

# **PORTER TOWNSHIP SCHOOL CORPORATION**

**THURSDAY, DECEMBER 11, 2025**

**BOARD OF SCHOOL TRUSTEES  
MEETING**

**5:30 PM CST**



**NATALIE WARGO, PRESIDENT  
ERIC MCGINTY, VICE-PRESIDENT  
MARY HARLOW, SECRETARY  
LILANN SGOUROS, MEMBER  
JEANNETTE SKIBBIE, MEMBER**



**AGENDA**  
**REGULAR SCHOOL BOARD MEETING**  
**THURSDAY, DECEMBER 11, 2025**  
**5:30 pm**

*This meeting is a meeting of the School Board for the purpose of conducting the School Corporation's business and is not to be considered a public community meeting. There will be a time for public participation, as indicated by the agenda. The meeting site is fully accessible. Any person requiring further accommodation should contact the Superintendent.*

1. **CALL TO ORDER** – Dr. Natalie Wargo, President
  - A. Pledge of Allegiance
  - B. Welcome Visitors
2. **AGENDA ADJUSTMENTS** – Dr. Stacey Schmidt, Superintendent
3. **PROJECT HEARING & 2<sup>nd</sup> PRELIMINARY DETERMINATION HEARING**
  - A. Welcome
  - B. Statement of Purpose
  - C. Educational Need for Project
  - D. Overview of Project to Meet Education Needs, Cost & Timing
  - E. Financial Impact of the Project
  - F. Open Hearing for Public Comment
  - G. Adjourn Hearing
  - H. Adopt Resolution #1225-335, Project Resolution  
**Motion**\_\_\_\_\_ **Second**\_\_\_\_\_
  - I. Adopt Resolution #1225-336, Preliminary Determination Resolution  
**Motion**\_\_\_\_\_ **Second**\_\_\_\_\_
  - J. Adopt Resolution #1225-337, Reimbursement Resolution  
**Motion**\_\_\_\_\_ **Second**\_\_\_\_\_
4. **CONSENT AGENDA** – Dr. Schmidt
  - A. Personnel Report
  - B. Board Minutes, 11.13.2025 Meeting
  - C. Payroll and Claim Docket  
**Motion**\_\_\_\_\_ **Second**\_\_\_\_\_
5. **PUBLIC COMMENT - BUSINESS ITEMS ONLY**
6. **BUSINESS**
  - A. **PLE Project Update** – The Skillman Corporation
  - B. **Financial Report** – Mrs. Smith
    1. Financial Report
    2. Fund Report
    3. Monthly Fund Transfer Reports
    4. Investment Report

# Porter Township School Corporation

248 South 500 West  
Valparaiso, IN 46385  
219-477-4933 ext. 1000

STACEY M. SCHMIDT, Ph.D.  
Superintendent

BEN PARRISH  
Assistant Superintendent

KATHLEEN SMITH  
CFO/Treasurer



## C. Approve Stipends for Athletics Volunteers – Mrs. Smith

Motion \_\_\_\_\_ Second \_\_\_\_\_

## D. Permission to Pre-Pay Tolls – Mrs. Smith

Motion \_\_\_\_\_ Second \_\_\_\_\_

## E. Approve Resolution #1225-338, Online Payment of Officials – Mrs. Smith

Motion \_\_\_\_\_ Second \_\_\_\_\_

## F. Approve Revisions to Internal Controls Manual – Mrs. Smith

Motion \_\_\_\_\_ Second \_\_\_\_\_

## G. Contract Considerations – Dr. Schmidt

Motion \_\_\_\_\_ Second \_\_\_\_\_

## H. Approve Fundraisers – Dr. Schmidt

Motion \_\_\_\_\_ Second \_\_\_\_\_

## I. Approve the 2<sup>nd</sup> Reading and Adoption of the Following New Board Bylaws, Board Bylaw Revisions, New Board Policies, or Board Policy Revisions – Mr. Parrish

1. Revised Policy #0142 – Election and Eligibility to Serve
2. Revised Policy #0144.1 – Compensation
3. Revised Policy #0167.2 – Executive Session
4. Replacement Policy #1422 – Vol 38, No 1, Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment
5. Rescind Policy #1422.02 – Nondiscrimination Based on Genetic Information of the Employee
6. Rescind Policy #1662 – Anti-Harassment
7. Revised Policy #2221 – Mandatory Curriculum
8. Revised Policy #2260 – Nondiscrimination and Access to Equal Educational Opportunity
9. Revised Policy #2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability
10. Revised Policy #2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities
11. Revised Policy #2410 – Audio, Video, and Digital Recording of Meetings
12. Revised Policy #2411 – Guidance and Counseling
13. Revised Policy #2414 – Reproductive Health and Family Planning and Human Sexuality Instruction
14. Revised Policy #2416 – Student Privacy and Parental Access to Information
15. Revised Policy #2461 – Recording of IEP Team Meetings/Case Conferences
16. Revised Policy #2623 – Student Assessment
17. Replacement Policy #3122 – Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment
18. Rescind Policy #3122.02 – Nondiscrimination Based on Genetic Information of the Employee
19. Revised Policy #3220.01 – Teacher Appreciation Grants
20. Revised Policy #3231 – Outside Activities of Staff
21. Rescind Policy #3362 – Anti-Harassment
22. Replacement Policy #4122 – Nondiscrimination and Equal Employment Opportunity
23. Rescind Policy #4122.02 – Nondiscrimination Based on Genetic Information of the Employee
24. Revised Policy #4162 – Drug and Alcohol Testing of CDL Holders and Other Employees who Perform Safety-Sensitive Functions

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STACEY M. SCHMIDT, Ph.D.  
*Superintendent*

BEN PARRISH  
*Assistant Superintendent*

KATHLEEN SMITH  
*CFO/Treasurer*



25. Rescind Policy #4362 – Anti-Harassment
26. Revised Policy #5111 – Determination of Legal Settlement and Eligibility for Enrollment of Students without Legal Settlement in the Corporation
27. Revised Policy #5200 – Attendance
28. Replacement Policy #5350 – Student Suicide Awareness and Prevention
29. Revised Policy #5517 – Anti-Harassment
30. Revised Policy #5517.01 – Bullying
31. Revised Policy #5600 – Student Discipline
32. Revised Policy #5610 – Suspension and Expulsion of Students
33. Revised Policy #5771 – Search and Seizure
34. Revised Policy #6151 – Bad Checks and Uncollectable Debt
35. Revised Policy #6320 – Purchasing
36. Revised Policy #7440.01 – Electronic Monitoring and Recording
37. Revised Policy #7455 – Accounting System for Fixed Assets
38. Revised Policy #7540.02 – Digital Content and Accessibility
39. Revised Policy #8462 – Child Abuse and Neglect
40. Revised Policy #3213 – Student Supervision and Welfare
41. Revised Policy #5430 – Class Rank
42. Revised Policy #7540.03 – Student Technology Acceptable Use and Safety
43. Revised Policy #7540.04 – Staff Technology Acceptable Use and Safety
44. Revised Policy #5460 – Graduation Requirements

**Motion** \_\_\_\_\_ **Second** \_\_\_\_\_

7. **ASSISTANT SUPERINTEDENT REPORT** – Mr. Parrish

8. **SUPERINTENDENT REPORT** – Dr. Schmidt

9. **ADJOURNMENT**

**Motion** \_\_\_\_\_ **Second** \_\_\_\_\_

**1225-335 "A"**

**PROJECT RESOLUTION**

WHEREAS, the Board of School Trustees (the "Board") of Porter Township School Corporation (the "School Corporation") at a meeting on December 11, 2025, held a public hearing in accordance with Indiana Code § 20-26-7-37 for the purpose of answering questions and listening to taxpayers' comments and any evidence they may present about the proposed renovation of and improvements to facilities throughout the School Corporation, including site improvements and the purchase of equipment, technology and buses (collectively, the "Project"); and

WHEREAS, the Board finds that the School Corporation's 2025 Debt Service Tax rate as of the date hereof is \$0.6051; and

WHEREAS, the Board has carefully studied all the known options and feels that the proposed Project is in the best interests of the present and future students to be served by these facilities; now, therefore,

BE IT RESOLVED, that the purpose of the Project is to provide an improved educational environment for students.

BE IT FURTHER RESOLVED, that the estimated hard and soft construction costs of the Project are \$14,840,000, with estimated costs of issuance (including capitalized interest less interest earnings and interim lease rental, if any) of \$500,000, resulting in total estimated Project cost of \$15,340,000.

BE IT FURTHER RESOLVED, that the estimated \$15,340,000 will be funded by one or more of the following: Operations Fund, common school fund loan, state or federal grant monies, general obligation bond issue, and/or a building corporation bond issue with an anticipated impact on the Debt Service Fund tax rate of \$0.2956 per \$100 assessed valuation

based on an estimated \$930,405,078 assessed valuation beginning in 2027. However, as existing obligations mature, the anticipated net increase to the Debt Service Fund levy is expected to be \$0.00 above the estimated 2026 Debt Service Fund levy.

*Passed and adopted this 11th day of December, 2025.*

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President, Board of School Trustees

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Secretary, Board of School Trustees

1225-336 "B"

**PRELIMINARY DETERMINATION RESOLUTION**

WHEREAS, the Porter Township School Corporation (the "School Corporation") published a Notice of Preliminary Determination Hearings on October 30, 2025, in the Northwest Indiana Times and in the Post-Tribune and mailed such notice to the Porter County Clerk and any organizations requesting such notice as provided in Indiana Code § 6-1.1-20-3.5, with respect to the renovation of and improvements to facilities throughout the School Corporation, including site improvements and the purchase of equipment, technology and buses (collectively, the "Project"); and

WHEREAS, the first preliminary determination hearing was held on November 13, 2025, and the second preliminary determination hearing was held on December 11, 2025 in accordance with the notice and the law of the State of Indiana (the "State"); and

WHEREAS, the School Corporation has made the following information available to the public at the public hearings: (a) the result of the School Corporation's current and projected annual debt service payments divided by the net assessed value of taxable property within the School Corporation, which is 0.7399%; (b) the result of (i) the sum of the School Corporation's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the School Corporation; divided by (ii) the net assessed value of taxable property within the School Corporation, which is 8.96%; now, therefore,

BE IT RESOLVED that the Board of School Trustees (the "Board") of the School Corporation preliminarily determines to issue bonds and enter into a lease for the Project.

BE IT FURTHER RESOLVED that each lease agreement will be for a maximum term of 30 years with a maximum aggregate annual lease rental payment of \$2,750,000. The maximum annual lease rental payment has been estimated based upon an estimated principal amount of

bonds of \$15,340,000, estimated interest rates ranging from 2.00% to 6.00%, and estimated total interest costs of \$10,905,000. The School Corporation may issue general obligation bonds to fund the Project and if such bonds are issued, they will fit into the parameters listed above. If the School Corporation issues general obligation bonds, the principal amount of the bonds associated with the Lease, as described above, would be reduced by the principal amount of the general obligation bonds issued, such that the total principal amount of bond issued to finance the Project would not exceed the aggregate estimated principal amount of \$15,340,000.

The School Corporation's current Debt Service Fund levy is \$5,622,816 and the current Debt Service Fund tax rate is \$0.6051. After the School Corporation enters into the proposed lease agreement and the bonds are issued, the Debt Service Fund levy will increase by a maximum of \$2,750,000 and the Debt Service Fund tax rate will increase by a maximum of \$0.2956. However, as existing obligations mature, the anticipated net increase to the Debt Service Fund levy is expected to be \$0.00 above the estimated 2026 Debt Service Fund levy. The maximum annual debt service for the Project for any year in which the Bonds are outstanding is \$2,750,000. The estimated amount of the School Corporation's Debt Service Fund levy and Debt Service Fund tax rate that will result during the following ten years if the School Corporation enters into the lease agreement and issues the bonds, after considering any changes that will occur to the Debt Service Fund levy and Debt Service Fund tax rate during that period on account of any outstanding bonds or lease obligation that will mature or terminate during that period is as follows:

<u>Year</u>	<u>Estimated Total Debt Service Fund Levy</u>	<u>Estimated Total Debt Service Fund Tax Rate</u>
2025	\$5,622,816	\$0.6051
2026	6,277,461	0.6747
2027	6,277,461	0.6747
2028	6,277,461	0.6747

2029	6,277,461	0.6747
2030	6,277,461	0.6747
2031	6,277,461	0.6747
2032	6,277,461	0.6747
2033	6,277,461	0.6747
2034	6,277,461	0.6747
2035	6,277,461	0.6747
2036	6,277,461	0.6747
2037	6,277,461	0.6747

The purpose of the lease agreement is to provide for the completion of the Project.

BE IT FURTHER RESOLVED that all capital improvement projects addressed in the most recent threat assessment and school safety plan have been completed.

BE IT FURTHER RESOLVED that the Secretary of the Board is hereby authorized and directed to publish the notice of adoption of this preliminary determination in accordance with Indiana law.

BE IT FURTHER RESOLVED that if a valid petition pursuant to Indiana Code § 6-1.1-20-3.5 is received by the School Corporation, the Secretary of the Board is hereby authorized pursuant to Indiana Code § 6-1.1-20-3.5(c) to submit the notice required by Indiana Code § 6-1.1-20-3.5(b)(2) and any other required information to the Porter County Auditor.

*Passed and adopted this 11th day of December, 2025.*

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President, Board of School Trustees

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Secretary, Board of School Trustees

**DECLARATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES**

WHEREAS, Porter Township School Corporation (the "School Corporation") intends to finance the renovation of and improvements to facilities throughout the School Corporation, including site improvements and the purchase of equipment, technology and buses (collectively, the "Project"); and

WHEREAS, the School Corporation reasonably expects to reimburse certain costs of the Project with proceeds of obligations to be incurred by or on behalf of the School Corporation in an amount not to exceed \$15,340,000; and

WHEREAS, the School Corporation, acting through a leasing entity, expects to have obligations issued on its behalf for the Project and to use the proceeds hereof to reimburse or pay costs of the Project;

NOW, THEREFORE, BE IT RESOLVED that the School Corporation declares its official intent to acquire, construct or rehabilitate the Project with proceeds of obligations incurred by or on behalf of the School Corporation in an amount not to exceed \$15,340,000 for the purpose of paying or reimbursing costs of the Project; and to approve obligations issued by a leasing entity that will lease the Project to the School Corporation.

BE IT FURTHER RESOLVED, that the School Corporation reasonably expects to reimburse itself from proceeds of obligations issued by or on behalf of the School Corporation for costs of the Project paid prior to the issuance of the obligations.

*Passed and adopted this 11th day of December, 2025.*

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President, Board of School Trustees

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Secretary, Board of School Trustees



Porter Township School Corporation  
School Board Meeting  
December 11, 2025  
Personnel Report Page 1 of 1

**Appointments**

*Certified*

Name	Position	Location	Effective Date
Bell, Kambria	5th Grade Teacher (Maternity Leave Sub)	BGE	Approx 12/8/2025
Samanas, Christine	Special Ed Resource Room Teacher	PLE	12/8/2025

*Classified*

Galiher, Amy	Cafeteria Worker	PLE	12/1/2025
Kenevan, Jennifer	LRE Paraprofessional	BGMS	11/18/2025

*Extra-Curricular*

Otero, Sarah	Social Studies Academic Team	BGMS	2025-2026 School Year
Suggs, Catherine	MS Boys Volleyball Coach	BGMS	2025-2026 School Year

**Leaves**

*Classified*

Davis, Deb	Teacher's Aide	PLE	12/1/2025
Harker, Denise	Teacher's Aide	BGHS	11/13/2025

**Resignations**

*Extra-Curricular*

Williams, Karen	Social Studies Academic Team	BGMS	2025-2026 School Year
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Minutes of the Regular School Board Meeting, Porter Township School Corporation Board of School Trustees  
November 13, 2025 | 5:30 pm CST

*\*The following is a partial transcript of the meeting. A recording of the actual meeting is available on the PTSC website Board of School Trustees page, <https://www.ptsc.k12.in.us/school-board/agenda-minutes/>  
Approval of this transcript as official minutes will be at the next regular meeting of the Board of School Trustees.*

Board Members Present: Dr. Natalie Wargo, Eric McGinty, Mary Harlow, Lilann Sgouros, and Jeannette Skibbie

Board Members Absent: None

Staff Members Present: Dr. Stacey Schmidt, Superintendent, Ben Parrish, Assistant Superintendent, Kathleen Smith, CFO, and Jacquelyn Pillar, Corporation Attorney

Staff Members Absent: Laura Grayam, Executive Assistant

**1. CALL TO ORDER – Dr. Natalie Wargo, President | 5:30 pm CST**

**A. Pledge of Allegiance**

**B. Welcome Visitors**

**2. AGENDA ADJUSTMENTS – Dr. Stacey Schmidt, Superintendent |** Dr. Schmidt added agenda item 6B1 – Allow Withdrawal of Gariup

**3. PRELIMINARY DETERMINATION HEARING – Dr. Schmidt**

**A. Welcome**

**B. Statement of Purpose**

**C. Educational Need for Project**

**D. Overview of Project to Meet Education Needs, Cost & Timing**

**E. Financial Impact of the Project**

**F. Public Comment**

Dr. Schmidt explained the purpose of the hearing, outlined the need for the project, supported by the Needs Matrix that was presented by Gibraltar in 2023. Work at PLE is already underway. Work at BGHS is starting soon, to address HVAC, classroom doors, gym bleachers, update functionality of instructional spaces, and sinking/cracking areas. Upcoming needs include transportation updates, maintenance equipment updates, upkeep at BGHS, roofing at BGHS, maintenance and upkeep at our wastewater treatment plant, heater replacements and lighting at BGE/BGMS, maintenance and upkeep at PLE, as well as ADA access concerns at Central Office. We are discussing authorizing bonds for \$15,340,000.00. Dr. Schmidt welcomed Mr. Luke Bruggeman from Stifel, who discussed the financial impact of the project.

