Student Policies Handbook

Elwood Community School Corporation

Adopted- February 25, 1988 35th Revision- June 24, 2021

www.elwood.k12.in.us **www.HindsCareerCenter.org**



District Administration Office	**1306 North Anderson Street**	**765-552-9861**
Hinds Career Center	**1105 North 19th Street**	**765-552-9881**
Elwood Jr.-Sr. High School	**1137 North 19th Street**	**765-552-9854**
Elwood Intermediate School	**1207 North 19th Street**	**765-552-7378**
Elwood Elementary School	**940 North 19th Street**	**765-552-7381**

Table of Contents

District Mission and Philosophy 3
Board of School Trustees Policies 3
Annual Notifications
District Non-Discrimination and Equal Access Policy 4
Section 504/ADA Prohibition Against Discrimination Based on Disability 4
Duty to Report Child Abuse or Neglect 6
Immunization Requirements 6
Pest Control and Use of Pesticides 7
Student Fees and Charges 7
Parent Right to Inspect Certain Instructional Materials 8
Drugs and/or Alcohol Incidents Reporting Requirements for School Personnel 8
Submission to Surveys, Personal Analysis, or Evaluation of School Curriculum 8
Literature Distribution 9
Permission to Publish Student Information 9
Attendance
Philosophy 10
Compulsory Attendance 10
Absence Types 11
Pre-Arranged Absences 12
Tardies 12
Certificate of Incapacity to Attend School 13
How Sick is Too Sick? Guidance 13
Contagious Disease Regulations 13
Absence Reporting Procedure 15
Excessive Absenteeism 15
Habitual Truancy 15
Attendance Review 16
Assignments Missed Due to Absence or Suspension 17
Career Center Attendance 17
Incomplete Grades 17
Residency Requirements 18
Behavior
Actions 19
Seclusion and/or Restraint of Students 19
Misconduct and/or Substantial Disobedience 20
Dress 22
Book Bags and Book Carriers 23
Possession/Use of Medication 23
Removal from Course 24

Harassment and Bullying 24
Cell Phone and Other Wireless Communication Device Use 25
Suspension and Expulsion
Grounds 26
Procedures 26
Search and Seizure 28
School Resource Officer 29
Tobacco Use 30
Random Drug Testing Program
Program Operation 31
Selection of Students for Testing 32
Testing Procedures 32
Violations and Consequences 33

Food Service

Account Negative Balance 35

Homework

Philosophy 35
Definition 35
Objectives 35
Responsibilities 35

Technology

Scope and Overview 37
Expectations 37
Violations 38
Devices Use 38
Optional Insurance 39

Transportation

Bus Rules 40
Modes of Transportation 41

Appendix

Indiana Code Statutes Pertaining to Student Discipline 42
Indiana Code Statutes Pertaining to Compulsory Attendance 53

DISTRICT MISSION STATEMENT

Empowering the future, one child at a time

PHILOSOPHY

In order for any society to function, adherence to duly established rules and regulations must be insured. In addition, each member of the society must establish a standard of self-discipline that will allow the individual to be a productive member in the community. The free expression of individual rights must be balanced by respect of the rights of other individuals and the needs of the total society.

The Elwood Community School Corporation recognizes its societal role in helping to impart these concepts to the children we serve. Assuring that students follow well-established rules and regulations is one of the surest ways to help each student develop a standard of self-discipline acceptable in our society. An environment that provides equal opportunity for all and permits the teaching-learning process to proceed in an orderly manner is the objective of the Board of Trustees and its employees. School staff members will make every effort, individually, collectively, and cooperatively, with appropriate available community resources, to help each student gain acceptable self-discipline standards.

Therefore, the Board of School Trustees of the Elwood Community School Corporation adopts the following rules and regulations and standards of discipline. The purpose of these discipline controls is to help create an environment that promotes the best possible learning atmosphere for all those involved in the educational process. In all cases, discipline should be used in a positive manner to improve the offending behavior and should not be used to demean a student. The superintendent, principal, any administrative personnel, or any teacher of the school corporation are authorized to take proper actions, reasonably necessary to help any student, to further school purposes, or to prevent an interference with the educational process.

BOARD OF SCHOOL TRUSTEES POLICIES

All Board of School Trustees bylaws and policies are available at:

https://go.boarddocs.com/in/elwoodcs/Board.nsf/Public?open&id=policies

ANNUAL NOTIFICATIONS

NON-DISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

It is the policy of the Elwood Community School Corporation not to discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") or any other legally protected category, in its educational opportunities, programs, and activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this Corporation. Educational programs shall be designed to meet the varying needs of all students.

The following person is designated as the Corporation's Non-Discrimination Compliance Officer and, as such, shall handle inquiries regarding the nondiscrimination policies of the Corporation and address any complaint of discrimination:

Name/Title	James Pearson, Director of Secondary Operations, Safety, CTE, & Adult Ed.
School	Elwood Community School Corporation
Address	1306 N. Anderson St.
City/State/Zip	Elwood, IN 46036
Telephone Number	765-552-9881 Ext. 1550
Fax Number	765-552-2021
E-Mail Address	japearson@elwood.k12.in.us

ECSC Board Policy 2260

SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA"), and the implementing regulations (collectively "Section 504/ADA"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The School Board does not discriminate in admission or access to, or participation in, or treatment, or employment in, its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the Corporation.

"An individual with a disability" means a person who has, has a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

1. who is of an age during which nondisabled persons are provided educational services;
2. who is of any age during which it is mandatory under Indiana law to provide educational services to disabled persons; or
3. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to career-technical education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the career-technical program or activity.

The following person is designated as the Corporation Section 504 Compliance Officer/ADA Coordinator ("Corporation Compliance Officer"):

Name/Title	James Pearson, Director of Secondary Operations, Safety, CTE, & Adult Ed.
School	Elwood Community School Corporation
Address	1306 N. Anderson St.
City/State/Zip	Elwood, IN 46036
Telephone Number	765-552-9881 Ext. 1550
Fax Number	765-552-2021
E-Mail Address	japearson@elwood.k12.in.us

The Corporation Compliance Officer is responsible for coordinating the Corporation's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA including oversight of the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. A copy of Section 504 and the ADA, including their implementing regulations, and complaint and due process procedures may be obtained from the Corporation Compliance Officer.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. The Board will further establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing.

DUTY TO REPORT CHILD ABUSE OR NEGLECT

Any individual who has reason to believe that a child is a victim of child abuse or neglect shall immediately make a report to:

1. the Indiana Child Abuse and Neglect Hotline (1-800-800-5556), or
2. the local law enforcement agency (1-765-642-0221).

Failing to report suspected child abuse or neglect is a crime in Indiana. Failure to make a report is a Class B Misdemeanor, which is punishable by up to 180 days in jail and a $1,000 fine.
After making the report, the individual shall notify the individual in charge of the school that the report was made.

Legal Reference: Indiana Code 31-33-5-1,2,5 and 31-33-22-1(a)

MINIMUM IMMUNIZATION REQUIREMENTS FOR SCHOOL ENTRY

The governing body of the school corporation shall require the parents of a child who has enrolled in a school corporation to furnish no later than the first day of school a written statement of the child's immunization, accompanied by the physician's certificates or other documentation, unless a written statement of this nature is on file with the school. Legal Reference: IC 20-34-4-5

Indiana State Department of Health

Grade	Minimum Immunization Requirements
Pre-Kindergarten	• 4 doses of diphtheria-tetanus-acellular pertussis (DTaP), diphtheria-tetanus-pertussis (DTP), pediatric diphtheria-tetanus vaccine (DT), or any combination of the three are required. • 3 doses of either oral polio (OPV) or inactivated polio (IPV) vaccine in any combination. • 3 doses of Hepatitis B vaccine (3rd dose must be on or after 24 weeks of age). • 1 dose of measles (rubeola) vaccine on or after the first birthday. • 1 dose of mumps vaccine on or after the first birthday. • 1 dose of rubella (German measles) vaccine on or after the first birthday. • 1 dose of varicella (chickenpox) vaccine on or after the first birthday and separated by 3 months *or* physician written documentation of history of chickenpox disease, including month and year of disease.
Kindergarten	• 5 doses of diphtheria-tetanus-acellular pertussis (DTaP), diphtheria-tetanus-pertussis (DTP), or pediatric diphtheria-tetanus vaccine (DT) (4 doses are acceptable if the 4th dose was administered on or after the 4th birthday and at least 6 months after the 3rd dose). • 4 doses of any combination of IPV or OPV. The 4th dose must be administered on or after the 4th birthday, and at least 6 months after the previous dose. (3 doses of all OPV or all IPV are acceptable if the 3rd dose was administered on or after the 4th birthday, and at least 6 months after the 2nd dose). • 3 doses of Hepatitis B vaccine (3rd dose must be given on or after 24 weeks of age and no earlier than 16 weeks after the 1st dose). • 2 doses of measles (rubeola) vaccine on or after the first birthday. • 2 doses of mumps vaccine on or after the first birthday. • 2 doses of rubella (German measles) vaccine on or after the first birthday. • 2 doses of varicella (chickenpox) vaccine on or after the first birthday and separated by 3 months. (1 if given as single MMR antigen) • 2 doses of Hepatitis A

Grade 1-5	• All previously stated immunizations plus: • 2 doses of varicella (chickenpox) vaccine on or after the first birthday *or* physician written documentation of history of chickenpox disease, including month and year of disease.
Grades 6-11	• All previously stated immunizations plus: • 1 dose of tetanus-diphtheria-acellular pertussis vaccine (Tdap) given on or after 10 years of age. • 1 dose of meningococcal conjugate vaccine (MCV4).
Grade 12	• All previously stated immunizations plus: • 2 doses of meningococcal conjugate vaccine (MCV4). Individuals who receive dose 1 on or after their 16th birthday need only 1 dose of MCV4.

PEST CONTROL AND USE OF PESTICIDES

The 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.

This policy does not apply to the use of the following pesticides:

1. When used in normal cleaning activities, germ killers, disinfectants, sanitizing agents, water purifiers, and swimming pool chemicals.
2. Personal insect repellants when self-applied
3. Gel baits or manufactured enclosed insecticides when used where students and staff do not have access to the insecticides,

ECSC Board Policy 8432

STUDENT FEES AND CHARGES

The School Board may charge applicable fees to students' parent/legal guardian to facilitate the utilization of adequate, appropriate learning materials and/or activities of the student. Such charges may include rental of textbooks and computer devices, and expendable items such as, but not limited to magazines, workbook materials, laboratory supplies, materials for independent study or special projects or courses, and school corporation-sponsored trips. No student, however, shall be deprived of participation in an activity such as a field trip, because of lack of financial ability to pay a charge.

When Corporation property, equipment, or supplies is damaged, lost, or taken by a student, a replacement fee will be charged to the student's parent/legal guardian. The charge shall not exceed the combined cost of the item(s)/materials and freight/shipping charges.

Late return of borrowed books or materials from the school libraries may be subject to appropriate fees. If any of the above charges are not paid within a reasonable time after written notification of the charges is made to the student's parent/legal guardian, the Board authorizes the Corporation Treasurer to send the past due account to a collection agency for recovery. Any fees incurred in the recovery of past due charges will be the responsibility of the student's parent/legal guardian.

If a student transfers or withdraws from school or is cut from a school activity for which the student or his/her parents have paid fees amounting to at least $5.00, the Corporation shall refund such fees on a pro-rated basis if requested by the student's parent/guardian by the end of the school year in which the fees were paid, or within thirty (30) days, whichever is longer. The right to a refund fee shall be forfeited if not

requested by the end of the school year in which the fee was paid or within thirty (30) days, whichever is longer. Items purchased for the student (shoes, socks, practice gear, etc.) are not refundable.

The Corporation may write-off outstanding unpaid student fees of $5.00 or less. Fees in excess of $5.00 may be written off only if the principal, or his/her designee, determines the student's parents, or the student, if age eighteen (18) or older or an emancipated minor, is unable to pay. Unpaid student fees in excess of $5.00 may, at the discretion of the School Treasurer or his/her designee, be written off or submitted to a collection agency for recovery. Indiana State Board of Accounts, *Public Schools Audit Manual*

PARENT RIGHT TO INSPECT CERTAIN INSTRUCTIONAL MATERIALS

The parent or guardian of a child enrolled in a school within the Elwood Community School Corporation shall be entitled to inspect any required instructional materials which will be used in connection with a survey, a personal analysis, or an evaluation which is not a direct part of the academic instruction and fall under Indiana Code 20-20-5-10. Instructional materials include teachers' manuals, student texts, films, other video materials, or tapes.

Any complaints arising under this policy may be submitted in accordance with the policy for parental or public complaints.

DRUGS and/or ALCOHOL INCIDENTS REPORTING REQUIREMENTS by SCHOOL PERSONNEL

Indiana Code 20-33-9-5 requires all school employees to report in writing to a member of the administrative staff crimes involving drugs and/or alcohol that occur on school property or within one thousand (1000) feet of school property and are personally observed by the school employee. All school employees also have the legal responsibility to report crimes concerning minors and alcoholic beverages.

Indiana Code 20-33-9-6 requires that a member of the administrative staff who, based on personal knowledge or on the report of another employee of the school corporation, believes that a person has committed a violation involving minors and the possession of alcoholic beverages (IC 7.1-5-7) or has committed a delinquent act that would be a violation of IC 7.1-5-7 if the violator was an adult in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the member, shall immediately report, in writing, to a law enforcement officer. The report should include:

1. a general description of the violation;
2. the name or a general description of each violator known to the member;
3. the date and place of the violation;
4. the name or a general description of each person who the member knows witnessed any part of the violation, and
5. a general description and the location of any property that the member knows was involved in the violation.

STUDENT SUBMISSION to SURVEYS, PERSONAL ANALYSIS, or EVALUATIONS of SCHOOL CURRICULUM

No student shall be required without prior written consent of the student's parent or guardian, or prior consent of a student if the student is an adult or is emancipated, to submit to a survey, a personal analysis, or an evaluation not directly related to the academic instruction which reveals information concerning:

1. political affiliations;
2. religious beliefs or practices;
3. mental or psychological conditions that may embarrass the student or his/her family;
4. sexual behavior and attitudes;
5. illegal, anti-social, self-incriminating or demeaning behavior;

6. critical appraisals of other individuals with whom the student has a close family relationship;
7. legally recognized privileged or confidential relationships, including a relationship with a lawyer, physician, or minister; or
8. income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).

Any consent form used in compliance with this policy must state the contents and nature of the personal analysis, survey, or evaluation.

LITERATURE DISTRIBUTION

In order to ensure that the welfare and rights of the community are adequately protected, the following will apply in the case of any distribution of literature, paper or electronic, on school premises or at times students are under the jurisdiction of the school:

1. Any literature which a student wishes to distribute or possesses to distribute will first be submitted to the principal, or his/her designee, for approval. The principal may have up to three days to review the material before approving or disapproving. If disapproved, the principal shall state the reasons in writing.
2. The principal may deny approval to the distribution of any literature the content or distribution of which he/she reasonably determines:
    a. Would cause a substantial disruption of or a material interference with the normal operation of the school or school activities.
    b. Is potentially offensive to a substantial portion of the school community due to the depiction or description of sexual conduct, violence, morbidity or the use of language which is profane or obscene which is inappropriate for the school environment as judged by the standards of the school community.
    c. Is libelous or which violates the rights of privacy of any person.
    d. Is false or misleading or misrepresents facts.
    e. Is demeaning to any race, religion, sex or ethnic group.
    f. Encourages violation of local, state or federal laws…
3. In the event the submitted publication is denied the privilege of distribution, the applicant may:
    a. Appeal the decision of the principal within five (5) school days to the superintendent, who shall reply within five (5) school days.
    b. Further appeal may be made to the Board of Education within five (5) school days. The Board shall provide a hearing within ten (10) days with the decision made at its next regular meeting.
4. Distribution is defined as giving out or division among a number of persons, sharing or parceling out, allotting, dispensing, posting, apportioning, either by physically doing so or placing the material to be distributed in any public area so that another person may obtain the same either for free or without charge.
5. If the principal gives his/her approval, he/she may designate a time and/or place at which the distribution may take place. The distribution shall be orderly and the designated area for distribution shall be kept free of loosely scattered material.

