

Back-to-School Information

School Year 2022-23



South Bend Community School Corporation

Dr. C. Todd Cummings, Superintendent

215 S. Dr. Martin Luther King Jr. Blvd.

South Bend, Indiana 46601

574-393-6000

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Welcome

Welcome to the 2022-23 school year! We are thrilled that you have chosen South Bend Schools for the education of your students. We look forward to a year of learning, reading, and sharing special events, games, recitals, and memory-making.

Each year, as a companion piece to the school year calendar, we publish this Back-to-School Information booklet to ensure a constructive and safe learning environment for all students, teachers, staff, parents, and visitors.

Included in this booklet is information on appropriate immunizations for students, school safety measures, policy notices, as well as our newly-created *Shared Rights and Responsibilities (SRR)* for students, parents, and teachers. Our *Shared Rights and Responsibilities* were formerly known as the *Code of Conduct*.

The *SRR* is a comprehensive set of behavioral expectations for students, staff, and parents that is a more culturally responsive approach to creating a positive classroom environment for everyone.

The *SRR* helps teachers and others understand how important it is to respond in ways that not only correct behavior, but also repair harm, affirm expectations, further students' education, and strengthen the school community.

These *Shared Rights and Responsibilities* provide ways that all stakeholders can contribute to a community of mutual respect, accountability, and success.

Every student deserves a learning environment where they can thrive and belong. It is our goal to provide that for your students.

Thank you again for choosing South Bend Schools. We look forward to seeing you at this year's events, games, and recitals.

Sincerely,



C. Todd Cummings, Ph.D.
Superintendent of Schools

Indiana 2022-23 Required and Recommended School Immunizations

Grade	Required		Recommended
Pre-K	3 Hepatitis B 4 DTaP (Diphtheria, Tetanus & Pertussis) 3 Polio	1 Varicella (Chickenpox) 1 MMR (Measles, Mumps & Rubella) 2 Hepatitis A	Annual influenza
K-5th grade	3 Hepatitis B 5 DTaP 4 Polio	2 Varicella 2 MMR 2 Hepatitis A	Annual influenza COVID-19
6th-11th grade	3 Hepatitis B 5 DTaP 4 Polio 2 Varicella	2 MMR 2 Hepatitis A 1 MCV4 (Meningococcal) 1 Tdap (Tetanus, Diphtheria & Pertussis)	Annual influenza 2/3 HPV (Human papillomavirus) COVID-19
12th grade	3 Hepatitis B 5 DTaP 4 Polio 2 Varicella	2 MMR 2 Hepatitis A 2 MCV4 1 Tdap	Annual influenza 2 HPV 2 MenB (Meningococcal) COVID-19

HepB: The minimum age for the 3rd dose of hepatitis B is 24 weeks of age.

DTaP: 4 doses of DTaP/DTP/DT are acceptable if 4th dose was administered on or after child's 4th birthday.

Polio*: 3 doses of Polio are acceptable if the 3rd dose was given on or after the 4th birthday and at least 6 months after the previous dose.

*For all students, the final dose must be administered on or after the 4th birthday and be administered at least 6 months after the previous dose.

Varicella: Physician documentation of disease history, including month and year, is proof of immunity for children entering preschool through 12th grade. Parent report of disease history is not acceptable.

Tdap: There is no minimum interval from the last Td dose.

MCV4: Individuals who receive dose 1 on or after the 16th birthday only need 1 dose of MCV4.

Hepatitis A: The minimum interval between 1st and 2nd dose is 6 calendar months. 2 doses are required for all grades Pre-K through 12.

COVID-19: COVID-19 vaccine is recommended for all students five years of age and older per CDC and FDA's Emergency Use Authorization. Review required after FDA full approval.

*Indiana State Department of Health, Immunization Division
(800) 701-0704*

BEFORE AND AFTER-SCHOOL PROGRAMS FOR 2022-23

Bright Beginnings and **Kaleidoscope** are self-supported programs funded by parental fees, which are charged weekly. SBCSC provides an in-kind contribution through the provision of school facilities.

Bright Beginnings

Time: 7:00 AM-9:00 AM

Days: Monday-Friday

Location: Clay International Academy

Kaleidoscope

Time: 2:30 PM-6:00 PM

Days: Monday-Friday

Locations: Swanson, Marshall, and Kennedy

Pick-up: Parents/guardians **MUST** pick up students by 6:00 PM.

Our goal is to create a stable environment that is inviting, comfortable, orderly, and manageable by the children. This includes active play, dramatic play, science, crafts, construction and other developmentally appropriate activities.

Bright Beginnings and Kaleidoscope are in session if/when school is in session. They are not available on 2-hour delay days or school holidays.

More information is available by contacting Jennifer Joyce, the Director of Before and After School Programs and Director of Early Childhood Programs at jjoyce@sb.school or 574-393-6054.

Additional after-school programs hosted by the Boys and Girls Club of St. Joseph County are available at additional South Bend Schools.

The Boys and Girls Club may be reached at 574-232-2048. As of this printing, the host schools for the Boys and Girls Club include Monroe, Nuner, Darden, Lincoln, Muessel and Marquette.

SCHOOL SAFETY

One of our highest priorities at the South Bend Community School Corporation is the safety of our students and faculty. We have taken the necessary steps to make each of our facilities safe. We are devoted to keeping our schools and our students protected. The SBCSC will continue to participate in the St. Joseph County Safe Schools Task Force, a coalition of 13 schools and school systems, and over 20 city and county organizations.

Safety Measures:

- All school entrances are locked. Access is limited through camera entry security systems and/or other means.
- Closed student lunches at all schools.
- Locker and vehicle searches are conducted in cooperation with the South Bend and St. Joseph County Police Departments.
- Student photo ID cards issued to all high school and intermediate students.
- Photo ID cards issued to all SBCSC faculty and staff.
- QuickTip is to report to school personnel incidents of bullying, fighting, threats, weapons, drugs, alcohol, theft, cyberbullying, and gangs. Anyone can report anonymously if they wish via QuickTip, available on all school websites.
- A full-time security officer is stationed at each high school and intermediate center.
- A police officer ("School Resource Officer" or "SRO") is assigned to each high school and most intermediate centers.
- All inside and outside entry/exit points at all schools are systematically numbered to aid emergency response personnel.

NOTICE TO PARENTS AND STUDENTS ON THEIR RIGHTS CONCERNING EDUCATION RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school ("School") receives a request for access. Parents or eligible students should submit to the School principal a written request that identifies the records they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
Parents or eligible students who wish to ask the School to amend a record should write the School principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the School discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to School officials with legitimate educational interests. A School official is a person employed by the School 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) or a person serving on the School board. The following individuals and entities are also designated 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 School would otherwise use its employees, (b) be under the direct control of the School 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 official" may also include but is not limited to employees or agents of an insurance carrier providing a defense to the School or its employees or agents. "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 School” or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the School or to perform a service or benefit for the student or the student’s family or to provide a defense to the School with respect to any of these tasks.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the South Bend Community School Corporation to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. Schools may disclose, without consent, “directory information” such as a student’s name, address, telephone number, date and place of birth, email address, photograph, major field of study, participation in officially recognized activities and sports, height and weight, if a member of an athletic team, awards received, honor rolls, scholarships, type of diploma awarded, date of graduation, dates of attendance, grade level. Parents or eligible students may object to disclosure of any of the categories of directory information. If you have an objection to the release of directory information, return the form on page 8 to your child’s school by September 12, 2022.

Indoor Air Quality Coordinator

Indiana law requires schools to provide contact information for the school corporation's Indoor Air Quality Coordinator. Contact information for SBCSC's Air Quality Coordinator is as follows:

Steve Miskin
574-393-6022
smiskini@sb.school

Legal Authority: 411 IAC 33-3-1

Meningococcal Disease

Indiana law requires schools to annually provide information to students and parents or guardians of students regarding meningococcal disease and its vaccines.

Meningococcal disease is a dangerous disease that can strike children and youth. The disease can progress rapidly and within hours of the first symptoms, may result in death or permanent disability including loss of hearing, brain damage, and limb amputations. Symptoms of meningococcal disease often resemble the flu and can include a fever, headache, nausea, and stiff neck, making the disease difficult to diagnose. The bacteria that cause meningococcal diseases are transmitted through air droplets and by direct contact with an infected person. Fortunately, there is an immunization available and the U.S. Centers for Disease Control and Prevention recommends routine meningococcal immunizations at 11 to 12 years old. For teenagers, immunization is recommended at high school entry and incoming college freshman. Please talk with your child's health care provider about meningococcal disease and vaccination.

Legal Authority: I.C. 20-30-5-18

OBJECTION TO THE RELEASE OF DIRECTORY INFORMATION

Student's Name: _____

Student's School: _____

Please circle the number of the specific categories of information, if any, listed below that you do not wish to be released without your specific prior written permission and return this form to the school.

1. Student's name
2. Address
3. Telephone number
4. Date and place of birth
5. Email address
6. Awards received, honor rolls, scholarships
7. Dates of attendance
8. Date of graduation
9. Weight and height (for athletic programs and publications)
10. Photograph(s)
11. Type of diploma awarded
12. Grade level
13. Major field of study
14. Participation in officially recognized activities and sports

Parent's Signature: _____

Date: _____

Eligible Student's Signature*: _____

* Eligible student must be 18 years of age or older or attending an institution of post-secondary education.

NOTICE OF RESTRICTION TO RELEASE DIRECTORY INFORMATION TO MILITARY REPRESENTATIVES

A provision in the Elementary and Secondary Education Act of 1965, as reauthorized by the Every Student Succeeds Act of 2015, requires secondary schools to provide students' names, addresses and telephone listings to military recruiters when requested. However, a student or parent may elect to "opt out" so that this information is not released to military recruiters. This may be done by completing the information below and returning it to the guidance department in your school, or by completing a form available in the guidance department.

I hereby request that the name, address and telephone number of the following student not be released to military recruiters:

Student's Name: _____

Student's School: _____

Student ID Number: _____

Date of Birth: ____ / ____ / _____

Signature: _____

Are you the student listed above? yes no

Are you the parent or guardian of the student listed above?

yes no

Return this form to your school's guidance department.

Permission for Videotaping, Photography, and Interviewing

From time to time, the South Bend Community School Corporation (“SBCSC”) invites the local broadcast and print media to cover educational or extracurricular activities of a positive nature. Communications specialists representing the SBCSC schools also may cover these events for SBCSC publications, websites and social media communication.

Students may be videotaped, photographed and/or interviewed, and identified by first and last names. If you do **not** want your child to be included in media coverage of an event or corporation publications including websites and social media communication without your prior written consent, please return the form at the bottom to your child’s principal **by September 30, 2022**.

If you do **not** return this form, it will be assumed that you have granted permission for your child to participate in media coverage and corporation publications including websites and social media communication of a positive educational or extracurricular event.

No. Please do not include my child in coverage of an event without my prior written consent.

Student’s Name: _____

Student’s School: _____

Parent’s Signature: _____

Date: _____

NOTIFICATION OF RIGHTS REGARDING REQUIRED SURVEYS, ANALYSIS OR EVALUATIONS OF SCHOOL PROGRAMS

The Protection of Pupil Rights Amendment affords parents certain rights regarding surveys, analysis, or evaluations of school programs; collection and use of information for marketing purposes; and certain physical exams. These rights include the following:

- No student shall be required without prior written consent of the student's parent or guardian (or the student's written consent if the student is an adult or emancipated minor), as part of any school program or curriculum which receives funds from the United States Department of Education, to submit to a survey, analysis or evaluation concerning any of the following if the survey is funded in whole or in part by a program of the United States Department of Education:
 - (1) Political affiliations or beliefs of the student or student's parent
 - (2) Mental or psychological problems of the student or his/her family
 - (3) Sexual behavior or attitudes
 - (4) Illegal, antisocial, self-incriminating or demeaning behavior
 - (5) Critical appraisals of other individuals with whom respondents have close family relationships
 - (6) Legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers
 - (7) Religious practices, affiliations, or beliefs of the student or parents; or
 - (8) Income (other than that required by law to determine eligibility of participation in a program or for receiving financial assistance under such a program)

- The right to receive notice and an opportunity to opt a student out of the following:
 - (1) Any other protected information survey, regardless of funding
 - (2) Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - (3) Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. (This 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.)

- The right to inspect, upon request and before administration or use of the following:
 - (1) Protected information surveys of students and surveys created by a third party
 - (2) Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes
 - (3) Instructional materials (excluding academic tests or academic assessments) used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under Indiana law.