Dr. Wargo opened the hearing for public comment. No one signed up to speak; Dr. Wargo closed the public hearing.

**4. CONSENT AGENDA – Dr. Schmidt**

**A. Personnel Report**

**B. Board Minutes, 10.9.2025 Meeting**

**C. Payroll and Claim Docket**

Dr. Schmidt recommended approval of the Consent Agenda, as presented in the board packet, consisting of board meeting minutes, payroll and claim dockets, and the following items listed on the personnel report:

**Appointments**

*Certified*

Name	Position	Location	Effective Date
Suggs, Catherine	Homebound Instructor	BGMS	10/29/2025
Travis, Tracey	Reassign from Resource Room Teacher to Applied Skills Teacher	PLE	10/17/2025

<i>Classified</i>	Kosinski, Collette	Cafeteria Worker	PLE	11/3/2025
	Smith, Julie	Cafeteria Worker	PLE	11/10/2025
<i>Extra-Curricular</i>	Borys, Joe	Girls Wrestling Assistant Coach, Volunteer	BGHS	2025-2026 School Year
	Clinton III, Don	Bowling Assistant Coach, Volunteer	BGHS	2025-2026 School Year
	Clinton, Kelly	Bowling Assistant Coach, Volunteer	BGHS	2025-2026 School Year
	Davis, Kelly	Reassign from 7th Grade Girls VB Head Coach to 6th Grade Girls VB Head Coach	BGMS	2025-2026 School Year
	Desenberg, Page	Varsity Girls Basketball Assistant Coach	BGHS	2025-2026 School Year
	Garza, Sean	Varsity Boys Wrestling Asst Coach, Volunteer	BGHS	2025-2026 School Year
	Jones, Dave	JV Girls Basketball Asst Coach, Volunteer	BGHS	2025-2026 School Year
	Knight, William	Head Bowling Coach	BGHS	2025-2026 School Year
	Kraus, Kevin	Bowling Assistant Coach, Volunteer	BGHS	2025-2026 School Year
	Minder, Bob	Varsity Girls Wrestling Head Coach	BGHS	2025-2026 School Year
	Paciga, Bonnie	Bowling Assistant Coach, Volunteer	BGHS	2025-2026 School Year
	Packard, Dale	6th Grade Boys Basketball Head Coach	BGMS	2025-2026 School Year
	Richardson-Kobus, Jane	Bowling Assistant Coach, Volunteer	BGHS	2025-2026 School Year
	Hill, London	PE Teacher	PLE/BGE	approx 56 days beginning 3/3/26
<i>Certified</i>	Albury, Sara	Special Ed Teacher's Aide	BGMS	10/28- 10/30/2025
	Davis, Deb	Teacher's Aide	PLE	10/14- 10/17/2025
<i>Classified</i>	Demato-Flores, Diana	Special Ed Teacher's Aide	PLE	10/31/2025
	Harker, Denise	Special Ed Teacher's Aide	BGHS	10/1, 10/13, 10/27-10/30, 2025
<i>Resignations</i>	Schacki, Alexis	PreK Teacher's Aide	PLE	10/10/2025
	Schultze, Shannon	Teacher's Aide	BGE	10/30/2025
<i>Certified</i>	Wotherspoon, Kelley	Special Education Teacher	PLE	10/15/2025
	Batson, Samantha	Cafeteria	PLE	10/31/2025
<i>Terminations</i>	Haluska, Terissa	Cafeteria	PLE	10/31/2025
<i>Classified</i>	Hall, Ericka	Special Ed Paraprofessional	BGMS	10/28/2025

**Superintendent-  
Initiated Unpaid  
Furlough Days for  
Expenditure Reductions**

*Certified*

Schmidt, Stacey	Superintendent	PTSC	2 Days

A motion to approve the Consent Agenda was made by Mary Harlow, seconded by Lilann Sgouros. There was no discussion and the motion carried 5-0.

**5. PUBLIC COMMENT - BUSINESS ITEMS ONLY |** There were no public comments

**6. BUSINESS**

**A. PLE Project Update – The Skillman Corporation**

Mr. Scott Cherry provided an update on PLE construction, which is moving along as scheduled.

**B. Approve Bid Recommendations for BGHS Project – Dr. Schmidt**

**\*added\* 6B1 – Allow Withdrawal of Gariup**

27 bids in 6 bid categories were received on October 30<sup>th</sup> for work at BGHS. Mr. Cherry recommended awarding bids as outlined in the cart provided in the board packet.

Mr. Cherry answered questions from the board.

A motion to approve these bid recommendations was made by Eric McGinty, seconded by Jeannette Skibbie. There was no discussion and the motion carried 5-0.

Agenda item 6B1 was added, allowing Gariup to withdraw their bid, which was submitted with a mathematical error. A motion to allow Gariup to withdraw their bid was made by Mary Harlow, seconded by Lilann Sgouros. There was no discussion and the motion carried 5-0.

**C. Financial Report – Mrs. Smith**

**1. Financial Report**

**2. Fund Report**

**3. Monthly Fund Transfer Reports**

**D. Approve Collective Bargaining Agreement – Dr. Schmidt**

Dr. Schmidt recommended approval of the Collective Bargaining Agreement, which was presented last month. No changes have since been made. A motion to approve the CBA was made by Jeannette Skibbie, seconded by Eric McGinty. There was no discussion and the motion carried 5-0.

**E. Approve Classified Compensation Increases and Wage Schedule – Dr. Schmidt**

Dr. Schmidt recommended approval of the wage schedule (unchanged) and Classified Compensation Increases in the form of stipends totaling \$75 or \$125 (based on employee classification) for eligible employees. A motion to approve these stipends and wage schedule was made by Lilann Sgouros, seconded by Mary Harlow. There was no discussion and the motion carried 5-0.

**F. Approve Administrative Contract Extensions – Dr. Schmidt**

Dr. Schmidt recommended approval of contract extensions for Administrators and Directors, as listed in the board packet. A motion to approve contract extensions was made by Mary Harlow, seconded by Jeannette Skibbie. There was no discussion and the motion carried 5-0.

**G. Approve Fundraisers – Dr. Schmidt**

Dr. Schmidt recommended approval of 2 fundraisers, as presented in the board packet. A motion to approve fundraisers was made by Eric McGinty, seconded by Jeannette Skibbie. There was no discussion and the motion carried 5-0.

#### **H. Accept Donations – Dr. Schmidt**

Dr. Schmidt recommended approval of a donation of Scholastic Dollars from the PTO to the BGE library. A motion to accept this donation was made by Mary Harlow, seconded by Eric McGinty. There was no discussion and the motion carried 5-0.

#### **I. Approve Overnight Field Trips – Dr. Schmidt**

Dr. Schmidt recommended approval of an overnight field trip for BGHS Softball to travel next year for competition. A motion to approve this overnight field trip was made by Jeannette Skibbie, seconded by Lilann Sgouros. There was no discussion and the motion carried 5-0.

#### **J. Contract Considerations – Dr. Schmidt**

Dr. Schmidt recommended approval of contracts as presented in the board packet. A motion to accept contract was made by Mary Harlow, seconded by Eric McGinty. There was no discussion and the motion carried 5-0.

#### **K. Permission to Recycle Outdated Technology Items – Dr. Schmidt**

Dr. Schmidt requested permission to recycle outdated technology items, as listed in the board packet. A motion to grant permission to recycle outdated tech was made by Jeannette Skibbie, seconded by Lilann Sgouros. There was no discussion and the motion carried 5-0.

#### **L. Approve the 1<sup>st</sup> Reading of the Following New Board Bylaws, Board Bylaw Revisions, New Board Policies, or Board Policy Revisions – Mr. Parrish**

1. Revised Policy #0142 – Election and Eligibility to Serve
2. Revised Policy #0144.1 – Compensation
3. Revised Policy #0167.2 – Executive Session
4. Replacement Policy #1422 – Vol 38, No 1, Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment
5. Rescind Policy #1422.02 – Nondiscrimination Based on Genetic Information of the Employee
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25. Rescind Policy #4362 – Anti-Harassment

26. Revised Policy #5111 – Determination of Legal Settlement and Eligibility for Enrollment of Students without Legal Settlement in the Corporation
27. Revised Policy #5200 – Attendance
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40. Revised Policy #3213 – Student Supervision and Welfare
41. Revised Policy #5430 – Class Rank
42. Revised Policy #7540.03 – Student Technology Acceptable Use and Safety
43. Revised Policy #7540.04 – Staff Technology Acceptable Use and Safety
44. Revised Policy #5460 – Graduation Requirements

A motion to approve the above policies was made by Jeannette Skibbie, seconded by Mary Harlow.

There was no discussion and the motion carried 5-0.

#### **7. ASSISTANT SUPERINTENDENT REPORT – Mr. Parrish**

Mr. Parrish provided a brief update from each building:

BGMS – Basketball season is underway

PLE – 97% turnout for parent/teacher conferences, Angel Tree has begun, benefiting 60 community families this year

BGE – Spell Bowl has their first competition coming up – good luck to them! Student Council's recent food drive was very successful, bringing in over 2,000 food items.

BGHS – Drama presents The Enchanted Bookshop this weekend, next week, the Guidance Department has selected 30 students will go to the Skills Training Day. The Natural Helpers retreat was a success, as always. Girls Volleyball and Girls Soccer captured Sectional titles this year – congrats!

#### **8. SUPERINTENDENT REPORT – Dr. Schmidt**

Dr. Schmidt just returned from the annual Superintendent's conference in Indianapolis. We've recently received a STEM grant that allows a fascinating AI tool for math, beginning in 5<sup>th</sup> grade – our teachers are just getting access to the platform. More information and student data to come at a future meeting.

#### **9. ADJOURNMENT**

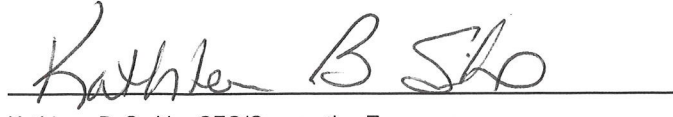
A motion to adjourn was made at 6:11 pm by Mary Harlow, seconded by Eric McGinty. The motion carried 5-0.

## Payroll Calc. Summary

Checkdate 11/20/2025 - Run #0 - All Locations - All Pay Groups

### FISCAL OFFICER CERTIFICATION

I hereby certify that the attached is true and correct and I have audited same in accordance with IC5-11-10-1.6.



Kathleen B. Smith - CFO/Corporation Treasurer

### BOARD CERTIFICATION

We have examined the claims listed on the following Payroll Calc. Summary Report, consisting of 3 pages, and except for the claims not allowed on the summary, such claims are hereby allowed in the total, \$427,095.81, dated this 14th day of November 2025.

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President -

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Vice President -

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Secretary -

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Member -

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Member -

## Payroll Calc. Summary

Checkdate 11/20/2025 - Run #0 - All Locations - All Pay Groups

Description	Certified	Classified	Total
<b>Earnings</b>			
Contract	\$272,364.34	\$18,186.67	\$290,551.01
Salary	\$0.00	\$12,569.71	\$12,569.71
Hourly	\$53.58	\$112,081.52	\$112,135.10
Daily	\$0.00	\$3,520.00	\$3,520.00
Extra Curr.	\$5,869.99	\$2,300.00	\$8,169.99
Other	\$150.00	\$0.00	\$150.00
<b>Taxes</b>			
Federal Wages	\$253,737.90	\$141,362.81	\$395,100.71
Federal Taxes	\$20,084.15	\$8,537.20	\$28,621.35
Social Security Wages	\$264,174.88	\$143,012.56	\$407,187.44
Social Security	\$16,378.84	\$8,866.76	\$25,245.60
Medicare Wages	\$264,174.88	\$143,012.56	\$407,187.44
Medicare	\$3,830.51	\$2,073.70	\$5,904.21
State & County Wages	\$253,737.90	\$141,362.81	\$395,100.71
State (IN)	\$7,332.54	\$4,176.14	\$11,508.68
County	\$1,871.14	\$1,200.82	\$3,071.96
<b>Employee Ret. Wages &amp; Deductions</b>			
<b>Corp-Paid Ret. Wages &amp; Benefits</b>			
TRF - TRF Pre 1996 Wages	\$9,285.72	\$0.00	\$9,285.72
TRF - TRF Pre 1996 Brd. Benefit	\$278.57	\$0.00	\$278.57
TRF - TRF Post 1996 Wages	\$244,596.43	\$0.00	\$244,596.43
TRF - TRF Post 1996 Brd. Benefit	\$7,337.87	\$0.00	\$7,337.87
TRF - TRF My Choice Wages	\$24,374.76	\$0.00	\$24,374.76
TRF - TRF My Choice Brd. Benefit	\$731.23	\$0.00	\$731.23
<b>Pre-Tax Deductions</b>			
Ann - VALIC 403B	\$1,482.44	\$448.48	\$1,930.92
Ann - AMERICAN FUNDS 403B01.09	\$8,539.54	\$894.33	\$9,433.87
Ann - PACIFIC LIFE 403B01.09	\$415.00	\$306.94	\$721.94
Misc. Ded. - MEDICAL 1	\$4,219.57	\$1,427.03	\$5,646.60
Misc. Ded. - MEDICAL 2	\$9,477.72	\$3,114.65	\$12,592.37
Misc. Ded. - MEDICAL 3	\$375.00	\$80.30	\$455.30
Misc. Ded. - MEDICAL 4	\$139.48	\$0.00	\$139.48
Misc. Ded. - AMFID HSA	\$0.00	\$50.00	\$50.00
Misc. Ded. - AMFID URM	\$1,168.33	\$990.60	\$2,158.93
Misc. Ded. - AMFID CHILD CARE	\$208.33	\$0.00	\$208.33
Misc. Ded. - AMFID OTHER	\$1,757.55	\$443.07	\$2,200.62
Misc. Ded. - DENTAL S125	\$688.67	\$245.76	\$934.43
** Pre-Tax Deduction Totals **	\$28,471.63	\$8,001.16	\$36,472.79
<b>Post-Tax Deductions</b>			
Ann - SEC BENEFIT ROTH 403B	\$2,787.93	\$1,769.78	\$4,557.71
Misc. Ded. - AMFID NOT 125	\$1,270.89	\$357.10	\$1,627.99
Misc. Ded. - TEXAS LIFE	\$968.98	\$571.28	\$1,540.26
Misc. Ded. - ED.F.PASS-THROUGH	\$38.50	\$8.00	\$46.50
Misc. Ded. - EDUCATION FOUNDATION of PTSC	\$77.00	\$14.00	\$91.00
Garn. - IND ST CENTRAL COLLECTION UNIT	\$368.34	\$0.00	\$368.34
Garn. - LAKE CTY SUPERIOR CRT- GARNISH	\$25.00	\$0.00	\$25.00
Garn. - CHICAGO CHAPTER 13 TRUSTEE	\$0.00	\$1,041.64	\$1,041.64
** Post-Tax Deduction Totals **	\$5,536.64	\$3,761.80	\$9,298.44
<b>Board-Paid Benefits</b>			
Ann - NC MATCH VALIC 401A	\$0.00	\$885.45	\$885.45
Ann - ADMN 3% VALIC 401A	\$745.11	\$0.00	\$745.11
Ann - ADMN 6% VALIC 401A	\$857.31	\$706.08	\$1,563.39
Ann - ADMN 9% VALIC 401A	\$0.00	\$1,346.24	\$1,346.24
Ann - ADMN 13% VALIC 401A	\$748.17	\$0.00	\$748.17
Misc. Ded. - MEDICAL 1	\$16,878.27	\$5,708.13	\$22,586.40
Misc. Ded. - MEDICAL 2	\$49,187.10	\$17,921.60	\$67,108.70
Misc. Ded. - MEDICAL 3	\$1,500.00	\$321.20	\$1,821.20
Misc. Ded. - MEDICAL 4	\$557.90	\$0.00	\$557.90
Misc. Ded. - VSP	\$1,893.02	\$335.92	\$2,228.94
Misc. Ded. - DENTAL S125	\$3,318.45	\$1,253.47	\$4,571.92
Misc. Ded. - LIFE CORP PAID	\$1,189.24	\$299.52	\$1,488.76
Ret. - TRF - 003	\$278.57	\$0.00	\$278.57
Ret. - TRF - 004	\$7,337.87	\$0.00	\$7,337.87
Ret. - TRF - 008	\$731.23	\$0.00	\$731.23