PERMISSION TO PUBLISH

Parents may deny permission for Elwood Community School Corporation (ECSC) to publish their child's name, photograph and /or created projects for publication on ECSC web pages or school promotions by signing a consent form. This remains in effect while the child is enrolled at ECSC. At any time, the parent may change this status by signing another Acceptable Use Policy.

STUDENT ATTENDANCE

PHILOSOPHY

The Elwood Community School Corporation Board of School Trustees recognizes that education is one of the most valuable undertakings of our country. Formal schooling is absolutely essential for the conservation of the American Society. The state of Indiana also places education at the top of its priorities. Accordingly, it is necessary for this school corporation to use every reasonable measure to instill dutiful attendance habits in every student. The school cannot instruct students who are not present. A day lost in the classroom can never be completely made up. The interaction between the teacher and students in the classroom setting can never be effectively duplicated. A very high positive correlation exists between formal learning and school attendance. Attendance habits developed in school carry over to the post school career of the student. This attendance policy's purpose is to encourage academic effort by discouraging unacceptable absenteeism that is a lack of effort on the student's part. Therefore, the following attendance policy is enforced in the Elwood Community School Corporation.

COMPULSORY ATTENDANCE

Each child shall attend either a public school which the individual is entitled to attend under IC 20-8.1-6.1 or some other school which is taught in the English language. It is unlawful for a parent to fail to insure, neglect or refuse to send his/her child to school for the full term. Refusal by a parent/guardian to send any student to school constitutes a violation of the Indiana Compulsory Attendance Law unless the child is being provided with instruction equivalent to that given in the public schools. This section does not apply during any period when the child is excused from attendance.

The parent is bound by these requirements from the earlier of the date on which the child officially enrolls in a school 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 eighteen (18) years of age; or
3) reaches at least sixteen (16) years of age but who is less than eighteen (18) years of age and the requirements concerning an exit interview are met enabling the individual to withdraw from school before graduation; whichever occurs first.

An individual must be at least five (5) years of age on August 1 to officially enroll in the kindergarten program offered by the school corporation. However, a parent of a child who does not meet the minimum age requirement has the right to appeal to the Superintendent for enrollment of the child in kindergarten at an earlier age.

In addition, if an individual enrolls in school and has not attended kindergarten, the Superintendent of the school corporation shall make a determination as to whether the individual shall enroll in kindergarten or grade 1.

A student who is at least sixteen (16) years of age but is not yet eighteen (18) years of age, may withdraw from school prior to graduation if **all** of the following conditions have been met:

1. an exit interview is conducted,
2. the individual's parent consents to the withdrawal,
3. the school principal approves of the withdrawal, and
4. the withdrawal is due to:
    a. financial hardship and the individual must be employed to support the individual's family or a dependent;
    b. illness; or
    c. an order by a court that has jurisdiction over the child.

(Legal Reference: Indiana Code 20-33-2-1 thru 9)

REGULAR CLASS ATTENDANCE

Pursuant to IN Code 20-32-2-3.2, "attend" means to be physically present (1) in school; or (2) at another location where the school's educational program in which a person is enrolled is being conducted; during regular school hours in a day in which the educational program in which the person is enrolled is being offered.

EXCUSED ABSENCE

Excused absences are defined as absences that the school corporation regards as legitimate reasons for not attending school. These include:

1. Illness verified by note from parent/guardian (up to five days per semester)
2. Illness during which time the student is under the care of a physician. (Documentation from a health care professional is required. The Principal/designee may ask for a Certificate of Incapacity form to be completed and signed by a physician. (IC 20-33-2-18)
3. Absences due to medical or dental appointments. (documentation required)
4. A dangerous communicable disease or infestation with parasites transmittable through normal school contacts
5. Absence due to bereavement of immediate family member (confirmation from parents needed.)
6. Absence due to religious instruction. (IC 20-33-2-19)
7. Absence related to military family events (e.g. deployment and return)
8. Other reasons granted by the Principal or designee.

The governing body of the school corporation may authorize the absence and excuse of a student who attends any educationally related non-classroom activity if the activity:

1. is consistent with and promotes the educational philosophy and goals of the school corporation; facilitates the attainment of specific educational objectives;
2. is part of the goals and objectives of an approved course or curriculum;
3. represents a unique educational opportunity;
4. cannot reasonably occur without interrupting the school day; and
5. is approved in writing by the school principal.

(Legal Reference: IC 20-33-2-17.5)

EXEMPT ABSENCE

Under Indiana Code, a student is excused from attending school for:

1. serving as a page or honoree of the General Assembly; (IC 20-33-2-14)
2. serving as a poll worker on election day. (IC 20-33-2-15)
3. absences due to legal appointments and court hearings. (IC 20-33-2-16)
4. ordered active duty with IN National Guard – 10 days max. /academic year (IC 20-33-2-17)
5. participation in the IN wing of civil air patrol (IC 20-33-2-17.2)
6. Participation or exhibits (self or household member) in the state fair. – (5 days max.) (IC 20-33-2-17.7)

In each of these circumstances, the student is excused from school, is not to be recorded as absent, and is not to be penalized in any way by the school. Certain school trips fall under this exception, as well as individual- student absences. Students have been excused from attendance to participate in various academic bowls, band trips, for attendance at local, state, or federal government proceedings, or to hear various public speakers or performers.

UNEXCUSED ABSENCE

An unexcused absence is any absence not covered under the definition of excused or exempt.

TRUANCY

Truancy demonstrates a deliberate disregard for the state's compulsory attendance law and is considered a serious matter. Penalties for truancies are listed in the school handbooks distributed at the beginning of the school year. Parents will be notified of all truancies. Students who are truant will be referred to the Juvenile Probation Department of Madison County. The Elwood Community School Corporation uses the following definition for truancy.

A student is truant when he/she:

1. is absent from school without the permission of the parent/guardian, or
2. leaves the school grounds during the school day without permission from school officials, or
3. willfully refuses to attend school in defiance of parental authority.

Legal Reference: IC 20-33-2-4

PRE-ARRANGED ABSENCES

With the emphasis on increased academic achievement and improvement of attendance under Public Law 221 and the No Child Left Behind Act, Elwood Community Schools expects daily attendance for all students. Therefore, it is important to emphasize that absences from school beyond normal school vacations have a negative effect on school performance. Not all work can be made up, especially lab and activity classes (industrial ed., career-technical, family & consumer science, science, physical education, art, music, etc.)

The parent may choose to remove the child for a vacation or to extend a school vacation; however, absences for these reasons will not be excused. Occasionally, a student must be absent from school due to unique circumstances, which does not include taking or extending a vacation. When the absence is known in advance, the parent/guardian is to obtain from the school office, complete, and submit to the principal a ***Request for Pre-Arranged Absence*** form. This request must be submitted early enough in advance of the first date of planned absence to allow for principal review and teacher notification for classroom assignment determination.

Approval of a pre-arranged absence will be granted at the discretion of the building principal considering factors including the student's attendance record, dates of requested absence, length of and reason for the absence, and persons accompanying the student. The principal shall determine the absence as excused, unexcused, or exempt. Days missed, while pre-arranged, are considered absences from school and will accumulate toward attendance policy limits (unless unique circumstances are determined by the principal). Students are accountable for all classroom assignments. Assignments are due upon return from the absence or at the discretion of the teacher.

TARDIES

In addition to regular attendance, the Elwood Community School Corporation recognizes a need to instill a habit of promptness within students. Tardiness not only hinders the learning of the tardy student, but late arrival often interrupts for a time the educational atmosphere of the entire classroom. In grades K-12 the school principal in accordance with the building disciplinary policies will deal with K-12 student tardies. Car trouble or oversleeping are not acceptable excuses for being tardy. All students arriving late for school will report to the office to receive a pass to enter class. A parent conference will be held for students with an excessive number of tardies to school. School officials will notify parents of the scheduled conference in writing.

CERTIFICATE OF CHILD'S INCAPACITY TO ATTEND SCHOOL

If a parent does not send the child to school because of the child's illness or mental or physical incapacity, it is unlawful for the parent to fail or refuse to produce a certificate of the incapacity for the attendance officer within six (6) days after it is demanded. Certificates, to be signed by an Indiana physician, may be required by the officer or building principal. (IC 20-33-2-18)

How Sick is Too Sick?

The following information has been provided by the IN Department of Education. It is designed to be used as general guidance. Medical questions should be directed to your physician.

Symptom	Send to School	Keep at Home
Fever	During the past 24 hours, the student's temperature has been below 100 degrees and no fever reducing medication has been taken.	During the past 24 hours, the student's temperature has been 100 degrees or above.
Diarrhea	During the past 24 hours, no more than one watery stool has occurred.	During the past 24 hours, more than one watery stool has occurred.
Vomiting	During the past 24 hours, no vomiting has occurred.	During the past 24 hours, vomiting has occurred.
Eyes	Eyes may be itchy, but are not red, crusty, or draining.	Eyes are pink, draining, crusty, itchy, painful, sensitive to light, or student has vision changes.
Cough/Runny Nose	Slight cough or runny nose, but no fever and is able to cover cough, blow nose, and wash hands	Symptoms are severe enough that the student is unable to learn. The student has a fever, or is unable to learn. The student has a fever, or is unable to cover cough, blow nose, or wash hands.
Rash	Rash is not draining or spreading. The student does not have a fever, and symptoms of itching are not severe enough to impede learning.	Rash is bothersome and distracting. The student has a fever or severe itching, or rash is spreading or draining.
Asthma	Symptoms are well controlled and the student knows when to contact a school adult for assistance or the student has an asthma action plan is on file at the school and is following it.	Symptoms are not well controlled. The student is not able to recognize when he/she needs assistance, and no asthma action plan is on file at the school.

Contagious Disease Regulations

All cases of contagious disease shall be reported to the school administration immediately. The following are guidelines only and are to be used as general guidance. Medical questions should be directed to your physician.

	Common Symptoms	Typical Incubation Period	School Procedure
Athletes Foot	Blisters, scabs, raw, inflamed, itching especially between toes		Child must remain in shoes at all times, no school showers.
Chicken Pox	Slight fever, fatigue, round red spots becoming clear blisters with eventual scabbing	10-20 days	Child is excluded for seven (7) days after breaking out or until vesicles become dry (crusted).

COVID-19	Fever of 100.4 or higher, cough, shortness of breath/difficulty breathing, chills, muscle pain, headache, sore throat, new loss of taste or smell ***** Information is rapidly evolving and subject to change.***	2-14 days Average onset- 5-6 days	Child may return to school after 72 hours fever free without fever reducing medication, other symptoms improved, and at least 10 days since first symptoms appeared. ***** Information is rapidly evolving and subject to change.***
Fifth Disease	Low grade fever, facial rash (slapped cheek appearance), lace-like rash on body.	4-20 days	Child may remain in school unless temperature is 100 degrees or higher or has vomited.
Head Lice	Itching of scalp. Nits on hair shaft		See Head Lice (Pediculosis) information below
Impetigo	Blisters, crusts, scabs on exposed parts of body		Child may return to school after treatment by physician. Areas must be covered and not draining.
Meningitis	Sudden onset of fever, headache, vomiting, chills, delirium, stiff neck, muscle spasms	2-10 days	Child is excluded until permission to return from physician.
Mononucleosis (Epstein-Barr virus)	Fever, swollen glands, sore throat, abnormal blood tests	30-50 days	Child may attend school unless prevented by severity of symptoms.
Pink Eye	Red swollen lids, creamy discharge, itching, pain. Discharge usually causes matting upon awakening		Child may return to school after treatment by a physician and eye(s) clear.
Ringworm (scalp)	Round, scaly patches brittle or falling hair, itching, occasional pus formation	10-14 days	Child is excluded until permission to return from physician.
Ringwork (skin)	Flat spreading ring-shaped lesions	4-16 days	Child may remain in school if under treatment.
Scabies	Itching , especially between fingers and toes	2-6 weeks	Child may return to school after treatment by a physician.
Scarlet Fever/ Scarlatina/ Strep Throat	Sudden fever, sore throat, vomiting, rash (fine red goose flesh on a red background) appearing in areas of warmth	1-3 days	Child may return to school after 48 hours of antibiotics and normal temperature.

HEAD LICE (Pediculosis)

1. Checks for head lice will be performed on all students in grades K-5 as soon as possible after the first day of school. Checks will also be made immediately after Christmas and spring vacations. Routine checks of individual classrooms and students will be done on an as-needed basis. Factors that would indicate frequency and breadth of additional inspections would include (1) one or more cases in a classroom; (2) family problems; (3) frequent infestation; (4) reliable information from sources outside the school; (5) other warning signals.

2. Any student determined to be infested with lice will be sent home or isolated from the classroom until properly treated.
3. Children excluded from school will be given a letter of instruction, and the school nurse will be available to answer further questions.
4. Upon returning to school, the school nurse or a school designee will examine students, or a designee, to determine if the student may return to class. A Proof of Treatment shall be signed by the parent/guardian and returned to the school before the student is admitted to class.
5. Following treatment, weekly inspection will be made for three to four weeks to insure that the child has not become re-infested. Students free of infestation will be subject to periodic inspection at the discretion of the school nurse.
6. The school nurse will be available for home visits and/or inspections if the problem persists, and the family is in need of further education.
7. Parents will be encouraged to remove all nits from their child's hair, but it is recognized that the process of removing nits is very time consuming and difficult in some cases. Removal of nits is not the responsibility of school personnel. The School Nurse will maintain the right of professional judgment in individual cases.
8. In families where the problem is persistent, the case shall be referred to the superintendent and the appropriate government agencies, such as Department of Public Welfare and county and state boards of health.
9. Frequency, timing, and methods of scheduling inspections should be done in such a manner to minimize the interruption of the instructional program for all students.
10. The school nurse shall provide materials to elementary classes and to secondary health classes, which will permit instruction about the head lice problem, which may lead to greater knowledge and prevention.
11. Although the expenditure of school funds for personal treatment is inappropriate, the school nurse and building principal will act as resource persons to help students and their families obtain materials for treatment and guidance toward a solution to their problem
12. Should the number of cases of infestation indicate a significant increase in the problem, the school health personnel and the building staff shall alert parents of a potential problem. Sending a health notice home with each student may do this. Other appropriate communications, such as school newsletters may be utilized for this notification.

ABSENCE REPORTING PROCEDURE

Whenever possible, notification of the absence to the affected school should precede the absence. In the case of illness, a call should be made DURING THE MORNING OF THE DAY OF THE ABSENCE. If no call is received by 8:30 a.m. an attempt will be made by the school office and/or the attendance officer to call or contact the parents. Students should not telephone or write a note to the school for their own absence. Failure to notify the school shall result in the absence counted as an unexcused absence.

EXCESSIVE ABSENTEEISM

Excessive absenteeism is considered to be any over eight (8) days of **excused** absences or three (3) days of unexcused absences per semester, after which time the principal may request the expulsion of the student from school attendance. Suspensions and exempt absences will neither count toward the eight (8) excused day nor three (3) unexcused day maximums.

HABITUAL TRUANCY

Habitual truancy designation will be applied to any student who is at least 13 years of age but less than 15 years of age who is chronically absent, by having unexcused absences from school for more than ten (10)

days of school in one (1) school year. Chronic absenteeism includes absence from school for ten (10 percent) or more of a school year for any reason.

