

Book	Policies for the board
Section	6000 Finances
Title	STUDENT FEES AND CHARGES
Code	po6152
Status	
Legal	I.C. 20-33-5-11 Indiana State Board of Accounts, Public Schools Audit Manual Indiana State Board of Accounts, School Administrator
Adopted	May 11, 2004
Last Revised	April 10, 2023

### 6152 - STUDENT FEES AND CHARGES

Because of limited financial means, the School Board may need to levy certain charges to students to facilitate the utilization of adequate, appropriate learning materials. Such charges would be made on expendable items such as, but not limited to, magazines, workbook materials, paperback selections, and laboratory supplies as well as for lost or damaged books and materials for independent study or special projects, and Corporation-sponsored trips. No student, however, shall be deprived of participation in an activity because of lack of financial ability to pay a charge.

A charge shall not exceed the combined cost of the material used, freight and/or handling and processing charges, and nominal add-on for loss.

When Corporation property, equipment, or supplies are damaged, lost, or taken by a student, a fee will be assessed. The fee will be reasonable, seeking only to compensate the Corporation for the expense or loss incurred.

The late return of borrowed books or materials from the Corporation's libraries will be subject to appropriate fees.

Any fees collected by members of the staff are to be turned in to the Business Office within twenty-four (24) hours after collection.

In the event the above course of action does not result in the fee being collected, the Board authorizes the superintendent to take the student and/or his/her parents to Small Claims Court for collection if the claim does not exceed \$1,500. If the claim exceeds \$1,500, the Board authorizes the Corporation attorney to pursue a collection action in the appropriate court against the student and/or his/her parents. The Board authorizes the superintendent to use a collection agency to attempt to secure payment from families for any amount deemed appropriate.

If a student has paid the fees or charges described above, and the student transfers, withdraws, is expelled, or is unable to complete or continue to participate in a class, or activity, or utilize a school service for which the student or his/her parents have paid the applicable fees or charges, the Corporation shall refund an amount equal to the total fee multiplied by the percentage of the semester, grading period or activity season remaining at the time the student transfers, withdraws, is expelled from the class, quits, or is cut from the activity, so long as 1/4 or more of the semester, grading period, or activity season remains and the amount of refund, rounded up to the nearest dollar amount, equals or exceeds \$5.00.

The Corporation may write-off any outstanding unpaid student fees of \$5.00 or less, if not paid by the beginning of the school year following the school year or activity season in which the debt for nonpayment of student fees was incurred.

Unpaid student fees in excess of \$5.00 may, at the discretion of the School Treasurer or his/her designee, be written off five (5) years after the end of the school year or activity season in which the debt for nonpayment of student fees was incurred. Fees in excess of \$5.00 may be written off at any time, if the principal, or his/her designee, determines the student's parents, or the student, if age eighteen (18) or older or an emancipated minor, is unable to pay.

Revised 7/11/16  
Revised 3/20/17

Revised 4/10/23

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Technical Correction Bylaw - Vol. 32, No. 2 - June 2020 - ORGANIZATIONAL MEETING
Code	po0151
Status	
Legal	I.C. 20-26-4-1 I.C. 5-14-1.5-2(b) Definition of "governing body" I.C 5-14-3 Access to Public Records Act
Adopted	April 10, 2023
Last Revised	April 10, 2023

**0151 - ORGANIZATIONAL MEETING**

The School Board shall organize annually on or before January 15th at a meeting held in accordance with law. The meeting shall be called to order by the ranking officer of the preceding Board who shall serve as presiding officer until the election of a temporary chairperson, who shall in turn serve until the election of a President.

I.C. 20-26-4-1

I.C. 5-14-1.5-2(b) Definition of "governing body"

I.C 5-14-3 Access to Public Records Act

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Technical Correction Bylaw - Vol. 32, No. 2 - June 2020 - OFFICERS
Code	po0152
Status	
Legal	I.C. 20-26-4-1 I.C. 5-14-1.5-2(b) Definition of "governing body" I.C 5-14-3 Access to Public Records Act
Adopted	April 10, 2023
Last Revised	April 10, 2023

**0152 - OFFICERS**

The School Board shall elect from its members a President, Vice-President, and a Secretary all of whom are separate members.

The Board shall also appoint a Treasurer of the Board and of the School Corporation who is not the Superintendent or a Board member.

Election of officers shall be by a majority of the full Board. Where no such majority exists on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.

Officers shall serve for one (1) year and until their respective successors are elected and shall qualify. An officer may be removed for cause by a majority vote of the full Board. The Board shall fill a vacancy in either office within thirty (30) days of the occurrence of the vacancy.

I.C. 20-26-4-1

I.C. 5-14-1.5-2(b) Definition of "governing body"

I.C 5-14-3 Access to Public Records Act

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Book Policies for the board

Section Volume 32, No. 2 - June 2020

Title Revised Bylaw - Vol. 32, No. 2 - June 2020 - MOTIONS

Code po0154

Status

Legal I.C. 5-13-7-6 Local board of finance meetings  
I.C. 5-14-1.5-2(b) Definition of "governing body"  
I.C. 5-14-3 Access to Public Records Act  
I.C. 20-26-4-1 Organization  
I.C. 20-26-4-3 Regular, statutory and special meetings

Adopted April 10, 2023

Last Revised April 10, 2023

**0154 - MOTIONS**

The School Board shall, at the organizational meeting on or before January 15th:

**A. Elect a:**

- 1. president**
- 2. vice president; and**
- 3. secretary**

**each of whom is a different member;**

- B. The Treasurer may appoint a deputy who must be a person other than the Superintendent and who is not a member of the Board, subject to approval by the Board of the individual appointed, who has the same powers and duties as the Treasurer.**
- C. designate a day, place, and time for regular meetings which shall be held at least once every month;**
- D. authorize the President of the Board to appoint individual Board members to any necessary committees or as representatives to various organizations;**
- E. appoint a legal counsel;**
- F. appoint a Board member as legislative liaison to the Indiana School Boards Association;**
- G. appoint the local board of finance;**
  - I.C. 5-13-7-6 Local board of finance meetings
  - I.C. 5-14-1.5-2(b) Definition of "governing body"
  - I.C. 5-14-3 Access to Public Records Act
  - I.C. 20-26-4-1 Organization
  - I.C. 20-26-4-3 Regular, statutory and special meetings

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Technical Correction Bylaw - Vol. 32, No. 2 - June 2020 - COMMITTEES
Code	po0155
Status	
Legal	I.C. 5-14-1.5-2(b) Definition of "governing body" I.C 5-14-3 Access to Public Records Act
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### 0155 - **COMMITTEES**

Committees appointed directly by the School Board or the President shall constitute a "governing body" as defined in the Open Door Law. When specifically charged to do so by the Board or President, a committee shall conduct studies, receive information, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board.