## Payroll Calc. Summary

Checkdate 11/20/2025 - Run #0 - All Locations - All Pay Groups

Description	Certified	Classified	Total
** Board-Paid Benefit Totals **	\$85,222.24	\$28,777.61	\$113,999.85
<b>Taxable Fringe</b>			
Fringe - LIFE INS FRINGE > 50K	\$2,347.00	\$56.00	\$2,403.00
Fringe - 2X's SALARY LIFE INS FRINGE	\$1,424.62	\$650.07	\$2,074.69
** Taxable Fringe Totals **	\$3,771.62	\$706.07	\$4,477.69
<b>Absences</b>			
HOLIDAY - Days Used	0	29.00	29.00
SICK - Days Used	33.00	37.00	70.00
FAM ILL - Days Used	11.00	0	11.00
VAC - Days Used	0.50	20.50	21.00
PERS - Days Used	11.50	12.00	23.50
PROF LV - Days Used	13.00	0	13.00
FUNERAL - Days Used	1.00	2.50	3.50
NO PAY - Days Used	0	9.00	9.00
NO TEACH - Days Used	0	2.00	2.00
<b>Employees Summary</b>			
Employees	106	112	218
Earnings	\$278,437.91	\$148,657.90	\$427,095.81
Lost Pay	\$0.00	\$0.00	\$0.00
Gross Pay	\$278,437.91	\$148,657.90	\$427,095.81
Taxes	\$49,497.18	\$24,854.62	\$74,351.80
Annuities	\$13,224.91	\$3,419.53	\$16,644.44
Miscellaneous Deductions	\$20,390.02	\$7,301.79	\$27,691.81
Total Garnishments	\$393.34	\$1,041.64	\$1,434.98
Retirement	\$0.00	\$0.00	\$0.00
Net Pay	\$194,932.46	\$112,040.32	\$306,972.78

11.15.25

## Payroll Calc. Summary

Checkdate 12/05/2025 - Run #0 - All Locations - All Pay Groups

### FISCAL OFFICER CERTIFICATION

I hereby certify that the attached is true and correct and I have audited same in accordance with IC5-11-10-1.6.



Kathleen B. Smith - CFO/Corporation Treasurer

### BOARD CERTIFICATION

We have examined the claims listed on the following Payroll Calc. Summary Report, consisting of 3 pages, and except for the claims not allowed on the summary, such claims are hereby allowed in the total, \$411,321.47, dated this 3rd day of December 2025.

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President -

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Vice President -

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Secretary -

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Member -

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Member -

## Payroll Calc. Summary

Checkdate 12/05/2025 - Run #0 - All Locations - All Pay Groups

Description	Certified	Classified	Total
<b>Earnings</b>			
Contract	\$271,420.87	\$23,186.67	\$294,607.54
Salary	\$0.00	\$12,569.71	\$12,569.71
Hourly	\$360.00	\$78,124.23	\$78,484.23
Daily	\$0.00	\$3,265.00	\$3,265.00
Extra Curr.	\$5,829.99	\$15,850.00	\$21,679.99
Other	\$715.00	\$0.00	\$715.00
<b>Taxes</b>			
Federal Wages	\$249,564.05	\$125,389.75	\$374,953.80
Federal Taxes	\$20,012.33	\$6,024.61	\$26,036.94
Social Security Wages	\$259,972.73	\$126,644.20	\$386,616.93
Social Security	\$16,118.29	\$7,851.90	\$23,970.19
Medicare Wages	\$259,972.73	\$126,644.20	\$386,616.93
Medicare	\$3,769.62	\$1,836.34	\$5,605.96
State & County Wages	\$249,564.05	\$125,389.75	\$374,953.80
State (IN)	\$7,294.76	\$3,263.96	\$10,558.72
County	\$1,857.04	\$955.94	\$2,812.98
<b>Employee Ret. Wages &amp; Deductions</b>			
<b>Corp-Paid Ret. Wages &amp; Benefits</b>			
TRF - TRF Pre 1996 Wages	\$9,700.72	\$0.00	\$9,700.72
TRF - TRF Pre 1996 Brd. Benefit	\$291.02	\$0.00	\$291.02
TRF - TRF Post 1996 Wages	\$245,298.85	\$0.00	\$245,298.85
TRF - TRF Post 1996 Brd. Benefit	\$7,358.94	\$0.00	\$7,358.94
TRF - TRF My Choice Wages	\$22,531.29	\$0.00	\$22,531.29
TRF - TRF My Choice Brd. Benefit	\$675.93	\$0.00	\$675.93
<b>Pre-Tax Deductions</b>			
Ann - VALIC 403B	\$1,482.44	\$379.91	\$1,862.35
Ann - AMERICAN FUNDS 403B01.09	\$8,511.24	\$638.70	\$9,149.94
Ann - PACIFIC LIFE 403B01.09	\$415.00	\$235.84	\$650.84
Misc. Ded. - MEDICAL 1	\$4,219.57	\$1,427.03	\$5,646.60
Misc. Ded. - MEDICAL 2	\$9,777.48	\$3,114.65	\$12,892.13
Misc. Ded. - MEDICAL 3	\$375.00	\$80.30	\$455.30
Misc. Ded. - MEDICAL 4	\$139.48	\$0.00	\$139.48
Misc. Ded. - AMFID HSA	\$0.00	\$50.00	\$50.00
Misc. Ded. - AMFID URM	\$1,168.33	\$990.60	\$2,158.93
Misc. Ded. - AMFID CHILD CARE	\$208.33	\$0.00	\$208.33
Misc. Ded. - AMFID OTHER	\$1,757.55	\$443.07	\$2,200.62
Misc. Ded. - DENTAL S125	\$703.67	\$245.76	\$949.43
** Pre-Tax Deduction Totals **	\$28,758.09	\$7,605.86	\$36,363.95
<b>Post-Tax Deductions</b>			
Ann - SEC BENEFIT ROTH 403B	\$2,787.93	\$1,483.50	\$4,271.43
Misc. Ded. - AMFID NOT 125	\$1,270.89	\$357.10	\$1,627.99
Misc. Ded. - TEXAS LIFE	\$968.98	\$571.28	\$1,540.26
Misc. Ded. - ED.F.PASS-THROUGH	\$38.50	\$8.00	\$46.50
Misc. Ded. - EDUCATION FOUNDATION of PTSC	\$77.00	\$14.00	\$91.00
Misc. Ded. - SUPPLEMENTAL LIFE INSURANCE	\$218.74	\$47.58	\$266.32
Misc. Ded. - \$1 LIFE INSURANCE	\$105.00	\$47.00	\$152.00
Garn. - IND ST CENTRAL COLLECTION UNIT	\$368.34	\$0.00	\$368.34
Garn. - LAKE CTY SUPERIOR CRT- GARNISH	\$25.00	\$0.00	\$25.00
Garn. - CHICAGO CHAPTER 13 TRUSTEE	\$0.00	\$1,041.64	\$1,041.64
** Post-Tax Deduction Totals **	\$5,860.38	\$3,570.10	\$9,430.48
<b>Board-Paid Benefits</b>			
Ann - NC MATCH VALIC 401A	\$0.00	\$617.38	\$617.38
Ann - ADMN 3% VALIC 401A	\$745.11	\$0.00	\$745.11
Ann - ADMN 6% VALIC 401A	\$857.31	\$662.76	\$1,520.07
Ann - ADMN 9% VALIC 401A	\$0.00	\$1,346.24	\$1,346.24
Ann - ADMN 13% VALIC 401A	\$748.17	\$0.00	\$748.17
Misc. Ded. - MEDICAL 1	\$16,878.27	\$5,708.13	\$22,586.40
Misc. Ded. - MEDICAL 2	\$50,386.14	\$17,921.60	\$68,307.74
Misc. Ded. - MEDICAL 3	\$1,500.00	\$321.20	\$1,821.20
Misc. Ded. - MEDICAL 4	\$557.90	\$0.00	\$557.90
Misc. Ded. - DENTAL S125	\$3,378.45	\$1,253.47	\$4,631.92
Ret. - TRF - 003	\$291.02	\$0.00	\$291.02
Ret. - TRF - 004	\$7,358.94	\$0.00	\$7,358.94
Ret. - TRF - 008	\$675.93	\$0.00	\$675.93

**Payroll Calc. Summary**

Checkdate 12/05/2025 - Run #0 - All Locations - All Pay Groups

Description	Certified	Classified	Total
** Board-Paid Benefit Totals **	\$83,377.24	\$27,830.78	\$111,208.02
<b>Taxable Fringe</b>			
Fringe - 2X's SALARY LIFE INS FRINGE	-\$3.72	\$0.00	-\$3.72
** Taxable Fringe Totals **	-\$3.72	\$0.00	-\$3.72
<b>Absences</b>			
SICK - Days Used	48.00	45.00	93.00
VAC - Days Used	3.00	7.50	10.50
FUNERAL - Days Used	4.00	0	4.00
FAM ILL - Days Used	12.00	0.50	12.50
PERS - Days Used	4.00	0	4.00
NO PAY - Days Used	0	3.00	3.00
<b>Employees Summary</b>			
Employees	106	118	224
Earnings	\$278,325.86	\$132,995.61	\$411,321.47
Lost Pay	\$0.00	\$0.00	\$0.00
Gross Pay	\$278,325.86	\$132,995.61	\$411,321.47
Taxes	\$49,052.04	\$19,932.75	\$68,984.79
Annuities	\$13,196.61	\$2,737.95	\$15,934.56
Miscellaneous Deductions	\$21,028.52	\$7,396.37	\$28,424.89
Total Garnishments	\$393.34	\$1,041.64	\$1,434.98
Retirement	\$0.00	\$0.00	\$0.00
Net Pay	\$194,655.35	\$101,886.90	\$296,542.25

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
11/05/2025	Y	680256	706	GORDON FOOD SERVICE, INC.	0800	\$5,692.47	\$5,692.47	70948	1	PTSC FOOD PURCHASES
11/05/2025	Y	680257	1637	PORTER TOWNSHIP SCHOOL CORP	8400	\$44,610.50	\$44,610.50	1	4	9.25 FS Patron Account Tran
11/06/2025	Y	680258	9997	WM Corporate Services, Inc.	0300	\$2,068.35	\$2,068.35	70949	1	BGHS TRASH
11/12/2025	Y	680259	706	GORDON FOOD SERVICE, INC.	0800	\$5,535.29	\$5,535.29	70950	1	PTSC FOOD PURCHASES
11/12/2025	Y	680260	9968	Piazza Produce	0800	\$0.00	\$0.00	1	1	CORRECTIONS ON 680227, FFVP
11/12/2025	Y	680261	706	GORDON FOOD SERVICE, INC.	0800	\$0.00	\$0.00	1	1	FFVP CORRECTIONS ON V680142
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	0101	\$309,604.56		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	0300	\$62,190.21		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	0800	\$16,200.13		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	1300	\$8,812.60		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	1300	\$6,694.92		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	1300	\$7,613.74		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	2200	\$4,416.56		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	2301	\$449.82		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	3270	\$8,336.64		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	4126	\$2,053.60		0	1	11.20.25 Update Salaries
11/20/2025	Y	680262	9801	PORTER TOWNSHIP PAYROLL	6848	\$723.03	\$427,095.81	0	1	11.20.25 Update Salaries
11/20/2025	Y	680263	825	AMERICAN FIDELITY	*9452	\$2,271.72		70951	1	11.5.25 OTHER
11/20/2025	Y	680263	825	AMERICAN FIDELITY	*9452	\$1,646.19		70951	1	11.5.25 OTHER
11/20/2025	Y	680263	825	AMERICAN FIDELITY	*9452	\$2,200.62		70951	1	11.5.25 OTHER
11/20/2025	Y	680263	825	AMERICAN FIDELITY	*9452	\$1,627.99	\$7,746.52	70951	1	11.5.25 OTHER
11/20/2025	Y	680264	10011	American Fidelity Attn: HSA	*9452	\$100.00	\$100.00	70952	1	11.5.25 HSA
11/20/2025	Y	680265	9065	AMERICAN FUNDS	*9282	\$9,433.87	\$9,433.87	70953	1	11.20.25 AM.FUNDS
11/20/2025	Y	680266	9451	AMERICAN FIDELITY ASSURANCE	*9452	\$2,158.93		70954	1	11.20.25 URM
11/20/2025	Y	680266	9451	AMERICAN FIDELITY ASSURANCE	*9452	\$208.33		70954	1	11.20.25 URM
11/20/2025	Y	680266	9451	AMERICAN FIDELITY ASSURANCE	*9452	\$2,658.93		70954	1	11.20.25 URM
11/20/2025	Y	680266	9451	AMERICAN FIDELITY ASSURANCE	*9452	\$208.33	\$5,234.52	70954	1	11.20.25 URM
11/20/2025	Y	680267	9543	CLERK, LAKE SUPERIOR COURT,	*9462	\$25.00	\$25.00	70955	1	11.20.25 GARNISH(LOVING)
11/20/2025	Y	680268	995	OFFICE OF THE STANDING TRUST	*9462	\$563.00	\$563.00	70956	1	11.20.25 GARNISH(POWELL)
11/20/2025	Y	680269	9066	PACIFIC LIFE	*9282	\$721.94	\$721.94	70957	1	11.20.25 PAC.LIFE
11/20/2025	Y	680270	9877	PCCF-Education Foundation fo	*9301	\$93.00	\$93.00	70958	1	11.20.25 PASSTHROUGH
11/20/2025	Y	680271	1500	SECURITY BENEFIT	*9282	\$4,557.71	\$4,557.71	70959	1	11.20.25 S.B.ROTH
11/20/2025	Y	680272	796	TEXAS LIFE	*9442	\$1,540.26	\$1,540.26	70960	1	11.20.25 TEXAS LIFE
11/20/2025	Y	680273	9691	VALIC	*9282	\$1,930.92	\$1,930.92	70961	1	11.20.25 EE PD 403B
11/20/2025	Y	680274	995	OFFICE OF THE STANDING TRUST	*9462	\$478.64	\$478.64	70962	1	11.20.25 GARNISH(WOOLEY)
11/20/2025	Y	680275	9877	PCCF-Education Foundation fo	*9300	\$182.00	\$182.00	70963	1	11.5.25 SCHOLARSHIPS
11/20/2025	Y	680276	941	1ST SOURCE BANK	0101	\$22,674.60		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	0300	\$4,586.46		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	0800	\$1,211.78		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$102.83		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$55.33		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$87.01		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$94.51		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$50.86		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$79.96		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$48.21		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$25.94		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$40.77		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$70.50		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$37.92		1	1	11.20.25 FEDERAL TAX

12/05/2025  
08:57 AM

Sequenced by Date  
Acct. Types: All Types  
User: All Users

PORTER TOWNSHIP SCHOOL CORPORATION  
Accounts Payable Voucher Register  
Bank: All Banks