Under Indiana Code 20-33-2-25, 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.

All students who are at least thirteen (13) years of age but less than the age of fifteen (15) years, and who are determined to be a habitual truant per the definition above, are subject to Indiana Code 9-24-2-4, which provides that any person who is determined to be a habitual truant as defined by school board policy cannot be issued an operator's license or learner's permit until the age of 18 years, or until the student's attendance record has improved as determined by the school board upon review of the student's record.

The Indiana Bureau of Motor Vehicles will be notified that the student has been designated a habitual truant. To avoid any misinterpretation of this policy, parents should report any absences before the start of the school day.

Legal Reference: IC 20-33-2-11

ATTENDANCE REVIEW

In general, a student who is absent from school more than eight (8) days in any semester will face formal action from the school. Any two (2) half (1/2) days of absence will equal one full day of absence. This action may include a required doctor's excuse for all future absences, referral to proper legal authorities for action on educational neglect and/or due process procedures for expulsion may be started. The student's attendance record will be reviewed after 8 days of absence. Teachers, counselors and other personnel may be involved in the review. After reviewing the attendance record of the student, the principal may grant an extension of the 8 (eight) allowable days of absence because of unusual or extenuating circumstances causing the absences.

The following system of notification will be in effect as days of absence increase:

*Fifth absence- grades K-8, (high school – third absence): A letter will be sent from the school to the parents regarding the attendance policy and the number of days already missed.

*Eighth absence – grades K-8, (high school – fifth absence): Depending upon the nature of the absences of the identified student, one of the following letters will be mailed to the parents:

1. A letter that will formally notify the student and parent that a conference will take place with the principal (in person or by telephone) OR
2. A letter that will notify the student and parents of the total number of days absent. If the school chooses this option, it reserves the right to request a conference at a later date should the student's attendance not improve.

High School Only - Once a student reaches eight absences or more verified or otherwise, a parent conference (in person or telephone) must be held to discuss student attendance issues.

NOTE: Any truancy may be handled immediately with the most appropriate action that might include notification of welfare and/or probation department officers.

OUTSIDE AGENCY INVOLVEMENT

ECSC officials will work closely with local, state and county officials (Police Departments, Child Protective Services, Bureau of Motor Vehicles, Juvenile Probation Department, Madison County Courts, Indiana Department of Education) notifying them of attendance policy violators. These agencies could issue additional consequences. The Dept. of Child Services is required to notify the designated person at the child's school if the child is removed from the home. Legal Reference: SEA 135-(2018)

Under SEA 1(2011), 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. The intake officer or the department of child services shall proceed in accordance with IC 31-30 through IC 30-40.

ASSIGNMENTS MISSED DUE TO ABSENCE or SUSPENSION

Excused Absences: While it is impossible to make up everything missed because of an absence, certain work or alternate assignments will be available to the student. In an effort to limit the loss caused by the absence, all this work must be made up by the student. Arrangements to make up assignments are the student's and/or parent's responsibility in consultation with the teacher. The same number of days will be allowed to make up work as were missed by the student. Work made up because of an absence will be credited to the student.

Unexcused Absences/Truancies: Missed assignments must be completed. Classroom participation points will be forfeited. If a final exam is missed due to unexcused absence/truancy, the exam or an alternate version will be available for make up on teacher work day. If the student chooses to not make up the exam on this day, the student will receive a score of zero for the final exam and shall be included in the calculation of the final grade.

Out-Of-School Suspension: The school's principal or designee will ensure that while a student is suspended from school, the student will receive:

1) notice of any assignments or school work due,
2) teacher contact information in the event the student has questions regarding the assignments or school work, and
3) credit for assignments in the same manner that a student who is not suspended would receive for any assignments or school work assigned during the period of the student's suspension that the student completes.

Suspension does not qualify for additional time to complete assignments beyond the designated due date. If a final exam is missed due to suspension, the exam or an alternate version will be available for make up on teacher work day. If the student chooses to not make up the exam on this day, the student will receive a score of zero for the final exam and which will be included in the calculation of the final grade.

In-School Restriction (ISR): If a disciplinary action is served in the in-school restriction program, the student is expected to complete, for credit, all school assignments for the period of time that student is detained in the in-school restriction program. Assignments completed while a student participates in the in-school restriction program are due on the designated due date. This restriction from class does not qualify for additional time to complete assignments beyond the designated date. Students detained in the in-school restriction program are expected to complete any final exam normally scheduled during the in-school restriction time period.

CAREER CENTER ATTENDANCE

Hinds Career Center's attendance policy differs due to necessity to address seven school districts. Please refer to the career center student handbook for policy specifics.

INCOMPLETE GRADES

If a report card grade is listed as incomplete (I), the missing assignments must be completed within ten (10) school days of the end of the grade period or the missing assignments will revert to zero and shall be reflected in the grade period grade.

STUDENT RESIDENCY REQUIREMENTS

Students who are new to the Elwood Community School Corporation or who enroll during the school year shall be required to submit proof of residency.

NON-RESIDENT STUDENT ADMISSION

The Board of School Trustees recognizes that a child does not need to be a legal resident of the Elwood Community School Corporation in order to attend its schools. It is the intent of the Board that all applicable policies and laws in regard to student transfers shall be strictly enforced.

Requests by parents, guardians, or custodians of Indiana students who do not reside in the Elwood Community School Corporation but wish to enroll their child in the school system will be considered for enrollment under the following conditions:

- The request for non-resident enrollment is made in accordance with the procedures established by the Superintendent and is submitted to the Superintendent's office prior to May 1;
- Non-resident enrollment is for educational reasons;
- Non-resident student is in good standing in his/her resident school corporation;
- Parents, guardians, or custodians agree to provide transportation to and from the school.
- When applicable, the parents, guardians or custodians agree to pay the transfer tuition in a timely manner as established by the Elwood Community School Corporation.

The decision on acceptance of a non-resident student will be based upon:

- Class size of the grade level in which the student is enrolling at Elwood; and
- The transfer shall not place an undue burden on the Elwood Community School Corporation.
- The student's attendance and academic record at the previous school;
- The student's disciplinary record at the previous school. The building principal and superintendent shall deny a transfer request based on one or more of the following criteria:
    - The student has been suspended or expelled for more than 10 school days in the 12 months preceding the request for transfer.
    - The student was suspended or expelled for possessing a firearm, deadly weapon, or destructive device in the preceding 12 months.
    - The student was suspended or expelled for causing physical injury to a student, school employee, or visitor to the school.
    - The student was suspended or expelled for violating a drug or alcohol rule

The building principal and Superintendent shall be granted the discretion to grant or deny any and all transfer requests based on the established procedures.

Students transferring to this Corporation from other schools or school systems shall be placed in those classes or at those grade levels for which their previous educational experiences appear to qualify them. The School Corporation reserves the right to change or modify such placements on the basis of later information, testing, or investigation. (Board of School Trustees Policy 5111)

STUDENT BEHAVIOR

ACTIONS

Recognizing that the behavior of some students may be so disruptive that it interferes with school purposes or educational functions of the school corporation, school officials may find it necessary to remove a student from the school. In this event and in accordance with the provisions of Indiana Code 20-33-8, the Board of School Trustees authorizes administrators and staff members to take the following actions:

REMOVAL FROM CLASS or ACTIVITY

A jr-sr high school teacher has the right to remove a student from his/her class or activity for up to two (2) class periods if the student is assigned regular or additional work to be completed in another school setting.

An elementary/intermediate teacher has the right to remove a student from his/her classroom or activity for a period of up to one (1) school day if the student is assigned regular or additional work to be completed in another school setting.

DETENTION: A school principal (or designee) may assign detention beyond the school day as a consequence for student misconduct or substantial disobedience.

IN-SCHOOL RESTRICTION: A school principal (or designee) may restrict a student from attending his/her regular schedule of classes by assigning regular or additional work to be completed in another school setting.

SUSPENSION FROM SCHOOL: A school principal (or designee) may deny a student the right to attend school or take part in any school function for a period of up to ten (10) consecutive school days.

EXPULSION: Expulsion is the removal of a student from the schools of this Corporation for a period not to exceed one calendar year. If the incident occurs during the first semester, the expulsion may not exceed the number of school days remaining in the school year. If the incident occurs during the second semester, the expulsion may not exceed the remainder of the current semester, summer school, and the first semester of the next school year in accordance with the provisions of IC 20-33-8-20. The superintendent (or designee) shall report all expulsions to the Bureau of Motor Vehicles in accordance with IC 9-24-2-1, 9-24-2-4 and the Bureau's guidelines.

In matters of school discipline investigations, school administrators may take student statements using audio or video recording.

School officials will contact law enforcement authorities whenever, in the discretion of school officials, there is reason to believe that a student's conduct is unlawful and/or has caused or may result in either serious bodily injury to another person or substantial damage to the property of another, including the school corporation.

SECLUSION and/or RESTRAINT of STUDENTS

As a part of the emergency procedures in place in Elwood Community School Corporation, no student will be restrained and/or placed in seclusion by school staff unless the student's behavior poses an imminent risk of injury to him/herself 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 such use of restraint and/or seclusion, the parents or guardian will be informed when any of these actions have occurred and will be provided with a detailed account of the incident including the circumstances that led to the use of restraint and or seclusion. The Seclusion and Restraint Plan is available online at: www.elwood.k12.in.us

MISCONDUCT and/or SUBSTANTIAL DISOBEDIENCE

Examples of student misconduct or substantial disobedience on school property or at a school-sponsored event/activity for which a student may be subject to disciplinary action, including suspension and/or expulsion include, but are not limited to:

1. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other conduct constituting an interference with school purposes, or urging other students to engage in such conduct.
2. Engaging in or aiding, assisting, or conspiring with another person to engage in any activity, on or off school property, that is forbidden by the laws of Indiana or federal law that constitutes an interference with school purposes or an educational function.
3. Acting or threatening to act in any way to verbally or physically assault or abuse any individual on school property or at a school-related function.
4. Causing or attempting to cause physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief that it was necessary to protect some other person does not constitute a violation of this rule.
5. Occupying any school building, school grounds, or part thereof with intent to deprive others of its use.
6. Blocking the entrance or exits of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of the building, corridor, or room.
7. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school or education function, or of any meeting or assembly on school property or at a school-related activity, including the making of a false report of a bomb, fire, dangerous condition, or uncommon disease-producing organism, as well as triggering a false fire alarm, making written statements on walls, or delivering or sending an actual or look-alike uncommon disease-producing substance to any school property, vehicle, or activity.
8. Setting fire to or damaging any school building or property, or attempting to set fire or cause damage. This includes the use or attempted use of pipe bombs, “Molotov cocktails,” or other explosive or incendiary devices.
9. Making noise or acting in any manner so as to interfere with the ability of any teacher or any other person to conduct or participate in an education function.
10. Through any means of communication, including gestures, symbols, or signals, placing any student, teacher, employee, or other person in fear of harm to one’s self, a family member, or personal property. This includes by way of example such conduct as threatening “to get” the person, creating a “hit list” of persons who are to be put in fear of harm, and warning the person that a family member could get hurt or one’s property could be damaged.
11. Threatening, intimidating or harassing any student, school employee or group for any purpose. Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment on the basis of gender, religion, race, color, ethnicity, age and/or disability.
12. Causing or attempting to cause damage to school or private property.
13. Stealing or attempting to steal school or private property.
14. Failing to report the actions or plans of another person to a teacher or administrator where those actions or plans, if carried out, could result in harm to another person or persons or damage property when the student has information about such actions or plans.
15. Violating or aiding, assisting, or conspiring with another person to violate any student conduct rule the that the school building principal establishes and gives publication of it to all students and parents in the principal's school building.
16. Use or possession of gunpowder, ammunition, matches, lighters or an inflammable substance.
17. Possessing, consuming, transmitting, being affected by or selling/offering to sell any substance which is or is represented to be or looks like tobacco/tobacco products, nicotine containing fluids/oils, narcotic drug, legend drug (drug that requires a physician’s written prescription for purchase or distribution.),hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant

of any kind, caffeine-based substance, low THC hemp extract, substance containing phenylpropanolamine (PPA), or stimulant of any kind, be it available with or without a prescription. Prescribed use of a drug authorized by a medical prescription from a physician is not a violation of this rule.

18. Possessing, consuming, transmitting any device which is/is represented to be/looks like an e-cigarette, vaping device.
19. Possessing, distributing or transmitting paraphernalia.
20. Disobedience of administrative authority, including:
    a. Failing in a number of instances to comply with directions of teachers or other school personnel during any period of time when the student is properly under their supervision, where the failure constitutes an interference with school purposes or an educational function.
    b. Failing to completely and truthfully respond to questions from a staff member regarding school-related matters including potential violations of the student conduct rules, state or federal law, or any matter under investigation by school personnel.
21. Falsely accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.
22. Gambling or any outcome-based games of chance for money or anything or value (e.g. lottery tickets)
23. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
24. Engaging in pranks that could result in undue emotional distress and/or physical harm to another person and/or school property.
25. Engaging in sexual behavior on school property or at a school sponsored event.
26. Willful absence or tardiness
27. Engaging in speech or conduct, including clothing, jewelry or hair style, which is profane, indecent, lewd, vulgar, or offensive to school purposes.
28. Using bodily fluids to intimidate, threaten, harass or inflict harm on another person.
29. Violation of the school corporation's acceptable use of technology policy or rules
30. Possessing or using on school grounds during school hours a laser pointer in a situation not related to a school purpose or educational function.
31. Use of a cell phone and other electronic devices during instructional time for non-instructional purposes Elementary students will place these items in their book bags.
32. Taking or displaying pictures/video (digital or otherwise) without the consent of the student or staff member or in a situation not related to a school purpose or educational function.
33. Sending, sharing, viewing, or possessing pictures, text messages, emails, video, social media posts, or other material of a sexual nature in electronic or any other form, including the contents of a cell phone or other electronic device is prohibited. (*See Important Information Below Regarding Cell Phone Content and Display)
34. Bullying by a student or groups of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student through overt, repeated acts or gestures, including verbal or written communications transmitted, and/or physical acts committed, or any other similar behavior. (*See information below regarding bullying)
35. Possessing, handling or transmitting a firearm on school property or at a school sponsored event. (The Superintendent shall notify the county prosecuting attorney's office immediately when a student is in possession of a firearm on school property or at a school related activity.) (Firearm: any item/device, including a frame or receiver, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.)
36. Possessing, handling or transmitting an antique firearm
37. Possessing, handling or transmitting a rifle or shotgun which the owner intends to use solely for sporting, recreational, or cultural purposes
38. Possessing, handling or transmitting any firearm muffler or silencer
39. Possessing, handling or transmitting any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter

40. Possessing, handling or transmitting a destructive device on school property or at a school sponsored event. (Destructive device: any item which is or contains an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, Molotov cocktail or any similar device)
41. Possessing, handling or transmitting any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. A destructive device is NOT a device that although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device.
42. Possessing, handling, or transmitting a knife (sharp edged or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds) or any object that can reasonably be considered a weapon, is represented to be a weapon, or looks like a weapon including a bomb or other explosive.
43. Possessing, handling or transmitting a deadly weapon*. The following devices and look-alike items are considered to be deadly weapons as defined in IC 35-41-1-8:
    a. a loaded or unloaded firearm
    b. a destructive device, taser or electronic stun weapon, equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
    c. an animal readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime.
    d. a biological disease, virus, or organism that is capable of causing serious bodily injury.
    e. devices, instruments, materials, or substances animate or inanimate, that are used for or are readily capable of causing death or serious bodily injury.

    (The superintendent shall notify the county prosecuting attorney's office immediately when a student is in possession of a deadly weapon on school property or at a school related activity.)