Meetings of committees appointed directly by the Board or its President and given authority to take official action upon public business are subject to the Open Door Law and shall give notice of meetings and hold public meetings as required by that statute. "Official action" includes receiving information, deliberating, and making recommendations. A committee subject to the Open Door Law shall keep minutes of its meetings.

Meetings of committees appointed by the Superintendent that report to the Superintendent shall not be subject to the Open Door Law, but records of committees appointed by the Superintendent shall be subject to the Access to Public Records Act.

The President shall, as soon after the organizational meeting as practicable, appoint:

members of the Board to standing committees where they shall serve a term of one (1) year.

Ad hoc committees may be created and changed at any time by the President or a majority of the members present at any meeting at which the need for a committee becomes evident or the Superintendent with the approval of the Board.

Members of ad hoc committees shall serve until the committee is discharged.

A member may request (or refuse) appointment to a committee.

Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another committee.

Each Board committee shall be convened by a chairperson who shall report for the committee and shall be chosen by the committee from among its members.

I.C. 5-14-1.5-2(b) Definition of "governing body"

I.C 5-14-3 Access to Public Records Act

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Bylaw - Vol. 32, No. 2 - June 2020 - EXECUTIVE SESSION
Code	po0167.2
Status	
Legal	I.C. 5-14-1.5-5 Open Door Law notice to the public and news media of executive sessions I.C. 5-14-1.5-6.1 Executive sessions I.C. 20-26-4-3 Regular, statutory and special meetings, including notice of meetings to Board members
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### 0167.2 - **EXECUTIVE SESSION**

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

- A. where authorized by Federal or State statute
- B. discussion of strategy with respect to 1) collective bargaining, 2) initiation of litigation or litigation which is pending or has been threatened in writing, 3) implementation of security systems, 4) a real property transaction, including a purchase, a lease as a lessor, a lease as a lessee, a transfer, an exchange or a sale by the governing body, up to the time a contract or option is executed by the parties, 5) or school consolidation, providing that the strategy is necessary for bargaining or competitive reasons, and the meeting does not include the competitive bargaining adversaries.
- C. for discussion of the assessment, design, and/or implementation of school safety and security measures, plans, and systems
- D. to receive information about, and interview, prospective employees
- E. with respect to any individual over whom the Board has jurisdiction, receive information concerning the individual's alleged misconduct, and to discuss, prior to determination, that individual's status as an employee, student, or independent contractor who is a physician or a school bus driver
- F. discussion of records classified as confidential by Federal or State statute
- G. discussion, before any placement decision, of an individual student's abilities, past performance, behavior, and needs
- H. discussion of an employee's job performance evaluation
- I. when considering the appointment of a public official, to develop a list of prospective appointees, to consider applications and make one (1) initial exclusion of prospective appointees from further consideration
- J. training of Board members by an outside consultant on performance of their role as public officials and/or discussion with or between county officials, Board members, and an outside consultant concerning the performance of Board members

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

In keeping with the confidential nature of executive sessions, no member of the Board shall disclose the content of discussions that take place during such sessions.

I.C. 5-14-1.5-5 Open Door Law notice to the public and news media of executive sessions



- I.C. 5-14-1.5-6.1 Executive sessions
- I.C. 20-26-4-3 Regular, statutory and special meetings, including notice of meetings to Board members

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Bylaw - Vol. 32, No. 2 - June 2020 - TREASURER
Code	po0171.4
Status	
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### **0171.4 - TREASURER**

The School Board shall appoint a person, other than the Superintendent or a member of the Board, to serve as treasurer of the Corporation.

The Treasurer shall be the official custodian of all funds of the Corporation and responsible for the proper safeguarding of and accounting for all such funds.

In addition, the Treasurer shall issue a receipt for all funds coming into his/her hands as well as deposit money and issue all warrants in accordance with the law.

The Treasurer also may transact Corporation financial business through the use of electronic funds transfer.

The Treasurer may appoint a deputy who must be a person other than the Superintendent and who is not a member of the Board, subject to approval by the Board of the individual appointed, who has the same powers and duties as the Treasurer.

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	New Policy - Vol. 32, No. 2 - June 2020 - PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING
Code	po3120.11
Status	
Legal	I.C. 20-29-6-1b
Adopted	April 10, 2023

**3120.11 – PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING**

The School Board establishes the following policy for the public hearing that State law requires be held prior to the commencement of collective bargaining with the exclusive representative of the School Corporation's teachers.

A. Before the Corporation may negotiate privately with the exclusive representative of its teachers regarding teacher compensation, a public hearing shall be held that meets the following criteria:

1. The public hearing shall not take place prior to the expiration of the current collective bargaining agreement;
2. The Corporation employer and the exclusive representative shall jointly determine the time and place of the public hearing;
3. Written notice of the public hearing that meets the requirements of the Open Door Law shall be provided to the public;
4. The public hearing shall be held in a room large enough to accommodate the number of attendees reasonably expected to attend;
5. One representative from both the Corporation employer and the exclusive representative shall host the public hearing;
6. At the public hearing, the parties should begin the meeting with an opening statement explaining the purpose and procedure of the meeting;
7. The parties must then take public testimony, either written or oral, to discuss matters relating to teacher compensation and collective bargaining in the Corporation and preserve the testimony to provide it to the Board;
8. The Corporation employer and/or the exclusive representative do not need to comment or answer questions during the public hearing.

B. The Corporation shall not engage in collective bargaining with the exclusive representative of the Corporation's teachers until after a public hearing is held that meets the requirements of Section A above.

C. A public hearing need not be held in the second year of a two (2) year contract if the parties do not open the contract for bargaining in the second year of the budget biennium.



Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Policy - Vol. 32, No. 2 - June 2020 - DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION
Code	po5111
Status	
Legal	<p>I.C. 20-18-2-11 (legal settlement defined)</p> <p>I.C. 20-33-2-12 (transfer to another accredited or non-accredited school)</p> <p>I.C. 20-33-8-17 (expulsion for lack of legal settlement)</p> <p>I.C. 20-26-11-1 (residence defined)</p> <p>I.C. 20-26-11-2</p> <p>I.C. 20-26-11-2.5 (divorced parent election)</p> <p>I.C. 20-26-11-6(e) (option to not charge transfer tuition)</p> <p>I.C. 20-26-11-6.5 (children of school employees)</p> <p>I.C. 20-26-11-6.7 (nonpublic school students)</p> <p>I.C. 20-26-11-32 (student transfer requests, HEA 1381 – 2013; SEA 108 - 2017)</p> <p>I.C. 20-26-11-33 (non-transfer student attending alternative education program)</p> <p>Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)</p> <p>Divorced Parents Agreement: <a href="http://www.doe.in.gov/sites/default/files/legal/formiii.pdf">http://www.doe.in.gov/sites/default/files/legal/formiii.pdf</a></p> <p>Third Party Agreement:  <a href="http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf">http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf</a></p>
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### **5111 - DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION**

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

- A. The Board will educate, tuition-free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Corporation, the student may be enrolled without payment of tuition. If the parents are able to support the student and have placed the student in the home of another person primarily for the purpose of attending school in this Corporation without establishing legal guardianship as required by Indiana law, tuition will not be charged unless otherwise required by law.
- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition-free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.



- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition-free.
- E. 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 and AG 5111.01 - Homeless Students).
- F. If a student's legal settlement is changed after the student has begun attending school in the Corporation in any school year, the effective date of withdrawal from the Corporation may, at the election of the parent, the student (if the student is at least eighteen years of age), or a juvenile court conducting a proceeding under IC 31-34-20-5, IC 31-34-21-10, IC 31-37-19-26, or IC 31-37-20-6 (or IC 31-6-4-18.5 before its repeal), be extended to the end of the semester in which the change of legal settlement occurred. At the discretion of the superintendent the effective date of withdrawal from the Corporation may be extended to the end of that school year.

Students who have completed the eleventh grade in this Corporation and have changed legal settlement to another school corporation may complete the twelfth grade in this Corporation.

Transportation from and to the site of the new legal settlement will not be provided by the School Corporation for a student whose effective date of withdrawal is extended beyond the date of the change of legal settlement, unless the student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related service.

- G. A married student living with a spouse or a married or unmarried emancipated minor is eligible to attend school without payment of tuition if the student resides in the Corporation.

#### **H. Children of Divorced Parents**

Children of divorced parents may attend school in this Corporation without the payment of tuition if one (1) parent resides in this Corporation and an election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.

The parent with physical custody of the student or the student, if the student is at least eighteen (18) years of age, must notify the Superintendent of the school corporation in which the parents/student seek to have the student enrolled of their election to enroll the student in the Corporation. The election shall be made on a yearly basis and applies throughout the school year unless the student's parent no longer resides within the attendance area of the Corporation.

- I. A student who has been expelled from another school corporation or who is expelled from a nonpublic school or withdraws from a public or a nonpublic school to avoid expulsion may be enrolled in the Corporation in compliance with I.C. 20-33-8-20 during the actual or proposed expulsion if:
1. the student's parent informs the Corporation of the student's expulsion or withdrawal to avoid expulsion;
  2. the Corporation consents to the student's enrollment;
  3. the student agrees to the terms and conditions of enrollment established by the Corporation.

Such students will not be charged unless otherwise required by law

If a student's parent fails to inform the Corporation of the expulsion or withdrawal to avoid expulsion or the student fails to follow the terms and conditions established for enrollment, the Corporation may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion. Before consent is withdrawn, the student must be given an opportunity for an informal meeting with the principal. At the informal meeting, the student is entitled to:

1. a written or verbal statement of the reasons for the withdrawal of consent;
2. a summary of the evidence against him/her;
3. an opportunity to explain his/her conduct.



- J. Students whose parents do not have legal settlement within the Corporation but who present evidence that they will move into the Corporation within a short period of time may enroll in the schools of this Corporation as tuition students for the time not in residence.
- K. Students who do not have legal settlement may/will be enrolled in the special education program of this Corporation pursuant to the provisions of a Cooperative agreement. **[NOTE: Check with your Cooperative agreement.]**
- L. Nonresident students may be accepted into the Summer School Program provided by this Corporation.

## Transfer Students

### Nonpublic School Transfer Student

The Corporation shall accept a transferring student who resides in Indiana and who does not have legal settlement in the Corporation if:

- A. the student attended an accredited nonpublic elementary school located in the attendance area of the Corporation for at least two (2) school years immediately preceding the school year in which the student transfers to a high school in the Corporation under this section;
- B. the student is transferring because the accredited nonpublic school from which the student is transferring does not offer grades 9 through 12;
- C. the majority of the students in the same grade as the transferring student at the accredited nonpublic school have legal settlement in the Corporation and will attend a school under the authority of the Corporation; and
- D. the Corporation has the capacity to accept students.

If the number of students who request to transfer to the Corporation under this section causes the Corporation to exceed its maximum student capacity, the Board shall determine which students will be admitted as transfer students by a random drawing in a public meeting.

In addition to students with legal settlement in the Corporation, students without legal settlement in the Corporation (hereafter referred to as "transfer students") will be enrolled in compliance with I.C. 20-26-11-32 and the following procedure:

- A. By May 31, the Board will establish the number of transfer students that can be accepted in each building and grade level.
- B. The Board will establish a date by which requests to enroll a transfer student must be submitted to the Superintendent. This date shall be submitted to the Indiana Department of Education and published on the Corporation Internet website.
- C. Requests to enroll a student without legal settlement in the Corporation shall not be denied if the student to be transferred:
  - 1. has been enrolled in the Corporation in the prior school year;
  - 2. is a member of a household in which any other member of the household is a student in the transferee school; or
  - 3. has a parent who is an employee of the Corporation and has a salary of at least \$8,000.
- D. If the number of requests to enroll in each building and grade level exceeds the number established by the Board reduced by the number of transfers that may not be denied as described in paragraph (C) above, the students to be enrolled in each building and grade level shall be determined by random selection in which each application submitted on or before the date established by the Board pursuant to paragraph (A) above has an equal chance of being selected.

Pursuant to State law, the Board may deny a student's application to transfer to the Corporation, discontinue enrollment of a transfer student currently attending, rescind approval of a student approved to attend in a subsequent year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year, if:

- A. during the preceding twelve (12) months, the student has been suspended or expelled for:



1. ten (10) or more school days;
2. possession of a firearm, deadly weapon, or a destructive device;
3. causing physical injury to a student, school employee or visitor to the school; or
4. a violation of the Corporation's drug or alcohol rules.