Date Range: 11/05/2025 - 12/11/2025  
Vouchers: 680256 - 680376  
Between Board: Included

Pg. 2  
v1.0.0.0

Epay Status: Any Status

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$59.60		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$45.61		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$24.54		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$38.62		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$42.83		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$23.04		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$36.22		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$119.05		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$64.07		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$100.71		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$41.63		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$76.71		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$76.71		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$76.69		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$69.74		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$46.83		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$25.20		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	1300	\$39.61		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	2200	\$324.34		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	2301	\$32.65		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	3270	\$618.73		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	*9211	\$28,621.35		1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680276	941	1ST SOURCE BANK	*9221	\$31,149.81	\$90,920.97	1	1	11.20.25 FEDERAL TAX
11/20/2025	Y	680277	9230	INDIANA DEPT OF REVENUE	*9231	\$22,133.76	\$22,133.76	1	1	11.20.25 STATE TAXES
11/20/2025	Y	680278	9240	INDIANA DEPT REVENUE	*9241	\$5,872.19	\$5,872.19	1	1	11.20.25 COUNTY TAXES
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	0101	\$23,561.96		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	0300	\$860.89		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$182.36		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$191.19		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$292.70		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$66.72		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$66.72		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$43.87		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$23.60		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$37.11		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$21.86		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$11.76		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$18.51		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$19.33		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$10.40		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$16.36		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$30.80		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$30.80		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$30.78		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$28.04		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$19.24		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$10.35		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	1300	\$16.27		1	1	11.20.25 6.5% TRF
11/20/2025	Y	680279	908	INDIANA STATE TEACHER RET.FD	2200	\$419.57	\$26,011.19	1	1	11.20.25 6.5% TRF
11/20/2025	Y	680280	1591	INSCCU	*9462	\$368.34	\$368.34	1	1	11.20.25 GARNISH (TAUB)

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
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11/20/2025	Y	680281	706	GORDON FOOD SERVICE, INC.	0800	\$7,021.48	\$7,021.48	70964	1	PTSC FOOD PURCHASES
11/20/2025	Y	680282	369	FRONTIER	0300	\$517.07	\$517.07	70965	1	ANNEX EMERGENCY LINE
11/21/2025	Y	680283	1802	PITNEY BOWES BANK INC	0300	\$10.00	\$10.00	70966	1	LARGE ENVELOPES, HS
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	0101	\$143,429.39		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	0300	\$36,387.17		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	0800	\$3,151.82		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$19.63		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$10.56		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$16.58		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$14.77		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$7.95		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$12.51		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$14.78		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$7.95		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$12.49		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$15.63		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$15.63		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$15.61		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$5.25		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$2.83		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$4.44		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$467.83		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$251.73		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$395.81		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$340.53		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$183.23		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$288.11		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$295.27		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$158.87		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$249.79		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$312.25		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$312.25		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$112.07		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$119.08		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$64.07		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$100.74		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$467.83		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$251.73		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$395.81		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$340.53		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$183.23		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$288.11		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$295.27		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$158.87		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$249.79		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$312.25		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$312.25		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$112.06		1	1	11.20.25 PLAN 1

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$119.08		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$64.07		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$100.74		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$19.63		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$10.56		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$16.58		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$14.77		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$7.95		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$12.51		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$14.78		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$7.95		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$12.49		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$15.63		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$15.63		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$15.61		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$5.25		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$2.83		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	1300	\$4.44		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	2200	\$3,335.14		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	3270	\$1,516.64		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9270	\$2,768.00		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	-\$31.68		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$4,804.20		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$10,773.91		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$455.30		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$139.48		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$1,717.39		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$5,646.60		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$12,592.37		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$455.30		1	1	11.20.25 PLAN 1
11/21/2025	Y	680284	1700	PORTER CO SCHOOL EMPL.INS TR	*9272	\$139.48	\$235,561.48	1	1	11.20.25 PLAN 1
11/21/2025	Y	680285	10021	PACIFIC LIFE	0630	\$2,541.43	\$2,541.43	70967	1	LaFollette Sick Days
11/24/2025	Y	680288	9910	BMO	0300	\$49.37		70970	1	IAPSS SCHMIDT, NOTARY SMITH
11/24/2025	Y	680288	9910	BMO	6847	\$340.00	\$389.37	70970	1	IAPSS SCHMIDT, NOTARY SMITH
11/24/2025	Y	680289	9910	BMO	0300	\$20.00		70971	1	TOLLS, ROWLAND HOTEL, LUDUS
11/24/2025	Y	680289	9910	BMO	0800	\$537.00		70971	1	TOLLS, ROWLAND HOTEL, LUDUS
11/24/2025	Y	680289	9910	BMO	*9500	\$18.30	\$575.30	70971	1	TOLLS, ROWLAND HOTEL, LUDUS
11/25/2025	Y	680291	706	GORDON FOOD SERVICE, INC.	0800	\$652.99	\$652.99	70973	1	PLE FOOD & SUPPLIES
11/28/2025	Y	680286	9691	VALIC	0101	\$3,852.21		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	0300	\$5,357.87		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	0800	\$375.00		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	1300	\$30.78		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	1300	\$30.80		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	1300	\$30.80		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	1300	\$30.80		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	1300	\$30.80		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	1300	\$30.78		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	2200	\$254.60		70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680286	9691	VALIC	3270	\$253.00	\$10,277.44	70968	1	11.5.25 BRD.PD.VALIC
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	0101	\$1,763.64		70969	1	11.20.25 BRD PD VISION

12/05/2025  
08:57 AM

Sequenced by Date  
Acct. Types: All Types  
User: All Users

PORTER TOWNSHIP SCHOOL CORPORATION  
Accounts Payable Voucher Register  
Bank: All Banks

Date Range: 11/05/2025 - 12/11/2025  
Vouchers: 680256 - 680376  
Between Board: Included

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v1.0.0.0

Epay Status: Any Status

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	0300	\$272.53		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	0800	\$28.64		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$11.59		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$6.23		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$9.82		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$5.64		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$3.04		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$4.78		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$8.46		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$4.55		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$7.17		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$7.16		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$7.16		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$7.16		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$3.13		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$1.68		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	1300	\$2.65		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	2200	\$42.14		70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680287	2218	VISION SERVICE PLAN -(CT)	*9270	\$58.33	\$2,255.50	70969	1	11.20.25 BRD PD VISION
11/28/2025	Y	680290	10013	Madison National Life Ins Co	0101	\$2,433.49		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	0300	\$496.72		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	0800	\$28.22		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$5.26		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$5.26		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$5.26		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$3.30		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$1.77		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.79		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$7.49		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$4.03		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$6.32		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$3.73		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.01		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$3.16		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$3.28		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$1.77		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.78		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$4.20		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$5.76		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$3.10		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$4.88		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.88		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$1.55		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.44		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.44		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$6.44		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$6.44		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$6.42		70972	1	DECEMBER LTD BILLING

12/05/2025 Sequenced by Date  
08:57 AM Acct. Types: All Types  
User: All Users

PORTER TOWNSHIP SCHOOL CORPORATION  
Accounts Payable Voucher Register  
Bank: All Banks

Date Range: 11/05/2025 - 12/11/2025 Pg. 6  
Vouchers: 680256 - 680376 v1.0.0.0  
Between Board: Included Epay Status: Any Status

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$4.42		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.88		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$1.55		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	1300	\$2.44		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	2200	\$47.11		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	3270	\$10.40		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	*9270	\$191.71		70972	1	DECEMBER LTD BILLING
11/28/2025	Y	680290	10013	Madison National Life Ins Co	*9442	\$259.66	\$3,587.79	70972	1	DECEMBER LTD BILLING
12/01/2025	Y	680292	2004	COMMUNITY UTILITIES OF INDIA	0300	\$1,916.71	\$1,916.71	70974	1	PLE WATER/WASTEWATER
12/02/2025	Y	680293	369	FRONTIER	0300	\$105.64	\$105.64	70975	1	CENTRAL ALARM LINE
12/02/2025	Y	680294	706	GORDON FOOD SERVICE, INC.	0800	\$6,468.08	\$6,468.08	70976	1	PTSC FOOD PURCHASES & CM'S
12/04/2025	Y	680362	9997	WM Corporate Services, Inc.	0300	\$1,461.12	\$1,461.12	71038	1	PTSC TRASH SERVICE
12/04/2025	Y	680364	1637	PORTER TOWNSHIP SCHOOL CORP	8400	\$33,858.10	\$33,858.10	1	4	11.25 FS Patron Account Tra
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	0101	\$308,115.45		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	0300	\$55,707.22		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	0800	\$12,535.71		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	1300	\$7,642.95		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	1300	\$5,898.37		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	1300	\$6,624.07		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	2200	\$4,416.56		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	2301	\$734.27		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	3270	\$6,870.24		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	4126	\$2,053.60		0	1	12.5.25 Update Salaries
12/05/2025	Y	680363	9801	PORTER TOWNSHIP PAYROLL	6848	\$723.03	\$411,321.47	0	1	12.5.25 Update Salaries
12/05/2025		680365	9065	AMERICAN FUNDS	*9282	\$9,149.94	\$9,149.94	0	1	12.5.25 AM.FUND
12/05/2025		680366	9543	CLERK, LAKE SUPERIOR COURT,	*9462	\$25.00	\$25.00	0	1	12.5.25 GARNISH (LOVING)
12/05/2025		680367	995	OFFICE OF THE STANDING TRUST	*9462	\$478.64	\$478.64	0	1	12.5.25 GARNISH (WOOLEY)
12/05/2025		680368	9066	PACIFIC LIFE	*9282	\$650.84	\$650.84	0	1	12.5.25 PAC.LIFE
12/05/2025		680369	1500	SECURITY BENEFIT	*9282	\$4,271.43	\$4,271.43	0	1	12.5.25 SB ROTH
12/05/2025		680370	796	TEXAS LIFE	*9442	\$1,540.26	\$1,540.26	0	1	12.5.25 TEXAS LIFE
12/05/2025		680371	9691	VALIC	*9282	\$1,862.35	\$1,862.35	0	1	12.5.25 EE PD 403B
12/05/2025		680372	995	OFFICE OF THE STANDING TRUST	*9462	\$563.00	\$563.00	0	1	12.5.25 GARNISH (POWELL)
12/05/2025		680373	941	1ST SOURCE BANK	0101	\$22,295.78		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	0300	\$4,012.81		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	0800	\$928.83		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$101.77		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$54.76		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$86.10		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$65.42		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$35.20		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$55.36		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$59.56		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$32.06		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$50.42		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$47.87		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$25.76		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$40.52		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$31.67		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$17.04		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$26.80		1	1	12.5.25 FEDERAL TAX

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$42.56		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$22.90		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$36.01		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$83.50		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$44.92		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$70.69		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$28.84		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$74.18		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$74.18		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$74.19		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$69.35		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$46.33		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$24.93		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	1300	\$39.19		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	2200	\$316.98		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	2301	\$52.65		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	3270	\$507.02		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	*9211	\$26,036.94		1	1	12.5.25 FEDERAL TAX
12/05/2025		680373	941	1ST SOURCE BANK	*9221	\$29,576.15	\$85,189.24	1	1	12.5.25 FEDERAL TAX
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	0101	\$23,466.01		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	0300	\$860.89		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$182.36		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$191.19		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$292.70		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$66.72		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$66.72		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$43.87		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$23.60		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$37.11		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$21.86		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$11.76		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$18.51		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$19.33		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$10.40		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$16.36		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$30.80		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$30.80		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$30.78		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$28.04		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$19.24		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$10.35		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	1300	\$16.27		1	1	12.5.25 6.5% TRF
12/05/2025		680374	908	INDIANA STATE TEACHER RET.FD	2200	\$419.57	\$25,915.24	1	1	12.5.25 6.5% TRF
12/05/2025		680375	1591	INSCCU	*9462	\$368.34	\$368.34	1	1	12.5.25 GARNISH (TAUB)
12/11/2025		680295	9958	AASA c/o Convention Mgmt Res	6847	\$1,265.00	\$1,265.00	70977	1	AASA NCE REGISTRATION/MEMBE
12/11/2025		680296	9848	AKERS, WENDY	0101	\$81.20	\$81.20	70978	1	OCT 25 MILEAGE
12/11/2025		680297	1749	AMAZON CAPITAL SERVICES	0101	\$290.00		70979	1	DRAW YOUR FUTURE SES, RYZEW
12/11/2025		680297	1749	AMAZON CAPITAL SERVICES	0300	\$23.99		70979	1	DRAW YOUR FUTURE SES, RYZEW
12/11/2025		680297	1749	AMAZON CAPITAL SERVICES	0708	\$214.09		70979	1	DRAW YOUR FUTURE SES, RYZEW
12/11/2025		680297	1749	AMAZON CAPITAL SERVICES	3957	\$171.39	\$699.47	70979	1	DRAW YOUR FUTURE SES, RYZEW