Legal Reference: Indiana Code 20-33-8-17

STUDENT DRESS

All students are encouraged to dress neatly and appropriately for school activities. Students should be modestly attired from the shoulder to mid-thigh.

- Any shirt, blouse, etc. should cover the top of the shoulder and should fit closely enough to the armpit to assure coverage of the torso.
- See-through clothing may be worn only if layered with other garments, but not by itself.
- Pants should be worn at the waist. No exposed undergarments are permitted.
- No cloth from garments should trail on the floor or under foot. Alterations to clothing must meet the requirements of being modest and in good taste.
- The wording and decorations on all wearing apparel must also be appropriate and in good taste. Reasonable latitude will be given, but pictures or wording involving references to sex, pregnancy, violence, alcohol, drugs, tobacco, obscenities, or vulgarities including seemingly harmless but double meaning verbiage is not allowed.
- Proper footwear is required at all times (e.g. no slippers) unless specifically approved by the administration for a special event.
- Head coverings (hats, hoods, etc.) are not appropriate in a building unless specifically approved by the administration for a special event. Head coverings traditional to one's religious faith (yarmulke, hijab, bonnet, dastar, tichel, etc.) are not included in this expectation.

Students who arrive at school with objectionable clothing will be required to change immediately, even if that means returning home. Multiple violations will result in specific administrative handling of the problem including, but not limited to, suspension or expulsion from school, restriction from extracurricular activities, and in-school restriction.

BOOK BAGS, BACKPACKS and GYM BAGS

Book bags/carriers are generally defined as capable of storing a 6”x 9”x1” or larger book. Clear book bags are permitted to be carried by the student throughout the school day. All other book bags, backpacks, gym bags, and book carriers may be brought to school but must be stored in the student’s locker during the school day and after school activities. Gym/athletic bags may be taken to and stored in the gym/athletic locker.

STUDENT POSSESSION AND/OR USE OF MEDICATIONS

No student shall be allowed to keep medicine in his/her possession at school. Any medicine to be administered must be brought to the main office and accompanied by a parental permission form (available in the main office). “Medication” includes all medicines prescribed by a physician and any non-prescription (over the counter) drugs, preparations and/or remedies.
All prescription medication, including injectables, pills, or liquids, nicotine patches, inhalers, blood glucose tests, etc. must be accompanied by a physician’s order and be in its original container with the pharmacy label. Medication shall be administered in accordance with the physician’s order.

Students who have a chronic disease or medical condition may, if necessary, request to possess and self-administer the medication while traveling to and from school, while at school, or at school-sponsored activities. (Example: Epi-Pen, inhaler) Authorization for student possession of medication must be requested, in writing, annually by a parent/guardian and must include a physician’s order which states:

1. the child has a chronic disease or medical condition for which the medication is prescribed,
2. the nature of the disease or condition requires emergency administration of the medication, and
3. confirming that the student has been instructed in how to administer the medication.

ADMINISTRATION OF LOW HEMP THC EXTRACT

Elwood Community Schools will administer low hemp THC extract, including CBD oil, only after the following criteria are met:

1. The student is not permitted to possess and/or self-administer the product;
   The parent has provided the school with written permission to administer this product to his/her child;
   The parent provides proof that the product was purchased from a retailer that meets the requirements listed in SEA 52-2018;
   The product is given to the school nurse unopened and in its original packaging;
2. The student’s healthcare provider has provided the school with a prescription to administer the substance which includes the dose, route and time of administration; and,
   The product has been approved by: (1) the federal Food and Drug Administration or the federal Drug Enforcement Agency as a prescription or over the counter drug: or (2) The product meets packaging requirements of SEA 52-2018.

STUDENT POSSESSION AND USE OF SUNSCREEN

A student may possess and use a topical, non-aerosol sunscreen product while on school property or at a school-sponsored event without being required to:

1. have a physician’s note or prescription; or
2. store the sunscreen product in a specific location, if the product ids regulated by the United States Drug Administration for over-the-counter use for the purpose of limiting ultraviolet light inducing skin damage. School personnel may assist a student in applying the sunscreen if the school has written permission from the student’s parent. (SEA 24-2018)

REMOVAL FROM COURSE

Recognizing that student misconduct in certain types of courses or classroom environments can present a greater danger or disruption to the educational setting than "traditional" courses/environments, the school reserves the right to remove a student from a course to maintain safety and a proper learning environment for all students. A student who is removed from a course will receive no academic consequence and will be placed in another course or academically oriented setting such as auditing a course without earning a grade or a 'lab" that can be used for completing other coursework for the remainder of the semester. The school may prohibit a student from enrolling in certain types of courses if the student has demonstrated unsafe or substantially disruptive behavior in said types of courses or environments.

The following is a list of the types of courses which this policy may apply. This list is not exhaustive. All final decisions for use of the policy will reside with the school administrator(s).

- Career Center courses
- Courses that include co-curricular activities (examples: choir, marching band)
- Any courses that utilize equipment or activities that, if conducted with student negligence or reckless or dangerous behavior, create unsafe or substantially disruptive conditions.

The administration will make a reasonable effort to contact the student's parent or guardian before making the final decision on such a removal. However, if in the opinion of the administration, circumstances do not allow it, contact should be made within a reasonable time after the decision is made.

HARASSMENT OR BULLYING

Harassment or bullying committed by students toward other students is strictly prohibited. For purposes of this rule, harassment is defined as overt, unwanted, acts or gestures, including verbal or written communications or images transmitted in any manner (including electronically or digitally), physical acts committed, acts of aggression, or any other behaviors that are committed by a student or group of students against another student with the intent to ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment.

Bullying is defined as repeated acts of harassment that:

- places the targeted student in reasonable fear of harm to the targeted student's person or property;
- has a substantially detrimental effect on the targeted student's physical or mental health;
- has the effect of substantially interfering with the targeted student's academic performance; or
- 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.

The term "bullying" may not be interpreted to impose any burden or sanction on, or to include in the definition of the term, the following:

- Participating in a religious event.
- Acting in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial danger.
- 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.
- Participation in an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one or more adults.
- Participating in an activity undertaken at the prior written direction of the student's parent.
- Engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

This rule in not confined to school hours or school activities. It includes anytime harassing or bullying behavior takes place, including, non-school times such as evenings, weekends, breaks/vacations and any other time. It

may also be applied regardless of the physical location of the harassing or bullying behavior when a student committing bullying behavior and the targeted student attend a school within the school corporation and disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other students to a safe and peaceful learning environment.

1. Any student or parent who has knowledge of conduct in violation of this rule or any student who feels he/she has been harassed or bullied in violation of this rule should immediately report the conduct to the school administrator who has responsibility for all investigations of student misconduct. A student or parent may also report the conduct to a teacher or counselor who will be responsible for notifying the school administrator the same day. This report may be made anonymously via the district's Safe Schools Alert tip line.
2. The school administrator shall investigate immediately all reports made pursuant to the provisions of this rule. Such investigation must include any action or appropriate responses that may be taken immediately to address the conduct wherever it takes place. The parents of both the harassing or bullying student(s) and the targeted student(s) shall be notified of the findings of the investigation and of any remedial action that has been taken.
3. The school administrator will be responsible for working with the school counselors and other community resources to provide information and/or follow-up services to support the targeted student and to educate the student(s) engaging in harassing or bullying behavior on the effects of bullying and the prevention of bullying. In addition, the school administrator and school counselors will be responsible for determining if the bullying behavior is a violation of law required to be reported to law enforcement under Indiana law based upon their reasonable belief. Such determination should be made as soon as possible and once this determination is made, the report should be made immediately to law enforcement.
4. False reporting of harassing or bullying conduct as defined in this rule by a student shall be considered a violation of this rule and will result in any appropriate disciplinary action or sanctions if the investigation of the report finds it to be false.
5. A violation of this rule may result in any appropriate disciplinary action or sanction, including suspension and/or expulsion.
6. Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator(s). This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the bullying.
7. Educational outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.
8. All schools in the corporation are encouraged to engage students, staff and parents in meaningful discussions about the negative aspects of bullying. The parent involvement may be through parent organizations already in place in each school.

Legal Reference: Indiana Code: 20-33-8-0.2(a-c), 20-33-8-13.5

CELL PHONE CONTENT and DISPLAY

Because student cell phones have been found in a number of Indiana school districts to have contained evidence of "sexual conduct" as defined below, it is important for parents and students to be aware of the legal consequences should this occur in our system.

- The Child Abuse/Neglect Law requires school personnel to report to law enforcement or child protective services whenever there is reason to believe that any person/student is involved with "child exploitation" or "child pornography" as defined by Indiana Criminal Statutes.
- It is "child exploitation, "a Class C felony under I.C. 35-42-4-4 (b), for any person/student (1) to exhibit, photograph or create a digitalized image of any incident that includes "sexual conduct" by a

child under the age of 18; or (2) to disseminate, exhibit to another person, or offer to so disseminate or exhibit, matter that depicts or describes "sexual conduct" by a child under the age of 18.

- It is "child pornography," a Class D felony under I.C. 35-42-4-4 (c), for any person/student to possess a photograph, motion picture, digitalized image, or any pictorial representation that depicts or describes "sexual conduct" by a child who the person knows is less than 16 years of age or who appears less than age 16.
- "Sexual conduct" is defined by I.C. 35-42-4-4-(a) to include sexual intercourse, exhibition of the uncovered genitals intended to satisfy or arouse the sexual desires of any person, or any fondling or touching of a child by another person or of another person by a child intended to arouse or satisfy the sexual desires of the child or other person.
- The Indiana Sex Offender Registration Statute at I.C. 11-8-8-7 and the Sex Offender Registry Offense Statute at I.C. 35-42-4-11, as of May 2009, require persons convicted of or adjudicated as a juvenile delinquent for violating the Child Exploitation Statute at I.C. 35-42-4-4 (b) to register as a sex offender.

GROUNDS FOR SUSPENSION OR EXPULSION

The following are grounds for student suspension or expulsion, subject to the procedural requirements and as stated by school corporation rules:

1. Student misconduct.
2. Substantial disobedience.
3. Engaging in unlawful activity on or off school grounds if the:
   a. activity may reasonably be considered to be an interference with school purposes or an educational function; or
   b. student's removal is necessary to restore order or protect persons on school property;

The grounds for suspension or expulsion apply:

1. On school grounds immediately before, during or immediately after school hours, or at any time when the school is being used by a school group;
2. Off school grounds at a school activity, function, or event;
3. Traveling to or from school or a school activity, function, or event; or
4. When attending summer school.
5. During weekends, holidays, school breaks, and the summer period when a student may not be attending classes or other school functions.

Legal Reference: IC 20-33-8-14 and 15

SUSPENSION PROCEDURES

When a principal (or designee) determines that a student should be suspended, the following procedures will be followed:

1. A meeting will be held prior to or as soon after the suspension of any student. At this meeting the student will be entitled to:
   a. a written or oral statement of the charges;
   b. if the student denies the charges, a summary of the evidence against the student; and,
   c. an opportunity to explain his or her conduct.
2. The meeting shall precede suspension of the student except where the nature of the misconduct requires immediate removal. In such situations, the meeting will follow the suspension as soon as reasonably possible following the date of the suspension.
3. Following the suspension, the parents or guardians of a suspended student will be notified in writing. The notification will include the dates of the suspension; describe the student's misconduct, and the action taken by the principal.

4. The superintendent shall report all second suspensions to the Bureau of Motor Vehicles in accordance with IC 9-24-2-1, 9-24-2-4 and the Bureau's guidelines.

EXPULSION PROCEDURES

When a principal (or designee) recommends to the superintendent (or designee) that a student be expelled from school, the following procedures will be followed:

1. The superintendent (or designee) may conduct an expulsion meeting, or may appoint one of the following persons to conduct the expulsion meeting:
   a. legal counsel
   b. a member of the administrative staff who did not expel the student and was not involved in the events giving rise to the expulsion.
2. An expulsion will not take place until the student and the student's parent are given notice of their right to appear at an expulsion meeting conducted by the superintendent or the person designated above. Failure by a student or a student's parent to request and to appear at this meeting will be deemed a waiver of rights administratively to contest the expulsion or to appeal it to the school board.
3. The notice of the right to an expulsion meeting will be in writing, delivered by certified mail or by personal delivery, and contain the reasons for the expulsion and the procedure for requesting the meeting. 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.
4. At the expulsion meeting, the principal (or designee) will present evidence to support the charges against the student. The student or parent will have the opportunity to answer the charges against the student and to present evidence to support the student's position. The student's attorney is prohibited from participating in the expulsion meeting but is allowed to remain outside the room where the hearing is taking place for consultation purposes.
5. If an expulsion meeting is held, the person conducting the expulsion meeting will make a written summary of the evidence heard at the meeting, take any action found to be appropriate, and give notice of the action taken to the student and the student's parent. The student or parent has the right to appeal the decision of the person conducting the expulsion meeting to the superintendent within 10 days of the receipt of notice of the action taken. The student or parent appeal to the superintendent must be in writing. The school board will not consider any appeal of the superintendent's decision.

Legal Reference: 20 U.S.C. 8001; 20 U.S.C. 8002; Indiana Code 20-33-8-14 thru 31

SUSPENSION and EXPULSION of HANDICAPPED STUDENTS

In compliance with federal law pertaining to change of placement, the Individuals with Disabilities Education Act, PL 101-476 and Section 504 of the Rehabilitation Act, 34 CFR Part 104.4 Part 104.33 and 104.35, Indiana Code 20-33-8-14 and 15, Indiana Code 20-33-8-34, Indiana Administrative Code 511 Article 7-15-1 and 2, as well as other related requirements, the following policy shall be implemented:

Elwood Community School Corporation adheres to all federal regulations and requirements and all state regulations and requirements regarding disciplinary action taken concerning handicapped students. For specific information, persons may refer to the notice of parent rights and procedures provided at all case conference committee meetings. Additional copies are available from the Director of Learning for information related to such matters.

PARENT LIABILITY

A parent of a child (who lives with the parent and over whom the parent has custody) is liable for up to $5,000 in actual damages arising from each instance of harm to any other person or damage to any property that is knowingly, intentionally, or recklessly caused by the child.

Legal Reference: Indiana Code 34-31-4

SEARCH AND SEIZURE

The Board of School Trustees of the Elwood Community School Corporation recognizes its obligation to balance the privacy rights of the students with its responsibility to provide students, faculty, and authorized visitors with a safe, hygienic, and drug-free environment. In balancing these competing interests, the Board directs the Superintendent to utilize the following principles:

SCHOOL PROPERTY

All lockers made available for student use on the school premises, including lockers located in the hallways, physical education and athletic dressing rooms, industrial education classrooms and art classrooms are the property of the school corporation. These lockers are made available for student use in storing school supplies and personal items necessary for use at school, but the lockers are not to be used to store items which cause, or can reasonably be foreseen to cause, an interference with school purposes or an educational function, or which are forbidden by state law or school rules. A student should not expect to have privacy in a locker or its contents. School authorities for any reason may conduct periodic general inspections of all lockers at any time without notice, and without student consent, and without a search warrant. The school's right to inspect the lockers and their contents ensures that the lockers are being used in accordance with their intended purposes, and to eliminate fire and other hazards, maintain sanitary conditions, attempt to locate lost or stolen material and to prevent use of the locker to store prohibited or dangerous materials such as weapons, illegal drugs, paraphernalia, or alcohol. Other than a general inspection of all lockers whenever an individual student locker is the subject of a search based on reasonable suspicion of contraband being present, the student assigned to the locker being searched should be present during the search, if possible.