The South Bend Community School Corporation has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration or protected information surveys and the collection, disclosure,

or use of personal information for marketing, sales, or other distribution purposes. The School Corporation will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The School Corporation will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School Corporation will make this notification to parents at the beginning of the school year if it has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration or any protected information survey not funded in whole or In part by the United States Department of Education.
- Any non-emergency, invasive physical examination or screening as described above.

Any complaints arising under this policy may be submitted in accordance with Section 9130 of the South Bend Community School Corporation Policy Manual. In addition, parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

LEGAL REFERENCE 20 U.S.C. § 1232h

Annual AHERA Notification

Under the Asbestos Hazard Emergency Response Act (AHERA) of 1986, the South Bend Community School Corporation is required annually to notify all school building employees and building occupants, or their legal guardians, of the availability or location of the asbestos management plans, inspections, response actions and any post-response action activities that are planned or in progress. Periodic reinspections and surveillance activities are included in these activities.

In the past year, AHERA-related activities have included surveillance of buildings to maintain current information on the condition of materials in our buildings, and to ensure that these materials remain in good condition. Response actions have been conducted at various buildings in the school corporation to support construction and remodeling activity where appropriate. The records of these surveillance and response actions are maintained in the Facilities Management office located in the Administration Building. Similar AHERA related activity is planned for the next school year.

An accredited firm was hired to conduct these surveillance and reinspection activity. AHERA management plans are available for public review at the Administration Building. As required by the AHERA standard, this notice satisfies the annual notification requirement for the South Bend Community School Corporation.

LEGAL REFERENCE 15 U.S.C. § 2643, 40 C.F.R. § 763

NONDISCRIMINATION POLICY

It is the policy of the South Bend Community School Corporation not to discriminate on the basis of religion, race, color, national origin, sex, disability, age, genetic information, sexual orientation, or gender identity in its programs, activities, or employment. Further, it is the policy of the School Corporation to provide an equal opportunity for all students, regardless of race, color, creed, disability, religion, gender, ancestry, age, national origin, sexual orientation, gender identity, place of residence within the boundaries of the Corporation, or social or economic background, to learn through the curriculum offered in this Corporation. It is also the policy of the School Corporation to provide equal access to the Boy Scouts of America and other designated youth groups. The following persons have been designated to handle inquiries regarding non-discrimination and anti-harassment policies:

COMPLIANCE COORDINATORS

	Name	Phone	Department
Section 504 Coordinator	Tonia Brewer	393-6119	Director of Exceptional Learners
Title VI Coordinator	Brandon White	393-6043	Asst. Superintendent of Academics
Title IX Coordinators Students, Employees & Volunteers	Kendra Key	393-6177	General Counsel/Chief Compliance Officer
ADA Coordinators Students & Employees	Tonia Brewer Kendra Key	393-6119 393-6177	Director of Exceptional Learners General Counsel/ Chief Compliance Officer
Sexual Harassment Coordinators Students & Employees	Dr. Tessa Sutton Kendra Key	393-6002 393-6177	Asst. Superintendent of Equity, Diversity & Inclusion General Counsel/ Chief Compliance Officer
Special Needs Coordinators	Julia Cordova-Gurulé Tonia Brewer	393-6007 393-6119	Director of Bilingual Services Director of Exceptional Learners
Adult Basic Education	Jennie Gorski	393-5800	Supervisor of Adult Education
Age Discrimination Compliance Officer	Kendra Key	393-6177	General Counsel/Chief Compliance Officer
HIPAA	Kendra Key	393-6177	General Counsel/Chief Compliance Officer
Homeless Liaison	Deb Martin	393-6053	Director of Student Learning & Title I

Information about grievance processes may be obtained by contacting the receptionist at the Administration Building, 215 S. Dr. Martin Luther King Jr. Blvd., South Bend, IN 46601; phone 574-393-6000. Inquiries may also be addressed to the United States Department of Education's Office for Civil Rights at 500 W. Madison Street, Suite 1475, Chicago, IL 60661-4544.

LEGAL AUTHORITY: Indiana Civil Rights Act, Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1973, Title IX (1972 Education Amendments), Section 504 of the Rehabilitation Act of 1973, Title I and II of the Americans with Disabilities Act of 1991, South Bend Ord. 10154-2 § III, 2-127-1, and Education Policy #2260.

ANTI-HARASSMENT POLICY NOTIFICATION

It is the policy of the South Bend Community School Corporation to maintain a learning and working environment free of all forms of unlawful harassment, including sexual harassment. For information regarding definitions, management and employee responsibilities, complaint and investigation procedures, and sanctions for misconduct, please see Policies and Administrative Guidelines No. 1662 (employees/students), No. 3362 and 4362 (employees), No. 5517 (students) and No. 3213.01 and 4213.01 (staff-student relations). Copies are available by contacting Brian Kubicki, Chief Compliance Officer at 574-393-6177 or at <https://go.boarddocs.com/in/sbcs/Board.nsf/Public>.

STUDENTS WITH DISABILITIES

Students with disabilities are protected by federal and state law, including the Individuals with Disabilities Education Improvement Act ("IDEA"), 511 Ind. Admin. Code 7 ("Article 7"), the Americans with Disabilities Act ("ADA"), and Section 504 of the Rehabilitation Act of 1973 ("Section 504"). Any concerns about a student with disabilities, or if you suspect that your student may have disabilities and want to request special education services or accommodations, should be directed to the building principal or counselor.

CHILD NUTRITION PROGRAMS

The National School Lunch Program is a federally funded program that assists schools in providing nutritious lunches to children at reasonable prices. The National School Lunch Program provides a nutritious meal that contains one-third of the recommended daily allowance of necessary nutrients. The Food & Nutrition Department carefully plans all menus in accordance with the USDA standards for calories, saturated fat, vitamins and minerals. Students with food allergies or dietary restrictions will need a medical statement from a licensed physician before any changes are made to accommodate their dietary concerns. Please contact your school nurse if assistance is needed.

The Community Eligibility Provision allows all students to receive both breakfast and lunch at no charge. To ensure that your student receives all benefits please complete a Curricular Assistance form located on the School Corporation's website or go to <http://family.titanK12.com> to complete.

An application must be submitted to receive some benefits. Use one application for all students in the household. An application cannot be approved unless it is complete and contains all required information. Households with children who are members of currently certified SNAP, FDPIR, or TANF households may submit applications for these children with abbreviated information. The information that is provided will be treated confidentially and will be used for eligibility determination and verification of data. The information on the application may be verified by school officials at any time during the school year.

Applications for benefits may be submitted at any time during the school year as circumstances may change, such as a parent/guardian becoming unemployed. A parent/guardian who disagrees with SBCSC's decision regarding an application may wish to discuss the concerns with SBCSC's Food Services Department Director. There is also a right to a fair hearing. In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age, disability, or any other protected characteristic. Foster, homeless, migrant, and runaway children, as defined in 7 C.F.R. 245.2, are generally eligible for free meals and should contact SBCSC's Food Services Department Director. This institution is an equal opportunity provider.

WELLNESS

SBCSC proposed student wellness by supporting healthy choices, good nutrition, and physical activity as part of the total learning environment. Additional information is available in SBCSC's Wellness Policy No. 8510.

Legal Authority: 42 U.S.C. 1758b(b)(4)

PEST CONTROL POLICY

The South Bend Community School Corporation is committed to providing a safe environment for students. It seeks to prevent children from being exposed to pests and pesticides.* While pesticides protect children from pests that may be found in the school and its surrounding grounds, under some circumstances they may pose a hazard to children. Therefore, pest control practices may involve a variety of chemical and non-chemical methods that are designed to control pests effectively while minimizing potential pesticide exposure.

The School Corporation gives this notice to parents, students, and staff members as annual notification of its policies and administrative guidelines. See Policies and Administrative Guidelines 8432, which are available at <http://www.neola.com/southbend-in/>. Detailed information about implementation direction is contained in the Facilities Management Directive, which is available at http://sb.school/UserFiles/Servers/Server_68892/File/Departments/Facilities%20Management/Pesticide%20Control/Pest_Control_and_Use_of_Pesticides.pdf. Questions and further information about pest control and pesticide applications may be obtained by contacting Steve Miskin at (574) 393-6023 or smiskin@sb.school.

Parents wishing to be notified 48 hours in advance of any application of pesticides shall notify the building principal of that fact by completing and returning the form below on or before September 6, 2022. The School Corporation will provide notice to those of the registry at least 48 hours prior to an application. The notice shall include the date and time of the pesticide application, the general area where it will be applied, and the telephone number to contact for further information. In case of emergency pesticide applications because of a possible immediate threat to public health, the School Corporation shall give notification as soon as possible.

*A pesticide is defined as a fungicide used on plants, an insecticide, a herbicide, or a rodenticide.

PARENT NOTIFICATION ON REPRODUCTIVE HEALTH AND FAMILY PLANNING PROGRAM

SBCSC has adopted a comprehensive Health Education Program which includes instruction on human sexuality and venereal and other non-casual-contact communicable diseases such as AIDS. It is designed to provide an appropriate means for students to acquire the knowledge, skills, and attitudes necessary to maintain good health.

Any parent of a student may inspect the instructional materials used in connection with instruction on human sexuality. If you wish to review any or all of the instructional materials, please contact the principal of your child's school. After reviewing the instructional materials, if you wish to discuss them, please contact the principal or the school office.

Indiana statute requires SBCSC to send two consent forms to the parent giving them a chance to opt-out of human sexuality instruction. The parent has 21 days to respond to the first consent form, then the school must send a second form. The parent has 10 days to respond to that form. If no response is received, the student is will receive the instruction on human sexuality.

Legal Authority: I.C. 20-30-5-17

RESTRAINT AND SECLUSION POLICY/PLANS

A student will not be subject to seclusion or restraint unless the student's behavior poses an imminent risk of injury to the student or others. However, significant violations of the law, including assaults on students and staff, will be reported to the police. As soon as possible after any use of seclusion or restraint, the student's parent or guardian will be informed and provided with a detailed account of the incident, including the circumstances that led to the use of seclusion or restraint. Additional information about the Use of Seclusion and Restraints with Students is available at Policy 5631.01. Restraint and Seclusion Policy and Plans are maintained at each school site. Anyone wishing a copy should contact the appropriate building principal.

Legal Authority: I.C.20-20-40-13

ADVANCE NOTIFICATION OF PESTICIDE APPLICATION

Please notify me in advance of any application of pesticide at my child's school.

Student's Name _____

Student's School _____

Parent's Signature _____

Date: _____

ANTI-BULLYING POLICY NOTIFICATION

I.C. 20-33-8-13.5 requires schools in the State of Indiana to develop policies and procedures that address the problem of bullying in our schools.

The SBCSC anti-bullying policy prohibits bullying and requires the school district to react to bullying issues by:

1. Investigating all reports of bullying on an expedited timetable
2. Implementing corrective discipline when appropriate
3. Taking remedial action, when appropriate, which may include support services for the targeted student and bullying education for the bully
4. Making referrals to law enforcement if necessary.

Refer to Policy No. 5517.01 for more information.

TRANSPORTATION GUIDELINES

Free bus transportation is a privilege extended to some parts of each school district. "Walk areas" are established for each school. School board policy states that transportation is not provided for those areas within a one-half-mile radius of a primary center (including kindergarten), a one-mile radius of an intermediate center, and a 1.5-mile radius of a high school. Kindergarten transportation is provided both ways for students in the "ride" areas of an assigned traditional or alternative school.

Your child will be picked up at the assigned pickup stop and dropped off at school, and vice versa. Bus drivers do not allow the students to get off at a stop other than their own except by written note from the parent to the principal. Only children enrolled in South Bend Community School Corporation may be transported on a school bus.

If your student has some specific medical problem (asthma, epilepsy, etc.), please be sure that the bus driver is made aware of that problem. Parents are not permitted to ride a school bus unless they are acting as chaperones for a field trip and have been requested to do so by the school.