B. the student has had a history of unexcused absences, and the Board believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled in the Corporation.

For purposes of computing the number of days of suspension of the student requesting enrollment, student discipline received from a teacher pursuant to I.C. 20-33-8-25(b)(7) and I.C. 20-26-11-32(j) shall be included in the calculation of the number of school days that a student has been suspended.

The Board delegates authority to the Superintendent to deny a student's application to transfer to the Corporation, discontinue enrollment of a transfer student currently attending, rescind approval of a student approved to attend in a subsequent year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year if the student meets the criteria listed above.

Transportation will not be provided by the School Corporation for transfer students accepted for enrollment unless the transfer student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related service.

No transfer student shall be accepted for enrollment for athletic reasons.

Transfer students will not be charged unless otherwise required by law.

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Policy - Vol. 32, No. 2 - June 2020 - GRADUATION REQUIREMENTS
Code	po5460
Status	
Legal	I.C. 20-19-2-21 I.C. 20-26-5-37 I.C. 20-32-4-1 through 14
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### 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 School Corporation goals and objectives as well as personal proficiency by the awarding of a diploma at fitting graduation ceremonies.

The Superintendent is directed to provide each student in grade 12 and the parent of each student in grade 12 a notice regarding the existence of the Free Application for Federal Student Aid (FAFSA) and a description of the process and benefits of completing the FAFSA. This notice also shall include approximate annual tuition costs of each State educational institution of higher education in the Indiana and State scholarships, grants or other assistance available to students in Indiana. The Superintendent may use the model notice prepared by the commission of higher education or develop a local notice containing the required information.

The Board shall award a 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. Students enrolled in the Corporation shall have the opportunity to earn the standard Indiana high school diploma with any of the designations approved by the Indiana State Board of Education.

The Corporation may award a standard Indiana high school diploma with a general designation, Core 40 designation, a Core 40 with Academic Honors designation, or a Core 40 with Technical Honors designation.

The Board shall issue a diploma for a deceased student at the request of a parent (as defined in I.C. 20-18-2-13) of the student if the student:

- A. died while enrolled in grade 12 of a school in the school corporation; and
- B. was academically eligible or on track to meet the requirements for the diploma at the time of death.

A student who is issued a diploma pursuant to this provision may not be considered a graduate for purposes of I.C. 20-26-13.

Students with disabilities who have completed and are ready to exit their programs may participate in graduation activities and shall be awarded, as appropriate,

- A. a diploma;
- B. an alternate diploma for students with significant cognitive disabilities;
- C. a certificate of achievement; or
- D. a certificate of course completion.



The Corporation shall not require students with disabilities to complete locally required credits that exceed State credit requirements to receive a diploma unless otherwise required as part of the student's individualized education program (IEP). The Board shall award a certificate of achievement to a student who is on a nondiploma track as determined by that student's case conference committee and indicated on the student's IEP.

The Board shall award an alternate diploma to students with significant cognitive disabilities who meet the criteria established by the State Board. Not more than one percent (1%) of students of a cohort may be awarded an alternate diploma.

The Board shall award a certificate of course completion to a student who completes the minimum courses required for high school graduation but does not pass the Graduation Qualifying Examination unless the student meets the criteria for waiver under State law, in which case the Board shall award a diploma to the student.

The Board shall award a high school equivalency certificate to any individual who meets the criteria established by State law.

#### **Additional Requirements for Students with Disabilities**

During the student's annual case review held when a student with a disability is enrolled in 8<sup>th</sup> grade, the case conference committee shall review and discuss with the student's parent (and the student, if appropriate):

- A. the types of designations available for the high school diploma students may receive in the State of Indiana;
- B. the course requirements for each type of designation; and
- C. employment and career options for the student and the type of academic, technical, and vocational preparation necessary to achieve the employment or career.

The student's IEP must include the type of designation for the diploma the student will seek and courses that will allow the student to progress toward the diploma in a timely manner.

Beginning in grade 9 and in addition to the annual case review, the student's teacher of record shall communicate at least once each grading period with the student's parent concerning the student's progress toward diploma with the selected designation. If the parent requests a meeting with the teacher of record to discuss the student's progress, the teacher must meet with the parent in a timely manner. Such a meeting does not constitute a case conference committee meeting, and a request for such a meeting does not abrogate a parent's right to call for a meeting of the case conference committee at any time.

Each student is required to meet:

- A. the academic standards tested in the graduation examination;
- B. the 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, ( ) certificate of achievement, or ( ) certificate of course completion 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.

**NOTE: DENYING PARTICIPATION IN COMMENCEMENT EXERCISES TO SPECIAL EDUCATION STUDENTS WHO HAVE COMPLETED THEIR PROGRAM VIOLATES 511-IAC 7-27-9(b).**

I.C. 20-19-2-21

I.C. 20-26-5-37

I.C. 20-32-4-1 through 14

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Policy - Vol. 32, No. 2 - June 2020 - AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURE
Code	po6105
Status	
Legal	I.C. 26-2-8 Uniform Electronic Transactions Act 15 U.S.C. 7001 et seq.
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### **6105 - AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURE**

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the School Board authorizes the acceptance and distribution/transmission of electronic records to and from School Corporation staff and other persons, as well as between Corporation staff members. The Board authorizes the Treasurer, Superintendent of Schools, and ECA Treasurer to prepare and utilize an electronic signature, in lieu of their manual signature, and to affix such facsimile signature to any of the following instruments: checks; drafts; warrants; vouchers; or other instruments for the payment of money and necessary or desirable in connection with the withdrawal of Corporation funds for and on its behalf. The individuals specified above may affix their manual or electronic signature to the instruments identified so long as they continue to act as such officers/employees. The use of electronic signatures is expressly approved by the Board. Said checks, drafts, warrants, vouchers, or other instruments for the payment of money may be drawn or relate to the accounts of the Corporation with the various financial institutions (depositories/banks) with which the Corporation conducts business.

The Superintendent shall put in place measures to protect the integrity, security, and accessibility of electronic signatures and electronic records to comply with the mandates of State and Federal agencies or programs, including Medicaid.

All Corporation staff shall comply with all provisions of the Uniform Electronic Transaction Act when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all Corporation staff and other persons who use electronic signatures when completing transactions with the Corporation shall do so in compliance with State law.