Legal Reference: Indiana Code 20-8-32

STUDENT'S PERSON AND PERSONAL POSSESSIONS

Searches of the student's person and personal items in the student's immediate possession shall be done with the consent of the student. If the student does not consent, such a search shall be permitted based upon the administrator's individualized reasonable suspicion to believe that the search will produce evidence of a violation of a law, school rule, or a condition that endangers the safety or health of the student or others. Searches of a student shall be conducted and witnessed by a person of the same sex as the student and shall be conducted in a private office. The student may be given the option of selecting the witness from the faculty members on the school premises at the time of the search. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board as defined by IC 20-33-8 (Pursuant to language found in AG 5771 of the Administrative Guidelines of the Elwood Community School Corporation.)

STUDENT VEHICLES

Permission for a student to bring a motor vehicle on school property is hereby conditioned on written consent through registration by the student driver, the owner of the motor vehicle and the parent or guardian of the student to allow search of that motor vehicle by a school administrator with reasonable suspicion to believe that the search will produce evidence of a violation of law, or a school rule, or a condition that endangers the safety or health of the student driver or others. The student shall have no expectation of privacy in any vehicle parked on school property.

Refusal to provide or allow access to a motor vehicle on school premises at the time of a request to search the motor vehicle shall be cause for termination without further hearing of the privilege of bringing a motor vehicle onto school premises.

LAW ENFORCEMENT AGENCIES

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

USE OF DOGS/SPECIALLY TRAINED ANIMALS

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

USE OF PORTABLE METAL DETECTORS

The Board authorizes the use of portable metal detectors by school administrators to detect the presence of weapons, bombs, or other items not permitted to be the student's possession through procedures established by the district or the Superintendent's administrative guidelines.

SEIZURE OF PROPERTY

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

SCHOOL RESOURCE OFFICER

The Board authorizes the placement of a certified school resource officer in the schools for the purposes described below:

a) maintain regular routine patrol and supervision duties within the building.
b) be in law enforcement uniform, including Department authorized weapons while on duty.
c) not be involved in ordinary school discipline unless the issue involves a substantial disruption of the learning environment or endangerment of the safety of students and/or staff.
d) coordinate activities with the Principal of each building.
e) gather information regarding potential problems such as criminal activity, gang activity, student unrest, and the identities of particular individuals who may be a disruptive influence to the school and/or students. Based on the information gathered, the SRO will work with School personnel in providing law enforcement resources and responses regarding on-campus or school related criminal activity.
f) document activities and provide a written monthly summary report to the Department and the School.
g) provide a program of law and education-related issues to the school community, including parents, on any law enforcement or safety related topics.
h) work with School officials to provide law enforcement education to staff and students.
i) provide and facilitate student mentoring in a non-adversarial capacity.
j) provide informational in-services as a general resource for the staff on issues related to drugs, alcohol, violence prevention, gangs, safety and security.
k) serve as communication liaison between the School and the Department. As communication liaison, SRO will provide basic information concerning students as permitted by law and School's policies and guidelines.

l) assist School officials in emergency response planning and review.
m) take appropriate steps consistent with Indiana State Law, Elwood City Ordinances and Department regulations when criminal activity is suspected. Unless circumstances or legal duties prevent it, the SRO will advise school administration prior to taking legal action.
n) refer students and/or their families to the appropriate agencies for assistance when a need is determined.
o) not be assigned regular lunchroom duties, as hall monitors, bus monitor duties, or other assigned supervision duties typically associated with school administration. However, under certain circumstances, the SRO can act in an administrative role pursuant to current State and Federal law.

STUDENT USE of TOBACCO

POLICY PURPOSE

The Elwood Community School Corporation is dedicated to providing a healthy, comfortable and productive environment for staff, students, and citizens. The School Board believes education has a central role in establishing patterns of behavior related to good health and shall take measures to help its students resist the use of tobacco, and those materials have been introduced at the primary grade levels and given greater in-depth concentration at the secondary level. The School Board is concerned about the health of its students and employees and also recognizes the importance of adult role modeling for students during formative years.

DEFINITIONS

"School Building" shall mean any building owned or leased by the Elwood Community School Corporation.
"School Vehicle" shall mean any vehicle owned or leased by the Elwood Community School Corporation.
"School Property" shall mean any area owned or leased by the Elwood Community School Corporation.
"Contracted Bus" shall mean any school bus contracted by the Elwood Community School Corporation to provide regular, special education, summer school, or extra-curricular transportation for Elwood Community School Corporation students.

POLICY

Students shall not be permitted to use or possess tobacco products of any kind or any form while in a school building, on school property, in a school vehicle, in a contracted bus, or while attending any school-sponsored function off school grounds at any time.

ENFORCEMENT

Any violations of this policy by students shall be referred to the building principal or his/her designee. Students who violate the provisions of this policy shall be subject to the provisions of school board policies, school board regulations, and student handbooks regarding student discipline.

SUBSTANCE ABUSE RANDOM TESTING PROGRAM

PURPOSE

The Board of School Trustees of Elwood Community Schools recognizes the health risks and dangers associated with the use of unlawful, illicit drugs, alcohol and/or tobacco products. Drug and alcohol abuse in the workplace is a threat to the safety and health of both our students and our employees. It jeopardizes the efficiency of our operations and the quality of our educational programs. The risks associated with such abuse may include the possibility of impaired judgment, diminished capacity, deterioration of the organs of the body, addiction, infection from unsterilized paraphernalia, modification of behavior, death or other conditions which substantially inhibit a person from performing to his/her fullest natural ability.

Alcohol and drug/substance abuse is a serious problem in today's society, and schools are not immune to such problems. It is statistically predictable and it is within our experience that some students have used alcohol, tobacco products or have experimented with "street drugs" such as marijuana and cocaine or may do so during their junior or senior high school careers. Also, some student athletes may be attracted to the use of so-called "performance enhancing" drugs, such as various steroids, in misguided efforts to increase their strength and endurance.

The Board of School Trustees encourages all students to participate in the extra-curricular and co-curricular programs of the school, but believes the opportunity for such participation is not an absolute right, but a privilege offered to students who meet both the scholastic and the physical conditions of eligibility. One such condition shall be agreement by the student to submit to testing for the use of drugs/illegal substances, alcohol and (for athletes only) tobacco products, if selected in accordance with the procedures listed in this policy.

The education and testing program is intended to be a helpful part of the overall physical and mental education programs of junior and senior high school students. Drug use is inconsistent with the purposes of participation in extra-curricular and co-curricular programs and with the purpose of the school in general. The program, therefore, includes appropriate procedures for dealing with such problems in areas where the schools have been given legal parameters to implement such policies.

Students in these activities are respected and admired by a large segment of the student body of each school and, in order to participate in school programs, are expected to hold themselves as good examples of conduct, which includes avoiding drug and alcohol usage. It has been widely recognized that drug/illegal substance and alcohol usage can cause serious physical, mental and emotional harm. A student who uses drugs can be a danger to himself, his teammates and his opponents.

The use of alcohol, tobacco and drugs/illegal substances is incompatible with the goals of and participation in the programs offered at Elwood Community Schools. Such usage has long been forbidden by school rules and policies, and by the Athletic Department rules and policies. The use of such substances is not only a danger to the individual user, but can also significantly impair the positive benefits to be received by all participants in these programs.

PROGRAM OPERATION

The program shall apply to all students in grades 7-12 who try out for/participate in/become members of any school affiliated extra-curricular or co-curricular team or club and all students who park a vehicle on school property.

This program will not affect the policies, practices or rights of the School Corporation to discipline a student when there is reasonable suspicion to believe he/she may be in possession of or under the influence of drugs or alcohol.

Prior to the first practice or participation in any activity included in this program, a Participation Consent form, dated and signed by the student and a custodial parent/guardian, must be on file with the testing program coordinator. The consent shall be to provide, at any time requested, a urine sample to be tested for drugs and alcohol and, for athletes only, tobacco.

Refusal by the student and/or parent/guardian to sign a consent form will render the student ineligible to participate until the form is completed, including signatures, and provided to the testing program coordinator. **The consent shall be in effect through the student's high school graduation unless revoked, in writing, by the student and parent/guardian, on a Consent Revocation form and submitted to the testing coordinator.**

SELECTION OF STUDENTS FOR TESTING

The testing coordinator shall maintain one master list with the name of each student in the testing pool listed alphabetically and assigned a corresponding number* in numerical order. Typically, 18-24 hours prior to actual testing, the testing company will provide a computer generated list of random numbers directly and only to the Director of School Safety. The Director of School Safety will solely and privately match each random number listed with a student number on the master list to arrive at the list of students and alternates selected for testing.

* The student's number may change as students are added to or subtracted from the alphabetically ordered master listing of all students in the pool.

TESTING PROCEDURES

Testing may occur on any weekday day during the calendar year.

On the day of testing, just prior to the arrival of the testing company's mobile collection laboratory, the Director of School Safety will provide the testing coordinator the list of selected students and alternates.

The testing coordinator will, with the assistance of the athletic director, locate and escort each selected student directly to the testing site. If a selected student is absent**, the first alternate listed shall be selected for testing in place of the absent student. Alternates will be selected in numerical order to replace each selected student who is absent.

** Any student who is absent for testing may continue to participate in activities until the next testing date, at which time he/she will be tested. If the student is again absent on the subsequent testing date, he/she may be declared ineligible by the testing coordinator until the next testing date. The student will then be tested on the next test date. If the student is off-campus for a class and will return to school that day, the student will provide an oral sample collected by the school nurse.

Any student who requests to leave school for any reason or not be tested after being notified of selection for testing shall be declared ineligible and shall be tested on the next test date to regain eligibility.

Collection of the samples will be done in a non-offensive manner which insures the integrity of the sample. The school official who supervises the sample collection will not physically observe the giving of the sample, which will take place in a secured enclosure. Documentation of appropriate information to insure a proper chain of custody record will begin at the time the sample is collected, including verification signatures by both the student and the supervising official. The samples will then be turned over to the testing laboratory. <u>If the participant is taking any over-the-counter or prescription medication which may contribute to a positive test result, it would be in the student's best interest for that student and the student's parent/guardian to inform the testing coordinator of this fact at the time of the sample collection.</u> While use of medication by a student prescribed by a medical doctor, dentist or other health care provider authorized by law to prescribe medication for that student does not violate this policy**,** a student may not participate if the medication adversely alters or impairs their judgment or ability, which could result in injury:

1. If, in the judgment of the laboratory, the student tampered with the sample, the sample will be declared invalid and the student will be required to submit a new sample. The student will be ineligible until this new sample is submitted.

2. Each sample will be tested by a competent and accredited laboratory selected by Elwood Community School Corporation for alcohol, unlawful drugs as listed in the profile provided by the laboratory, and tobacco residue (on athlete's samples only). The laboratory may also test for performance enhancing drugs known as steroids.
3. The laboratory shall report the results of the tests directly and only to the Director of School Safety. He/she will, in turn, will provide the testing coordinator with the results.
4. If any participant in this program is determined to test "positive" by the laboratory, the testing coordinator will contact the testing lab to determine if there is any medical explanation for the substance to be in the student. If the testing coordinator verifies that there is no medical reason for the positive result, he/she will, as soon as possible after receipt of results, contact the student and the parent/guardian to inform them of the positive result. The student and the student's parents/guardians shall be advised of the substance(s) found and the health hazards involved in the use of such substance(s). The student will automatically be tested on the following drug testing date. Any incoming freshman who tested positive on the last testing date of his/her eighth grade year will automatically be tested on the first drug testing date of his/her freshman year.
5. If the student or the student's parents/guardians desire, they may request to have the remaining portion of the sample, if any, re-analyzed by any accredited testing facility of their choice. The student and student's parents/guardians shall bear the cost of re-analysis done at their request. The testing coordinator must receive such request, in writing, within twenty-four hours of the first notification of results. The school shall only be responsible for initial testing, re-analysis, and/or any other test required by the school through this program.
6. The testing coordinator shall only disclose positive test results only to the student and the student's parent/guardian. If the student is currently participating in a sport or activity, the head coach or sponsor of the current sport/activity shall be notified of the positive result without disclosure of the substance(s) identified. Positive results shall not be available to any school official other than as above stated. No student shall be expelled, suspended or disciplined in any manner as the result of any 'positive' test result obtained through this testing program other than as stated here.
7. The testing coordinator shall maintain a records all test results for the duration of the student's school career. These records shall then be destroyed in accordance with the county public records retention schedule. These records shall not become a part of the student's permanent record nor shall they be transferred if a student leaves the corporation to attend another school.
8. The school also offers to any requesting parent/guardian, at their expense, drug/substance abuse and/or alcohol testing services. Any parent/guardian requesting that a test be done on their child will be required to sign a consent form if the student is not already in the test pool.

VIOLATIONS

- A positive test result for any prohibited substance.
- Verified presence at a party or gathering of people where alcohol, tobacco or illegal drugs are present or being used or school rules or state laws are being violated.
- Any request to leave school for any reason after being notified of selection for testing.
- Refusal to submit to a test.

CONSEQUENCES

1st Violation: A 30 calendar day suspension from extra-curricular and co-curricular programs (excluding practices) as well as driving privileges to and from school, beginning the first day the testing coordinator notifies the student and parent/guardian.

2nd Violation: A one calendar year suspension from all extra-curricular and co-curricular activities, as well as, driving privileges to and from school - beginning the day the testing coordinator notifies the student and parent/guardian.

Subsequent to a second violation, the student and parent may choose to seek counseling/therapy/treatment from an authorized provider for the use/abuse/addiction of the substance which the student tested positive to reduce the length of the 365 day suspension period. Expenses incurred as a part of program compliance shall be the responsibility of the parent/guardian.

Upon successful completion of the counseling/therapy/treatment program and negative drug & alcohol testing results for a period of sixty (60) days, the student may request, in writing, to the testing coordinator, an administrative review to reinstate eligibility for participating in extra-curricular or co-curricular activities, as well as, parking privileges.

At the end of the suspension period, the student must submit, at parent/guardian expense, to and pass a drug test by the school's contracted testing firm, to become eligible to participate in any of the program's included activities.

3rd Violation: A permanent suspension from extra-curricular and/or co-curricular programs, as well as parking privileges, beginning the day the testing coordinator learns of the violation and lasting for the remainder of the student's jr-high or high school career.

Subsequent to the third violation, the student and parent may choose to seek counseling/therapy/treatment from an authorized provider for the use/abuse/addiction of the substance which the student tested positive to reduce the length of the permanent suspension period. Expenses incurred as a part of program compliance shall be the responsibility of the student/parent/guardian.

Upon successful completion of the counseling/therapy/treatment program and negative drug & alcohol testing results for a period of twelve (12) months, the student may request, in writing, to the testing coordinator, an administrative review to reinstate eligibility for participating in extra-curricular or co-curricular activities, as well as, parking privileges.

The following person is designated as the Substance Abuse Random Testing Coordinator:

Name/Title	Heather Anderson, Assistant Principal
School	Elwood Junior-Senior High School
Telephone Number	765-552-9854
E-Mail Address	handerson@elwood.k12.in.us

FOOD SERVICE

ACCOUNT NEGATIVE BALANCE

Any student account with a negative lunch balance of $20.00 or more will be turned over to a collection agency on February 1 and September 1 each year. Included in this will be a charge of $5.75 for processing.

HOMEWORK POLICY

PHILOSOPHY

The Elwood Community School Corporation recognizes the value of homework, done as a part of a total commitment to the well-rounded education of every student. Homework, used properly, is an essential tool to review and reinforce the ideas and concepts taught during class time. Homework can help students learn responsibility, sharpen organizational skills, and promote wise use of time. It can also serve as a communication tool from the school to the parents and keep them in touch with what is being studied in the classroom.

DEFINITION

Homework is any out-of-school assignment that contributes to the educational progress of the student. It is an extension of classwork and should be directly related to the objectives of the curriculum being studied. It may include, but not be limited to, completing assignments not finished in class, additional practice exercises, outside reading assignments in related fields, and independent projects or research projects. The amount of time spent by the individual student will vary according to several factors that might include the student's age, the student's ability, the amount of study time available during the class, and/or the subject area being studied.