Students are under the supervision, direction, and control of the school bus driver and are subject to disciplinary measures by the school bus driver and the governing body of the school corporation. (LEGAL REFERENCE I.C. 20-27-10-2)

Bus Rules

1. Follow the bus driver's directions at all times.
2. Get on the bus quickly and take your assigned seat.
3. Remain seated, facing forward.
4. Keep your feet out of the aisle.
5. Keep your hands, feet, books, pencils, etc. to yourself.
6. Talk in a quiet voice.
7. No eating or drinking on the bus.
8. Remain seated upon arrival at school.
9. Do not cross the white line at the front of the bus while the bus is in motion.
(LEGAL REFERENCE I.C. 9-21-12-16)

Consequences

1. Misbehavior will result in a bus discipline conduct report.
2. If a student is suspended from the bus, the student may not ride any SBCSC bus.
3. Serious incidents may result in immediate suspension.
To reinstate bus privileges, parents may be required to attend a conference with their child's principal. In some cases, parents may be required to ride the bus with their child.

Other transportation guidelines:

- Be at your assigned bus stop five minutes prior to the scheduled arrival time of the bus.
- While waiting at the bus stop, stay back from the roadway and refrain from horseplay.
- Only ride your assigned bus.
- Wait until the bus is completely stopped with the stop arm extended before crossing the street, and cross at least ten feet in front of the school bus.
- Do not write on bus seats, floors, or walls, or poke holes in seats. Students will be held responsible for vandalism, and parents may be billed for damages caused to the school bus.

NOTICE OF EDUCATION RIGHTS FOR HOMELESS STUDENTS

Children who meet the federal definition of “homeless” will be provided a free and appropriate public education in the same manner as all other students of the South Bend Community School Corporation (“SBCSC”). To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless and will be assigned to the school serving those non-homeless students residing in the area in which the homeless child is actually living. No homeless student shall be denied enrollment due to outstanding fees or fines, or absences. Moreover, SBCSC shall ensure that homeless children who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including summer school, career, and technical education, advanced placement, or online learning. Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include those who meet any of the following criteria:

- Share the housing of other persons due to loss of housing, economic hardship, or similar reason
- Live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- Live in emergency or transitional shelters
- Are abandoned in hospitals
- Awaiting foster care placement
- Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, or
- Live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

Eligible students have the right to:

- Receive a free and appropriate public education.
- Enroll in school immediately, even if lacking documents normally required for enrollment.
- Enroll in school and attend classes while the school gathers needed documents.
- Enroll in the local school or continue attending their school of origin (the school they attended when permanently housed, the school in which they were last enrolled, or the designated receiving school at the next grade level or all feeder schools when the child has completed the final grade served by the school of origin) if that is their preference.
- If the school district believes that the school selected is not in his/her best interest, then the district must provide the student with a written explanation of its position and inform the student of his/her right to appeal its decision.
- Receive transportation to and from the school of origin, if requested.
- Receive access to free meals and textbooks, Title I, and other educational services comparable to those provided to other students, according to the student's needs.

If you believe you may be eligible, contact the local liaison to find out what services and supports may be available: Giselle Dwyer, Homeless Liaison, at 393-3834.

Additional information is available at Policy No. 5111.01.

SOUTH BEND COMMUNITY SCHOOL CORPORATION

Title I

District Parent Involvement Policy

Mission

The family and community involvement program at South Bend Community School Corporation Title I Schools engage parents and students in meaningful interactions and learning experiences that lead to increased student achievement.

Policy

South Bend Community School Corporation (SBCSC) has developed this Parent Involvement Policy in conjunction with the Title I Parent Advisory Council (PAC), consisting of as many parent representatives as possible from SBCSC's Title I schools. This policy, as well as the Family–School Agreement will be distributed to parents of all students attending SBCSC's Title I schools.

An annual meeting will be held at each Title I school in August-October to inform parents of the purpose and requirements of Title I, and the parents' rights and responsibility to be involved with the program. Following CDC guidance and staying in line with SBCSC directives, schools may choose to hold meetings either remotely and/or in person. These meetings will be held at times that are convenient for parent participation and will include translation for parents with limited English proficiency.

PAC meetings will be held several times during the school year to review the current Title I program effectiveness and inform the decision-making and planning processes for future Title I programs. These meetings will continue to be held remotely making participation more convenient for parents. An annual review of this Parent Involvement Policy will be held in May, at which time revisions will be made for the upcoming school year.

Comments indicating improvement, if necessary, with the SBCSC Title I program will be collected and submitted along with the annual Title I Application for Grant to the Indiana Department of Education.

Central administration shall work in collaboration with parents and guardians and shall actively support the schools and parents in enhancing parent involvement by:

- Respecting parents as partners in the education of their children
- Valuing diversity, inclusion and providing for equity in each school
- Promoting parent involvement in district leadership and decision making
- Fostering a welcoming and responsive environment for parents
- Ensuring accountability of staff at all levels throughout the district in working with parents as partners
- Valuing the need for partnerships with public and private entities in the South Bend community
- Establishing and promoting communication as a source of trust and understanding between the district and parents

Parent Involvement Activities

Title I parent workshops or family literacy/math nights provide opportunities for parents to learn about such topics as the Indiana State Standards, the SBCSC curriculum, and methods of assessment at each of the SBCSC Title I schools. Parents receive technical assistance and information that is current to the instructional practices taking place in their children's classroom and receive suggested materials for supporting their children's academic development at home. Parent Resource Rooms house parent information and resources available at most Title I schools. Brown Community Center serves as a hub where parents may obtain information and resources.

In addition to workshops and family literacy/math nights, the Family and Community School Specialist (FACSS) at Title I schools utilize home/school visits, provide learning experiences/activities, and make telephone contact with parents to further support students.

Parents of students in Title I schools receive school performance profiles, individual student test data, and interpretations of testing results for standardized tests, and may request additional school testing results at applicable grade levels.

Title I schools encourage school participation that provides opportunities for parent and community volunteerism to support the academic success of children and the school culture. The goal is for parents and shareholders to select ways they can support their school community.

The Title I Family–School Agreement further describes the rights and responsibilities of parents and the school staff in creating a collaborative partnership to raise student achievement.

Building Capacity for Involvement

SBCSC builds capacity for parental involvement through a variety of meetings, activities, and effective communication by:

- Educating all school staff about the importance of parent involvement and how to communicate and collaborate with parents
- Coordinating and integrating, as appropriate, parent involvement program/activities with Head Start and area pre-school programs
- Providing parents reasonable access to staff to communicate concerns
- Providing opportunities for parents to volunteer, observe, and participate in the school
- Developing collaborative partnerships with community-based organizations
- Communicating at least monthly in a timely, effective way using the formats of email, webpage, social media and/or paper in a language, to the extent possible, that meets the needs of parents
- Providing additional parental support and opportunities for involvement, as appropriate, based on parents' interests and suggestions

In addition, parents/guardians are asked and encouraged to be involved in their children's learning and education by:

- Taking the initiative to seek the best educational opportunities for their children
- Understanding school procedures and opportunities to contribute or receive support

- Participating in the development of the School's Parent Involvement Policy and the review and evaluation of the policy
- Utilizing two-way lines of communication between parents, school staff, and the district on the instruction, achievement, and conduct of their children
- Participating in learning opportunities offered by the school
- Participating in leadership roles and decision-making at their children's school
- Supporting and engaging in the development of partnerships within the South Bend community

Parent & Community Volunteer Framework

The goals of a parent and community volunteer program include:

- Increased assistance and support for meeting the academic needs of students
- Reinforcement of the value of education for children
- Increased parent effectiveness and confidence as teachers of their children
- Increased parent understanding of the school culture
- Improved school climate
- Increased collaboration and understanding between stakeholders in education
- Preparation of parents for increased roles in school improvement

Key components of volunteer program:

- Shared vision between district and school-level stakeholders
- Communication and recruitment – based on the needs of the school, specific jobs and descriptions
- Volunteer training – specific job details, student development, confidentiality, identification of volunteer skill and comfort levels
- Management and supervision – volunteer scheduling and sign-in, collection of volunteer background checks, data collection, evaluation and adjustments to program as needed

Reviewed & Revised June, 2022

Family-School Agreement

In order to provide quality learning for every student every day; students, parents (or other caring adults), and school staff must work together in a collaborative partnership. The following compact outlines the actions and needs of each member of the school learning community.

<p><u>Student will:</u> Attend school regularly and be on time. Work hard to do his/her best in class. Ask for help when needed. Respect the personal rights and properties of others. Complete homework assignments. Return home-school communications as needed. Follow school and classroom rules at all times.</p>	<p><u>Students need:</u> Caring teachers and school staff. Adults who believe they can learn. A safe school environment. Respect for individual differences and culture. A family and community that supports them.</p>
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<p><u>Parents will:</u> Send students well-nourished and rested to school each day on time. Send their child to school neat, clean, and ready to learn. Limit the amount of screen time for their child (television, computer, video games). Maintain high expectations for their child. Monitor homework completion. Help their child learn to resolve conflicts in a positive way. Work with school staff to support and challenge their child academically. Respect the school staff and the cultural differences of others.</p>	<p><u>Parents need:</u> Teachers and school staff that respect and acknowledge their role as parents and caregivers. Clear and timely communication via newsletters, phone calls, calendars, email, webpages, and social media. To feel their culture and their family's individual differences are respected. A school community that supports families. Teachers who listen to their concerns and ideas. A school that welcomes them to visit or volunteer.</p>
<p><u>The School Staff will:</u> Provide a positive learning environment based on the mission, vision, and practices of the school improvement plan. Provide opportunities for students to work cooperatively and creatively. Provide all students the opportunity to be successful. Respect students, their families, and their cultural and individual differences. Communicate with parents on a regular basis about classroom activities and their student's academic growth and achievement. Listen to the concerns of parents. Provide opportunities for parents to contribute to the school community by helping at home or at school.</p>	<p><u>Teachers need:</u> Students who are physically and mentally prepared to learn. Respect and support from students, families, other staff, and school administration. Assistance from staff and administration to remove the barriers that prevent them from doing their best for students. Respect and the support of the community.</p>

Reviewed & Revised June 2022

SOUTH BEND COMMUNITY SCHOOL CORPORATION TITLE I COMPLAINT RESOLUTION PROCEDURES

Introduction

On December 10, 2015, President Obama signed a new Federal education law. This law, the Every Student Succeeds Act (ESSA), requires schools that receive federal Title I, Part A funding adopt written procedures for resolving complaints filed.

Definition - A "complaint" is a written, signed statement filed by an individual or an organization.

- Any public or non-public school parent, teacher, or other interested person or agency may file a complaint.

All complaints must begin at the school level:

- Be in written form;
- Be signed by the person or agency representative filing the complaint;
- Specify the requirement of law or regulation being violated and the related issue, problem, and/or concern;
- Contain information/evidence supporting the complaint;
- State the nature of the corrective action desired.

Complainants not satisfied with the findings/remedy at the school level may elect to appeal to the District level to the Title I Department.

Appeals should be sent to:

South Bend Community School Corporation
Title I Department
215 S. Martin Luther King Jr. Blvd.
South Bend, IN 46601

Contact:

Deb Martin

Director of Title I

Phone: 574-393-6037

Email: dmartin@sbcsc.k12.in.us Web: www.sb.school

Upon receipt of the complaint:

The District will issue a letter of acknowledgment to the complainant that contains the following information:

- The date the District received the complaint;
- How the complainant may provide additional information;
- A statement of the ways in which the District may investigate the complaint;
- The District's commitment to issue a resolution to the complaint.

The Title I Director will investigate or designate a building administrator to investigate the complaint. The complaint investigator will:

- Carry out an independent onsite investigation of the complaint;
- Review all relevant information and make an independent determination as to whether the District has complied with the federal program's law or regulation in question;
- Issue a complaint investigation report, entitled Letter of Findings, to the complainant that addresses each allegation in the complaint and contains Findings of Fact, Conclusions and Corrective Actions as well as the reasons for the District's final decision.

If the investigator determines that a violation has occurred:

- There will be corrective action to return to compliance.

If the investigator concludes that no violation of law or regulation has occurred:

- Attempts will be made to resolve or negotiate the programmatic Concern;
- A complaint investigation report, entitled Letter of Findings, will be issued to the complainant that addresses each allegation in the complaint and contains Findings of Fact, Conclusions, and Corrective Actions as well as the reasons for the District's final decision.

The period between the Title I Director's receipt of the complaint and the resolution of the complaint shall not exceed thirty (30) calendar days. All complaints and responses will be kept on file in the office of the Title I Department.

Complainants not satisfied with the findings/remedy made by the District may elect to appeal to the Indiana Department of Education (IDOE).