The Board directs that the financial institutions (depositories/banks) with which the Corporation does business are authorized and requested to accept, honor, cash, pay or transfer, without limit as to the amount or without further inquiry, checks bearing the authorized signature(s) as provided by the immediately preceding paragraph whether tendered in payment of an individual obligation or deposited in the account of the Corporation. The Treasurer is directed to provide written notice of the adoption of any electronic signature to the depository from which funds are to be withdrawn, which notice shall include a description of the device to be used, a specimen of such electronic signature, and a copy of this policy. Prior to use of the electronic signature, the written approval of such depository must be obtained.

With regard to the acceptance and distribution/transmission of electronic records and electronic signatures, the Superintendent may specify the following:

- A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.
- B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met, by any third party used by a person filing a document to facilitate the process.
- C. Control processes and procedures as appropriate to provide for adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.

- D. Any other required attributes for electronic records that are specified for nonelectronic records or reasonably necessary under the circumstances.

Electronic signature is defined to include but is not limited to, the reproduction of any authorized signature by a copper plate or by a photographic, photostatic, or mechanical device. Electronic signature does not authorize the use of a rubber stamp signature for any of the instruments detailed above.

The actual electronic signature should be maintained under the care, custody, and control of the Treasurer's Department and, as a further precaution, all checks must be entered into the check register so that all numbers can be accounted for.

I.C. 26-2-8 Uniform Electronic Transactions Act  
15 U.S.C. 7001 et seq.

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	New Policy - Vol. 32, No. 2 - June 2020 - REQUIRED ADM COUNTS FOR THE PURPOSE OF STATE FUNDING
Code	po6250
Status	
Legal	I.C. 20-33-2
Adopted	April 10, 2023

### **6250 - REQUIRED ADM COUNTS FOR THE PURPOSE OF STATE FUNDING**

The School Board expects enrolled students to be in regular attendance and engaged in the School Corporation's education programs in accordance with the provisions of the State compulsory attendance law, other provisions of State student attendance statutes found in I.C. 20-33-2 and the provisions of Policy 5200 Attendance. Additionally, the Board expects the cooperation of parents in monitoring the attendance of their children to comply with the above statutes and policies.

A major portion of State funding for school corporations is determined by a count of enrolled students taken on days selected by the Indiana Department of Education (IDOE). This count is referred to as the Average Daily Membership ("ADM") count. The ADM counts in February and September are to be exact counts of eligible students enrolled in the Corporation by grade and school. An eligible student is a student who is enrolled in the Corporation on the ADM count day. A student may not be counted as an eligible student in more than one school corporation.

The Board requires the Superintendent to establish administrative guidelines that detail the procedures which will be followed by all staff members involved in taking the ADM count in each school. These guidelines shall be made with the purpose of establishing internal controls to provide for timely and accurate ADM reporting to the IDOE. These guidelines also shall assign to a building level staff member the duty and responsibility of compiling the ADM count. The ADM count in each school building shall be documented by providing a list of student names and unique student numbers assigned to each student through the IDOE system of identification. The individual assigned the duty and responsibility of compiling the ADM count shall sign a written certification of authenticity and accuracy of the count total, the accompanying student list of names and numbers, and the acknowledgment that each student on the list is an "eligible student" for the Corporation's ADM count. The individual assigned the duty and responsibility of compiling, documenting and certifying the count in each school building shall submit said count, documentation and certification to an individual assigned by the Superintendent to compile the total ADM count for the Corporation. The guidelines also shall detail the individual responsible for retaining the records of the ADM count and related documentation. The supporting documentation of enrollment and attendance information by grade and school building must be signed by the building principal and retained for audit purposes to substantiate the ADM count claimed. The guidelines shall require the individual submitting the ADM count to the IDOE to follow the IDOE Membership Layout instructional forms.

All staff members who participate in the ADM count are expected to be ethical in counting only those students who meet the definition of "eligible student" in the ADM count. Any staff member participating in the ADM count who fails to comply with this policy, the related administrative guidelines, and the directives of the IDOE and Indiana State Board of Accounts ("SBOA") for taking an ADM count is subject to disciplinary action up to and including termination.

If the Corporation offers a "virtual education program," more robust internal controls must be developed to ensure compliance with I.C. 20-24-7-13(h). The Board requires the Superintendent to include in the administrative guidelines controls that clarify under what conditions a student is considered to be "enrolled" when participating in a virtual education program and how much activity or progress a student must engage in to be considered in attendance.

Note: This policy was prepared to meet the SBOA's requirements for a "student engagement policy" as outlined in the December 2019 School Bulletin, Volume 228, page 4.

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Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Policy - Vol. 32, No. 2 - June 2020 - WEB ACCESSIBILITY, CONTENT, APPS AND SERVICES
Code	po7540.02
Status	
Legal	<p>P.L. 106-554, Children's Internet Protection Act</p> <p>15 U.S.C. 6501 et seq., Children's Online Privacy Protection Act</p> <p>20 U.S.C. 6777, 9134</p> <p>47 U.S.C. 254, Communications Act of 1934, as amended</p> <p>34 C.F.R. Part 99, Family Educational Rights and Privacy Act</p> <p>47 C.F.R. 54.520, Children's Internet Protection Act</p>
Adopted	April 10, 2023
Last Revised	April 10, 2023

#### 7540.02 - **WEB ACCESSIBILITY, CONTENT, APPS AND SERVICES**

##### **Creating Content for Web Pages/Sites, Apps and Services**

The School Board authorizes staff members and students to create content for web pages/site(s) and apps and services (see Bylaw 0100 - Definitions) that will be hosted by the School Corporation on its servers or Corporation-affiliated servers and published on the Internet.

The content of web pages/site(s) apps and services must comply with State and Federal law, e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA), and reflect the professional image/brand of the Corporation, its employees, and students. Content of web pages/site(s) and apps and services must be consistent with the Corporation's Mission Statement and staff-created content for web pages/site(s) and apps and services is subject to prior review and approval of the Superintendent before being published on the Internet and/or utilized with students.

Student-created content for web pages/site(s) and apps, and services is subject to Policy 5722 - School-Sponsored Student Publications and Productions.

The creation of content for web pages/site(s) and apps and services by students must be done under the supervision of a professional staff member.

##### **Purpose of Content of Corporation Web Pages/Sites, Apps and Services**

The Superintendent shall have final editorial authority over all content placed on the Corporation's servers or Corporation-affiliated servers and displayed on the Corporation's web pages/site(s), and/or apps and services. The Superintendent has the right to remove pages or links from any web page/site, as well as require that an app or service created by a Corporation staff member be removed from the Corporation's servers or Corporation-affiliated servers, based upon his/her determination that the content is inappropriate or is not accessible to individuals with disabilities.