OBJECTIVES

Homework should fulfill the following purposes and objectives:

1. To review, reinforce and extend learning by providing practice and application of knowledge gained;
2. To teach students responsibility and organizational skills;
3. To promote wise and orderly use of time;
4. To encourage carryover of worthwhile school activities into permanent career and leisure interests-
5. To provide opportunities for broad enrichment activities.

TEACHER'S ROLE AND RESPONSIBILITIES

A considerate, discerning teacher will be as conscientious and thoughtful about making appropriate homework assignments and properly preparing students for them, as he/she would be in shaping any other part of the day's plans. He/she should try to be aware of, and consider the needs of, each student and the conditions that exist in the student's home. Assignments should be clearly explained, specific and reasonable in the time needed to complete. Homework should be checked and evaluated by the teacher and some form of response to the homework should be given to the student as soon as possible. Students should be informed of how homework will be used in deciding the grade for that particular class. Homework should never be used as "busy work," unreasonably extensive, or used as punishment. The teacher should set reasonable time limits for the completion of the assignment and be consistent in expecting the work to be done and turned in on time. Basic class expectations (including how much each component such as a test, daily work in class, and homework count toward the grade in that class) must be communicated clearly to

the student. Whenever possible, other class assignments and student activities should also be considered when giving homework assignments.

PARENT'S ROLE AND RESPONSIBILITIES

Cooperation by parents is a necessary factor in meaningful homework experiences. Parents should provide an appropriate place to study, which is free from distractions, organize a regular homework time, encourage and support their student's efforts, and communicate with the teachers regularly. They should not do the homework for the student. Homework is the responsibility of the student, not the parent.

STUDENT'S ROLE AND RESPONSIBILITIES

As a student progresses in school, his/her success depends more and more upon his/her own efforts. Each student has the responsibility to develop good work and study habits. The student should make sure he/she understands the assignment before leaving class, take home all materials needed, budget his/her time effectively, develop good study habits, return all work completed and on time, and especially make up all work that is missed because of absence as soon as possible after his/her return to school. Students who violate the homework policy are subject to discipline according to each school's student handbook. Habitual offenders are subject to further discipline and possible retention in their current grade level the following school year.

TECHNOLOGY

SCOPE

This Policy applies to all technology provided by the Board as well as the personal devices of students and employees (collectively "Users"). This includes, but is not limited to telephones, cell phones, digital media players, PDAs, laptop and desktop computers and workstations, direct radio communication, pagers, Internet access, voice mail, e-mail, text messaging, facsimile transmission and receipt, and any computer based research and/ or communication. This policy and all its provisions are subordinate to local, state, and federal statutes.

OVERVIEW

The Elwood Community School Corporation provides its students and staff access to a multitude of technology resources. These resources provide opportunities to enhance learning and improve communication within our community and with the global community beyond our campus. The advantages of having access to these resources are far greater than any potential downside. However, with the privilege of access is the responsibility of students, teachers, staff and the public to exercise appropriate personal responsibility in their use of these resources. School Corporation policies are intended to promote the most effective, safe, productive, and instructionally sound uses of networked information and communication tools. The Elwood Community School Corporation also makes a good faith effort to protect its students from exposure to Internet materials that are harmful or explicit. The School Corporation maintains a system of Internet content filtering devices and software controls that meet federal standards established in the Children's Internet Protection Act (CIPA).

EXPECTATIONS

Responsible use of Elwood Community School Corporation's technology resources is expected to be ethical, respectful, academically honest, and supportive of the school's mission. Each technology user has the responsibility to respect every other person in our community and on the Internet. Digital storage and electronic devices used for school purposes will be treated as extensions of the physical school space, Administrators, or their designees, may review files and communications (including electronic mail) to insure that users are using the system in accordance with School Corporation policy. Users should not expect that files stored on servers or disks will be private. Users should understand they are responsible for protecting for the privacy right of others, including personally identifiable information about a student protected by the Family Education Rights and Privacy Act ("FERPA"). Users also should understand that school servers regularly record Internet activity in log files that are available to the public under RSA91-A. Access to Public Records and Meetings.

Some activities are expressly prohibited by law. Users are expected to abide by the generally accepted rules of network etiquette. The following guidelines are intended to clarify expectations for conduct, but they should not be construed as all-inclusive:

- Use of electronic devices should be consistent with the School Corporation's educational objectives, mission and curriculum.
- Transmission of any material in violation of any local, federal and state laws is prohibited. This includes, but is not limited to: copyrighted material, licensed material and threatening or obscene material.
- Intentional or unintentional use of computing resources to access or process, proxy sites, pornographic material, explicit text or files, or files dangerous to the integrity of the network is strictly prohibited.
- Software and/or services may not be installed or downloaded on school devices without prior approval of the Superintendent or designee.
- Use of technology resources for commercial activities, product advertisement or religious or political

lobbying is prohibited.
- Users may be held personally and financially responsible for malicious or intentional damage done to network software, data, user accounts, hardware and/or unauthorized costs incurred.
- Files stored on district-managed networks are the property of the school district and, as such, may be inspected at any time and should not be considered private.
- Materials published for electronic publication must be for educational purposes. School administrators, teachers and staff may monitor these materials to ensure compliance with content standards.

Before a student is permitted to use Board issued or personal technology utilizing district provided internet access, a signed (by student and parent) *Responsible Use Agreement* must be on file.

POLICY VIOLATIONS

The district/school reserves the right to refuse or limit access to the Internet to anyone. Violating any portion of this policy may result in disciplinary action, including temporary or permanent ban on computer or Internet use, suspension or dismissal from school, and/or legal action. The School Corporation will cooperate with law enforcement officers in investigations related to illegal activities conducted through its network.

Law Reference: RSA 194;3-d, 47; U.S.C. Section 254, Children's Internet Protection Act (CIPA)

Legal References: Pub, L. No. 106-554, Children's Internet Protection Act (www.ifea.net/cipa.html)

Legal References: 20 U.S.C. § 1232g; 34 CFR Part 99, Family Educational Rights Protection Act (FERPA) (www2.ed.gov/ferpa)

WIRELESS COMMUNICATION DEVICE USE

Elwood Schools utilizes wireless communication devices as an instructional tool and to teach their responsible use in order to prevent disruption to the learning environment. A wireless communication device (WCD) is any device that emits an audible signal, vibrates, displays a message or video, or otherwise summons or delivers a communication to the user. The following are examples of WCDs: iPod, cellular and wireless telephone, pager/beeper, personal digital assistant (PDA), Blackberry, Wi-Fi-enabled or broadband access device, two-way radio, video broadcasting device, iPad, laptop, Chromebook or other device that allows a person to receive, record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other data or information.

Responsible use of WCDs on school property or at a school-sponsored activity includes not using the device:

- During instructional class periods, except with expressed teacher permission and for academic purposes only.
- To capture, receive or transmit test or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. (WCDs shall not be accessible when assessments are being taken.)
- To record still images, audio, or video without the knowledge and permission of the person(s) being recorded.
- In any manner which serves to bully, threaten, intimidate, or disparage others.
- To access websites or web content that is otherwise blocked to students.

School staff may confiscate a WCD from any student who demonstrates irresponsible behavior stated above and deliver it to administration. The school is not responsible for any device not in the possession of administration that is damaged, lost, or stolen.

Grades PK-6

WCDs may be used responsibly during instructional class periods **only** with expressed teacher permission and for academic purposes.

Grades 7-12

WCDs may be used responsibly during passing periods and assigned lunch period except when prohibited due to prior irresponsible use, excessive load on the school's network, or other restriction placed by the administration. WCDs may be used responsibly during instructional class periods **only** with expressed teacher permission and for academic purposes.

OPTIONAL INSURANCE FOR SCHOOL ISSUED DEVICES

Students have the option to purchase insurance for their device. For K-6, the annual warranty is $22 per year. For 7-12, the annual warranty is $28 per year. If insurance is not paid for, families are responsible for any damages.

TRANSPORTATION

BUS RULES

When school children are being transported on a school bus, they are under the supervision, direction and control of the school bus driver and are subject to disciplinary measures by the bus driver and the governing body of the school corporation. The administrative staff has the responsibility to enforce the rules, which follow, and to take necessary actions against those students who violate such rules. (IC 20-33-8-13.5 and 14) Administrative discretion may be used in determining the consequences to any violation of the rules.

All bus students are to follow the rules listed below:

1. The following rules apply when students are on their way to or from the bus stop and waiting at the bus stop:
   Pupils are to:
   a. Be at your assigned loading spot on time.
   b. Exercise extreme caution in getting to and from your assigned bus stop.
   c. Look both ways before stepping from behind parked cars.
   d. Stay well off the roadway until the bus comes to a complete stop and the bus driver indicates that it is safe to board.
   e. Not enter or leave the bus until it has come to a full stop and the driver has opened the door.
   f. Not play on or near the road while waiting for the bus to arrive.
   g. Look in both directions before crossing any roadway.
   h. Never walk on the road when there is a sidewalk or pathway.
   i. Always walk on the left side of the road facing on-coming traffic. Step off the road when a motor vehicle approaches.
   j. Wear white or light colored clothing when walking on the roadway at night in order that the motoring public might be aware of until the bus comes to a complete stop before trying to load or unload.
   k. Wait until the bus comes to a complete stop before trying to load or unload.
   l. Always cross in front of the bus in instances when required to cross the road to enter the bus or after leaving the bus.

2. The following rules apply when students are riding the bus, on their way to or from the bus stop, and waiting at the bus stop:
   It will not be tolerated for students to engage in the following behavior:
   a. Loud, boisterous language, profane language, or indecent conduct.
   b. Using their hands, feet, or body in any objectionable manner to tease, scuffle, trip, hold, or hit another student.
   c. Possession, use, or distribution of tobacco or tobacco products or other prohibited products

3. The following rules apply when students are riding the bus:
   a. Be courteous and follow the instructions of your bus driver.
   b. Immediately upon entering the bus locate and sit in the place assigned by the driver.
   c. No pupils shall stand or move from place to place during the trip.
   d. No windows or doors will be opened or closed except by permission of the bus driver.
   e. Use the hand-rail while getting on and off the bus.
   f. Do not distract the driver's attention other than when necessary.
   g. Do not talk or make unnecessary noise when the bus is approaching and crossing a railroad or a highway intersection.
   h. Keep head, hands, and articles inside the bus.
   i. Do not bring articles inside the bus that are not authorized by the bus driver.
   j. Food and drink items are permitted on the bus only with bus driver approval.

4. Disciplinary action: Students are reminded that riding a school bus is a privilege; not a right. As such, the bus riding privilege may be revoked.
    a. Upon recommendation of the bus driver, school authorities will deny the privilege of riding the school bus to any pupil who refuses to conduct himself or herself in a gentlemanly or ladylike manner.
    b. Any student caught vandalizing the school bus will lose all riding privileges until the school corporation receives restitution for the property damage.
    c. Any incidents involving physical altercations and/or battery will be referred to the building principal.

Generally, the following steps will be followed when dealing with students creating problems on a school bus. Using the corporation's Bus Conduct Report Form, the driver will document each step in the procedure. The step-by-step procedure can be accelerated if the violation committed by the student warrants a more immediate and severe form of disciplinary action:

Step 1- First Documented Violation: Student Issued a Warning
Step 2- Second Documented Violation: Student Dismissed from Bus for one (1) Day
Step 3- Third Documented Violation: Student Dismissed from Bus for three (3) Days
Step 4- Fourth Documented Violation: Student Dismissed from Bus for Five (5) Days
Letter sent to parents describing corrective measures taken-warned that next infraction will result in removal from bus for balance of school year.
Step 5- Fifth Documented Violation: Student Dismissed from Bus for Balance of School Year.
Parents notified by letter regarding dismissal.

Any student caught vandalizing the school bus will lose all riding privileges until the corporation has received restitution for the property damage**.**

PROHIBITED MODES

Scooters, mopeds, go-carts, motorized skateboards, skateboards, shoe-skates, roller-shoes or other similar modes of student transportation are prohibited on school property at all times.

APPENDIX

INDIANA CODE STATUTES PERTAINING TO STUDENT DISCIPLINE

Indiana Code 20-33-8 as added by Public Law 1-2005, Section 17 except as amended as noted

IC 20-33-8-0.2 Bullying

Sec. 0.2. As used in this chapter, "bullying" means overt, repeated acts or gestures, including:

(1) verbal or written communications transmitted;
(2) physical acts committed; or
(3) any other behaviors committed;

by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student.

IC 20-33-8-0.5. Physician

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.

IC 20-33-8-1. Principal

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

IC 20-33-8-2. Educational Function

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.

IC 20-33-8-3. Expulsion

(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 IC 20-34-3-9; or
(3) removed from school for failure to comply with the immunization requirements of IC 20-34-4-5.

IC 20-33-8-4. School Purposes

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 IC 20-26-5 or by any other statute.

IC 20-33-8-5. School Property

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.

IC 20-33-8-6. Superintendent includes superintendent's designee

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

IC 20-33-8-7. Suspension

(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 IC 20-34-3-9; or

(3) removed from school for failure to comply with the immunization requirements of IC 20-34-4-5.

IC 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; and

(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.

Amended by HEA 1462-2009.

IC 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 a class under subsection (c), the principal may place the student in another appropriate class or placement or into in-school restriction. 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 removed to another class at the principal's discretion.

Amended by HEA 1462-2009.

IC 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.

IC 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.

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

(a) The governing body of a school corporation must do the following:

(1) Establish written discipline rules, which 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.

IC 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.

IC 20-33-8-13.5. Discipline rules prohibiting bullying requirement

(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 provisions concerning education, parental involvement, reporting, investigation, and intervention.

(b) The discipline rules described in subsection (a) must apply when a student is:
(1) on school grounds immediately before or during school hours, 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;
(3) traveling to or from school or a school activity, function, or event; or
(4) using property or equipment provided by the school.

(c) 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.

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 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.

IC 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 IC 35-47-1-5.

(b) As used in this section, "deadly weapon" has the meaning set forth in IC 35-41-1-8. The term does not include a firearm or destructive device.

(c) As used in this section, "destructive device" has the meaning set forth in IC 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 the 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 disabilities (as defined in IC 20-35-7-7) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. 1415.

IC 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.

IC 20-33-8-18. Maximum term of suspension; procedures

(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.

IC 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) 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 ten (10) days of receipt of a notice of 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.

IC 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 an 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 an 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.

IC 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.

IC 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.

IC 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.

IC 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.

IC 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 the individual's charge.

(b) An individual may take disciplinary action 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 disabilities (as defined in IC 20-35-7-7) who physically assaults a person having authority over the student is subject to procedural safeguards under 20 U.S.C. 1415.

IC 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 IC 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.

IC 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.

IC 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.

IC 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.

IC 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) Before a consent is withdrawn under subsection (c) the student must have an opportunity for an informal meeting before the principal of the student's proposed school. At the informal meeting, the student is entitled to:
(1) a written or an oral statement of the reasons for the withdrawal of the consent;
(2) a summary of the evidence against the student; and
(3) an opportunity to explain the student's conduct.
(e) This section does not apply to a student who is expelled under section 17 of this chapter.

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

IC 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 contents.
(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.

IC 20-33-8-33. Duty to submit 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), the governing body of the school corporation shall 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 invalidation of a license or permit under IC 9-24-2-4.

IC 20-33-8-34. Disciplinary action for children with disabilities
(a) Notwithstanding any other law, a suspension, an expulsion, or another disciplinary action against a student who is a child with a disability (as defined in IC 20-35-1-2) 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 under IC 20-35-2-1(b)(5) to the state board for adoption under IC 4-22-2 governing suspensions, expulsions, and other disciplinary action for a student who is a child with a disability (as defined in IC 20-35-1-2).