Appeals should be sent to:
Indiana Department of Education
South Tower, Suite 600,
115 W. Washington Street
Indianapolis, IN 46204

Contact:
Frank Chiki
Director of Title Grants and Support
(317) 233-0786
fchiki@doe.in.gov

The IDOE Office of Title Grants and Support oversees federal and state grants and provides technical assistance and professional development to Local Education Agencies (LEA) as they implement grant programs in their local contexts. The Office of Title Grants and Support aims to strengthen education programs statewide by ensuring compliance with all state and federal grant requirements and supporting schools as they strive to meet the needs of all students in the state.

When a complaint is filed, the State Education Agency (SEA) has 45 days to resolve the complaint. Public schools dissatisfied with IDOE Office of Title Grants and Support's complaint resolution may file an appeal to the United States Department of Education: Assistant Secretary for Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

The State's resolution may be appealed to the U.S. Department of Education's Secretary not later than 30 days after the SEA resolves the complaint or fails to do so within the 45 days time limit. The appeal shall be accompanied by a copy of the SEA's resolution, and if there is one, a complete statement of the reasons supporting the appeal. The Secretary has delegated authority to administer ESEA programs to the assistant secretary for elementary and secondary education appeal complaint resolution. The assistant secretary shall investigate and resolve the appeal not later than 90 days after receipt of the appeal.

NON-PUBLIC SCHOOL COMPLAINTS

For non-public schools dissatisfied with the findings/remedy made by the District may elect to appeal to the Indiana Department of Education's Ombudsman to mediate a positive resolution.

The Indiana Department of Education's (IDOE) Office of Title Grants and Support team serves as the lead in providing technical assistance to public and non-public school officials regarding equitable services. This ensures issues are resolved in a proactive manner before the non-public school official files a formal complaint.

The Ombudsman works in partnership with the Office of Title Grants and Support, so if issues still exist because an agreement cannot be met between the non-public school official and the public school official during technical assistance, a formal complaint can be filed with the Ombudsman to mediate a positive resolution who:

- Addresses questions and concerns from non-public school officials and public school administrators regarding the provision of equitable services under Titles I and VIII;
- Serves as the primary point of contact for responding to and resolving any formal complaints regarding equitable services that the SEA receives under its ESEA complaint procedure.

The template for the *Letter of Complaint to the Ombudsman* is posted on the Indiana Department of Education's website.

When a complaint is filed, the SEA has 45 days to respond to the complaint.

Contact:

Eric McGuire

Title I Grants Specialist/Ombudsman

emcguire@doe.in.gov or ombudsman@doe.in.gov

Non-public schools dissatisfied with the IDOE Ombudsman's resolution may file an appeal to the United States Department of Education:

Assistant Secretary for Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202
OESE@ed.gov and ONPE@ed.gov

The State's resolution may be appealed to the U.S. Department of Education's Secretary not later than 30 days after the SEA resolves the complaint or fails to do so within the 45-day time limit. The appeal shall be accompanied by a copy of the SEA's resolution, and if there is one, a complete statement of the reasons supporting the appeal. The Secretary has delegated authority to administer ESEA programs to the assistant secretary for elementary and secondary education appeal complaint resolution. The assistant secretary shall investigate and resolve the appeal not later than 90 days after receipt of the appeal.

Revised: June, 2022

Title I Parents' Right-to-Know Parent Notification Letter

August 2022

Dear Parents and Guardians,

In accordance with the Elementary and Secondary Education Act, Section 1111(h) (6) PARENTS' RIGHT TO KNOW, this is a notification from the South Bend Community School Corporation to every parent in a Title I School that you have the right to request and receive information in a timely manner regarding the professional qualifications of your child's classroom teacher(s) or paraprofessional(s). If you request this information, the district or school will provide you with the following as soon as possible:

- If the teacher has met State-approved or State-recognized certification, licensing, registration, or other comparable requirements for the grade levels, subject areas, and/or discipline for which the teacher provides instruction;
- If the teacher is teaching under emergency or temporary status in which Indiana qualifications and licensing criteria are waived;
- If the teacher is teaching in the field of discipline for which they are certified or licensed;
- The teacher's baccalaureate degree major, graduate certification, and field of discipline; and
- Whether your child is provided services by Title I or Special Education Paraprofessionals, and if so, their qualifications.

Our district is committed to helping your child develop the social/emotional skills, academic knowledge, and critical thinking they need to succeed in school and beyond. That commitment includes ensuring that all our teachers and paraprofessionals are highly skilled and meet the applicable Indiana State requirements.

If you would like to request information about your child's teacher(s) or paraprofessional(s), or if you have any questions about your child's assignment to a teacher or paraprofessional, please feel free to contact your building principal.

Sincerely,



C. Todd Cummings, Ph.D.
Superintendent of Schools

South Bend Community School Corporation
Administrative Guidelines

7540.03 - STUDENT/STAFF NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY GUIDELINES

Introduction

The South Bend Community School Corporation recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and citizenship. We are committed to helping students develop 21st-century technology and communication skills.

To that end, we provide access to technologies for staff and student use.

This outlines the guidelines and behaviors that users (staff and students) are expected to follow when using school technologies or when using personally-owned devices on the school campus. Outside of school, families bear responsibility for the same guidance of Internet use that they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Families should be aware that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate, or potentially offensive to some people. In addition, it is possible to purchase certain goods and services via the Internet, which could result in unwanted financial obligations for which a student's parent or guardian would be liable.

- A. The South Bend Community School Corporation network is intended for educational purposes.
- B. All activity over the network or using District technologies may be monitored. Users should not expect that files stored on school-based computers will always be private. Electronic messages and files stored on school-based computers may be treated like school lockers. Administrators and faculty may review files and messages to maintain system integrity and ensure that users are acting responsibly.
- C. Access to online content via the network may be restricted in accordance with our policies and Federal regulations, such as the Children's Internet Protection Act (CIPA).
- D. Students are expected to follow the same rules for good behavior and respectful conduct online as offline.
- E. Misuse of school resources can result in disciplinary action.
- F. The South Bend Community School Corporation makes a reasonable effort to ensure students' safety and security online, but will not be held accountable for any harm or damages that result from use of school technologies.
- G. Users of the District network or other technologies are expected to alert building administrators or teachers immediately of any concerns for safety or security. Building personnel will work with the IT staff.

Technologies Covered

The South Bend Community School Corporation may provide Internet access, desktop computers, mobile computers or devices, videoconferencing capabilities, online collaboration capabilities, message boards, email, and more.

As new technologies emerge, the South Bend Community School Corporation will attempt to provide access to them. The policies outlined in this document are intended to cover all available technologies, not just those specifically listed.

Usage Guidelines

All technologies provided by the District are intended for educational purposes. All users (staff and students) are expected to use good judgment and to follow the specifics of this document as well as the spirit of it: be safe, appropriate, careful, and kind; don't try to get around technological protection measures; use good common sense; and ask if you don't know.

Students utilizing District-provided Internet access must first have the permission of and must be supervised by the professional staff. Students utilizing school-provided Internet access are responsible for good behavior online just as they are in a classroom or other area of the school. The same general rules for behavior and communications apply. The purpose of District-provided Internet access is to facilitate communications in support of research and education. To remain eligible as users, students' use must be in support of and consistent with the educational objectives of the District. Access is a privilege, not a right. Access entails responsibility.

Web Access

The South Bend Community School Corporation provides its users with access to the Internet, including websites, resources, content, and online tools. That access will be restricted in compliance with CIPA regulations and school policies. Web browsing may be monitored and web activity records may be retained indefinitely.

Users (staff and students) are expected to respect that the web filter is a safety precaution, and should not try to circumvent it when browsing the web. If a site is blocked and a user believes it shouldn't be, the user should follow District protocol to alert an IT staff member and submit the site for review.

Email

The South Bend Community School Corporation may provide users with email accounts for the purpose of school-related communication. Availability and use may be restricted based on school policies.

If users are provided with email accounts, they should be used with care. Users should not send personal information; should not attempt to open files or follow links from unknown or untrusted origins; should use appropriate language, and should only communicate with other people as allowed by the District policy or the teacher.

Users (staff and students) are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Email usage may be monitored and archived. School email is not to be used for any inappropriate or illegal activities. It may not be used for political or commercial use.

Social/Web 2.0/Collaborative Content

Recognizing the benefits collaboration brings to education, the South Bend Community School Corporation may provide users with access to websites or tools that allow communication, collaboration, sharing, and messaging among users.

Users (staff and students) are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Posts, chats, sharing, and messaging may be monitored. Users should be careful not to share personally-identifying information online.

Mobile Devices Guidelines

The South Bend Community School Corporation may provide users with mobile computers or other devices to promote learning outside of the classroom. Users should abide by the same acceptable use policies when using school devices off the school network as on the school network.

Users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should report any loss, damage, or malfunction to IT staff immediately. Users may be financially accountable for any damage resulting from negligence or misuse.

Use of school-issued mobile devices off the school network may be monitored.

Personally-Owned Devices Guidelines

Students should keep personally-owned devices (including laptops, tablets, smartphones, and cell phones) turned off and put away during school hours - unless in the event of an emergency or as instructed by a teacher or staff for educational purposes. Because of security concerns, when personally-owned mobile devices are used on campus, they should not be used over the school network without the express permission from IT staff. In some cases, a separate network may be provided for personally-owned devices.

Security

Users (staff and students) are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin.

If you believe a computer or mobile device you are using might be infected with a virus, please alert IT. Do not attempt to remove the virus yourself or download any programs to help remove the virus.

Downloads

Users should not download or attempt to download or run .exe programs over the school network or onto school resources without express permission from IT staff.

You may be able to download other file types, such as images or videos. For the security of our network, download such files only from reputable sites, and only for educational purposes.

Netiquette

Users should always use the Internet, network resources, and online sites in a courteous and respectful manner.

Users should also recognize that among the valuable content online is unverified, incorrect, or inappropriate content. Users should use trusted sources when conducting research via the Internet.

Users should also remember not to post anything online that they wouldn't want parents, teachers, or future colleges or employers to see. Once something is online, it's out there - and can sometimes be shared and spread in ways you never intended.

Plagiarism

Users should not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Users should not take credit for things they didn't create themselves, or misrepresent themselves as an author or creator of something found online. Research conducted via the Internet should be appropriately cited, giving credit to the original author. Users are responsible for reading the copyright policies posted on the technology web page (<http://www.sbcsc.k12.in.us/tech>).

Personal Safety

Users should never share personal information, including phone number, address, social security number, birthday, or financial information, over the Internet without adult permission. Users should recognize that communicating over the Internet brings anonymity and associated risks, and should carefully safeguard their personal information about themselves and others. Users should never agree to meet someone they meet online in real life without parental permission.

If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult (teacher or staff if you're at school; parent if you're using the device at home) immediately.

Cyberbullying

Cyberbullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking are all examples of cyberbullying. Don't be mean. Don't send emails or post comments with the intent of scaring, hurting, or intimidating someone else.

Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in severe disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. Remember that your activities are monitored and retained.

Examples of Acceptable Use

I will:

- A. Use school technologies for school-related activities.
- B. Follow the same guidelines for respectful, responsible behavior online that I am expected to follow offline.
- C. Treat school resources carefully, and alert staff if there is any problem with their operation.
- D. Encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.
- E. Alert a teacher or other staff member if I see threatening, inappropriate, or harmful content (images, messages, posts) online.
- F. Use school technologies at appropriate times, in approved places, for educational pursuits and follow the directions of the professional staff.
- G. Cite sources when using online sites and resources for research.
- H. Recognize that use of school technologies is a privilege and treat it as such.
 - I. Be cautious to protect the safety of others and myself.
 - J. Help to protect the security of school resources.

This is not intended to be an exhaustive list. Users should use their own good judgment when using school technologies.

Examples of Unacceptable Use

I will **not**:

- A. Use school technologies in a way that could be personally or physically harmful.
- B. Access another individual's materials, information, or files without permission.
- C. Vandalize, damage or disable the property of another individual or organization.
- D. Attempt to find inappropriate images or content.
- E. Engage in cyberbullying, harassment, or disrespectful conduct toward others.
- F. Try to find ways to circumvent the school's safety measures and filtering tools.
- G. Use school technologies to send spam or chain mail.
- H. Transmit obscene, abusive, sexually explicit, or threatening language.
- I. Plagiarize content I find online.

- J. Post personally-identifying information, about myself or others.
- K. Agree to meet someone I meet online in real life.
- L. Use language online that would be unacceptable in the classroom.
- M. Use school technologies for illegal activities or to pursue information on such activities.
- N. Attempt to hack or access sites, servers, or content that isn't intended for my use.