The purpose of the content of web pages/site(s) and apps and services hosted by the Corporation on its servers or Corporation-affiliated servers is to educate, inform, and communicate. The following criteria should be used to guide the development of such content for web pages/site(s) and apps and services:

##### **A. Educate**



Content provided should be suitable for and usable by students and teachers to support the curriculum and Corporation's Objectives as listed in the Corporation's Strategic Plan.

## **B. Inform**

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

## **C. Communicate**

Content may communicate information about the plans, policies and operations of the Corporation to members of the public and other persons who may be affected by Corporation matters.

The information contained on the Corporation's web pages/site(s) and apps and services should reflect and support the Corporation's Mission Statement, Educational Philosophy, and the Academic Improvement Process.

When the content includes a photograph or information relating to a student, including Corporation-issued email accounts, the Corporation will abide by the provisions of Policy 8330 - Student Records.

All links included on the Corporation's web pages/site(s) and apps and services also must meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, and COPPA). Nothing in this paragraph shall prevent the Corporation from linking the Corporation's web pages/site(s) and apps and services to 1) recognized news/media outlets, e.g., local newspapers' websites, local television stations' websites, or 2) to web pages/sites and apps and services that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party web pages/sites and apps and services may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

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

Under no circumstances are staff member-created web pages/site(s) and apps and services, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Corporation-specified web page/site, app or service, e.g., Harmony for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal web pages/sites (including but not limited to Facebook, Instagram, or Pinterest) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

If a staff member creates content for web pages/site(s), apps or services related to his/her class, they must be hosted on the Corporation's server or a Corporation-affiliated server.

Unless the content of web pages/site(s) and apps, and services includes a student's personally identifiable information, Corporation web pages/site(s) and apps and services that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the web page/site, app or service. Community members, parents, employees, staff, students, and other users generally will be given full access to the Corporation's web pages/site(s) and apps and services.

The content of school web pages/site(s) and apps and services should reflect an understanding that both internal and external audiences will be viewing the information.

School web pages/site(s) and apps and services must be located on Corporation-owned or Corporation-affiliated servers.

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to the use of the Corporation's web pages/site(s) and apps and services and the creation of web pages/site(s) and apps and services by staff and students.

The Corporation retains all proprietary rights related to the design of web pages/site(s) and apps and services that are hosted on Corporation-owned or Corporation-affiliated servers, absent written agreement to the contrary.



Students who want their classwork or information regarding their athletic endeavors, if applicable, to be displayed on the Corporation's web pages/site(s) and apps and services must have written parent permission and expressly license the display of those endeavors and any related photographs without cost to the Corporation.

Prior written parental permission is necessary for a student to be identified by name on the Corporation's website, web pages/site(s) and apps and services.

### **Website Accessibility**

The Corporation is committed to providing individuals with disabilities an opportunity equal to that of individuals without disabilities to participate in the Corporation's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The Corporation is further committed to ensuring individuals with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any Corporation programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the Corporation's programs, services, and activities delivered online.

The Corporation adopts this policy to fulfill this commitment and affirm its intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 and 34 C.F.R. Part 104, and Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131 and 28 C.F.R. Part 35, in all respects.

#### **A. Technical Standards**

The Corporation will adhere to the technical standards of compliance identified at [egreene.k12.in.us](http://egreene.k12.in.us). The Corporation measures the accessibility of online content and functionality according to the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.0 Level AA, and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content.

#### **B. Web Accessibility Coordinator**

The Board designates its Technology Director as the Corporation's Web Accessibility Coordinator(s). That individual(s) is responsible for coordinating and implementing this policy.

The Board commits to providing the Web Accessibility Coordinator with sufficient resources and authority to coordinate and implement this policy and any corresponding guideline(s), subject to oversight by the Superintendent and the Board.

The Corporation's Web Accessibility Coordinator(s) can be reached at Jacob Feaster, [jfeaster@egreene.k12.in.us](mailto:jfeaster@egreene.k12.in.us), 812-825-5722

#### **C. Third Party Content**

Links included on the Board's web page/site(s) and apps and services that pertain to its programs, benefits, and/or services also must meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). While the Corporation strives to provide access through its web pages/site(s) and apps and services to content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online content) that is in an accessible format, that is not always feasible. The Corporation's administrators and staff, however, are aware of this requirement with respect to the selection of content provided to students. The Corporation's Web Accessibility Coordinator or his/her designees will vet content available on its web pages/site(s) and apps and services that is related to the Corporation's programs, benefits, and/or services for compliance with these criteria for all new content placed on the Corporation's web pages/site(s) and apps and services after adoption of this policy.

Nothing in the preceding paragraph, however, shall prevent the Corporation from including links on the Board's web pages/site(s) and apps and services to:

1. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or
2. web pages/sites, apps or services that are developed and hosted by outside vendors or organizations that are not part of the Corporation's program, benefits, or services.

The Board recognizes that such third party web pages/sites and apps and services may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.



#### **D. Regular Audits**

The Corporation, under the direction of the Web Accessibility Coordinator(s) or his/her/their designees, will audit at regular intervals the Corporation's online content and measure this content against the technical standards adopted above.

This audit will occur no less than once every two (2) years.

If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.

#### **E. Reporting Concerns or Possible Violations**

If any student, prospective student, employee, guest, or visitor believes that the Corporation has violated the technical standards in its online content, s/he may contact the Web Accessibility Coordinator with any accessibility concerns. S/He also may file a formal complaint utilizing the procedures set out in Board Policy 2260 and Policy 2260.01 relating to Section 504 and Title II.

#### **Instructional Use of Apps, and Services**

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

The Board requires the Superintendent pre-approve each app or service that a teacher intends to use to supplement and enhance student learning. To be approved, the app or service must have a FERPA-compliant privacy policy and comply with all requirements of COPPA and CIPA and Section 504 and the ADA.

The Board further requires the use of a Corporation-issued e-mail address in the login process.

#### **Training**

The Corporation will provide periodic training for its employees who are responsible for creating or distributing information through web pages/site(s) and apps and services so that these employees are aware of this Policy and understand their roles and responsibilities with respect to web design, accessibility, documents and multimedia content.

Such training shall be facilitated by an individual with sufficient knowledge, skill and experience to understand and employ the technical standards set forth in Board policies and administrative guideline(s).

#### **One-Way Communication Using Corporation Web Pages/Site(s) and Apps and Services**

The Corporation is authorized to use web pages/site(s) and apps and services to promote school activities and inform stakeholders and the general public about Corporation news and operations.