DRIVER'S LICENSES

IC 9-24-2-1. Suspended and expelled students and dropouts

Sec. 1. (a) A driver's license or a learner's permit may not be issued to an individual less than eighteen (18) years of age who meets any of the following conditions:

(1) Is a habitual truant under IC 20-33-2-11.

(2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15.

(3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16.

(4) Is considered a dropout under IC 20-33-2-28.5.

(b) At least five (5) days before holding an exit interview under IC 20-33-2-28.5, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian that the student's failure to attend an exit interview under IC 20-33-2-28.5 or return to school if the student does not meet the requirements to withdraw from school under IC 20-33-2-28.5 will result in the revocation or denial of the student's:

(1) driver's license or learner's permit; and

(2) employment certificate.

IC 9-24-2-4. Invalidation and revalidation of licenses; suspended, expelled, and withdrawn students

Sec. 4. (a) If a person is less than eighteen (18) years of age and is a habitual truant, is under a suspension or an expulsion or has withdrawn from school as described in section 1 of this chapter, the bureau shall, upon notification by the person's principal, invalidate the person's license or permit until the earliest of the following:

(1) The person becomes eighteen (18) years of age.

(2) One hundred twenty (120) days after the person is suspended, or the end of a semester during which the person returns to school, whichever is longer.

(3) The suspension, expulsion, or exclusion is reversed after the person has had a hearing under IC 20-33-8.

(b) The bureau shall promptly mail a notice to the person's last known address that states the following:

(1) That the person's driving privileges will be invalidated for a specified period commencing five (5) days after the date of the notice.

(2) That the person has the right to appeal the invalidation of a license or permit.

(c) If an aggrieved person believes that:

(1) the information provided was technically incorrect; or

(2) the bureau committed a technical or procedural error;

the aggrieved person may appeal the invalidation of a license under IC 9-25.

(d) If a person satisfies the conditions for reinstatement of a license under this section, the person may submit to the bureau the necessary information certifying that at least one (1) of the events described in subsection (a) has occurred.

(e) Upon certifying the information received under subsection (d), the bureau shall revalidate the person's license or permit.

(f) A person may not operate a motor vehicle in violation of this section.

(g) A person whose license or permit is invalidated under this section may apply for a restricted driving permit under IC 9-24-15.

(h) The bureau shall revalidate the license or permit of a person whose license or permit was invalidated under this section who does the following:

(1) Establishes to the satisfaction of the principal of the school where the action occurred that caused the invalidation of the person's license or permit that the person has:

(A) enrolled in a full-time or part-time program of education; and

(B) participated for thirty (30) or more days in the program of education.

(2) Submits to the bureau a form developed by the bureau that contains:

(A) the verified signature of the principal or the president of the governing body of the school described in subdivision (1); and

(B) notification to the bureau that the person has complied with subdivision (1).

A person may appeal the decision of a principal under subdivision (1) to the governing body of the school corporation where the principal's school is located.

INDIANA CODE STATUTES PERTAINING TO COMPULSORY ATTENDANCE

Indiana Code 20-33-2 as added by Public Law 1-2005, Section 17 except as amended as noted

IC 20-33-2-3 Application

Sec. 3. This chapter applies to each situation that involves any of the following:
(1) A person less than eighteen (18) years of age who is domiciled in Indiana.
(2) A person less than eighteen (18) years of age who:
(A) is not domiciled in Indiana; and
(B) intends to remain in Indiana for a period established by rule of the state board.
(3) A student:
(A) who is less than eighteen (18) years of age;
(B) whose behavior has resulted in an expulsion from school; and
(C) who is assigned to attend:
(i) an alternative school; or
(ii) an alternative educational program.

IC 20-33-2-4 Compulsory attendance

Sec. 4. Subject to the specific exceptions under this chapter, a student shall attend either:
(1) a public school that the student is entitled to attend under IC 20-26-11; or
(2) another school taught in the English language.

IC 20-33-2-5 Days of attendance

Sec. 5. A student for whom education is compulsory under this chapter shall attend school each year for the number of days public schools are in session:
(1) in the school corporation in which the student is enrolled in Indiana; or
(2) where the student is enrolled if the student is enrolled outside Indiana.

IC 20-33-2-6 Students required to attend

Sec. 6. A student is bound by the requirements of this chapter from the earlier of the date on which the student officially enrolls in a school or, except as provided in section 8 of this chapter, the beginning of the fall school term for the school year in which the student becomes seven (7) years of age until the date on which the student:
(1) graduates;
(2) becomes eighteen (18) years of age; or
(3) becomes sixteen (16) years of age but is less than eighteen (18) years of age and the requirements under section 9 of this chapter concerning an exit interview are met enabling the student to withdraw from school before graduation; whichever occurs first.

Amended by P.L.242-2005, SEC.17.

IC 20-33-2-7 Minimum age for kindergarten enrollment; appeals

Sec. 7. (a) In addition to the requirements of sections 4 through 6 of this chapter, a student must be at least five (5) years of age on:
(1) July 1 of the 2005-2006 school year; or
(2) August 1 of the 2006-2007 school year or any subsequent school year;
to officially enroll in a kindergarten program offered by a school corporation. However, subject to subsection (c), the governing body of the school corporation shall adopt a procedure affording a parent of a student who does not meet the minimum age requirement set forth in this subsection the right to appeal to the superintendent for enrollment of the student in kindergarten at an age earlier than the age

set forth in this subsection.

(b) In addition to the requirements of sections 4 through 6 of this chapter and subsection (a), and subject to subsection (c), if a student enrolls in school as allowed under section 6 of this chapter and has not attended kindergarten, the superintendent shall make a determination as to whether the student shall enroll in kindergarten or grade 1 based on the particular model assessment adopted by the governing body under subsection (c).

(c) To assist the principal and governing bodies, the department shall do the following:

(1) Establish guidelines to assist each governing body in establishing a procedure for making appeals to the superintendent under subsection (a).

(2) Establish criteria by which a governing body may adopt a model assessment that may be used in making the determination under subsection (b).

Amended by P.L.246-2005, SEC.177.

IC 20-33-2-8 Students not bound by requirements

Sec. 8. A student is not bound by the requirements of this chapter until the student becomes seven (7) years of age, if, upon request of the superintendent of the school corporation, the parent of a student who would otherwise be subject to compulsory school attendance under section 6 of this chapter 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 section 28 of this chapter;

not later than the date on which the student becomes seven (7) years of age.

IC 20-33-2-9 Exit interviews; withdrawal requirements

Sec. 9. (a) The governing body of each school corporation shall designate the appropriate employees of the school corporation to conduct the exit interviews for students described in section 6(a)(3) of this chapter. Each exit interview must be personally attended by:

(1) the student's parent;

(2) the student;

(3) each designated appropriate school employee; and

(4) the student's principal.

(b) A student who is at least sixteen (16) years of age but less than eighteen (18) years of age is bound by the requirements of compulsory school attendance and may not withdraw from school before graduation unless:

(1) the student, the student's parent, and the principal agree to the withdrawal;

(2) at the exit interview, the student provides written acknowledgment of the withdrawal that meets the requirements of subsection (c) and the:

(A) student's parent; and

(B) school principal;

each provide written consent for the student to withdraw from school; and

(3) the withdrawal is due to:

(A) financial hardship and the individual must be employed to support the individual's family or a dependent;

(B) illness; or

(C) an order by a court that has jurisdiction over the student.

(c) A written acknowledgment of withdrawal under subsection (b) must include a statement that the student and the student's parent understand that withdrawing from school is likely to:

(1) reduce the student's future earnings; and

(2) increase the student's likelihood of being unemployed in the future.

Amended by P.L.185-2006, SEC.12.

IC 20-33-2-10 Enrollment documentation; notice to clearinghouse for information on missing children

Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

(1) the name and address of the school the student last attended; and

(2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

(b) Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

(c) If the document described in subsection (a)(2):

(1) is not provided to the school not more than thirty (30) days after the student's enrollment; or

(2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children established under IC 10-13-5-5 and determine if the student has been reported missing.

(d) A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

(1) shall immediately notify the Indiana clearinghouse for information on missing children;

(2) may not send the school records without the authorization of the clearinghouse; and

(3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

As added by P.L.1-2005, SEC.17.

IC 20-33-2-11 Habitual truants ineligible for operator's license or learner's permit; minimum definition of "habitual truant"

Sec. 11. (a) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of an operator's license or a learner's permit, and subject to subsections (c) through (e), an individual who is:

(1) at least thirteen (13) years of age but less than fifteen (15) years of age;

(2) a habitual truant under the definition of habitual truant established under subsection (b); and

(3) identified in the information submitted to the bureau of motor vehicles under subsection (f);

may not be issued an operator's license or a learner's permit to drive a motor vehicle under IC 9-24 until the individual is at least eighteen (18) years of age.

(b) Each governing body shall establish and include as part of the written copy of its discipline rules described in IC 20-33-8-12:

(1) a definition of a child who is designated as a habitual truant, which must, at a minimum, define the term as a student who is chronically absent, by having unexcused absences from school for more than ten (10) days of school in one (1) school year;

(2) the procedures under which subsection (a) will be administered; and

(3) all other pertinent matters related to this action.

(c) An individual described in subsection (a) is entitled to the procedure described in IC 20-33-8-19.

(d) An individual described in subsection (a) who is at least thirteen (13) years of age and less than eighteen (18) years of age is entitled to a periodic review of the individual's attendance record in school to determine whether the prohibition described in subsection (a) shall continue. The periodic reviews may not be conducted less than one (1) time each school year.

(e) Upon review, the governing body may determine that the individual's attendance record has improved to the degree that the individual may become eligible to be issued an operator's license or a learner's permit.

(f) Before:

(1) February 1; and

(2) October 1;

of each year the governing body of the school corporation shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under subsection (a) to be issued an operator's license or a learner's permit.

(g) The department shall develop guidelines concerning criteria used in defining a habitual truant that may be considered by a governing body in complying with subsection (b).

Amended by P.L.242-2005, SEC.18.

IC 20-33-2-12 Nonpublic, non-accredited, and non-approved schools; curriculum or content requirements; student enrollment or participation

Sec. 12. (a) A school that is:

(1) non-public;

(2) non-accredited; and

(3) not otherwise approved by the state board;

is not bound by any requirements set forth in IC 20 or IC 21 with regard to curriculum or the content of educational programs offered by the school.

(b) This section may not be construed to prohibit a student who attends a school described in subsection (a) from enrolling in a particular educational program or participating in a particular educational initiative offered by an accredited public, nonpublic, or state board approved nonpublic school if:

(1) the governing body or superintendent, in the case of the accredited public school; or

(2) the administrative authority, in the case of the accredited or state board approved nonpublic school approves the enrollment or participation by the student.

IC 20-33-2-13 High school transcripts; required contents

Sec. 13. (a) A school corporation shall record or include the following information in the official high school transcript for a student in high school:

(1) Attendance records.

(2) The student's latest ISTEP program test results under IC 20-32-5.

(3) Any secondary level and postsecondary level certificates of achievement earned by the student.

(4) Immunization information from the immunization record the student's school keeps under IC 20-34-4-1.

(5) Any dual credit courses taken that are included in the core transfer library under IC 21-42-5-4.

(b) A school corporation may include information on a student's high school transcript that is in addition to the requirements of subsection (a).

Amended by P.L.140-2008, SEC.8.

IC 20-33-2-14 Attendance exception; service as a page for or as an honoree of the general assembly

Sec. 14. (a) This section and sections 15 through 17.5 of this chapter apply to a student who attends either a public school or a nonpublic school.

(b) Service as a page for or as an honoree of the general assembly is a lawful excuse for a student to be absent from school, when verified by a certificate of the secretary of the senate or the chief clerk of the house of representatives. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

Amended by P.L.185-2006, SEC.13.

IC 20-33-2-15 Attendance exception; service on precinct election board or for political candidates or parties

Sec. 15. (a) The governing body of a school corporation and the chief administrative official of a nonpublic secondary school system shall authorize the absence and excuse of each secondary school student who serves:

(1) on the precinct election board; or

(2) as a helper to a political candidate or to a political party on the date of each general, city or town, special, and primary election at which the student works.

(b) Before the date of the election, the student must submit a document signed by one (1) of the student's parents giving permission to participate in the election as provided in this section, and the student must verify to school authorities the performance of services by submitting a document signed by the candidate, political party chairman, campaign manager, or precinct officer generally describing the duties of the student on the date of the election. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

IC 20-33-2-16 Attendance exception; witness in judicial proceeding

Sec. 16. The governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of a student who is issued a subpoena to appear in court as a witness in a judicial proceeding. A student excused under this section shall not be recorded as being absent on any date for which the excuse is operative and shall not be penalized by the school in any manner. The appropriate school authority may require that the student submit the subpoena to the appropriate school authority for verification.

IC 20-33-2-17

Attendance exception; duty with Indiana National Guard

Sec. 17. The governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is ordered to active duty with the Indiana National Guard for not more than ten (10) days in a school year. For verification, the student must submit to school authorities a copy of the orders to active duty and a copy of the orders releasing the student from active duty. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

As added by P.L.1-2005, SEC.17.

IC 20-33-2-17.2 Attendance exception; duty with Indiana wing of civil air patrol

Sec. 17.2. The governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is a member of the Indiana wing of the civil air patrol and who is participating in a civil air patrol:

(1) international air cadet exchange program, for the length of the program; or

(2) emergency service operation, including:

(A) search and rescue missions designated by the Air Force Rescue Coordination Center;

(B) disaster relief, when requested by the federal or state emergency management agency;

(C) humanitarian services, when requested by the federal or state emergency management agency;

(D) United States Air Force support designated by the First Air Force, North American Aerospace Defense Command; or

(E) United States Air Force military flights, if the flights are not available on days when school is not in session;

for not more than five (5) days in a school year; if the student submits to school authorities appropriate documentation from the Indiana wing of the civil air patrol detailing the reason for the student's absence. A student excused from school attendance under this section may not be recorded as being absent on any date to which the excuse applies and may not be penalized by the school in any manner.

As added by P.L.55-2007, SEC.1.

IC 20-33-2-17.5 Compulsory school attendance; exceptions; educationally related non-classroom activity; non-classroom activity

Sec. 17.5. The governing body of a school corporation may authorize the absence and excuse of a student who attends any educationally related non-classroom activity. Any educationally related non-classroom activity and non-classroom activity must meet all the following conditions:

(1) Is consistent with and promotes the educational philosophy and goals of the school corporation and the state board.

(2) Facilitates the attainment of specific educational objectives.

(3) Is a part of the goals and objectives of an approved course or curriculum.

(4) Represents a unique educational opportunity.

(5) Cannot reasonably occur without interrupting the school day.

(6) Is approved in writing by the school principal.

As added by P.L.185-2006, SEC.14.

IC 20-33-2-18 Parent to produce certificate of child's incapacity on demand

Sec. 18. (a) If a parent of a student does not send the student to school because of the student's illness or mental or physical incapacity, it is unlawful for the parent to fail or refuse to produce a certificate of the illness or incapacity for an attendance officer not later than six (6) days after the certificate is demanded.

(b) The certificate required under this section must be signed by:

(1) an Indiana physician;

(2) an individual holding a license to practice osteopathy or chiropractic in Indiana; or

(3) a Christian Science practitioner who resides in Indiana and is listed in the Christian Science Journal.

IC 20-33-2-19 Attendance; public school children; religious instruction

Sec. 19. (a) When the parent of a student who is enrolled in a public school makes a written request, the principal may allow the student to attend a school for religious instruction that is conducted by a church, an association of churches, or an association that is organized for religious instruction and incorporated under Indiana law.