This is not intended to be an exhaustive list. Users should use their own good judgment when using school technologies.

Limitations of Liability

The South Bend Community School Corporation will not be responsible for damage or harm to persons, files, data, or hardware.

While the South Bend Community School Corporation employs filtering and other safety and security mechanisms and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

The South Bend Community School Corporation will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network.

The provisions of this policy are subordinate to local, State and Federal law.

Student Violations of These Guidelines

Violations of these guidelines may have disciplinary repercussions, including

- A. Suspension of network, technology, or computer privileges
- B. Notification to parents
- C. Detention or suspension from school and school-related activities
- D. Legal action and/or prosecution

Ultimately, however, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. Toward that end, the South Bend Community School Corporation makes the District's complete Technology policies and procedures available on request for review by all parents, guardians, and other members of the community; and provides parents and guardians the option of requesting for their minor children alternative activities not requiring the Internet use.

Staff Violations of These Acceptable Use Guidelines

Violations of this policy may result in disciplinary action.

SHARED RIGHTS & RESPONSIBILITIES

- Students
- Parents/Guardians
- Teachers/Staff

Know

- Your Rights
- Your Responsibilities
- Our Regulations
- Our Procedures



The success of public school education requires cooperative relationships between students, parents, teachers, and administrators.

INTRODUCTION

The success of public school education depends on the concept of self-discipline which will allow all individuals to exist in a world of change with the individual rights afforded them by our federal and state constitutions.

Certain standards of student conduct are necessary to assure that students seeking to express their own individual rights do not at the same time infringe upon the rights of others. The development and maintenance of this self-discipline is in turn dependent upon the acceptance of certain responsibilities by all involved in the educational process.

IT IS THE RESPONSIBILITY OF STUDENTS TO

1. To read and become familiar with the Shared Rights and Responsibilities, which is available at www.sbcsc.k12.in.us.
2. To attend school daily, prepare for class, and complete class and homework assignments to the best of his/her ability.
3. To know and obey school rules and instructions given by the school principal, teachers, and other staff.
4. To tell school staff about any dangerous behavior or bullying that occurs at school, on the way to and from school, or in the school community.
5. To bring to school only those materials that are allowed.
6. To treat everyone in the school community with respect.
7. To respect school property, community property, and the property of others.

IT IS THE RESPONSIBILITY OF PARENTS/GUARDIANS TO

1. To read and become familiar with the Shared Rights and Responsibilities, which is available at www.sbcsc.k12.in.us.
2. To make sure their child attends school regularly, and on time, and to notify the school before the school day begins if their child is absent.
3. To give the school accurate and current contact information.
4. To tell school officials about any concerns or complaints respectfully and in a timely manner.
5. To work with the school principal, teachers, and other staff to address any academic or behavioral concerns regarding their child.
6. To talk with their child about the behavior expected in school.
7. To support their child's learning and school activities at home.
8. To be respectful and courteous to staff, other parents, guardians, and students.
9. To respect other students' privacy rights.

IT IS THE RESPONSIBILITY OF TEACHERS TO

1. To read and become familiar with the Shared Rights and Responsibilities, which is available at www.sbcsc.k12.in.us.
2. Maintain an orderly classroom.
3. Prepare adequate lesson plans to effectively implement the curriculum.
4. Encourage the development of trust, cooperation, and responsibility.
5. Make an effort to improve the self-image of each student through positive reinforcement.
6. Deal with discipline problems personally until all strategies at their command have been exhausted and then seek further help.
7. Exemplify high standards.

IT IS THE RESPONSIBILITY OF ALL SCHOOL STAFF TO

1. Set expectations for positive behavior.
 - a. Create expectations for positive behavior and predictable routines for students.
 - b. Post expectations for positive behavior throughout the school.
 - c. Regularly communicate high expectations for student success demonstrating positive behavior.
2. Teach positive behavior.
 - a. Build positive relationships with students.
 - b. Model positive behavior for students.
 - c. Explicitly teach students how they can best demonstrate positive behavior and follow expected routines. For example, specify expected behavior while learning in the classroom, moving through the hallways, eating in the cafeteria, entering the building, leaving at dismissal, etc.
 - d. Practice expected behavior with students in all settings.
3. Reinforce positive behavior.
 - a. Regularly review expectations for positive behavior, re-teaching, and allowing practice as needed.
 - b. Provide frequent feedback to students on their behavior both appropriate and inappropriate, so they know if and how they are meeting the school's expectations.
 - c. Praise and reward students for demonstrating positive behavior, especially when it is new behavior for that student.

IT IS THE RESPONSIBILITY OF THE SCHOOL SYSTEM TO

1. Make available adequate student services, guidance services, psychological services, school social work services, occupational and placement services, evaluation and testing, career education, and health services.
2. Provide and maintain an atmosphere conducive to good behavior and learning.
3. Respect students by treating them fairly and impartially.
4. Plan a flexible curriculum and activities to meet the needs of all students and provide the materials necessary to implement those plans.

When a student fails to meet the expectations needed for a safe, supportive and productive learning environment, school staff members' first and most frequent response should be to use misbehavior as a teachable moment to help the student correct future behaviors by using instructive and corrective responses. In addition, the principal has the authority to assign interventions and consequences based on his/her independent assessment of the best interest of the school community. Parents are expected to participate in this process. When considering the action to be taken, the following should always be reviewed:

1. Student's age, maturity, and grade.
2. Student's prior conduct and record of behavior.
3. Student's willingness to acknowledge the inappropriate behavior.
4. Student's willingness to make restitution.
5. Impact of the incident on the overall school community.
6. Student's intent and the severity of harm caused.
7. Parent/guardian's level of cooperation and involvement.

In the absence of self-discipline by a student, any administrator or faculty member of the school corporation is authorized to take certain actions reasonably desirable or necessary in order to help any student, to further school purposes, or to prevent interference with the educational process.

STUDENTS' AND PARENTS' RIGHTS REGARDING STUDENT RECORDS

1. Parents and students are informed annually of their rights as provided in the Family Educational and Privacy Rights Act (FERPA).
2. Copies of education records are provided to parents and students 18 years of age and older upon request. (A fee may be charged for copies.) Records that are copyrighted will not be reproduced.
3. An opportunity is provided for parents and students to challenge the content of any school record as being inaccurate or misleading.
4. A student or parent may disagree with all or part of a school record in writing; the written disagreement will become a part of the student record.
5. Unless an exception applies, the names of persons given permission to review a student

record will be recorded.

6. Unless an exception applies third parties who wish to see the records must have written consent from the student's parent or from the student if the student is 18 years of age.

There is a difference between directory information and an educational record. The former is material that is not necessarily confidential and the latter is always treated confidentially. Both types of information need to be treated in accordance with the Family Educational Rights and Privacy Act. Copies of the Privacy Act can be found in each school, public libraries, and at <http://www2.ed.gov/policy/gen/guid/fpco/pdf/ferparegs.pdf>.

Information considered directory information may be printed in school publications. Directory information would include such items as: name; address; phone number; email address; awards received; honor rolls; scholarships; weight and height, if a member of an athletic team; photographs; date and place of birth; type of diploma awarded; dates of attendance; date of graduation; grade level; major field of study; participation in officially recognized activities and sports. If you, as the parent (or student 18 years of age or older), object to the release of directory information, you should complete and return the Form on page 8.

NOTE: See also Student Records Policy #8330 and the Notice to Parents and Students on their Rights Concerning Educational Records on pages 6-7.

ATTENDANCE POLICY

PHILOSOPHY

Student attendance at school is the primary responsibility of the parent/legal guardian and student. The foundation and success of education depend on access to quality instruction. Attendance is a significant factor in a student's ability to achieve academic, personal, and social growth.

It is the South Bend Community School Corporation's responsibility to develop and implement sound procedures that contribute to this growth.

It is the student's responsibility to attend school regularly, on time and, follow all rules of discipline. The school will keep parents/legal guardians informed of student absences.

COMPULSORY ATTENDANCE

Under Indiana law:

- A. Each individual for whom education is compulsory shall attend a public school which the individual is entitled to attend under I.C. 20-26-11.
- B. Each individual is bound by the requirements of state law from the earlier of the date on which the individual officially enrolls in a school, or except as provided in I.C. 20-33-2-8, the beginning of the fall school term for the school year in which the individual becomes seven (7) years of age until the date on which the individual:
 1. graduates;
 2. reaches at least sixteen (16) years of age but who is less than eighteen (18) years of age and the requirements under I.C. 20-33-2-9 and I.C. 20-33-2-28.5 concerning an exit interview are met enabling the individual to withdraw from school before graduation; or
 3. reaches at least eighteen (18) years of age; whichever occurs first.
- C. An individual for whom education is compulsory under this section shall attend school each year:
 1. for the number of days public schools are in session in the school corporation in which the individual is enrolled in Indiana: or
 2. if the individual is enrolled outside Indiana, for the number of days the public schools are in session where the individual is enrolled.
- D. For requirements to officially enroll in a kindergarten program see Policy No. 5112. E. A student is not bound by the requirements of the Indiana Compulsory School Attendance laws until the student becomes seven (7) years of age, if, upon request of the superintendent of the corporation, the parent of a student who would otherwise be subject to compulsory school attendance under I.C. 20-33-2-6 certifies to the superintendent that the parent intends to:

1. enroll the student in a non-accredited, nonpublic school; or
 2. begin providing the student with instruction equivalent to that given in the public schools as permitted under I.C. 20-33-2-28;
 - not later than the date on which the student becomes seven (7) years of age.
- F. Exit interview. The governing body hereby designates the Superintendent (or his designee) as the appropriate employee of the school corporation to conduct the exit interviews for students described in I.C. 20-33-2-6 (3). Each exit interview must be personally attended by:
1. the student's parent;
 2. the student;
 3. the Superintendent, as the designated appropriate school employee, or his or her designee; and
 4. the student's principal.
- G. A student who is at least sixteen (16) years of age but less than eighteen (18) years of age may not withdraw from school before graduation unless:
1. the student, the student's parent, and the student's principal agree to withdrawal; and
 2. at the exit interview, the principal provides to the student and the student's parent a copy of statistics compiled by the Indiana Department of Education concerning the likely consequences of life without a high school diploma and the principal advises the student and the student's parent that the student's withdrawal from school may prevent the student from receiving or result in the revocation of the student's employment certificate and driver's license of learner's permit; and the student provides written acknowledgment of the withdrawal that states that the student and the student's parent understand that withdrawing from school is likely to reduce the student's future earnings and increase the student's likelihood of being unemployed in the future; and
 3. the student's parent and the school principal each provide written consent for the student to withdraw from school; and
 4. the withdrawal is due to: financial hardship and the individual must be employed to support the individual's family or a dependent; illness; or an order by a court with jurisdiction over the student.

STATEMENT

Excessive absence places a student in danger of failing a course or repeating a grade. Unexcused absences and trancies, resulting in a total of 10 days or more per semester, may result in loss of credit and/or retention.

Chronic absenteeism will be referred to the appropriate legal authority.

The parent/legal guardian may appeal a decision based on this policy to the principal.

DEFINITIONS

EXCUSED ABSENCES

1. Illness verified by a note from the parent
2. Death in the immediate family
3. Recovery from an accident is verified by a note from the parent.
4. Professional appointments - Parents are encouraged to schedule medical, dental, legal, and other necessary appointments other than during school hours. When appointments are necessary during the school day, the student shall report back to school immediately after the appointment with a signed statement from the doctor, dentist, lawyer, counselor, etc.
5. Observation or celebration of a bona fide religious holiday in accordance with Policy 5220
6. Court attendance
7. College Visits not to exceed five (5) days total for the school year
8. Maternity
9. Military connected families' absences related to deployment and return

10. Such other good causes may be acceptable to the superintendent or permitted by law. Students must make up work missed due to excused absences and will receive credit for their work.

EXEMPT DAYS

Indiana law authorizes the absence and excuse of a student in the following circumstances:

1. Serving as a page or honoree of the General Assembly (IC 20-33-2-14)
2. Serving on the precinct election board or as a helper to a political candidate or party on the day of a municipal, primary or general election (IC 20-33-2-15)
3. When subpoenaed to testify in court (IC 20-3-2-16)
4. Serving with the National Guard for no more than 10 days (IC 20-33-2-17)
5. Serving with the Civil Air Patrol for up to 5 days (IC 20-33-2-17.2)
6. Participating in an educationally related non-classroom activity which is consistent with and promotes the educational philosophy and goals of the school corporation, facilitates the attainment of specific educational objective, is part of the goals and objectives of an approved course or curriculum, represents a unique educational opportunity, cannot reasonably occur without interrupting the school day, and is approved in advance in writing by the school principal (IC 20-33-2-17.5).