Such communications constitute public records that will be archived.

When the Board or Superintendent designates communications distributed via Corporation web pages/site(s) and apps and services to be one-way communication, public comments are not solicited or desired, and the web page/site, app or service is to be considered a nonpublic forum.

If the Corporation uses an app or service that does not allow the Corporation to block or deactivate public comments (e.g., Facebook, which does not allow comments to be turned-off, or Twitter, which does not permit users to disable private messages or mentions/replies), the Corporation's use of that app or service will be subject to Policy 7544 - Use of Social Media, unless the Corporation is able to withhold all public comments automatically.

If unsolicited public comments can be withheld automatically, the Corporation will retain the comments in accordance with its adopted record retention schedule (see AG 8310A – Requests for Public Records and AG 8310E - Record Retention and Disposal), but it will not review or consider those comments.



Book	Policies for the board
Section	Volume 32, No. 2 - June 2020
Title	Revised Policy - Vol. 32, No. 2 - June 2020 - STUDENT RECORDS
Code	po8330
Status	
Legal	<p>I.C. 5-14-3-3(f)</p> <p>I.C. 5-14-3-4(a)(3) and (12)</p> <p>I.C. 5-14-3-4(c)</p> <p>I.C. 5-14-3-10</p> <p>I.C. 5-15-6-8</p> <p>I.C. 20-32-4-12</p> <p>I.C. 20-33-2-13</p> <p>I.C. 20-33-7-1 et seq.</p> <p>I.C. 31-39-2-13.8</p> <p>511 I.A.C. 7-38-1 et seq.</p> <p>26 U.S.C. 152</p> <p>Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g</p> <p>Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.</p> <p>20 U.S.C. 7165(b)</p> <p>20 U.S.C. 7908</p> <p>34 C.F.R. Part 99</p> <p>34 C.F.R. Part 300</p>
Adopted	April 10, 2023
Last Revised	April 10, 2023

### 8330 - STUDENT RECORDS

In order to provide appropriate educational services and programming, the School Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person whom the School Corporation reasonably believes knows the identity of the student to whom the education record relates.

A social security number of a student contained in the records of the Corporation may be disclosed if the record is specifically required by a State or a Federal Statute or is ordered by a court under the rules of discovery.

PII concerning students shall be protected against theft, unauthorized access, alteration, disclosure, misuse, or invasion of privacy. Unless specifically authorized by the Superintendent or produced pursuant to a request under the Indiana Access to Public Records Act, PII concerning students shall not be left unprotected, shared or transferred from Corporation records to any place not within the control of the Corporation. This includes any laptop computer or portable storage medium.

The Board is responsible for maintaining records of all students attending schools in this Corporation. In addition to records mandated by the Federal Government, the State of Indiana requires that the Corporation record or include in the official high school transcript for each high school student the following information:

- A. attendance records
- B. the students' latest ISTEP/GQE test results
- C. any secondary level and postsecondary level certificates of achievement earned by the student
- D. immunization information from the student's immunization record
- E. any dual credit courses taken that are included in the core transfer library under I.C. 21-42-5-4
- F. a functional workplace Spanish designation on the student's transcript if the student successfully completed a Spanish language course that meets the requirements of I.C. 20-32-4-12(b)

The Board also authorizes the collection of other student information including, but not limited to:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency;
- B. samples of student work;
- C. information obtained from professionally acceptable standard instruments of measurement such as:
  - 1. interest inventories and aptitude tests,
  - 2. vocational preference inventories,
  - 3. achievement tests,
  - 4. standardized intelligence tests,
  - 5. \_\_\_\_\_;
- D. verified reports of serious or recurrent behavior patterns;
- E. rank in class and academic honors earned;
- F. psychological tests;
- G. custodial arrangements.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials, and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" includes any student who is eighteen (18) years of age or older, or who is enrolled in a postsecondary institution regardless of his/her age.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stated otherwise by court order. In the case of an eligible student, that is a student who is eighteen (18) years of age or older, parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under Section 152 of the Internal Revenue Code.



A "school official" is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), school psychologist, therapist, or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for purposes of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. school psychologists, whether employed by a special education cooperative, interlocal, joint services organization, or an outside contractor, for purposes of the referral, evaluation, and identification of students suspected to have a disability;
- C. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties. "Designated school personnel" may include but is not limited to employees or agents of an insurance carrier providing a defense to the Corporation or its employees or agents and Corporation legal counsel.

In the case of a health or safety emergency, "appropriate officials" include local or State law enforcement officials, Department of Child Services (DCS) officials, trained medical personnel, and school administrators whose knowledge of PII in a student's education records is necessary to protect the health or safety of students or other persons on Corporation property. The term "school administrator" includes a principal, an assistant principal, a superintendent, and an assistant superintendent. The term "school administrator" also includes a director of special education or assistant director of special education.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the Corporation" or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the Corporation or to perform a service or benefit for the student or the student's family or to provide a defense to the Corporation with respect to any of these tasks. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have a legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records including disciplinary records with respect to suspensions and expulsions upon request to a private or public school or school corporation in which a student of this Corporation seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification – Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  - 2. the parent or eligible student, upon request, receives a copy of the record; and
  - 3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school corporation in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request.
- C. provide, disclose, or report on the education records of a student, including PII contained in the education records, without the consent of the student's parent or eligible student, to appropriate officials and the parents of an eligible student whose knowledge of the information is necessary to protect the health or safety of the student or other individuals if school



administrators determine there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;

Information concerning any suspicious activity or potential criminal activity related to a child that is shared between a law enforcement officer and the Corporation or an appropriate official shall not be stored or maintained in any type of database.

- D. request each person or party requesting access to a student's record to abide by the Federal and State regulations concerning the disclosure of information to a third party;
- E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Corporation for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative(s) of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the Corporation will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

This written agreement must include: 1) specification of the purpose, scope, duration of the study, and the information to be disclosed; 2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; 3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and 4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities;

The disclosed records must be used to audit or evaluate a federal- or state-supported education program or to enforce or comply with federal requirements related to those education programs. A written agreement between the parties is required under this exception (see Form 8330 F16).

This written agreement must include: 1) designation of the receiving entity as an authorized representative; 2) specification of the information to be disclosed; 3) specification that the purpose of the disclosure is disclosed; 4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; 5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and 6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the Corporation will use "reasonable methods" to verify that the authorized representative complies with FERPA regulations. Specifically, the Corporation will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational program. The Corporation will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the Corporation will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the Corporation will verify that the information is destroyed when no longer needed for the audit, evaluation, or compliance activity.