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
12/11/2025		680298	433	BLICK ART MATERIALS	0101	\$52.59		70980	1	PLE ART SUPPLIES, SMITHSON
12/11/2025		680298	433	BLICK ART MATERIALS	0101	\$46.53	\$99.12	70980	1	PLE ART SUPPLIES, SMITHSON
12/11/2025		680299	10014	Bridgette Kisseee	0800	\$36.40	\$36.40	70981	1	OCT25 MILEAGE
12/11/2025		680300	9956	Canon Financial Services, In	0300	\$2,578.14	\$2,578.14	70982	1	COPIER LEASE & QRTRLY COPIE
12/11/2025		680301	9911	CAROL MAGURANY	1725	\$85.50	\$85.50	70983	1	DEC TEAM BLDG REIMBURSEMENT
12/11/2025		680302	9953	Cheryl Hoard	0101	\$25.38		70984	1	NOV 25 MILEAGE
12/11/2025		680302	9953	Cheryl Hoard	1300	\$25.38		70984	1	NOV 25 MILEAGE
12/11/2025		680302	9953	Cheryl Hoard	1300	\$25.38		70984	1	NOV 25 MILEAGE
12/11/2025		680302	9953	Cheryl Hoard	1300	\$25.36	\$101.50	70984	1	NOV 25 MILEAGE
12/11/2025		680303	1602	CHICAGO TRIBUNE COMPANY	0300	\$19.94	\$19.94	70985	1	NOTICE OF HEARINGS, OCT.202
12/11/2025		680304	1172	COASTAL VALLEY WATER COMPANY	2311	\$293.20	\$293.20	70986	1	BGHS WATER 11.25.25
12/11/2025		680305	9826	COMMERCIAL FOOD SYSTEMS, INC	0800	\$827.23	\$827.23	70987	1	BGHS A LA CARTE
12/11/2025		680306	1212	CROSSROADS	2001	\$300.00	\$300.00	70988	1	HUNDT, CROSSROADS GALA TICK
12/11/2025		680307	1720	CROWN FEED & SUPPLY, INC.	0300	\$2,862.40	\$2,862.40	70989	1	SOTENER SALT
12/11/2025		680308	237	DECKER EQUIPMENT	0300	\$41.70	\$41.70	70990	1	DESK BRACKET FOR REPAIR
12/11/2025		680309	48	FERGUSON FACILITIES SUPPLY	0300	\$3,598.19	\$3,598.19	70991	1	HAND WASH
12/11/2025		680310	360	FIRST STUDENT	0300	\$152,464.34	\$152,464.34	70992	1	OCT BUS ROUTES & PARTS FOR
12/11/2025		680311	628	FLINN SCIENTIFIC INC.	0101	\$32.06	\$32.06	70993	1	CR SUPPLIES, SMITHSON, PLE
12/11/2025		680312	1342	Follett Software, LLC	0101	\$5,816.54	\$5,816.54	70994	1	25-26 DESTINY RENEWAL
12/11/2025		680313	711	G.W. BERKHEIMER CO., INC.	0708	\$1,475.00	\$1,475.00	70995	1	HEATER/AC FOR ANNEX
12/11/2025		680314	1052	GIBBS, JENNIFER	3957	\$92.40	\$92.40	70996	1	CAREER COACHING MILEAGE, GI
12/11/2025		680315	748	GRAINGER	0300	\$33.26	\$33.26	1	1	BATTERIES, BGHS
12/11/2025		680316	1238	HEBRON ACE HARDWARE	0300	\$41.95	\$41.95	70997	1	OIL
12/11/2025		680317	858	M.S.D. OF BOONE TOWNSHIP	0101	\$4,717.68		70998	1	SPED SHARED SVCS, SEPT25
12/11/2025		680317	858	M.S.D. OF BOONE TOWNSHIP	0300	\$1,562.50	\$6,280.18	70998	1	SPED SHARED SVCS, SEPT25
12/11/2025		680318	9805	Hershey Creamery Company	0800	\$443.28	\$443.28	70999	1	BGE/MS A LA CARTE
12/11/2025		680319	4113	HYDRONIC & STEAM EQUIPMENT	0300	\$113.13	\$113.13	71000	1	NEUTRALIZER REFILL, BOILER
12/11/2025		680320	987	INDIANA ASBO	6847	\$171.66	\$171.66	71001	1	ANNUAL MEMBERSHIP, K.SMITH
12/11/2025		680321	9827	INDIANA DEPT.HOMELAND SECURI	0300	\$140.00	\$140.00	71002	1	BOILER PERMITS
12/11/2025		680322	1412	I.T.I.	0300	\$50.00	\$50.00	71003	1	ANNUAL CONSORTIUM DUES
12/11/2025		680323	590	JOHNSON CONTROLS	0708	\$5,924.14	\$5,924.14	71004	1	FAN REPLACEMENT, BGHS
12/11/2025		680324	1101	KANKAKEE VALLEY R.E.M.C.	0300	\$9,731.08	\$9,731.08	71005	1	ATH COMP ELEC, OCT 2025
12/11/2025		680325	1233	LEEP'S SUPPLY	0300	\$82.53	\$82.53	71006	1	PLE PLUMBING SUPPLY
12/11/2025		680326	10015	Loretta Rowland	0800	\$336.00	\$336.00	71007	1	ISNA ANNUAL CONF, MILEAGE
12/11/2025		680327	961	MECHANICAL CONCEPTS, INC.	0300	\$1,448.00		71008	1	COMPLEX PIPE REPAIR
12/11/2025		680327	961	MECHANICAL CONCEPTS, INC.	0708	\$3,471.60	\$4,919.60	71008	1	COMPLEX PIPE REPAIR
12/11/2025		680328	9879	MICHAEL ROSS	1400	\$39.20	\$39.20	71009	1	NOV CULINARY MILEAGE
12/11/2025		680329	9851	COTG DBA XBS MIDWEST	0300	\$371.59	\$371.59	71010	1	XEROX MONTHLY CONTRACT
12/11/2025		680330	1317	MIDWEST REGIONAL TURF	0300	\$92.00	\$92.00	71011	1	2026 MRTF MEMBERSHIP
12/11/2025		680331	9935	D.A. DODD	0800	\$6,164.30	\$6,164.30	71012	1	CONTROL BOARD REPL, BGE/MS
12/11/2025		680332	9939	Monroe Pest Control, Inc.	0300	\$387.00	\$387.00	71013	1	PLE PEST CONTROL, NOV
12/11/2025		680333	19	NEOLA, INC.	0300	\$1,375.00	\$1,375.00	71014	1	UPDATE SVC: VOL 38, NO 2
12/11/2025		680334	742	NIEMEYER FARM SERVICE	0300	\$1,504.78	\$1,504.78	71015	1	WINTER SUPPLY-SALT/SAND
12/11/2025		680335	1404	NITCO	0300	\$861.08		71016	1	PTSC PHONE/INTERNET
12/11/2025		680335	1404	NITCO	3780	\$1,700.00	\$2,561.08	71016	1	PTSC PHONE/INTERNET
12/11/2025		680336	1694	PORTER COUNTY EDU. SERVICES	0101	\$15,620.17		71017	1	NOV25 SPED COOP/RENT
12/11/2025		680336	1694	PORTER COUNTY EDU. SERVICES	0300	\$6,619.58	\$22,239.75	71017	1	NOV25 SPED COOP/RENT
12/11/2025		680337	9968	Piazza Produce	0800	\$2,705.32	\$2,705.32	71018	1	GALA APPLE, SNOW PEA
12/11/2025		680338	10023	Pillar Jones, LLC	0300	\$618.75	\$618.75	71019	1	LEGAL SVCS, NOV25
12/11/2025		680339	1650	PITNEY BOWES GLOBAL FINANCIA	0300	\$195.99	\$195.99	71020	1	CO POSTAGE METER LEASE

Date	Btwn Brd	Voucher #	Vendor #	Vendor	Fund	Fund Amount	Voucher Total	Check #	Bank #	Memorandum
12/11/2025		680340	1637	PORTER TOWNSHIP SCHOOL CORP	0200	\$23,072.59	\$23,072.59	71021	1	DEC25 COMMON SCHOOL
12/11/2025		680341	9894	PRAIRIE FARMS DAIRY INC.	0800	\$3,537.50	\$3,537.50	71023	1	BGHS MILK 11.25.25
12/11/2025		680342	1801	Minuteman Press	0101	\$267.89		71024	1	STAFF ABSENCE FORMS
12/11/2025		680342	1801	Minuteman Press	0300	\$67.87		71024	1	STAFF ABSENCE FORMS
12/11/2025		680342	1801	Minuteman Press	0800	\$21.43	\$357.19	71024	1	STAFF ABSENCE FORMS
12/11/2025		680343	781	REALLY GOOD STUFF,LLC	0101	\$84.86	\$84.86	71025	1	CR SUPPLIES, WESTERMAN, HS
12/11/2025		680344	1808	RIGG'S MOWERS & MORE	0300	\$62.86	\$62.86	71026	1	PART FOR REPAIR
12/11/2025		680345	3217	RIVERSIDE INSIGHTS	3769	\$1,566.40	\$1,566.40	71027	1	5th grade CogAT licenses
12/11/2025		680346	1482	SCHMIDT, STACEY	6847	\$112.04	\$112.04	71028	1	IAPSS MEALS & PARKING, NOV
12/11/2025		680347	1074	SCHOOL SPECIALTY,LLC	0101	\$364.03		71031	1	CR SUPPLIES, ROSS, HS
12/11/2025		680347	1074	SCHOOL SPECIALTY,LLC	0101	\$1,165.59		71031	1	CR SUPPLIES, ROSS, HS
12/11/2025		680347	1074	SCHOOL SPECIALTY,LLC	0101	\$262.48		71031	1	CR SUPPLIES, ROSS, HS
12/11/2025		680347	1074	SCHOOL SPECIALTY,LLC	0101	\$667.37		71031	1	CR SUPPLIES, ROSS, HS
12/11/2025		680347	1074	SCHOOL SPECIALTY,LLC	0101	\$700.73	\$3,160.20	71031	1	CR SUPPLIES, ROSS, HS
12/11/2025		680348	1900	SHARP SCHOOL SERVICE INC	0708	\$453.00	\$453.00	71032	1	DESK CHAIR, PARRISH
12/11/2025		680349	1831	INDIANA GROCERY GROUP,LLC	0101	\$221.31	\$221.31	71033	1	CUL 1, CKN LEGS, ROOT VEG,
12/11/2025		680350	1716	THORN, SCOTT	0300	\$2,650.00	\$2,650.00	71034	1	OCT WWTP
12/11/2025		680351	1344	WATCON, INC.	0300	\$310.40	\$310.40	71035	1	DEC25 WATER TREATMENT PRG
12/11/2025		680352	2312	WELBOURNE, ATHENA	0101	\$70.00	\$70.00	71036	1	OCT CHOIR MILEAGE
12/11/2025		680353	9954	Blu Petroleum, Inc.	0300	\$1,961.97	\$1,961.97	1	1	200.1 GAL UNL 87
12/11/2025		680354	748	GRAINGER	0300	\$160.84		1	1	BLEACH
12/11/2025		680354	748	GRAINGER	0708	\$316.64	\$477.48	1	1	BLEACH
12/11/2025		680355	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$2,883.70	\$2,883.70	1	1	BGHS GAS, OCT/NOV
12/11/2025		680356	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$415.33	\$415.33	1	1	ATH COMP GAS, OCT/NOV
12/11/2025		680357	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$15,276.32	\$15,276.32	1	1	ANNEX/BGE/MS GAS/ELEC, OCT/
12/11/2025		680358	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$100.49	\$100.49	1	1	CO GAS, OCT/NOV
12/11/2025		680359	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$735.25	\$735.25	1	1	PLE GAS, OCT/NOV
12/11/2025		680360	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$2,249.57	\$2,249.57	1	1	BGE/MS ELEC, OCT/NOV
12/11/2025		680361	1405	NORTHERN IN PUBLIC SERVICE C	0300	\$42.17	\$42.17	1	1	BGE/MS ELEC, OCT/NOV 2025
12/11/2025		680376	9828	XEROX FINANCIAL SERVICES	0300	\$88.11	\$88.11	71039	1	PROPERTY TAXES PER LEASE
Totals for 121 Vouchers						\$1,810,631.14	\$1,810,631.14			

12/05/2025      Sequenced by Date  
08:57 AM        Acct. Types: All Types  
User: All Users

PORTER TOWNSHIP SCHOOL CORPORATION  
Accounts Payable Voucher Register  
Bank: All Banks

Date Range: 11/05/2025 - 12/11/2025      Pg. 10  
Vouchers: 680256 - 680376                      v1.0.0.0  
Between Board: Included                      Epay Status: Any Status

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Totals by Fund

0101.00	EDUCATION	\$889,576.64
0101.01	CURRICULAR MATERIALS	\$221.31
0101.03	Instructional Supplies	\$1,885.55
0200.00	DEBT SERVICE	\$23,072.59
0300.00	OPERATIONS	\$390,702.83
0630.00	Post-Retire/Severance Future Ben	\$2,541.43
0708.02	2023 GO BOND CONSTRUCTION	\$11,854.47
0800.00	School Lunch	\$71,733.58
0800.03	FRESH FRUITS & VEG PROGRAM	\$2,705.32
1300.02	East Porter SPED portion of shar	\$21,887.99
1300.03	MSD Boone SPED portion of shared	\$16,647.83
1300.04	Union SPED portion of shared ser	\$19,004.25
1400.00	JOINT OPERATIONS- VOCATIONAL	\$39.20
1725.00	PLE WALMART GRANT	\$85.50
2001.01	Superintendent Donations	\$300.00
2200.00	ADULT, ALTERNATIVE, CON ED	\$13,992.57
2301.00	ATHLETIC/CLUB TRANSPORTATION F	\$1,269.39
2311.00	WELLNESS GRANT	\$293.20
3270.26	25.26 Secured Safety Grant	\$18,112.67
3769.26	HAP GRANT, 25-26 \$29,353.00	\$1,566.40
3780.00	STATE CONNECTIVITY GRANT	\$1,700.00
3957.02	Career Coaching - Staff/Student	\$263.79
4126.00	TITLE I FY2026	\$4,107.20
6847.00	TITLE II, FY2025 \$27,146.10	\$1,888.70
6848.00	TITLE II FY2026	\$1,446.06
8400.00	FOOD SERVICE PATRON ACCOUNTS	\$78,468.60
-----		
TOTAL OF ALL FUNDS		\$1,575,367.07

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Totals by Clearing

9211	FEDERAL TAXES	\$54,658.29
9221	FICA	\$60,725.96
9231	STATE TAXES	\$22,133.76
9241	COUNTY TAXES	\$5,872.19
9270	MED,DEN,VSP RETIREE INS	\$3,018.04
9272	MEDICAL 1	\$36,692.35
9282	AMERICAN FUNDS 403B	\$32,579.00
9300	EDUCATION FOUNDATION of PTSC	\$182.00
9301	ED.F.PASS-THROUGH	\$93.00
9442	LIFE RETIREE INS	\$3,340.18
9452	VSP/EMPLOYEE PAY	\$13,081.04
9462	IN STATE CCU/CASS CNTY	\$2,869.96
9500	OTHER	\$18.30
-----		
TOTAL OF ALL CLEARING		\$235,264.07

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GRAND TOTAL	\$1,810,631.14
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12/05/2025	Sequenced by Date	PORTER TOWNSHIP SCHOOL CORPORATION	Date Range: 11/05/2025 - 12/11/2025	Pg. 12
08:57 AM	Acct. Types: All Types	Accounts Payable Voucher Register	Vouchers: 680256 - 680376	v1.0.0.0
	User: All Users	Bank: All Banks	Between Board: Included	Epay Status: Any Status

=====

I hereby certify that each of the above listed vouchers and the invoices, or bills attached hereto, are true and correct and that the materials OR services itemized therein for which charges are made were ordered AND received, and I have audited same in accordance with I.C. 5-11-10-1.6.

December 5, 2025

CFO/Corporation Treasurer

Kathleen B. Smith  
Kathleen B. Smith

**ALLOWANCE OF VOUCHERS**

We have examined the Vouchers listed on the foregoing Accounts Payable Register, consisting of 12 pages, and except for the vouchers not allowed on the register, such vouchers are hereby allowed in the total \$1,810,631.14 dated this 11th day of December, 2025.

**BOARD OF EDUCATION**

\_\_\_\_\_  
President

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

# Porter Township School Corporation Construction Projects

Board Report No. 06

December 11, 2025



# Table of Contents

## Porter Township School Corporation Construction Projects

**Board Report**  
December 11, 2025

### Porter Lakes Elementary School Additions, Renovations, & Related Work



#### ❖ Classroom Addition

- Progress Photos
- Upcoming Work

#### ❖ Kitchen & Cafeteria Addition

- Progress Photos
- Upcoming Work



# Progress Photographs



Classroom Walls and Door Frames



Framing Metal Stud Walls in the Corridor

## Porter Lakes Elementary School Upcoming Work – *Classroom Addition*

- Finish sheathing the exterior soffit for metal panels
- Complete framing of interior metal stud walls
- Continue electrical and in-wall rough-ins
- Tie-in roof drain storm piping
- Plumbing rough-ins for restrooms on-going
- Continue roof insulation and roof membrane
- Start exterior brick veneer



# Progress Photographs



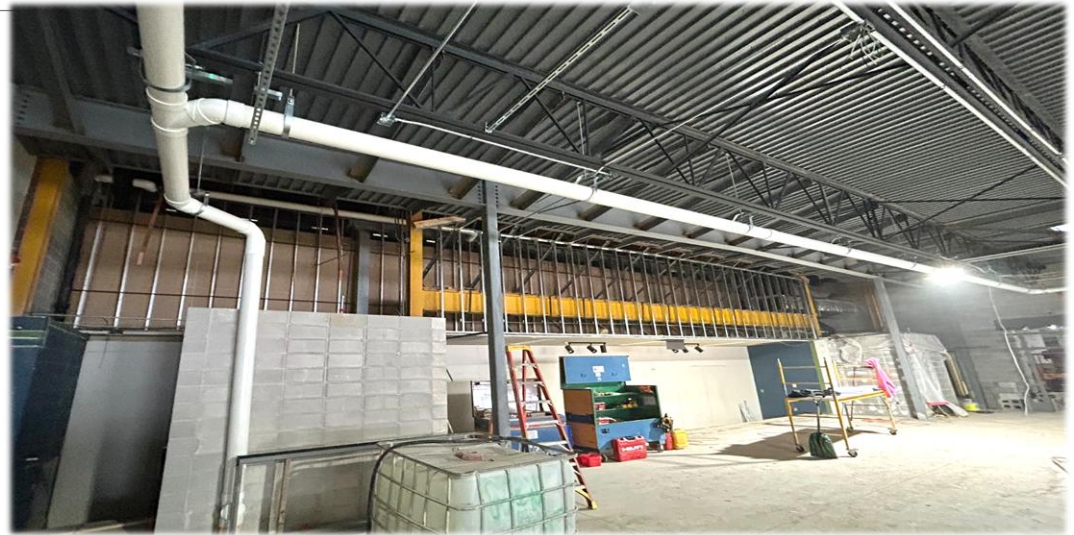
## Porter Lakes Elementary School

### Upcoming Work – *Kitchen & Cafeteria*

- Finish exterior brick veneer
- Finish interior masonry block walls in the kitchen
- Continue in-wall electrical rough-ins and above ceiling mechanical piping
- Continue ductwork installation
- Finish roof insulation and roof membrane
- Begin walk-in cooler/freezer installation
- Begin painting

### Upcoming Work – *Commons/Entrance*

- Complete structural steel detailing
- Begin exterior metal stud wall framing



Cafeteria Metal Stud Framing, Interior CMU Walls, Storm Piping



Ductwork Installation



**Questions?**

November 30, 2025

## FINANCIAL REPORT

11.25 Monthly Board

<u>FUND NAME</u>	<u>Beginning Balance</u>	<u>Ending Balance</u>	<u>Amount of Change</u>	<u>Appropriations % Spent</u>	<u>Months</u>	<u>% of Year</u>
<b>EDUCATION -101.00, 101.02</b>	\$ 1,326,408.38	\$ 1,247,072.14	\$ (79,336.24)			
<b>101.01 Curricular Materials breakout</b>	\$ 113,177.78	\$ 130,372.12	\$ 17,194.34			
<b>101.03 Instructional Supplies breakout</b>	\$ 4,617.40	\$ 1,752.57	\$ (2,864.83)			
<b>TOTAL</b>	<b>\$ 1,444,203.56</b>	<b>\$ 1,379,196.83</b>		82.93%	11/12	92%

**Notes:**

Ending Cash balance is 11.37% of 2025 Budget, including Curricular Materials

2026 Budget will require a \$450,000 Reduction in Appropriations bringing the Appropriations spent to 86.65%.

\$171,947.89 of expenditures are PO's

<b>DEBT SERVICE</b>	\$ 1,053,604.24	\$ 2,868,422.98	\$ 1,814,818.74	52.08%	11/12	92%
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**Notes:**

<b>OPERATION</b>	\$ 1,423,836.39	\$ 1,769,704.52	\$ 345,868.13	70.80%	11/12	92%
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**Notes:**

Ending Cash balance is 28.39% of 2025 Budget, not including a 6 Month CD at 3.75%.