In each of these circumstances, the student is excused from school, will not be recorded as absent, and will not be penalized. Students must make up work missed and will receive credit for their work.

UNEXCUSED ABSENCES

An unexcused absence is an absence not covered under the definition of excused absence or an exception to the compulsory attendance. An out-of-school suspension shall not be considered an unexcused absence.

Repeated instances of unexcused absences may result in disciplinary action up to suspension or expulsion of a student.

TRUANCY

Truancy is defined as absence from school without permission of the parent. The superintendent or an attendance officer having jurisdiction shall report a child who is habitually absent from school to an intake officer of the juvenile court or the Department of Child Services

VERIFICATION

All absences must be verified according to the specific school's publicized procedure. In the event of frequent or extended absence attributed to personal illness, the principal or a designee may request written verification of a student's illness from a licensed physician.

ATTENDANCE RECORDS

An adequate and comprehensive system of attendance records will be maintained for each student. Each teacher is responsible for accurate reporting of daily attendance in his/her classroom.

NOTE: See Also Attendance Policy and Administrative Guideline #5200

GROUNDS FOR SUSPENSION AND EXPULSION
SCHOOL BEHAVIOR POLICY 5600

Indiana law describes broadly the type of behavior that will subject a student to suspension or expulsion. The following behaviors may subject students to suspension or expulsion depending upon the individual circumstances (e.g., where the conduct occurs, whether the conduct interferes with school purposes or an educational function, whether the student's removal is necessary to restore order). This list is not exhaustive:

Grounds for Expulsion or Suspension

1. Inappropriate Language/Gestures/Disruptive/Disorderly Conduct, including but not limited to the following:
 - a. Conduct which is likely to result in serious bodily injury or substantial property damage, and/or making unreasonable noise that interferes with educational activities and refusing to cease the disruption when requested.
 - b. Causing a large disruption to the atmosphere or order and discipline in the school that is necessary for effective learning and may place others at risk of injury.
 - c. Saying words that are offensive, sexual, or considered obscene in an academic, professional setting.
2. Theft/Forgery, including but not limited to the following:
 - a. Having in one's possession property obtained without permission of the owner or possession (physical control over, including clothing, lockers, or bags) of stolen property.
 - b. Alteration of documents including possession or signing.
3. Vandalism: Deliberate destruction or damage or attempted destruction or damage of property.
4. Bullying/Harassment
 - a. Under I.C. 20-33-8-0.2, "bullying" means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors, that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that: (1) places the targeted student in reasonable fear of harm to the targeted student's person or property; (2) has a substantially detrimental effect on the targeted student's physical or mental health; (3) has the effect of substantially interfering with the targeted student's academic performance; or (4) has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school. Examples include harassment based on real or perceived race, ethnicity, gender/gender identity, sexual orientation, disability, or religion.
5. Provocation/Injury to Others: To incite a fight; physical contact by pushing, shoving, biting, spitting, kicking or hitting or other conduct that may cause injury; more than horseplay.
6. Sexual Conduct: Inappropriate sexual conduct, sexual gestures, inappropriate touching, indecent exposure, transmitting sexually suggestive images through information technology devices, or other sexual activities which do not involve the use of force, including but not limited to the following:
 - a. Sending, sharing, viewing, and possessing pictures, text messages, emails or other material of a sexual nature in electronic or any other form, including the contents of a cell phone or other electronic device.
 - b. Falsely accusing any person of sexual harassment.
7. Firearms/Weapons/Arson: Possession or ammunition; possession of a knife, explosive, chemical agent dispenser, destructive device, or other objects that can reasonably be considered a weapon; possession of a loaded or unloaded firearm, taser gun, electronic stun gun or any weapon or device that expels a projectile by the action of an explosive, or having

knowledge of another person's intent to violate or violation of this rule and failing to report the information to a school administrator or teacher.

8. Drugs/Alcohol: Possession, use, transmission, and/or being affected by narcotics/ drugs/tobacco/alcohol and/or paraphernalia. Low THC Extract as defined by state law is excluded from this rule.

Exception: A student with a chronic disease or medical condition may possess and self-administer prescribed medication for the disease or condition if the student's parent has filed a written authorization with the building principal. The written authorization must be filed annually. The written authorization must be done by a physician and must include the following information: (a) that the student has an acute or chronic disease or medical condition for which the physician has prescribed medication; (b) the nature of the disease or medical condition requires emergency administration of the prescribed medication; (c) the student has been instructed in how to self-administer the prescribed medication; (d) the student is authorized to possess and self-administer the prescribed medication.

9. Assault/Battery: More than fighting, assault/battery involves causing or attempting to cause serious bodily injury to students, staff or others. It includes continuing to engage in a fight after being asked to stop, or criminal recklessness.
10. Bomb/False Alarm: The making of threats or providing false information about the presence of explosive materials, devices, or a fire on school property without cause in writing, in person, or by phone, including text messaging.
11. Persistent, severe, or unwanted sexual conduct: Inappropriate sexual conduct, sexual gestures, inappropriate touching, indecent exposure, transmitting sexually suggestive images through information technology devices, or other sexual activities which involve the use of force such as rape and molestation.
12. Violating any Board policy or administrative rule that is reasonably necessary in carrying out school purposes or an educational function.

DUE PROCESS

The following are selected sections of Indiana law related to student suspensions, expulsions, and student discipline in general. Full details of the rules, regulations, and due process policies and procedures of the South Bend Community School Corporation are available in the office of each school or at the Administration Building, 215 Dr. Martin Luther King Jr. Blvd., South Bend, Indiana 46601. The sections printed here are not meant to be an exhaustive list of all relevant rules and policies.

I.C. 20-33-8-0.2 "Bullying" Defined

- (a) As used in this chapter, "bullying" means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors, that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:
- (1) places the targeted student in reasonable fear of harm to the targeted student's person or property;
 - (2) has a substantially detrimental effect on the targeted student's physical or mental health;
 - (3) has the effect of substantially interfering with the targeted student's academic performance; or
 - (4) has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.
- (b) The term may not be interpreted to impose any burden or sanction on, or include in the definition of the term, the following:
- (1) Participating in a religious event.
 - (2) Acting in an emergency involving the protection of a person or property from an

imminent threat of serious bodily injury or substantial danger.

- (3) Participating in an activity consisting of the exercise of a student's rights protected under the First Amendment to the United States Constitution or Article I, Section 31 of the Constitution of the State of Indiana, or both,
- (4) Participating in an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults.
- (5) Participating in an activity undertaken at the prior written direction of the student's parent.
- (6) Engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

I.C. 20-33-8-0.5 "Physician" Defined

As used in this chapter, "physician" means an individual licensed to practice medicine or osteopathic medicine under

- (1) IC 25-22.5; or
- (2) the law of another state.

I.C. 20-33-8-1 "Principal" Defined

As used in this chapter, "principal" includes a principal's designee.

I.C. 20-33-8-2 "Educational Function" Defined

As used in this chapter, "educational function" means the performance by a school corporation or its officers or employees of an act or a series of acts in carrying out school purposes.

I.C. 20-33-8-3 "Expulsion" Defined

(a) As used in this chapter, "expulsion" means a disciplinary or other action whereby a student:

- (1) is separated from school attendance for a period exceeding ten (10) school days
- (2) is separated from school attendance for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or
- (3) is separated from school attendance for the period prescribed under section 16 of this chapter, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.

(b) The term does not include situations when a student is:

- (1) disciplined under section 25 of this chapter;
- (2) removed from school in accordance with I.C. 20-34-3-9; or
- (3) removed from school for failure to comply with the immunization requirements of I.C. 20-34-4-5.

I.C. 20-33-8-4 "School Purposes" Defined

As used in this chapter, "school purposes" refers to the purposes for which a school corporation operates, including the following:

- (1) To promote knowledge and learning generally.
- (2) To maintain an orderly and effective educational system.
- (3) To take any action under the authority granted to school corporations and their governing bodies by I.C. 20-26-5 or by any other statute.

I.C. 20-33-8-5 "School Property" Defined

As used in this chapter, "school property" means the following:

- (1) A building or other structure owned or rented by a school corporation.
- (2) The grounds adjacent to and owned or rented in common with a building or other structure owned or rented by a school corporation.

I.C. 20-33-8-6 "Superintendent" Defined

As used in this chapter, "superintendent" includes a superintendent's designee. **I.C.**

20-33-8-7 "Suspension" Defined

(a) As used in this chapter, "suspension" means any disciplinary action that does not

constitute an expulsion under section 3 of this chapter, whereby a student is separated from school attendance for a period of not more than ten (10) school days.

- (b) The term does not include a situation in which a student is:
- (1) disciplined under section 25 of this chapter;
 - (2) removed from school in accordance with I.C. 20-34-3-9; or
 - (3) removed from school for failure to comply with the immunization requirements of I.C. 20-34-4-5.

I.C. 20-33-8-8 Duty and Powers of school corporation to supervise and discipline students

- (a) Student supervision and the desirable behavior of students in carrying out school purposes is the responsibility of:
- (1) a school corporation; and
 - (2) the students of a school corporation.
- (b) In all matters relating to the discipline and conduct of students, school corporation personnel:
- (1) stand in the relation of parents to the students of the school corporation;
 - (2) have the right to take any disciplinary action necessary to promote student conduct that conforms with an orderly and effective educational system, subject to this chapter; and
 - (3) have qualified immunity with respect to a disciplinary action taken to promote student conduct under subdivision (2) if the action is taken in good faith and is reasonable.
- (c) Students must:
- (1) follow responsible directions of school personnel in all educational settings; and
 - (2) refrain from disruptive behavior that interferes with the educational environment.

I.C. 20-33-8-9 Disciplinary Powers of Teachers and School Staff Members

- (a) This section applies to an individual who:
- (1) is a teacher or other school staff member; and
 - (2) has students under the individual's charge.
- (b) An individual may take any action that is reasonably necessary to carry out or to prevent an interference with an educational function that the individual supervises.
- (c) Subject to rules of the governing body and the administrative staff, an individual may remove a student for a period that does not exceed five (5) school days from an educational function supervised by the individual or another individual who is a teacher or other school staff member.
- (d) If an individual removes a student from class under subsection (c), the principal may place the student in another appropriate class or placement or into in-school suspension. The principal may not return the student to the class from which the student was removed until the principal has met with the student, the student's teacher, and the student's parents to determine an appropriate behavior plan for the student. If the student's parents do not meet with the principal and the student's teacher within a reasonable amount of time, the student may be moved to another class at the principal's discretion.

I.C. 20-33-8-10 Disciplinary Powers of Principals

- (a) A principal may take action concerning the principal's school or a school activity within the principal's jurisdiction that is reasonably necessary to carry out or prevent interference with an educational function or school purposes.
- (b) Subsection (a) allows a principal to write regulations that govern student conduct.

I.C. 20-33-8-11 Disciplinary Powers of Superintendents and Administrative Staff Members

- A:
- (1) superintendent; or

- (2) member of the superintendent's administrative staff, with the superintendent's approval; may take any action with respect to all schools within the superintendent's jurisdiction that is reasonably necessary to carry out or prevent interference with an educational function or school purposes.

I.C. 20-33-8-12 Adoption of discipline rules: publicity requirement: discipline policy regulations and guidelines; delegation of authority; rulemaking powers of governing body

- (a) Except as provided under I.C. 20-33-8-16, the governing body of a school corporation must do the following:
- (1) Establish written discipline rules, which must include a graduated system of discipline and may include
 - (A) appropriate dress codes; and
 - (B) if applicable, an agreement for court assisted resolution of school suspension and expulsion cases;for the school corporation.
 - (2) Give general publicity to the discipline rules within a school where the discipline rules apply by actions such as:
 - (A) making a copy of the discipline rules available to students and students' parents; or
 - (B) delivering a copy of the discipline rules to students or the parents of students. This publicity requirement may not be construed technically and is satisfied if the school corporation makes a good faith effort to disseminate to students or parents generally the text or substance of a discipline rule.
- (b) The:
- (1) superintendent of a school corporation; and
 - (2) principals of each school in a school corporation;
- may adopt regulations establishing lines of responsibility and related guidelines in compliance with the discipline policies of the governing body.
- (c) The governing body of a school corporation may delegate:
- (1) rulemaking;
 - (2) disciplinary; and
 - (3) other authority
- as reasonably necessary to carry out the school purposes of the school corporation.
- (d) Subsection (a) does not apply to rules or directions concerning the following:
- (1) Movement of students.
 - (2) Movement or parking of vehicles.
 - (3) Day to day instructions concerning the operation of a classroom or teaching station.
 - (4) Time for commencement of school.
 - (5) Other standards or regulations relating to the manner in which an educational function must be administered.