(b) If a principal grants permission under subsection (a), the principal shall specify a period or periods, not to exceed one hundred twenty (120) minutes in total in any week, for the student to receive religious instruction. The permission is valid only for the year in which it is granted. Decisions made by a principal under this section may be reviewed by the superintendent.

(c) A school for religious instruction that receives students under this section:

(1) shall maintain attendance records and allow inspection of these records by attendance officers; and

(2) may not be supported, in whole or in part, by public funds.

(d) A student who attends a school for religious instruction under this section shall receive the same attendance credit that the student would receive for attendance in the public schools for the same length of time.

IC 20-33-2-20 Attendance records

Sec. 20. (a) An accurate daily record of the attendance of each student who is subject to compulsory school attendance under this chapter shall be kept by every public and nonpublic school.

(b) In a public school, the record shall be open at all times for inspection by:

(1) attendance officers;

(2) school officials;

(3) agents of the department of labor;

(4) security police officers appointed under IC 36-8-3-7; and

(5) school corporation police officers appointed under IC 20-26-16.

Every teacher shall answer fully all lawful inquiries made by an attendance officer, a school official, an agent of the department of labor, or a security police officer appointed under IC 36-8-3-7. (c) In a nonpublic school, the record shall be required to be kept solely to verify the enrollment and attendance of a student upon request of the:

(1) state superintendent; or

(2) superintendent of the school corporation in which the nonpublic school is located.

Amended by P.L.34-2008, SEC.1.

IC 20-33-2-21 Attendance reports

Sec. 21. (a) Each principal and teacher in a public school that is attended by a student subject to the compulsory school attendance law under this chapter shall furnish, on request of the superintendent of the school corporation in which they are employed, a list of:

(1) names;

(2) addresses; and

(3) ages;

of all minors attending the school. When a student withdraws from school, the principal and teacher shall immediately report to the superintendent the student's name and address and the date of the student's withdrawal.

(b) Each principal or school administrator in a nonpublic school that is attended by a student who is subject to the compulsory school attendance law under this chapter shall furnish, on request of the state superintendent, the number of students by grade level attending the school.

(c) If:

(1) a student withdraws from a nonpublic school; and

(2) no public or other nonpublic school has requested the student's educational records within fifteen (15) school days after the date the student withdrew from school;

the nonpublic school shall report to the state superintendent or the superintendent of the school corporation in which the nonpublic school is located, the name and address of the student and the date the student withdrew from school.

As added by P.L.1-2005, SEC.17.

IC 20-33-2-22 List of students no longer enrolled

Sec. 22. (a) Not later than fifteen (15) school days after the beginning of each semester, the principal of a public high school shall send to the superintendent with jurisdiction over the school a list of names and last known addresses of all students:

(1) not graduated; and

(2) not enrolled in the then current semester who were otherwise eligible for enrollment.

(b) Each superintendent immediately shall make available all lists received under this section to an authorized representative of:

(1) Ivy Tech Community College of Indiana; and

(2) an agency whose purpose it is to enroll high school dropouts in various training programs.

(c) Each representative authorized to receive a list prepared under subsection (b) shall stipulate in writing that the list will be used only to contact prospective students or prospective trainees. If a list is used for any other purpose, the college or agency that the recipient represents is ineligible to receive subsequent lists for five (5) years.

Amended by P.L.127-2005, SEC.27.

IC 20-33-2-23 Powers of certain officers to take children into custody

Sec. 23. (a) Each school attendance officer, sheriff, marshal, and police officer in Indiana may take into custody any child who:

(1) is required to attend school under this chapter; and

(2) is found during school hours, unless accompanied:

(A) by a parent; or

(B) with the consent of a parent, by a relative by blood or marriage who is at least eighteen (18) years of age;

in a public place, in a public or private conveyance, or in a place of business open to the public.

(b) When an officer takes a child into custody under this section, the officer shall immediately deliver the child to the principal of the public or nonpublic school in which the child is enrolled. If a child is not enrolled in any school, then the officer shall deliver the child into the custody of the principal of the public school in the attendance area in which the child resides. If a child is taken to the appropriate school and the principal is unavailable, the acting chief administrative officer of the school shall take custody of the child.

(c) The powers conferred under this section may be exercised without warrant and without subsequent legal proceedings.

IC 20-33-2-24 Principal; duties when truant child received

Sec. 24. (a) When a child is delivered into the custody of a principal or acting chief administrative officer under section 23 of this chapter, the principal or officer shall immediately place the child in class in the grade or course of study in which the child is enrolled or to which the child may be properly assigned.

(b) A child who is placed in class under this section shall not be kept at school beyond the regular hour of dismissal on that day for the grade or course of study in which the child is placed. As promptly as reasonably possible after placing a child in class under this section, the principal or acting chief administrative officer shall attempt to advise the child's parent of the facts of the case by telephone. The principal or acting chief

administrative officer shall advise the parent of the facts of the case by mail on the same day the principal or officer receives the child.

IC 20-33-2-25 Report to juvenile court intake officer; habitual absence from school

Sec. 25. The superintendent or an attendance officer having jurisdiction shall report a child who is habitually absent from school in violation of this chapter to an intake officer of the juvenile court. The intake officer shall proceed in accord with IC 31-30 through IC 31-40.

IC 20-33-2-26 Enforcement of chapter

Sec. 26. (a) It is the duty of each:

(1) superintendent;
(2) attendance officer;
(3) state attendance official;
(4) security police officer appointed under IC 36-8-3-7; and
(5) school corporation police officer appointed under IC 20-26-16;

to enforce this chapter in their respective jurisdictions and to execute the affidavits authorized under this section. The duty is several, and the failure of one (1) or more to act does not excuse another official from the obligation to enforce this chapter.

(b) An affidavit against a parent for a violation of this chapter shall be prepared and filed in the same manner and under the procedure prescribed for filing affidavits for the prosecution of public offenses.

(c) An affidavit under this section shall be filed in a court with jurisdiction in the county in which the affected child resides. The prosecuting attorney shall file and prosecute actions under this section as in other criminal cases. The court shall promptly hear cases brought under this section.

Amended by P.L.34-2008, SEC.2.

IC 20-33-2-27 Compulsory attendance; parent's responsibility

Sec. 27. (a) It is unlawful for a parent to fail to ensure that the parent's child attends school as required under this chapter.

(b) Before proceedings are instituted against a parent for a violation of this section, personal notice of the violation shall be served on the parent by the superintendent or the superintendent's designee:

(1) having jurisdiction over the public school where the child has legal settlement; or
(2) of the transferee corporation, if the child has been transferred.

(c) Personal notice must consist of and take place at the time of the occurrence of one of the following events:

(1) The date of personal delivery of notice.
(2) The date of receipt of the notice sent by certified mail.
(3) The date of leaving notice at the last and usual place of the residence of the parent.

If the violation is not terminated not more than one (1) school day after this notice is given, or if another violation is committed during the notice period, no further notice is necessary. Each day of violation constitutes a separate offense.

IC 20-33-2-28 Compulsory attendance for full term; duty of parent

Sec. 28. (a) This section does not apply during a period when a child is excused from school attendance under this chapter.

(b) It is unlawful for a parent to:

(1) fail;
(2) neglect; or
(3) refuse;

to send the parent's child to a public school for the full term as required under this chapter unless the child is being provided with instruction equivalent to that given in public schools

IC 20-33-2-28.5 Requirements for exit interview; reporting requirement

Sec. 28.5. (a) This section applies to an individual:

(1) who:

(A) attends or last attended a public school;

(B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and

(C) has not completed the requirements for graduation;

(2) who:

(A) wishes to withdraw from school before graduation;

(B) fails to return at the beginning of a semester; or

(C) stops attending school during a semester; and

(3) who has no record of transfer to another school.

(b) An individual to whom this section applies may withdraw from school only if all of the following conditions are met:

(1) An exit interview is conducted.

(2) The individual's parent consents to the withdrawal.

(3) The school principal approves of the withdrawal.

(4) The withdrawal is due to:

(A) financial hardship and the individual must be employed to support the individual's family or a dependent;

(B) illness; or

(C) an order by a court that has jurisdiction over the child.

During the exit interview, the school principal shall provide to the student and the student's parent a copy of statistics compiled by the department concerning the likely consequences of life without a high school diploma. The school principal shall advise 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 or learner's permit.

(c) For purposes of this section, the following must be in written form:

(1) An individual's request to withdraw from school.

(2) A parent's consent to a withdrawal.

(3) A principal's consent to a withdrawal.

(d) If the individual's principal does not consent to the individual's withdrawal under this section, the individual's parent may appeal the denial of consent to the governing body of the public school that the individual last attended.

(e) Each public school, including each school corporation and each charter school (as defined in IC 20-24-1-4), shall provide an annual report to the department setting forth the following information:

(1) The total number of individuals:

(A) who withdrew from school under this section; and

(B) who either:

(i) failed to return to school at the beginning of a semester; or

(ii) stopped attending school during a semester;

and for whom there is no record of transfer to another school.

(2) The number of individuals who withdrew from school following an exit interview.

(f) If an individual to which this section applies:

(1) has not received consent to withdraw from school under this section; and

(2) fails to return to school at the beginning of a semester or during the semester;

the principal of the school that the individual last attended shall deliver by certified mail or personal delivery to the bureau of child labor a record of the individual's failure to return to school so that the bureau of child labor revokes any employment certificates issued to the individual and does not issue any additional employment certificates to the individual. For purposes of IC 20-33-3-13, the individual shall be considered a dropout.

(g) At the same time that a school principal delivers the record under subsection (f), the principal shall deliver by certified mail or personal delivery to the bureau of motor vehicles a record of the individual's failure to return to school so that the bureau of motor vehicles revokes any driver's license or learner's permit issued

to the individual and does not issue any additional driver's licenses or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout.

(h) If:

(1) a principal has delivered the record required under subsection (f) or (g), or both; and

(2) the school subsequently gives consent to the individual to withdraw from school under this section; the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery and, for purposes of IC 20-33-3-13 and IC 9-24-2-1, the individual shall no longer be considered a dropout.

As added by P.L.242-2005, SEC.19. Amended by P.L.185-2006, SEC.15.

IC 20-33-2-29 Children in certain institutions or facilities; compulsory school attendance; reimbursement for space used within facilities for court placed student expenses

Sec. 29. (a) It is unlawful for a person operating or responsible for:

(1) an educational;

(2) a correctional;

(3) a charitable; or

(4) a benevolent institution or training school;

to fail to ensure that a child under the person's authority attends school as required under this chapter. Each day of violation of this section constitutes a separate offense.

(b) If a child is placed in an institution or facility by or with the approval of the department of child services, the institution or facility shall charge the department of child services for the use of the space within the institution or facility (commonly called capital costs) that is used to provide educational services to the child based upon a prorated per child cost.

Amended by P.L.146-2008, SEC.475.

IC 20-33-2-30 Separate attendance district; requirement

Sec. 30. A school corporation having an ADA of at least one thousand five hundred (1,500) students constitutes a separate attendance district.

Amended by P.L.2-2006, SEC.150.

IC 20-33-2-31 Attendance officers; appointment in completely reorganized counties

Sec. 31. (a) In a county that has been completely reorganized into one (1) or more school corporations under IC 20-23-4, the governing body of each school corporation with at least one thousand five hundred (1,500) students in ADA shall appoint an attendance officer. The governing body of each school corporation that has fewer than one thousand five hundred (1,500) students in ADA may appoint an attendance officer. If the governing body of a school corporation that has discretion in whether to appoint an attendance officer declines to make an appointment, the superintendent of the school corporation shall serve as ex officio attendance officer under section 35 of this chapter.

(b) Whenever the governing body of a school corporation makes an appointment under this section, it shall appoint an individual nominated by the superintendent. However, the governing body may decline to appoint any nominee and require another nomination. The salary of each attendance officer appointed under this section shall be fixed by the governing body. In addition to salary, the attendance officer is entitled to receive reimbursement for actual expenses necessary to properly perform the officer's duties. The salary and expenses of an attendance officer appointed under this section shall be paid by the treasurer of the school corporation.

Amended by P.L.2-2006, SEC.151.

IC 20-33-2-35 Ex officio attendance officers

Sec. 35. If the governing body of a school corporation elects not to appoint an attendance officer under section 31 of this chapter or an appointing authority elects not to appoint an attendance officer under section 33 of this chapter, the superintendent shall serve as an ex officio attendance officer. A superintendent acting in this capacity may designate one (1) or more teachers as assistant attendance officers. These assistant attendance officers shall act under the superintendent's direction and perform the duties the superintendent assigns. Ex

officio attendance officers and assistant attendance officers appointed under this section shall receive no additional compensation for performing attendance services.

IC 20-33-2-38 Attendance officers; appointment of additional officers

Sec. 38. Any school corporation, attendance district, or remainder attendance district may appoint more attendance officers than are specifically authorized or required under this chapter. However, these additional attendance officers shall be appointed in the same manner as required by law for other attendance officers. Compensation for additional attendance officers appointed under this section shall be paid entirely by the school corporation or school corporations involved.

IC 20-33-2-39 Attendance officers; duties

Sec. 39. An attendance officer has the following duties:

(1) To serve subject to the rules, direction, and control of the superintendent in the attendance officer's attendance district.

(2) To maintain an office at a place designated by the superintendent.

(3) To be on duty during school hours and at other times as the superintendent may request.

(4) To keep records and make reports as required by the state board.

(5) To visit the homes of children who are absent from school or who are reported to be in need of books, clothing, or parental care.

(6) Whenever the superintendent directs or approves it, to bring suit to enforce any provision of this chapter that is being violated.

(7) To serve written notice on any parent whose child is out of school illegally.

(8) To visit factories where children are employed.

(9) To perform other duties necessary for complete enforcement of this chapter.

IC 20-33-2-40 Attendance officers; special powers

Sec. 40. (a) Each attendance officer may serve original and other process in cases arising under this chapter.

(b) An attendance officer may enter any place where a child is employed to determine whether violations of this chapter or of IC 20-33-3 have occurred. When an attendance officer or a school official is exercising the power granted under this subsection, any officer, manager, director, employee or other person who refuses to permit the attendance officer's or the school official's entry into a place of business or interferes with his investigation in any way commits a violation of this chapter.

IC 20-33-2-46 Compulsory attendance; exception; disability

Sec. 46. (a) With the approval of the state board, a superintendent may exclude or excuse a student found mentally or physically unfit for school attendance. An exclusion or excuse under this section is valid only for the school year during which it is issued.

(b) A superintendent's action under this section must be in accordance with limitations and regulations established by the state board concerning the procedures and requirements for the complete examination of students.

(c) A student may not be compelled to undergo any examination or treatment under this chapter when the student's parent objects on religious grounds, which consists of a good faith reliance on spiritual means or prayer for healing. The objection is not effective unless it is:

(1) made in writing;

(2) signed by the student's parent; and

(3) delivered to the student's teacher or to the individual who might order an examination or treatment absent the objection.

A student may not be excluded under this section except as provided under IC 20-33-8.

IC 20-33-2-47 School corporations; notification of absences; reports to local health departments

Sec. 47. (a) A school corporation may develop and implement a system of notifying the parent of a student when:

(1) the student fails to attend school; and

(2) the student does not have an excused absence for that day.

(b) A school corporation or an accredited nonpublic school shall report to the local health department the percentage of student absences above a threshold determined by the department by rule adopted under IC 4-22-2.

(c) If a school corporation implements a notification system under this chapter, the attendance officer or the attendance officer's designee shall make a reasonable effort to contact by telephone the parent of each student who has failed to attend school and does not have an excused absence for that day.

(d) If an attendance officer or an attendance officer's designee has made a reasonable effort to contact a parent under subsection (c), the school corporation is immune from liability for any damages suffered by the parent claimed because of failure to contact the parent.