H. disclose or report educational records to a State or local juvenile agency when the disclosure or reporting relates to the ability of the juvenile justice system to serve, before adjudication, the student whose records are being released; and the juvenile justice agency receiving the information certifies, in writing, that the agency or individual receiving the information has agreed not to disclose it to a third party, other than other juvenile justice agency, without the consent of the child's parent, guardian, or custodian.

A disclosure or reporting of educational records concerning a child who has been adjudicated as a delinquent child shall be treated as related to the ability of the juvenile justice system to serve the child before adjudication if the agency provides documentation to the Corporation that the agency seeks the information in order to identify and intervene with the child as a juvenile at risk of delinquency rather than to obtain information solely related to the supervision of the child as an adjudicated delinquent child.

The juvenile court may grant a school access to all or a portion of the juvenile court records of a child who is a student at the school if the Superintendent submits a written request establishing that the juvenile court records are necessary for the school to serve the educational needs of the child whose records are requested or to protect the safety or health of a student, an employee, or a volunteer at the school.

The school shall keep the records confidential. However, the confidentiality order does not prohibit the school from forwarding the juvenile records to another school or a person if a parent, guardian, or custodian of the child consents to the release of the juvenile court records to the person.

The Corporation will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Corporation shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Corporation's policy and administrative guidelines and/or those specified in the law.

## **DIRECTORY INFORMATION**

Each year, the Superintendent shall provide public notice to students and their parents of the Corporation's intent to make available, upon request, certain information known as "directory information". The Board designates as student "directory information": a student's name; address; telephone number; ( ) date and place of birth; e-mail address grade level; dates of attendance; date of graduation; type of diploma awarded; awards received; honor rolls; scholarships;

The Board designates school-assigned email accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. School assigned email accounts shall not be released as directory information beyond this limited purpose and to any person or entity but the specific online educational service provider.

Directory information shall not be provided to any organization for profit-making purposes. The Superintendent may allow access to a school campus or give students' directory information to organizations that make students aware of educational or occupational options.

In accordance with Federal law, the Board shall comply with FERPA when releasing students' information to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information.

Parents and eligible students may refuse to allow the Corporation to disclose any or all of such "directory information" upon written notification to the Corporation within fourteen (14) days after receipt of the Superintendent's annual public notice.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of directory information, either parent may provide such consent unless specifically stated otherwise by court order.



The Corporation may disclose "directory information" on former students without consent of the parent(s)/eligible student unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

### **Student Mental and Behavioral Health Services Records**

Student Mental and Behavioral Health Services (SMBHS) records are documents relating to mental health or behavioral health services provided to students by (1) a provider certified or licensed by the State to provide mental or behavioral health services who is contracted or employed by the Corporation or a special education cooperative of which the Corporation is a member or (2) a community mental health center established under State law with whom the Corporation or a special education cooperative of which the Corporation is a member has entered into a memorandum of understanding. SMBHS records include but are not limited to mental health records, reports, notes, diagnosis(es) and/or appointments relating to a student who was referred by Corporation officials to receive mental or behavioral health services pursuant to State law or under a memorandum of understanding between the Corporation and a community mental health center established under State law or a provider certified or licensed by the state to provide mental or behavioral health services to students. SMBHS records are to be considered medical records and are confidential. SMBHS records that include any reports, notes, diagnosis(es) or appointments that result from a student's participation in any treatment relating to mental or behavioral health services provided by a community mental health center or appropriate provider that is contracted and paid for by the Corporation or a special education cooperative of which the Corporation is a member shall not be maintained in a student's permanent educational file/cumulative file. SMBHS records kept by a provider employed or contracted by the Corporation or a special education cooperative of which the Corporation is a member shall be maintained in separate student folders in a secured file under the control of the provider. Sharing of any reports or notes resulting from a conference with the student and the student's parent to address the student's potential need for and benefit from mental or behavioral health services with other Corporation officials is strictly prohibited.

### **Disclosure of Lists of Students for Political or Commercial Purposes**

It is the policy of the Board not to release the lists of students for commercial or political purposes. This policy shall be equally applied to similarly situated organizations and persons. (I.C. 5-14-3-3(f))

### **Inspection of Information Collection Instrument**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least ten (10) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within two (2) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazine, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

The Superintendent shall prepare procedures to ensure that students and parents are adequately informed each year regarding their rights to:



- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of Corporation noncompliance with the United States Department of Education;
- F. obtain a copy of the Corporation's policy and administrative guidelines on student records.

The Superintendent also shall develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Corporation employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Corporation specifically as a consequence of permitting access or furnishing students' records in accordance with this policy and administrative guidelines.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the time frame for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

#### **Address Confidentiality Program**

If a parent (or adult student) presents information to the Corporation certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Address Confidentiality Program administered by the State Attorney General, the Corporation shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential address when releasing student records. Because student records are available to non-custodial parents, designated school officials who have a legitimate educational interest in the information, and other individuals or organizations as permitted by law (including the public in some situations), the Corporation shall list only the address designated by the Attorney General's Office to serve as the student's address in any student records or files, including electronic records and files. Further, the Corporation shall use the student's designated address for any and all communications and correspondence between the Board or Corporation employees and the parent(s) of the student (or adult student). The student's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose.

The intentional disclosure of the student's actual/confidential residential address is prohibited. Any violations could result in disciplinary action.

#### **Violation of this Policy**

As provided for by State law, an employee or agent of the Board:

- A. who knowingly or intentionally discloses information classified as confidential by State statute commits a Class A infraction;
- B. who intentionally, knowingly, or recklessly discloses or fails to protect information classified as confidential by this policy may be disciplined or terminated.



Additionally, State law provides that a person who recklessly, knowingly, or intentionally destroys or damages any public record commits a Level 6 felony unless the destruction is pursuant to a record retention scheduled adopted by the County Public Records Commission.

I.C. 5-14-3-3(f)

I.C. 5-14-3-4(a)(3) and (12)

I.C. 5-14-3-4(c)

I.C. 5-14-3-10

I.C. 5-15-6-8

I.C. 20-32-4-12

I.C. 20-33-2-13

I.C. 20-33-7-1 et seq.

I.C. 31-39-2-13.8

511 I.A.C. 7-38-1 et seq.

26 U.S.C. 152

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g

Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.

20 U.S.C. 7165(b)

20 U.S.C. 7908

34 C.F.R. Part 99

34 C.F.R. Part 300

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