\$38,412.28 of expenditures are PO's

2026 Budget will require a \$550,000 Reduction in Appropriations bringing the Appropriations spent to 80.24%

<b>RAINY DAY</b>	\$ 644,753.08	\$ 145,107.00	\$ (499,646.08)			
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**Notes:**

Moved money to Trust Indiana for better interest rates. Money will remain reflected in this fund.

Invested in an 8 Month CD at 3.75%

<b>FOOD SERVICES 800.00, 800.01, 800.03</b>	\$ 623,700.93	\$ 647,509.41	\$ 23,808.48			
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**Notes:**

Patron Account \$45,644.14

<b>TRECS - Trust Indiana - Debt Collections</b>	\$ 2,665.36	\$ 2,673.95	\$ 8.59			
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**Notes:**

<b>INVESTMENT - CD's</b>	\$ -	\$ 1,000,000.00	\$ 1,000,000.00			
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**Notes:**

\$500,000 8 mos Rainy Day Funds, \$500,000 6 mos Operation Funds

**Percent of Education Revenue Transferred to Operations (by end of 2025 not more than 15%)**

7.28%

**PTSC Starting Salary - Minimum Salary of \$45,000**

\$ 49,475.00 Met

**Percentage of Certified Salary to State Funding - 65% minimum**

69.94% Predicted to meet for 25.26 SY

**Funding Floor**

96.11% Predicted to not meet for 25.26 SY

**Notes:**

Respectfully submitted:

Kathleen B. Smith, CPA, CFO

11.25 Monthly Board.xls

Monthly Fund Balance Report  
PORTER TOWNSHIP SCHOOL CORPORATION  
From: 11/01/2025 | To: 11/30/2025  
Form 9: Exclude Form 9

Fund	Description	Beginning Balance	Receipts	Expenditures	Transfers In	Transfers Out	End Balance
0101.00	EDUCATION	\$1,326,408.38	\$960,126.20	\$883,237.59	\$0.00	\$156,224.85	\$1,247,072.14
0101.01	CURRICULAR MATERIALS	\$113,177.78	\$0.00	\$1,275.66	\$18,750.00	\$280.00	\$130,372.12
0101.02	24.25 David C Ford Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0101.03	Instructional Supplies	\$4,617.40	\$0.00	\$3,144.83	\$280.00	\$0.00	\$1,752.57
0200.00	DEBT SERVICE	\$1,053,604.24	\$1,837,891.35	\$23,072.61	\$0.00	\$0.00	\$2,868,422.98
0250.00	RETIREMENT/SEVERANCE BOND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0300.00	OPERATIONS	\$1,424,900.31	\$1,122,422.12	\$415,092.76	\$137,474.85	\$500,000.00	\$1,769,704.52
0610.00	LOCAL RAINY DAY	\$644,753.08	\$353.92	\$0.00	\$0.00	\$500,000.00	\$145,107.00
0620.00	SEVERANCE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0630.00	Post-Retire/Severance Futur...	\$24,845.83	\$0.00	\$4,668.19	\$0.00	\$0.00	\$20,177.64
0705.00	PLE CONSTRUCTION BOND \$61,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0706.00	2022 HS/WWTP Bond	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0707.00	2022 GO BONDS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0707.01	2022 GO BONDS COST OF ISSUANCE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0707.02	2022 GO BONDS CONSTRUCTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0708.00	2023 GO BOND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0708.01	2023 GO BOND COST OF ISSUANCE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0708.02	2023 GO BOND CONSTRUCTION	\$2,184,941.69	\$6,036.93	\$3,422.92	\$0.00	\$0.00	\$2,187,555.70
0709.00	2024 PLE Bond - Cost of Iss...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0710.00	2025 HS Bond - Cost of Issu...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0800.00	School Lunch	\$623,700.93	\$87,330.29	\$63,309.03	\$0.00	\$0.00	\$647,722.19
0800.01	SUPPLY CHAIN ASSISTANCE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0800.02	FOOD SVC NUTRITIONAL GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
0800.03	FRESH FRUITS & VEG PROGRAM	-\$362.78	\$4,320.94	\$4,170.94	\$0.00	\$0.00	-\$212.78
0900.00	CURRICULAR MATERIALS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1300.00	Special Education shared se...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1300.01	PTSC portion of SPED shared...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1300.02	East Porter SPED portion of...	-\$22,646.94	\$0.00	\$23,083.58	\$0.00	\$0.00	-\$45,730.52
1300.03	MSD Boone SPED portion of s...	-\$33,166.65	\$33,166.65	\$17,123.86	\$0.00	\$0.00	-\$17,123.86
1300.04	Union SPED portion of share...	-\$19,642.10	\$19,642.10	\$20,026.01	\$0.00	\$0.00	-\$20,026.01
1400.00	JOINT OPERATIONS- VOCATIONAL	\$198,531.51	\$0.00	\$101.85	\$0.00	\$0.00	\$198,429.66
1700.00	Digital Devices	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1700.01	Digital Repairs	\$481.25	\$0.00	\$0.00	\$0.00	\$0.00	\$481.25
1700.02	Digital Accessories	\$6,427.50	\$0.00	\$0.00	\$0.00	\$0.00	\$6,427.50
1701.00	PERM STANLEY NATURE CENTER ...	\$316.80	\$0.00	\$0.00	\$0.00	\$0.00	\$316.80
1702.00	INCENTIVE PROGRAMS	\$3,373.17	\$8,164.52	\$0.00	\$0.00	\$0.00	\$11,537.69
1703.00	CB&T/FIDELITY ACCOUNT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1705.00	FOOD SERVICE LOCAL	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00
1725.00	PLE WALMART GRANT	\$3,054.90	\$0.00	\$0.00	\$0.00	\$0.00	\$3,054.90
1726.00	MS NO KID HUNGRY SHARE OUR STR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1727.00	HS NO KID HUNGRY SHARE OUR STR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1728.00	PLE NO KID HUNGRY SHARE OUR S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1850.00	EDUCATIONAL LICENSE PLATES	\$875.00	\$0.00	\$0.00	\$0.00	\$0.00	\$875.00
1937.00	BGE LIBRARY	\$483.10	\$0.00	\$0.00	\$0.00	\$0.00	\$483.10
1939.00	MS LIBRARY	\$84.38	\$0.00	\$0.00	\$0.00	\$0.00	\$84.38
1940.00	PLE LIBRARY	\$825.50	\$0.00	\$0.00	\$0.00	\$0.00	\$825.50
2000.00	Student Scholarships, PCCF	\$7,688.22	\$0.00	\$0.00	\$0.00	\$0.00	\$7,688.22
2001.00	Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2001.01	Superintendent Donations	\$14,941.36	\$0.00	\$0.00	\$0.00	\$0.00	\$14,941.36

12/04/2025  
7:45 AM

Monthly Fund Balance Report  
PORTER TOWNSHIP SCHOOL CORPORATION  
From: 11/01/2025 | To: 11/30/2025  
Form 9: Exclude Form 9

Pg. 2

Fund	Description	Beginning Balance	Receipts	Expenditures	Transfers In	Transfers Out	End Balance
2001.02	Angel/Feed it Frwd Fund - Cafe	\$14,259.65	\$0.00	\$0.00	\$0.00	\$0.00	\$14,259.65
2001.03	PTSC Ed Foundation Awards/D...	-\$106.48	\$0.00	\$0.00	\$0.00	\$0.00	-\$106.48
2200.00	ADULT, ALTERNATIVE, CON ED	\$86,077.71	\$23,144.25	\$13,992.57	\$151.20	\$0.00	\$95,380.59
2300.00	FACILITY COMMUNITY RENTALS	\$15,938.94	\$0.00	\$0.00	\$0.00	\$0.00	\$15,938.94
2301.00	ATHLETIC/CLUB TRANSPORTATION F	\$6,780.11	\$0.00	\$850.81	\$0.00	\$0.00	\$5,929.30
2302.00	STUDENT DRUG TESTING FEES	\$7,540.52	\$0.00	\$732.00	\$0.00	\$0.00	\$6,808.52
2310.00	TEACHER ACTIVITY FUND	\$1,430.57	\$0.00	\$0.00	\$0.00	\$0.00	\$1,430.57
2311.00	WELLNESS GRANT	\$2,259.03	\$0.00	\$413.50	\$0.00	\$0.00	\$1,845.53
2700.00	Scholarship	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2700.01	Suzi Peterson Honorable Mem...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2700.02	Steve Tafflinger Memorial S...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2700.03	Education Foundation Schola...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3028.24	FORMATIVE ASSMT/NWEA 23-24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3028.25	FORMATIVE ASSMNT/NWEA 24-25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3028.26	FORM ASSMNT/NWEA 25-26	\$3,406.50	\$0.00	\$0.00	\$0.00	\$0.00	\$3,406.50
3140.00	FY24 Early Literacy Achieve...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3197.23	COMMON SCHOOL SP23 \$137,900	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3198.24	COMMON SCHOOL SP24 \$134,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3198.25	COMMON SCHOOL FALL24 \$134,00	-\$133,715.09	\$0.00	\$1,073.87	\$0.00	\$0.00	-\$134,788.96
3199.25	COMMON SCH SPRING 2025	-\$54,943.38	\$0.00	\$2,351.86	\$0.00	\$0.00	-\$57,295.24
3250.00	MEDICAID REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3270.24	23.24 Secured Safety Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3270.25	Secured School Safety 24.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3270.26	25.26 Secured Safety Grant	-\$27,189.83	\$0.00	\$18,940.77	\$0.00	\$0.00	-\$46,130.60
3322.00	ALTERNATIVE EDUCATION GRANT	\$0.00	\$151.20	\$0.00	\$0.00	\$151.20	\$0.00
3749.00	CTE/DWD INCENTIVE GRANT	\$11,789.72	\$0.00	\$0.00	\$0.00	\$0.00	\$11,789.72
3750.00	TEACHER APPRECIATION GRANT	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
3769.24	HIGH ABILITY 2024 \$31,727.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3769.25	HIGH ABILITY 2025 \$28,994.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3769.26	HAP GRANT, 25-26 \$29,353.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3780.00	STATE CONNECTIVITY GRANT	\$86,548.61	\$0.00	\$1,700.00	\$0.00	\$0.00	\$84,848.61
3957.00	Career Coaching Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3957.01	Career Coaching - Coach	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3957.02	Career Coaching - Staff/Stu...	\$2,916.34	\$0.00	\$629.40	\$0.00	\$0.00	\$2,286.94
4124.00	TITLE I FY2024	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4125.00	Title I FY2025	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4126.00	TITLE I FY2026	-\$6,160.80	\$6,160.80	\$4,107.20	\$0.00	\$0.00	-\$4,107.20
5200.00	24.25 IDEA Para Pro Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5805.00	FFY23 Title IV - \$10,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5806.00	FFY24 Title IV - \$10,001.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5807.00	FFY2025 - TITLE IV - \$10,00...	-\$72.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$72.00
6460.00	Federal Medicaid	\$2,828.24	\$0.00	\$0.00	\$0.00	\$0.00	\$2,828.24
6845.00	TEACHER TITLE II,PT A \$2740...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6846.00	TITLE II, PROF DEV \$ 27,521.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6847.00	TITLE II, FY2025 \$27,146.10	\$151.00	\$0.00	\$340.00	\$0.00	\$0.00	-\$189.00
6848.00	TITLE II FY2026	-\$2,169.09	\$0.00	\$1,446.06	\$0.00	\$0.00	-\$3,615.15
7923.00	ESSER III	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7931.00	CRRSA - ESSER II	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8400.00	FOOD SERVICE PATRON ACCOUNTS	\$55,291.54	\$34,963.10	\$44,610.50	\$0.00	\$0.00	\$45,644.14

Monthly Fund Balance Report  
PORTER TOWNSHIP SCHOOL CORPORATION  
From: 11/01/2025 | To: 11/30/2025  
Form 9: Exclude Form 9

Fund	Description	Beginning Balance	Receipts	Expenditures	Transfers In	Transfers Out	End Balance
8500.00	RAINY DAY INVESTMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8502.00	TRECS DEBT COLLECTIONS	\$2,665.36	\$8.59	\$0.00	\$0.00	\$0.00	\$2,673.95
9999.00	Clearing Control	\$5,424.02	\$238,039.06	\$237,821.97	\$0.00	\$0.00	\$5,641.11
Totals:		\$7,643,415.30	\$4,381,922.02	\$1,790,740.34	\$156,656.05	\$1,156,656.05	\$9,234,596.98

## November 1, 2025 - November 30, 2025 Fund Transfers

Fund	Fund Name	Operator	Post Date	Description	Doc. Type	Doc. #	Transfers
101	Education Fund	ksmith	11/14/2025	10.25 Ed to Op Monthly Transf	TRF	1109	\$ (137,474.85)
101	Education Fund	ksmith	11/18/2025	11.25 Ed to CM transfer	TRF	1111	\$ (18,750.00)
101.01	Curricular Materials	ksmith	11/18/2025	10.25 CM to Istruct Supplies	TRF	1112	\$ (280.00)
101.01	Curricular Materials	ksmith	11/18/2025	11.25 Ed to CM transfer	TRF	1111	\$ 18,750.00
101.03	Instructional Supplies	ksmith	11/18/2025	10.25 CM to Istruct Supplies	TRF	1112	\$ 280.00
300	Operations Fund	ksmith	11/14/2025	10.25 Ed to Op Monthly Transf	TRF	1109	\$ 137,474.85
300	Operations Fund	ksmith	11/25/2025	6 Month CD Investment	TRF		\$ (500,000.00)
610	Rainy Day	ksmith	11/25/2025	8 Month CD Investment	TRF		\$ (500,000.00)
2200		ksmith	11/26/2025	Alternative Grant to Alt Fund	TRF	1113	\$ 151.20
3322		ksmith	11/26/2025	Alternative Grant to Alt Fund	TRF	1113	\$ (151.20)

Submitted to the Board for Approval on December 1, 2025.