However, this subsection does not prohibit the governing body from regulating the areas listed in this subsection.

I.C. 20-33-8-13 Possession and Self-Administration of Medication Permitted

- (a) Discipline rules adopted under section 12 of this chapter must provide that a student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition during the times and in the places set forth under section 14(b) of this chapter if the following conditions are met:
- (1) The student's parent has filed an authorization with the student's principal for the student to possess and self-administer the medication. The authorization must include the statement described in subdivision (2).
 - (2) A physician states in writing that:
 - (A) The student has an acute or chronic disease or medical condition for which the physician has prescribed medication;
 - (B) the student has been instructed in how to self-administer the medication; and
 - (C) the nature of the disease or medical condition requires emergency administration of the medication.
- (b) The authorization and statement described in subsection (a) must be filed annually with the student's principal.

I.C. 20-33-8-13.5 Discipline rules prohibiting bullying required

- (a) Discipline rules adopted by the governing body of a school corporation under section 12 of this chapter must:

(1) prohibit bullying; and

(2) include:

(A) provisions concerning education, parental involvement, and intervention;

(B) a detailed procedure for the expedited investigation of incidents of bullying that includes:

(i) appropriate responses to bullying behaviors, wherever the behaviors occur;

(ii) provisions for anonymous and personal reporting of bullying to a teacher or other school staff;

(iii) timetables for reporting of bullying incidents to the parents of both the targeted student and the bully, in an expedited manner;

(iv) timetables for reporting of bullying incidents to school counselors, school administrators, the superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;

(v) discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; and

(vi) discipline provisions for false reporting of bullying; and

(C) a detailed procedure outlining the use of follow-up services that includes:

(i) support services for the victim; and

(ii) bullying education for the bully.

(b) The discipline rules described in subsection (a) must be applied regardless of the physical location in which the bullying behavior occurred, whenever:

(1) the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation and

(2) disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

(c) The discipline rules described in subsection (a) must prohibit bullying through the use of data or computer software that is accessed through a:

(1) computer;

(2) computer system;

(3) computer network, or

(4) cellular telephone or other wireless or cellular communications device.

(d) This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section.

Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.

(e) A record made of an investigation, a disciplinary action, or a follow-up action performed under rules adopted under this section is not a public record under IC 5-14-3.

(f) The department shall periodically review each policy adopted under this section to ensure the policy's compliance with this section.

IC. 20-33-8-14 Grounds for suspension or expulsion

(a) The following are the grounds for student suspension or expulsion, subject to the procedural requirements of this chapter and as stated by school corporation rules:

(1) Student misconduct.

(2) Substantial disobedience.

(b) The grounds for suspension or expulsion listed in subsection (a) apply when a student is:

(1) on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group;

(2) off school grounds at a school activity, function, or event; or

(3) traveling to or from school or a school activity, function, or event.

IC. 20-33-8-15 Unlawful activity by a student

In addition to the grounds specified in section 14 of this chapter, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if:

(1) the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function; or

(2) the student's removal is necessary to restore order or protect persons on school property; including an unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school

functions.

I.C. 20-33-8-16 Possession of firearms, deadly weapons, or destructive devices

- (a) As used in this section, “firearm” has the meaning set forth in I.C. 35-47-1-5.
- (b) As used in this section, “deadly weapon” has the meaning set forth in I.C. 35-31.5- 2-86. The term does not include a firearm or destructive device.
- (c) As used in this section, “destructive device” has the meaning set forth in I.C. 35- 47.5-2-4.
- (d) Notwithstanding section 20 of this chapter, a student who is:
 - (1) identified as bringing a firearm or destructive device to school or on school property; or
 - (2) in possession of a firearm or destructive device on school property; must be expelled for at least one (1) calendar year, with the return of the student to be at the beginning of the first school semester after the end of the one (1) year period.
- (e) The superintendent may, on a case by case basis, modify the period of expulsion under subsection (d) for a student who is expelled under this section.
- (f) Notwithstanding section 20 of this chapter, a student who is:
 - (1) identified as bringing a deadly weapon to school or on school property; or
 - (2) in possession of a deadly weapon on school property; may be expelled for not more than one (1) calendar year.
- (g) A superintendent or superintendent’s designee shall immediately notify the appropriate law enforcement agency having jurisdiction over the property where the school is located if a student engages in a behavior described in subsection (d). The superintendent may give similar notice if the student engages in a behavior described in subsection (f). Upon receiving notification under this subsection, the law enforcement agency shall begin an investigation and take appropriate action.
- (h) A student with a disability (as defined in I.C. 20-35-1-8) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. § 1415.

I.C. 20-33-8-17 Student’s legal settlement not in attendance area

A student may be expelled from school if the student’s legal settlement is not in the attendance area of the school corporation where the student is enrolled.

I.C. 20-33-8-18 Maximum term of suspension: procedure

- (a) A principal may suspend a student for not more than ten (10) school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.
- (b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:
 - (1) A written or an oral statement of the charges against the student.
 - (2) If the student denies the charges, a summary of the evidence against the student.
 - (3) An opportunity for the student to explain the student’s conduct.
- (c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student’s suspension.
- (d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:
 - (1) The student’s misconduct.
 - (2) The action taken by the principal.
- (e) If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student’s suspension. The principal or the principal’s designee shall ensure that the student receives notice of any assignments or school work due and teacher contact information in the event the student has questions regarding the assignments or school work. A student may be allowed to make up missed tests or quizzes when the student returns to school.

I.C. 20-33-8-19 Expulsion procedure: appeals

- (a) A superintendent of a school corporation may conduct an expulsion meeting or appoint one (1) of the following to conduct an expulsion meeting:
 - (1) Legal counsel.
 - (2) A member of the administrative staff if the member:
 - (A) has not expelled the student during the current school year; and

- (B) was not involved in the events giving rise to the expulsion.
 The superintendent or a person designated under this subsection may issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at an expulsion meeting.
- (b) An expulsion may take place only after the student and the student's parent are given notice of their right to appear at an expulsion meeting with the superintendent or a person designated under subsection (a). Notice of the right to appear at an expulsion meeting must:
- (1) be made by certified mail or by personal delivery;
 - (2) contain the reasons for the expulsion; and
 - (3) contain the procedure for requesting an expulsion meeting.
- (c) The individual conducting an expulsion meeting:
- (1) shall make a written summary of the evidence heard at the expulsion meeting;
 - (2) may take action that the individual finds appropriate; and
 - (3) shall provide the information described in subsection (g) to the student and the student's parent; and
 - (4) must give notice of the action taken under subdivision (2) to the student and the student's parent.
- (d) If the student or the student's parent not later than (10) days of receipt of a notice of the action taken under subsection (c) makes a written appeal to the governing body, the governing body:
- (1) shall hold a meeting to consider:
 - (A) the written summary of evidence prepared under subsection (c)(1); and
 - (B) the arguments of the principal and the student or the student's parent; unless the governing body has voted under subsection (f) not to hear appeals of actions taken under subsection (c); and
 - (2) may take action that the governing body finds appropriate.
- The decision of the governing body may be appealed only under section 21 of this chapter.
- (e) A student or a student's parent who fails to request and appear at an expulsion meeting after receipt of notice of the right to appear at an expulsion meeting forfeits all rights administratively to contest and appeal the expulsion. For purposes of this section, notice of the right to appear at an expulsion meeting or notice of the action taken at an expulsion meeting is effectively given at the time when the request or notice is delivered personally or sent by certified mail to a student and the student's parent.
- (f) The governing body may vote to not hear appeals of actions taken under subsection (C). If the governing body votes to not hear appeals, subsequent to the date on which the vote is taken a student or parent may appeal only under section 21 of this chapter.
- (g) Each school corporation shall annually prepare a list of
- (1) alternative education programs in the same county in which the school corporation is located or a county immediately adjacent to the county in which the school corporation is located; and
 - (2) virtual charter schools;
- in which a student may enroll if the student is expelled. The list must contain contact information for the entities described in subdivisions (1) and (2) and must provide the student and the student's parent notice that the student may be required to comply with I.C. 20-33-2 or any statute relating to compulsory school attendance in accordance with section 31 of this chapter. A copy of the list shall be provided to the student or the student's parent at the expulsion meeting. If the student or student's parent fails to attend an expulsion meeting, a copy of the list shall be mailed to the student's residence.

I.C. 20-33-8-20 Maximum term of expulsion; reenrollment in alternative program after expulsion or exclusion; reinstatement review

- (a) Except as provided in section 16 of this chapter, a student may not be expelled for a longer period than the remainder of the school year in which the expulsion took effect if the misconduct occurs during the first semester. If a student is expelled during the second semester, the expulsion remains in effect for summer school and may remain in effect for the first semester of the following school year, unless otherwise modified or terminated by order of the governing body. The appropriate authorities may require that a student who is

at least sixteen (16) years of age and who wishes to reenroll after an expulsion or an exclusion attend an alternative program. (b) An expulsion that takes effect more than three (3) weeks before the beginning of the second semester of a school year must be reviewed before the beginning of the second semester. The review

- (1) shall be conducted by the superintendent or individual designated under section 19(a) of this chapter after notice of the review has been given to the student and the student's parent;
 - (2) is limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original meeting; and
 - (3) may lead to a recommendation by the person conducting the review that the student be reinstated for the second semester.
- (c) An expulsion that will remain in effect during the first semester of the following school year must be reviewed before the beginning of the school year. The review
- (1) shall be conducted by the superintendent or individual designated under section 19(a) of this chapter after notice of the review has been given to the student and the student's parent;
 - (2) is limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original meeting; and
 - (3) may lead to a recommendation by the individual conducting the review that the student be reinstated for the upcoming school year.

I.C. 20-33-8-21 Scope of judicial review

Judicial review of a governing body's action under this chapter by the circuit or superior court of the county in which a student who is the subject of the governing body's action resides is limited to the issue of whether the governing body acted without following the procedure required under this chapter.

I.C. 20-33-8-22 Effectiveness of Statute During Judicial Review

An expulsion that has been upheld by a governing body continues in effect during judicial review under section 21 of this chapter unless:

- (1) the court grants a temporary restraining order under the Indiana Rules of Civil Procedure; and
- (2) the school corporation was given the opportunity to appear at the hearing regarding the temporary restraining order.

I.C. 20-33-8-23 Suspension pending expulsion decision

The superintendent or the person designated by the superintendent under section 19(a) of this chapter may continue suspension of a student for more than the ten (10) school day period of the principal's suspension and until the time of the expulsion decision under section 19 of this chapter if the superintendent or the designated person determines that the student's continued suspension will prevent or substantially reduce the risk of:

- (1) interference with an educational function or school purposes; or
 - (2) a physical injury to the student, other students, school employees, or visitors to the school.
- However, a student may not be suspended from school pending a meeting on a student's proposed expulsion if the expulsion is ordered under section 17 of this chapter.

I.C. 20-33-8-24 Requirements for reenrollment after expulsion

- (a) This section applies to a student who:
- (1) is at least sixteen (16) years of age; and
 - (2) wishes to reenroll after an expulsion.
- (b) A principal may require a student to attend one (1) or more of the following:
- (1) An alternative school or alternative educational program.
 - (2) Evening classes.
 - (3) Classes established for students who are at least sixteen (16) years of age.

I.C. 20-33-8-25 Additional disciplinary actions authorized

- (a) This section applies to an individual who:
- (1) is a member of the administrative staff, a teacher, or other school staff member; and
 - (2) has students under individual's charge.

