the conference.

Step 4 – Board-Level Grievance: If the matter cannot be satisfactorily resolved at the Third Level, the Grievant may appeal the Superintendent's determination to the Board. The Board, after reviewing all material relating to the case, shall () provide the Grievant with its written decision () grant a hearing () before the Board () before a committee of the Board **[END OF OPTIONS]**.

[END OF OPTION 1]

[] [OPTION 2]

GRIEVANCE SUBMISSION AND APPEAL

A student or parent wishing to file a grievance may submit a grievance, in writing, to the Principal of the school building associated with the athletic team or sport about which the grievance is being submitted. The Principal will investigate the grievance and make a written finding as to whether or not the State law and school policy have been violated. It is anticipated that this investigation will conclude within () fifteen (15) () _____ () [ENTER AMOUNT OF DAYS] [END OF OPTION] instructional days. If the Principal finds that a violation occurred, the Principal will recommend a resolution, with input from the Grievant.

If the Principal concludes that no violation occurred or the Grievant disagrees with the Principal's recommended resolution, the Grievant may appeal the denial of the Grievance or recommended resolution to the Superintendent. The Superintendent will review the Principal's documentation of the investigation of the Grievance and any documentation related to the Grievance presented by the Grievant, then determine whether or not the Principal correctly decided that no violation occurred or whether the recommended resolution is appropriate. It is anticipated that this review will conclude within () ten (10) () _____ () [ENTER AMOUNT OF DAYS] [END OF OPTION] instructional days. If the Superintendent finds that a violation occurred, the Superintendent will recommend a resolution, with input from the Grievant.

[SELECT ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]

[] The Superintendent's determination is final.

[] If the Grievant disagrees with the Superintendent's determination, the Grievant may appeal the Superintendent's determination to the Board. The Board, after reviewing all material relating to the case, shall () provide the Grievant with its written decision () grant a hearing () before the Board () before a committee of the Board [END OF OPTIONS].

[END OF OPTION 2]

[END OF OPTIONS]

Retaliation Prohibited:

The Corporation shall not retaliate or otherwise take any adverse action against a student for reporting a violation or bringing a civil action for a violation of I.C. 20-33-13.

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Book Forms Manual

Section Volume 35, No. 1 - September 2022

Title New Policy - Vol. 35, No. 1, Sept. 2022 - ADJUNCT TEACHERS

Code po3120.02

Status

Legal I.C. 10-13-3-39
I.C. 20-19-3-25
I.C. 20-28-5-27
I.C. 20-28-6-7.3
I.C. 20-28-9-1.5(m)
I.C. 20-29-6-7(16)

New Policy - Vol. 35, No. 1

3120.02 – ADJUNCT TEACHERS

The School Board supports filling all teaching positions in the School Corporation with certificated employees but recognizes that there may be times when it is necessary to employ persons who have not completed their certification to teach. In an effort to fill a vacant teaching position, offer a new program or class, or supplement a program currently being offered, the Board may issue an adjunct teacher permit to an individual if the following minimum requirements are met:

- A. The individual has at least four (4) years of experience in the content area in which the individual intends to teach.
- B. The Corporation conducts an expanded criminal history check and expanded child protection index check concerning the individual as required under I.C. 20-26-5-10.
- C. The individual has not been convicted of a (x) felony **[minimum required]** (x) offense **[END OF OPTIONS]** listed in I.C. 20-28-5-8(c) or (d) or the individual's conviction has been reversed, vacated, or set aside on appeal.
- D. () _____.
- E. () _____.

The Corporation may enter into an employment agreement with an individual to whom the Board has issued an adjunct teacher permit as a part-time or full-time teacher of the Corporation. The individual who holds the adjunct teacher permit may teach in any content area in which the Corporation allows the individual to teach and in which the individual has at least four (4) years of experience. Provided, however, that:

- A. the individual must be assigned a teacher mentor for support in pedagogy; and
- B. the individual must complete the following training within the first ninety (90) days of employment:
 - 1. I.C. 20-26-5-34.2 (bullying prevention).
 - 2. I.C. 20-28-3-4.5 (training on child abuse and neglect).
 - 3. I.C. 20-28-3-6 (youth suicide awareness and prevention training).
 - 4. I.C. 20-28-3-7 (training on human trafficking).

An adjunct teacher shall not provide special education instruction.

Except as otherwise provided in a collective bargaining agreement entered into or renewed before July 1, 2022, an employment agreement entered into between the Corporation and an individual to whom the Board has issued an adjunct teacher permit is not subject to a collective bargaining agreement entered into under I.C. 20-29. Furthermore, it is not an unfair practice for the Corporation to enter into an employment agreement with an individual to whom the Board has issued an adjunct teacher permit.

The Corporation shall report the following information to the State Department of Education if it hires an adjunct teacher:

- A. The number of adjunct teachers who hold an adjunct teacher permit that the Corporation has hired each school year, disaggregated by the grade level and subject area taught by the adjunct teacher.
- B. The following information for each adjunct teacher:
 - 1. The name of the adjunct teacher.
 - 2. The subject matter the adjunct teacher is permitted to teach.
 - 3. A description of the adjunct teacher's experience that qualifies the adjunct teacher for the adjunct teacher permit.
 - 4. The adjunct teacher's total salary and any other compensation paid to the adjunct teacher during the school year.
 - 5. The number of previous adjunct teaching employment agreements the adjunct teacher has entered into with the Corporation or any other school corporation.

The Corporation shall post a vacant adjunct teacher position on the State Department of Education's online adjunct teacher portal.

The Corporation () may **[statutory]** () shall (x) shall not **[END OF OPTIONS]** notify the parents of students enrolled in the Corporation of a vacant adjunct teacher position.

The Board shall announce any vacant adjunct teacher positions at Board meetings.

An individual who holds an adjunct teacher permit issued by the Board is not required to be employed on a uniform teacher's contract or a supplemental service teacher's contract. An employment agreement entered into between the Corporation and an individual who holds an adjunct teacher permit issued by the Board must:

- A. be in writing;

B. be signed by both parties; and

C. contain the following:

1. the total salary and any other compensation to be paid to the adjunct teacher during the school year;
2. the method and frequency of salary payments;
3. the number of classes the adjunct teacher is to teach;
4. the classes and subject matter areas that the adjunct teacher will be teaching;
5. an expiration date that is not later than the end of the school year.

This employment agreement is a public record open to inspection. An adjunct teacher may enter into employment agreements with more than one (1) school corporation. An employment agreement between an adjunct teacher and the Corporation is not subject to I.C. 20-28-9-1.5, which governs salary increases for a teacher employed by the Corporation.

An adjunct teacher holding a permit issued by the Board is not a "school employee" within the meaning of I.C. 20-29-2-13, for purposes of collective bargaining. However, the use of adjunct teachers is a mandatory subject of discussion between the Corporation and the exclusive representative of its certificated employees.

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