Kathleen B Smith, CFO/Treasurer

Secretary

President

Member

Vice President

Member

12/01/2025  
3:49 PM

PORTER TOWNSHIP SCHOOL CORPORATION  
Educ & Operation Fund Transfers  
Date Range: 12/1/2025 - 12/31/2025

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Post Date	TRF Amount	TRF #	Description	User	Input Date	Accounts
12/12/2025	\$144,018.93	1114	11.25 Ed to Op Transfer	ksmith	12/01/2025	TRFOUT 0101.00 TRFIN 0300.00
*** Total:	\$144,018.93					

Submitted to Board for Approval on

December 1, 2025

Kathleen B Smith

Kathleen B Smith, CFO/Treasurer

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

\_\_\_\_\_  
Member

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Member

## Education to Operations Transfer

Resolution to transfer not more than 15% per month

\$675,000 Transfer amount on 2025 Budget

Gross Education Fund Revenue									
	Monthly Revenue	Transfer Amount	Monthly % Actually Transferred	15% Transfer Amount	Difference from 15%	YTD Revenue	YTD Transfer Total	YTD Transfer %	
1 January	\$ 949,849.04	\$ 51,500.00	5.42%	\$ 142,477.36	\$ (90,977.36)	\$ 949,849.04	\$ 51,500.00	5.42%	
2 February	\$ 991,858.65	\$ -	0.00%	\$ 148,778.80	\$ (148,778.80)	\$ 1,941,707.69	\$ 51,500.00	2.65%	
3 March	\$ 990,742.36	\$ -	0.00%	\$ 148,611.35	\$ (148,611.35)	\$ 2,932,450.05	\$ 51,500.00	1.76%	
4 April	\$ 918,848.39	\$ -	0.00%	\$ 137,827.26	\$ (137,827.26)	\$ 3,851,298.44	\$ 51,500.00	1.34%	
5 May	\$ 917,740.41	\$ -	0.00%	\$ 137,661.06	\$ (137,661.06)	\$ 4,769,038.85	\$ 51,500.00	1.08%	
6 June	\$ 893,292.45	\$ -	0.00%	\$ 133,993.87	\$ (133,993.87)	\$ 5,662,331.30	\$ 51,500.00	0.91%	
7 July	\$ 889,810.46	\$ 133,471.57	15.00%	\$ 133,471.57	\$ -	\$ 6,552,141.76	\$ 184,971.57	2.82%	
8 August	\$ 935,088.51	\$ 140,263.28	15.00%	\$ 140,263.28	\$ -	\$ 7,487,230.27	\$ 325,234.85	4.34%	
9 September	\$ 986,600.29	\$ 146,727.87	14.87%	\$ 147,990.04	\$ (1,262.17)	\$ 8,473,830.56	\$ 471,962.72	5.57%	
10 October	\$ 916,499.00	\$ 137,474.85	15.00%	\$ 137,474.85	\$ -	\$ 9,390,329.56	\$ 609,437.57	6.49%	
11 November	\$ 960,126.20	\$ 144,018.93	15.00%	\$ 144,018.93	\$ -	\$ 10,350,455.76	\$ 753,456.50	7.28%	
12 December	\$ 1,028,482.54	\$ 154,272.38	15.00%	\$ 154,272.38	\$ -	\$ 11,378,938.30	\$ 907,728.88	7.98%	
	<u>\$ 11,378,938.30</u>	<u>\$ 907,728.88</u>							
	Estimated			142,704.81					

Transfer is made after the Board meeting the following month. Only December is done before the end of the year as an off docket transaction.

Incorrect and found 11/3/2025, did not include Curricular Materials and Instructional Supplies

2025 Percent of Transfer 11.30.25.xls

# Porter Township School Corporation

248 South 500 West  
Valparaiso, IN 46385  
219-477-4933 ext. 1000

STACEY M. SCHMIDT, Ph.D.  
Superintendent

BEN PARRISH  
Assistant Superintendent

KATHLEEN SMITH  
CFO/Treasurer



## RESOLUTION #1024 – 307

### RESOLUTION TO TRANSFER AMOUNTS FROM THE EDUCATION FUND TO THE OPERATIONS FUND

EFFECTIVE JANUARY 1, 2025

**WHEREAS**, the Board of School Trustees is the governing body of Porter Township School Corporation, Porter County, Indiana, and

**WHEREAS**, HB 1009 required the governing body of each school corporation to establish an Education Fund for the payment of expenses allocated to student instruction and learning under IC 20-42.5, and

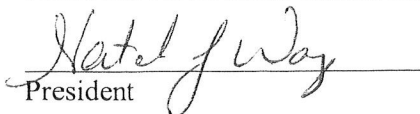
**WHEREAS**, HB 1009 required the governing body of each school corporation to establish an Operations Fund for the payment of expenses that are not allocated to student instruction and learning under IC 20-42.5, and

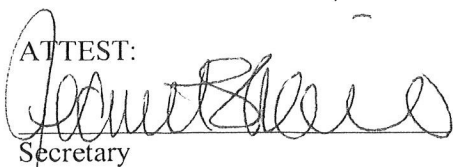
**WHEREAS**, HB 1009 requires that distributions of Tuition Support be received in the Education Fund.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of School Trustees of Porter Township School Corporation hereby approves and authorizes the Treasurer of Porter Township School Corporation to transfer an amount not to exceed fifteen percent (15%) of the monthly Education Fund revenues to the Operations Fund, to reimburse the Operations Fund for expenses that are not allocated to student instruction and learning under IC 20-42.5 beginning January, 2024 and will be made at least quarterly. (The purpose of these transfers is to distribute a proportionate share of dollars from the education fund to the operations fund.)

This resolution was duly made, seconded and adopted this 10th day of October, 2024.

BOARD OF SCHOOL TRUSTEES  
PORTER TOWNSHIP SCHOOL CORPORATION

  
President

ATTEST:  
  
Secretary

12/01/2025  
1:29 PM

PORTER TOWNSHIP SCHOOL CORPORATION  
Investment Register - Open  
No Date Range Specified

Page: 1  
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Inv. Acct	Inv. Number	Purchase Date	Redemption Date	Issued By	Initial Investment	Investment Balance	Interest Percent	Anticipated Interest	Interest Received
0610.00	3	11/25/2025	07/25/2026	1st Source Bank	500,000.00	500,000.00	3.75	12,365.21	.00
0300.00	4	11/25/2025	05/25/2026	1st Source Bank	500,000.00	500,000.00	3.73	9,248.36	.00
TOTAL ALL INVESTMENTS					1,000,000.00	1,000,000.00		21,613.57	.00

Submitted to Board for Approval on

December 1, 2025

  
Kathleen B Smith, CFO/Treasurer

Secretary

President

Member

Vice President

Member

## **Boone Grove High School athletics**

260 South 500 West, Valparaiso, IN 46385

Telephone: 219-477-4933

Fax: 219-988-4431



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**Joshua Russell**, Athletic Director

Ext. 2106

Email: [joshua.russell@ptsc.k12.in.us](mailto:joshua.russell@ptsc.k12.in.us)

**Melissa Saco**, Athletic Secretary

Ext. 2001

Email: [melissa.saco@ptsc.k12.in.us](mailto:melissa.saco@ptsc.k12.in.us)

### **Athletic Volunteer Stipend**



**Athletic Supervision- \$75/event**

**Athletic Medical Coverage- \$50/hour (all events minimum of two hours)**

**Adult Workers (announcer, tickets, scorebook, scoreboard, hosts)- \$40/event**

**Student Workers (tickets, scorebook, scoreboard)- \$25/event**

# *Porter Township School Corporation*

248 South 500 West  
Valparaiso, IN 46385  
219-477-4933 ext. 1000

STACEY M. SCHMIDT, Ph.D.

*Superintendent*

**BEN PARRISH**

*Assistant Superintendent*

**KATHLEEN SMITH**

*CFO/Treasurer*



To: Board of School Trustees

From: Kathleen Smith, CFO/Treasurer

Date: November 24, 2025

Re: Pre-Payment of Tolls

A handwritten signature in black ink, appearing to be 'KS' or similar initials, located to the right of the 'From' line.

I am requesting permission to pay all future toll road charges as an off-docket item in order to avoid late fees.

# Porter Township School Corporation

248 South 500 West  
Valparaiso, IN 46385  
219-477-4933 ext. 1000

STACEY M. SCHMIDT, Ph.D.  
Superintendent

BEN PARRISH  
Assistant Superintendent

KATHLEEN SMITH  
CFO/Treasurer



## RESOLUTION #1225 – 338

### ONLINE PAYMENT OF OFFICIALS

**WHEREAS**, the Board of School Trustees is the governing body of Porter Township School Corporation, Porter County, Indiana, and

**WHEREAS**, Porter Township School Corporation would like to utilized an online payment system to pay athletic officials, and

**WHEREAS**, The State Board of Accounts will not take exception to online payment of an athletic official if there is a Board of School Trustees Resolution, and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of School Trustees of Porter Township School Corporation hereby declares Porter Township School Corporation may use an online payment system to pay athletic officials.

This resolution was duly made, seconded and adopted this 11th day of December, 2025.

BOARD OF SCHOOL TRUSTEES  
PORTER TOWNSHIP SCHOOL CORPORATION

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

School Corporation Accounting Activities		
Internal Control Procedures - Adopted 12.11.25		
Activity	Employee	Changes from prior year
		Separation of Duties
<b>DAILY PROCEDURES:</b>		
<b>Cash Receipts Activities:</b>		
Open mail	Executive Assistant/AP	Person who opens mail does not write official receipt
Issue official receipts	Treasurer	
Prepare bank deposits	Deputy Treasurer	
Review bank deposit in detail before taking to bank	Executive Assistant/AP	Placed in a locked bank bag
Take deposits to bank	Treasurer	Drop off locked bags/pick up empty from day prior
<b>Cash Disbursement Activities:</b>		
Authorize purchases	Dept. Supervisor	
Prepare purchase orders	Executive Assistant/AP	Treasurer approves PO before it is issued
Certify receipt of goods or services	Dept. Supervisor	The person receiving goods does not write checks
Prepare claim for payment	Building Secretary/Executive Assistant/AP	The person preparing the claim is not approving the claim
Approve claim	Dept. Supervisor/School Board/Treasurer	Claim is approved before processing Final Approval by School Board at monthly mtg
Audit claims from ECA/Departments	Executive Assistant/AP/Treasurer	A/P Processor does not approve claims
Reviews invoices/receipts attached to each claim to support the disbursement		
Audit and Approve claims - Disbursing Officer	Treasurer	A/P Processor does not approve claims
Reviews invoices/receipts attached to each claim to support the disbursement		
Write checks (generated by accounting system)	Treasurer	A/P Processor does not sign checks
Write manual checks	Executive Assistant/AP	Treasurer approves before check is sent
Have receipt of W-9 form before paying vendor	Executive Assistant/AP	
Post checks	Executive Assistant/AP	Software posts when voucher printed & docket approved
Sign A/P checks--automated in accounting system	Treasurer	Treasurer signs checks but does not prepare checks
Mail or distribute checks	Executive Assistant/AP	
A/P checks are accounted for in numerical order	Deputy Treasurer	
A/P check numbers are reconciled to the A/P bank acct	Treasurer	
A/P checks are in a secured location		Access limited to A/P and Deputy Treasurer
Custodian of petty cash--we do not have petty cash	N/A	
Custodian of investments	Treasurer	Treasurer reviews all investments monthly - presents to board monthly
Access to check stock	Deputy Treasurer/Executive Assistant/AP	Check stock is locked
Access to computer system to make adjustments	Treasurer/Deputy Treasurer/Executive Assistant/AP	If one person makes adjustment, Another approves
<b>Payroll Activities:</b>		
Post vacation and sick leave records	Deputy Treasurer	
Check and extend time cards	Employee/Deputy Treasurer	Employee Approves, Supervisor Approves, Deputy Treasurer enters into Software
Approve corrections to recorded time	Dept. Supervisor	
Input corrections to recorded time	Deputy Treasurer	
Prepare payroll claims	Deputy Treasurer	
Check payroll claim with excel spreadsheet	Deputy Treasurer	Approved by Treasurer
Prepare deduction vouchers	Deputy Treasurer	

Approve deduction vouchers	Treasurer	
Generate direct Deposit & payroll checks	Deputy Treasurer	Payroll Processor does not sign checks
Sign payroll checks--automated in accounting system	Treasurer	Treasurer signs checks but does not
Approves Direct Deposit in bank	Treasurer	prepare checks
Checks schedule for direct deposit in bank	Executive Assistant/AP	
Upload payroll into employee portal	Deputy Treasurer	Direct Deposit it used for Payroll. If a payroll check is issued
Mail Substitutes direct deposit statement		it is done like a vendor check. No payroll associated check stock.
Prepare earnings and deductions reports	Deputy Treasurer	Treasurer reviews.
Access to computer system to make adjustments	Treasurer/Deputy Treasurer	If Treasurer makes adjustment, Deputy Treasurer approves and vice versa.
Approves adjustments:		
Authorizes Payroll Changes (new hires, terminations...)	HR and Board	HR and School Board authorize payroll
Prepares Payroll Change form	Deputy Treasurer	Changes but does not input data
Checks Payroll Change form	Treasurer	
Inputs Payroll Changes into accounting system	Deputy Treasurer	Input is done by payroll only
Checks Payroll Changes in accounting system	Treasurer/HR Specialist	
<b>MONTHLY PROCEDURES:</b>		
<b>Cash Activities:</b>		
Receive bank statement online or by mail, open and print	Executive Assistant/AP/Treasurer	
Post receipts	Treasurer/Deputy Treasurer/Executive Assistant/AP	2nd employee Reviews
Access to computer system to make receipt adjustments	Treasurer/Deputy Treasurer/Executive Assistant/AP	If one person makes the adjustment, a 2nd person approves it.
Approves adjustments	Treasurer/Deputy Treasurer/Executive Assistant/AP	If one person makes the adjustment, a 2nd person approves it.
Post credits to accounts receivable	Deputy Treasurer/Treasurer/Executive Assistant/AP	
Prepare customer billings (retiree health ins. bills)	HR Coordinator/AP/Executive Assistant/Treasurer	
Mail or Email billings or statements	Treasurer/Deputy Treasurer/Executive Assistant/AP	
Approve accounts receivable adjustments	Treasurer/Deputy Treasurer/Executive Assistant/AP	If one person makes the adjustment, a 2nd person approves it.
Prepares bank reconciliation	Treasurer	Done for all accounts managed through Central Office
Prepare bank reconciliation statement summary	Treasurer	
Check clearing account balances for the month	HR Coordinator/Treasurer	
Update investment report	Treasurer	
Review and approve bank reconciliation	Treasurer/ Superintendent	Review is done monthly because of lack of
		separation of duties in cash receipt activities due to the
		lack of the number of employees
Close month in accounting system	Treasurer	
Upload monthly Gateway Documents	Treasurer	Central Office and Extra Curricular Uploads
<b>Cash Disbursement Activities:</b>		
Prepare monthly docket for board meeting	Executive Assistant/AP	
run voucher register for docket	Executive Assistant/AP	
Approve claim docket	School Board	Claims are approved by School Board prior to payment
<b>Other Activities</b>		
Update Cash Flow spreadsheets	Treasurer	
Prepare Grant reimbursement forms	Treasurer	
Run grant expenditure reports	Treasurer	
Sign and approve Grant reimbursement forms	Deputy Treasurer/Executive Assistant/AP	

	Balance Appropriations w/Budget Order and Cash by Fund	Treasurer
	Prepares Transfers	Treasurer
	Approval	Deputy Treasurer/Executive Assistant/AP
	Additional Approval	School Board
	Makes Transfer	Treasurer
	<b>Payroll Activities:</b>	
	Prepare and pay WH-1 form online on or before the 20th (State and County monthly payroll taxes)	Deputy Treasurer
	Enter leaves and terminations in accounting system	Deputy Treasurer
	Submit TRF files to INPRS <b>after each payroll</b>	Deputy Treasurer
	Process payment	Deputy Treasurer
	Enter leaves and terminations in INPRS	Deputy Treasurer
	<b>QUARTERLY PROCEDURES:</b>	
	<b>Cash Activities:</b>	
	Prepare cash reimbursements for Federal and State Grants. Submit once checked.	Treasurer
	Check cash reimbursements for Federal and State Grants.	Deputy Treasurer/Executive Assistant/AP
	<b>Payroll Activities:</b>	
	Print and Sign 941 reports from financial system	Treasurer
	Print excel spreadsheet of payroll tax calculations for the quarter	Deputy Treasurer
	941 Reviewed from System and compared to excel spreadsheet	Treasurer
	Review Form 941	Deputy Treasurer/Executive Assistant/AP
	Review and sign all back up documentation	Deputy Treasurer/Executive Assistant/AP
	Mail 941	Executive Assitant/AP
	Download File from Financial sytem for Uniwage/UC-1 & UC-5	Treasurer
	Review and compare to wage files for 941.	Treasurer
	Review SUTA forms UC-1 & UC-5	Deputy Treasurer
	Review and sign all back up documentation	Deputy Treasurer
	Upload UC-1 & UC-5 Report	Treasurer
	<b>SEMI-ANNUAL PROCEDURES</b>	
	<b>Other Activities</b>	
	Prepare Form 9	Treasurer
	Prepare debt analysis for the 6 month period	Treasurer
	Review Form 9 in detail	Deputy Treasurer
	Review Form 9 and sign signature page	Treasurer, Board President and Superintendent
	Submit Form 9 info on DOE website	Treasurer
	Print, check and save files after DOE approval	Treasurer
	Report ADM to DOE Sept and Feb	State Report person
	Prepare attendance report daily	School Principals/Other Staff
	<b>Payroll Activities:</b>	
	Print 100R from financial System	Treasurer
	Briefly check to see if anything looks out of order	
	Review and sign all back up documentation	Deputy Treasurer/Executive Assistant/AP
	Submit to Gateway	Treasurer