- (b) An individual may take disciplinary action instead of or in addition to suspension and expulsion that is necessary to ensure a safe, orderly, and effective educational environment. Disciplinary action under this section may include the following:
- (1) Counseling with a student or group of students.
 - (2) Conferences with a parent or group of parents.
 - (3) Assigning additional work.
 - (4) Rearranging class schedules.
 - (5) Requiring a student to remain in school after regular school hours:
 - (A) to do additional school work; or
 - (B) for counseling.
 - (6) Restricting extracurricular activities.
 - (7) Removal of a student by a teacher from that teacher's class for a period not to exceed:
 - (A) five (5) class periods for middle, junior high, or high school students; or
 - (B) one (1) school day for elementary school students;
 if the student is assigned regular or additional school work to complete in another school setting.
 - (8) Assignment by the principal of:
 - (A) a special course of study;
 - (B) an alternative educational program; or
 - (C) an alternative school.
 - (9) Assignment by the principal of the school where the recipient of the disciplinary action is enrolled of not more than one hundred twenty (120) hours of service with a nonprofit organization operating in or near the community where the school is located or where the student resides. The following apply to service assigned under this subdivision:
 - (A) A principal may not assign a student under this subdivision unless the student's parent approves:
 - (i) the nonprofit organization where the student is assigned; and
 - (ii) the plan described in clause (B)(i).
 A student's parent may request or suggest that the principal assign the student under this subdivision.
 - (B) The principal shall make arrangements for the student's service with the nonprofit organization. Arrangements must include the following:
 - (i) A plan for the service that the student is expected to perform.
 - (ii) A description of the obligations of the nonprofit organization to the student, the student's parents, and the school corporation where the student is enrolled.
 - (iii) Monitoring of the student's performance of service by the principal or the principal's designee.
 - (iv) Periodic reports from the nonprofit organization to the principal and the student's parent or guardian of the student's performance of the service.
 - (C) The nonprofit organization must obtain liability insurance in the amount and of the type specified by the school corporation where the student is enrolled that is sufficient to cover liabilities that may be incurred by a student who performs service under this subdivision.
 - (D) Assignment of service under this subdivision suspends the implementation of a student's suspension or expulsion. A student's completion of service assigned under this subdivision to the satisfaction of the principal and the nonprofit organization terminates the student's suspension or expulsion.
 - (10) Removal of a student from school-sponsored transportation.
 - (11) Referral to the juvenile court having jurisdiction over the student.
- (c) As used in this subsection, "physical assault" means the knowing or intentional touching of another person in a rude, insolent, or angry manner. When a student physically assaults a person having authority over the student, the principal of the school where the student is enrolled shall refer the student to the juvenile court having jurisdiction over the student. However, a student with a disability (as defined in I.C. 20-35-1-8) who physically assaults a person having authority over the student is subject to procedural safeguards under 20 U.S.C. §1415.

I.C. 20-33-8-26 Rules requiring participation in disciplinary action by person caring for dependent student

- (a) The governing body of a school corporation may adopt rules that require a person having

care of a dependent student to participate in an action taken under this chapter in connection with a student's behavior. The rules must include the following:

- (1) Procedures for giving actual notice to the person having care of the dependent student.
 - (2) A description of the steps that the person must take to participate in the school corporation's action.
 - (3) A description of the additional actions in connection with the student's behavior that are justified in part or in full if the person does not participate in the school corporation's action.
- (b) A dependent student is a child in need of services under I.C. 31-34-1-7 if, before the student child becomes eighteen (18) years of age:
- (1) the student's parent fails to participate in a disciplinary proceeding in connection with the student's improper behavior, as provided for by this section, if the behavior of the student has been repeatedly disruptive in the school; and
 - (2) the student needs care, treatment, or rehabilitation that the child:
 - (A) is not receiving; and
 - (B) is unlikely to be provided or accepted without the coercive intervention of the court

Note: Non-Compliance of Parents. Non-compliance of parents, guardians or custodians with the provisions of Section 26, and under circumstances detailed in I.C. 31-34-1-7, shall be considered educational neglect. In such cases, the child shall be considered a "child in need of services" in accordance with the provisions of I.C. 31-34-1-7, and the matter shall be referred to the Child Protective Services Division of Public Welfare

I.C. 20-33-8-27 Supplemental procedures authorized

The governing body of a school corporation may by rule:

- (1) amplify;
- (2) supplement; or
- (3) extend;

the procedures provided in this chapter in any manner that is consistent with this chapter.

I.C. 20-33-8-28 Waiver of rights

Any rights granted to a student or a student's parent by this chapter may be waived only by a written instrument signed by both the student and the student's parent. The waiver is valid if made: (1) voluntarily; and

- (2) with the knowledge of the:
 - (A) procedures available under this chapter; and
 - (B) consequences of the waiver.

I.C. 20-33-8-29 Special schools

- (a) As used in this section, "special school" includes the following:
 - (1) A career and technical education school.
 - (2) A special education school or program.
 - (3) An alternative school or program.
- (b) To the extent possible, this chapter applies to a special school.
- (c) The governing body of a special school may make necessary modifications to the responsibilities of school personnel under this chapter to accommodate the administrative structure of a special school.
- (d) In addition to a disciplinary action imposed by a special school, the principal of the school where a student is enrolled may without additional procedures adopt a disciplinary action or decision of a special school as a disciplinary action of the school corporation.

I.C. 20-33-8-30 Enrollment in another school corporation or charter school during period of expulsion or proposed expulsion

- (a) This section applies to the following:
 - (1) A student who:
 - (A) is expelled from a school corporation or charter school under this chapter, or (B) withdraws from a school corporation or charter school to avoid expulsion.

- (2) A student who:
 - (A) is required to separate for disciplinary reasons from a nonpublic school or a school in a state other than Indiana by the administrative authority of the school; or
 - (B) withdraws from a nonpublic school or a school in a state other than Indiana in order to avoid being required to separate from the school for disciplinary reasons by the administrative authority of the school.
- (b) The student referred to in subsection (a) may enroll in another school corporation or charter school during the period of the actual or proposed expulsion or separation if:
 - (1) the student's parent informs the school corporation in which the student seeks to enroll and also:
 - (A) in the case of a student withdrawing from a charter school that is not a conversion charter school to avoid expulsion, the conversion charter school; or
 - (B) in the case of a student withdrawing from a conversion charter school to avoid expulsion,
 - (i) the conversion charter school; and
 - (ii) the school corporation that sponsored the conversion charter school; of the student's expulsion, separation or withdrawal to avoid expulsion or separation;
 - (2) the school corporation (and, in the case of a student withdrawal described in subdivision (1)(A) or (1)(B), the charter school) consents to the student's enrollment; and
 - (3) the student agrees to the terms and conditions of enrollment established by the school corporation (or, in the case of a student withdrawal described in subdivision (1)(A) or (1)(B), the charter school or conversion charter school).
- (c) If
 - (1) a student's parent fails to inform the school corporation of the expulsion or separation or withdrawal to avoid expulsion or separation; or
 - (2) a student fails to follow the terms and conditions of enrollment under subsection (b)(3); the school corporation or charter school may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion or separation.
- (d) This section does not apply to a student who is expelled under section 17 of this chapter.

I.C. 20-33-8-31 Effect of suspension or expulsion on compulsory attendance laws.

- (a) If a student is suspended or expelled from school or from any educational function under this chapter, the student's absence from school because of the suspension or expulsion is not a violation of:
 - (1) IC 20-33-2; or
 - (2) any other statute relating to compulsory school attendance.
- (b) If a student is expelled from school or from any educational function under this chapter, the student's absence from school because of the expulsion is a violation I.C. 20-33-2 or any other statute relating to compulsory school attendance if the student may enroll in:
 - (1) an alternative education program in the county or in a county immediately adjacent to the county containing the school corporation from which the student was expelled; or
 - (2) a virtual charter school if the student does not enroll in a program or school described in subdivision (1) or (2);
 during the student's expulsion. In the event an alternative education program or virtual charter school is not available for a student to attend under this subsection, the student's expulsion is not a violation of I.C. 20-33-2 or any other statute relating to compulsory school attendance.

I.C. 20-33-8-32 Locker Searches.

- (a) A school corporation must provide each
 - (1) student; and
 - (2) student's parent;
 a copy of the rules of the governing body on searches of students' lockers and locker contents.
- (b) A student who uses a locker that is the property of a school corporation is presumed to have no expectation of privacy in:

- (1) that locker; or
- (2) the locker's content;
- (c) In accordance with the rules of the governing body, a principal may search:
 - (1) a student's locker; and
 - (2) the locker's contents;
 at any time.
- (d) A law enforcement agency having jurisdiction over the geographic area having a school facility containing a student's locker may:
 - (1) at the request of the school principal; and
 - (2) in accordance with rules of the governing body of the school corporation; assist a school administrator in searching a student's locker and the locker's contents.

I.C. 20-33-8-33 Submission of information to bureau of motor vehicles. Before February 1 and before October 1 of each year, except when a hearing has been requested to determine financial hardship under IC 9-24-2-1(a)(4), a principal may submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under IC 9-24-2-1 to be issued a driver's license or learner's permit, or concerning the suspension of driving privileges under IC 9-24-2-4.

I.C. 20-33-8-34 Disciplinary action for students with disabilities.

- (a) Notwithstanding any other law, a suspension, an expulsion, or another disciplinary action against a student who is a student with a disability (as defined in IC 20-35-1-8) is subject to the:
 - (1) procedural requirements of 20 U.S.C. §1415; and
 - (2) rules adopted by the state board.
- (b) The division of special education shall propose rules to the state board for adoption under IC 4-22-2 governing suspension, expulsions, and other disciplinary action for a student who is a student with a disability (as defined in I.C. 20-35-1-8).

STUDENT PARKING PRIVILEGES

The school corporation reserves the right to revoke parking privileges from any student who violates a provision of the student code of conduct, any parking facility rule or procedure or who in any way threatens the smooth functioning and security of the school.

PARENTAL INVOLVEMENT IN DISCIPLINE

Appropriate discipline policies shall be developed by the administrative staff and shall be reviewed and approved by the Board of School Trustees. Grounds for the suspension and expulsion for all students shall be in accordance with I.C. 20-33-8-14

1. Participation by Parent

Persons having care of a dependent student (parents, guardians or custodians) may be requested to participate in meetings, conferences and hearings in connection with the behavior of a student who has been repeatedly disruptive in the school and needs care, treatment, or rehabilitation that the child is not receiving, and that is unlikely to be provided or accepted.

In the case of expulsion hearings, due to the behavior of a student who has been repeatedly disruptive in the school and needs care, treatment, or rehabilitation that the child is not receiving, and that is unlikely to be provided or accepted, the parent, guardian, or custodian may be required to attend such a hearing to determine the educational future of the child (i.e., whether the child is removed from or retained in school or placed in an alternative program). When such participation is required, the school corporation shall notify the parent, guardian or custodian in one (1) of the following manners:

- a. Telephone contact by a school official at least five (5) days in advance of the meeting, conference or hearing. Telephone contact will be followed up by a letter of confirmation

by regular or certified mail.

- b. Personal delivery of written notice of their required attendance at the meeting, conference or hearing by a school official at least three (3) days prior to the scheduled meeting, conference or hearing.

The Superintendent, principal or other administrative personnel shall be authorized with parental consent to require behavioral testing, counseling, or drug or alcohol abuse evaluation by a licensed agency approved by the school corporation if such testing, counseling, or evaluation is necessary to help any student, to further school purposes, or to prevent an interference with school purposes. The cost of these services shall be the responsibility of the parent, guardian or custodian, and the school corporation may require, with parental consent, release of the results, progress reports, and other information to appropriate school officials.

For the purposes of this policy "Participate" or "Participation" shall have their normal and customary meaning, which is "to have taken part in; to have a part or to share" in the disciplinary process as requested by school officials and to the extent mandated by law.

2. Non-Compliance of Parents

Non-compliance of parents, guardians or custodians with the provisions of this policy, and under circumstances detailed in I.C. 31-34-1-7, shall be considered educational neglect. In such cases, the child shall be considered a "child in need of services" in accordance with the provisions of I.C. 31-34-1-7, and the matter shall be referred to the Child Protective Services Division of Public Welfare.

REFERENCE: I.C. 20-33-8-26

Full details of the rules, regulations, and due process procedures of the South Bend Community School Corporation which have herein been condensed from the Indiana Student Discipline Statutes, I. C. 20-33-8, are available to any parent, guardian, or student in the office of each school in the corporation, or at the South Bend Community School Corporation Administration Building, 215 South Dr. Martin Luther King Jr., Blvd., South Bend, Indiana 46601. These rules are not modified to the extent any of them are inconsistent with the provisions of Indiana Law. These rules are not a complete or verbatim statement of Indiana law on this subject.