	<b>FISCAL YEAR END AND OTHER ANNUAL PROCEDURES</b>	
	<b>Cash Disbursement Activities:</b>	
	Void stale dated checks by end of February each year	Treasurer Approved by School Board in Board of Finance meeting
	Prepare Annual Financial Report (AFR)	Treasurer
	Review AFR	Deputy Treasurer
	Submit AFR on Gateway	Treasurer
	<b>Other Activities</b>	
	Free and Reduced applications	Food Service Director Done at the beginning of School Year
	Audit of Free and Reduced applications	Food Service Assistant/Treasurer Done at the beginning of School Year
	Curricular Materials/Fees prepared	Treasurer/Executive Assistant/AP March of the prior school year
	Curricular Material and Fee Transfers prepared	Treasurer
	Review of Transfers	Deputy Treasurer/Executive Assistant/AP Board approves monthly
	Monitoring Segregation of Duties	Superintendent
	Bidding Procedures	Department Supervisor
	Post bid in newspaper	Executive Assitant/AP
	Bid Opening	Bid Committee/Supervisor
	Award Bid	School Board
	Oversee work	Department Supervisor/ Superintendent
	Prepare claims for payment	Executive Assitant/AP Approved by Department Supervisor
	Prepare and submit CE report to DOE	State Report Person
	Print CE report and prepare file for transmission	State Report Person
	Prepare and submit CP report to DOE	State Report Person
	Prepare and submit NE report to DOE	State Report Person
	Sign off all State Report Certifications	Superintendent/Treasurer
	Balance Appropriation with Budget Order and Funds	Treasurer
	Budget Process	Treasurer Board Review and Approve
	Education, Debt, Operations Fund	
	Capital Projects & Bus Replacement Plans	
	Review and Update Corporation Policies and Administrative Guidelines	Assistant Superintendent Board Review and Approve
	Review and Update the Classified Employee Handbook	Assistant Superintendent Board Review and Approve
	<b>CALENDAR YEAR END PROCEDURES</b>	
	<b>Cash Disbursement Activities:</b>	
	Prepare forms 1099 and 1096	Executive Assistant/AP
	Order 1099 and 1096 forms	Executive Assistant/AP
	Update W-9 file	Executive Assistant/AP
	Print calendar year vendor reports and review all activity	Executive Assistant/AP
	Balance vendor report to 1099 report	Executive Assistant/AP
	Print 1099 forms and mail to vendors	Executive Assistant/AP
	Review: reports,1099's and 1096 (prior to uploading)	Treasurer
	Review outstanding PO's and void if necessary	Executive Assistant/AP/Treasurer
	Make Year End appropriation adjustments within funds	Treasurer School Board review and approve
	<b>Other Activities</b>	
	Prepare 1095-C forms (Affordable Health Care Act)	Human Resource Specialist
	Order 1095-C forms	Deputy Treasurer/Executive Assistant/AP
	Uploads monthly participant list to financial software	Human Resource Specialist

	Print health insurance reports	Human Resource Specialist	
	Reconcile 1095 C reports to Ins. Co. monthly billings	Human Resource Specialist	
	Print forms 1095C and distribute to employees	Human Resource Specialist	
	Review reports and spot check 1095-C forms	Treasurer	
	Transmit 1095-C and 1094-C to federal government	Treasurer	
	Balance Appropriations to Budget Order to Cash by Fund	Treasurer	
	Close Year End in accounting system	Treasurer	
	<b>GATEWAY REPORTING:</b>		
	Debt Management Report (prepare and submit)	Treasurer	
	Review	Deputy Treasurer/Executive Assistant/AP	
	ECA Risk Report	ECA Treasurers	
	Review	School Principals	
	Review and Submit	Treasuer	
	Annual Financial Report	Treasurer	
	Prepare and Review Data from Accounting system	Treasurer	
	Review prepared Data	Deputy Treasurer	
	Prepare Collective Bargaining Report	Treasurer	
	Review	Deputy Treasuerer	
	Collective Bargaining Upload	Treasurer	
	Bargaining Status Form (Pre-Impasse)	Supt. & Exclsv Barg Rep	
	<b>Payroll Activities:</b>		
	Prepare W-2's	Treasurer	
	Order W-2 forms	Executive Assistant/AP	
	Balance W-2's	Treasurer	
	Review W-2 Forms	Deputy Treasurer/Human Resource Specialist	
	Print & Distribute or Upload into Employee Portal W-2 forms to employees	Treasurer	
	Transmit W-2 files to state and federal governments	Deputy Treasurer/Treasurer	

# Porter Township School Corporation

248 South 500 West  
Valparaiso, IN 46385  
219-477-4933 ext. 1000

STACEY M. SCHMIDT, Ph.D.  
Superintendent

BEN PARRISH  
Assistant Superintendent

KATHLEEN SMITH  
CFO/Treasurer



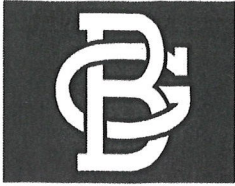
## Contracts

The board is asked to approve the following contracts at the Regular School Board Meeting on

**December 11, 2025**

Building	Business Entity	Fees/Services	Contract Period	Total Amount
PTSC	Assoc. of Indiana Counties	TRECS Clearinghouse	12/1/2025-10/2/2026	\$3/letter
PTSC	AdTec	E-Rate Category 2 Services	2026	\$3,460.00

SS  
12/15/25



# Porter Township School Corporation Fundraising Application

Per SBOA, individual school organizations or functions may conduct selling activities on not more than 30 separate days during a school year. All fundraisers must be board approved prior to conducting the fundraiser. Applications must be submitted at least 10 days prior to a board meeting to be approved. A Summary Collection Form SA-8 must be completed and submitted with fundraiser proceeds for deposit. Upon approval, a Facility Request Form must be submitted if applicable.

Name of Organization: BGE 4<sup>th</sup> Grade Camp Tecumseh field trip

Sponsor / Individual in Charge: Mrs. Garrett for 4<sup>th</sup> Grade

Fundraiser Dates: From: 1/27/26 To: 1/30/26 Total Number of Days: 4 days

Fundraiser Details: Double Good Popcorn - All online (digital)

Where: \_\_\_\_\_ Cost of Items Sold: \$10 - 35 Goal: \$5,000

Use of Money: To help reduce cost for families

Vendor Name: Double Good Popcorn

Vendor Address: 16W030 83<sup>rd</sup> Street, Burr Ridge IL, 60527

Needs: Money Bag \_\_\_\_\_ Tickets \_\_\_\_\_

RECEIVED

Sponsor Signature: Wendy Garrett **DEC - 1 2025** Date: 11/25/25

## OFFICE USE ONLY

Porter Township  
School Corporation

Does this fundraiser involve the sale of foods and/or beverages during the school day? YES ☐ NO ☐  
*\*If yes, Director of Food Service must also approve fundraiser*

PRINCIPAL / ASSISTANT PRINCIPAL APPROVAL:

DATE: 11-25-2025

ATHLETIC DIRECTOR APPROVAL:

DATE: \_\_\_\_\_

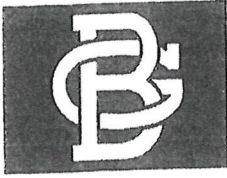
DIRECTOR OF FOOD SERVICE APPROVAL:

DATE: \_\_\_\_\_

SCHOOL BOARD APPROVAL:

DATE: \_\_\_\_\_

BP



# Porter Township School Corporation Fundraising Application

Per SBOA, individual school organizations or functions may conduct selling activities on not more than 30 separate days during a school year. All fundraisers must be board approved prior to conducting the fundraiser. Applications must be submitted at least 10 days prior to a board meeting to be approved. A Summary Collection Form SA-8 must be completed and submitted with fundraiser proceeds for deposit. Upon approval, a Facility Request Form must be submitted if applicable.

RECEIVED

Name of Organization: BGHS Varsity Cheer

Sponsor / Individual in Charge: \$40

Fundraiser Dates: From: 02/28/2025 To: \_\_\_\_\_ Total Number of Days: 1

Fundraiser Details: 4 Hour Stunt Camp

Where: BGHS Field House Cost of Items Sold: \_\_\_\_\_ Goal: 40 participants  
Dinner & Shirt Estimated to cost \$15 per participant

Use of Money: New Equipment

Vendor Name: N/A Coaches Sponsor

Vendor Address: \_\_\_\_\_

Needs: Money Bag \_\_\_\_\_ Tickets \_\_\_\_\_

Sponsor Signature: Madeleine A... Date: \_\_\_\_\_

DEC - 5 2025

Porter Township  
School Corporation

## OFFICE USE ONLY

Does this fundraiser involve the sale of foods and/or beverages during the school day? YES ☐ NO ☐  
\*If yes, Director of Food Service must also approve fundraiser

PRINCIPAL / ASSISTANT PRINCIPAL APPROVAL:

[Signature] DATE: 12/5/25

ATHLETIC DIRECTOR APPROVAL:

[Signature] DATE: 12/5/25

DIRECTOR OF FOOD SERVICE APPROVAL:

\_\_\_\_\_  
DATE: \_\_\_\_\_

SCHOOL BOARD APPROVAL:

\_\_\_\_\_  
DATE: \_\_\_\_\_

RP



# Porter Township School Corporation Fundraising Application

Per SBOA, individual school organizations or functions may conduct selling activities on not more than 30 separate days during a school year. All fundraisers must be board approved prior to conducting the fundraiser. Applications must be submitted at least 10 days prior to a board meeting to be approved. A Summary Collection Form SA-8 must be completed and submitted with fundraiser proceeds for deposit. Upon approval, a Facility Request Form must be submitted if applicable.

Name of Organization: BGHS Varsity Cheer

RECEIVED

Sponsor / Individual in Charge: Maddie Cannon

Fundraiser Dates: From: 01/12/26 To: 01/17/26

Total Number of Days: 5

DEC - 5 2025

Fundraiser Details: Glass Card Coupon Card — local business discounts

Where: Physical Card & Online Option

Cost of Items Sold: \$20 per card

Goal:

Porter Township  
School Corporation

Sell 200 cards (\$2,000 pr

Use of Money: New Equipment

Vendor Name: Glass Card

Vendor Address: \_\_\_\_\_

Needs: Money Bag \_\_\_\_\_ Tickets \_\_\_\_\_

Sponsor Signature: Maddie Cannon Date: 11/25/25

## OFFICE USE ONLY

Does this fundraiser involve the sale of foods and/or beverages during the school day? YES ☐ NO ☐  
\*If yes, Director of Food Service must also approve fundraiser

PRINCIPAL / ASSISTANT PRINCIPAL APPROVAL:

DATE: 12/5/25

ATHLETIC DIRECTOR APPROVAL:

DATE: 12/5/25

DIRECTOR OF FOOD SERVICE APPROVAL:

DATE: \_\_\_\_\_

SCHOOL BOARD APPROVAL:

DATE: \_\_\_\_\_

BP

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - ELECTION AND ELIGIBILITY TO SERVE
Code	po0142
Status	
Adopted	June 21, 2001
Last Revised	July 14, 2023

#### 0142 - **ELECTION AND ELIGIBILITY TO SERVE**

Members of the Board shall be qualified and elected in accordance with the Corporation's organization plan on file with the State Board of Education.

The Commission on General Education and the Indiana State Board of Education approved the plan for the reorganization of the Porter School Township of Porter County into the Porter Township School Corporation pursuant to I.C. 20-4-1-17.1. The Porter Township School Corporation shall be composed of the present Porter School Township of Porter County.

Before August 1<sup>st</sup> of each school year (July 1 to June 30), the Superintendent shall file with the State Superintendent of Public Instruction a listing of the:

- A. names and addresses of members of the Board;
- B. names and addresses of the Board's officers;
- C. expiration dates of the terms of the Board's ~~members and~~ officers.

Should a change occur in Board membership during the term of one (1) or more members of the Board, the School Corporation shall file the change with the Secretary of Education within thirty (30) days after the change occurs. (I.C. 20-4-10.1-16)

#### **Eligibility**

- A. A person is not qualified to run for a school board office unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination. (I.C. 3-8-1-1)
- B. A candidate for a school board office must have resided in the Corporation ~~school corporation~~ for at least one (1) year before the election. A candidate for school board office seeking to represent an election district that consists of less than the entire Corporation ~~school corporation~~ must have resided in the election district for at least one (1) year before the election. (I.C. 3-8-1-34)
- C. A person may not hold more than one (1) lucrative office at a time, as provided in Article 2, Section 9 of the Constitution of the State of Indiana. (I.C. 3-8-1-3)
- D. A person is disqualified from assuming or being a candidate for school board office if:
  - 1. the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
  - 2. the person does not comply with I.C. 5-8-3 because of a conviction for a violation of the Federal laws listed in that statute;
  - 3. In a

- a. jury trial, a jury publicly announces a verdict against the person for a felony;
  - b. bench trial, the court publicly announces a verdict against the person for a felony; or
  - c. guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
4. the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
  5. the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate;
  6. the person is subject to 5 U.S.C. 1502 (the Little Hatch Act) or 5 U.S.C. 7321-7326 (the Hatch Act) and would violate either Federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office; or
  7. the person is a nonjudicial court employee who would violate Rule 4.6 of the Indiana Code of Judicial Conduct by being the candidate of a political party for nomination or election to an elected office or a political party office. (I.C. 3-8-1-5)
- E. An individual who is at least ~~twenty-one (21)~~ eighteen (18) years of age and is otherwise eligible to assume office as a member of a governing body may not be disqualified on the basis of age (I.C. 20-26-4-9)
- F. Ownership of property shall not be a qualification to serve as a Board member (I.C. 20-26-4-10).
- G. An individual who is employed by the Corporation as a teacher or as a noncertificated employee (as defined in I.C. 20-29-2-11) ~~of the school corporation~~ may not be a member of the Board ~~governing body of the school corporation~~. If a teacher or a noncertificated employee (as defined in I.C. 20-29-2-11) employed by the Corporation ~~of the Board~~ is elected or appointed to the Board, the employee must resign from employment by the Corporation ~~Board~~ before serving on the Board (I.C. 20-26-4-11).

The Porter Township School Corporation shall be divided into three (3) residential districts and one (1) at-large district comprised as follows:

Resident District 1 shall consist of the following legal description:

Beginning at the northeast corner of Section 3, Township 34 North, Range 6 west of the second principal meridian in Porter County, Indiana, said point being the intersection of the centerline of Division Road and the centerline of County Road 100 West; thence south along the centerline of County Road 100 West to the centerline of County Road 100 South; thence west along the centerline of County Road 100 South to the centerline of County Road 500 West; thence south along the centerline of County Road 250 South; thence west along the centerline of County Road 250 South to the centerline of County Road 600 West; thence south along the centerline of County Road 600 West to the centerline of County Road 350 South; thence west along the centerline of County Road 350 South to the west quarter corner of Section 22 in Township 34 North, Range 7 West, said point being on the Lake-Porter County Line; thence north along the Lake-Porter County line to the northwest corner of the south half of the southwest quarter of Section 15 in said township and range, said point being in the centerline of County Road 275 South; thence east along the centerline of County Road 275 South to the centerline of County Road 725 West; thence north along the centerline of County Road 725 West to the centerline of County Road 100 South to the Lake-Porter County line; thence north along the Lake-Porter County line to the northwest corner of Section 3, Township 34 North, Range 7 West, said point being in the centerline of Division Road; thence east along the centerline of Division Road to the point of beginning.

Resident District 2 shall consist of the following legal description:

Beginning at the northeast corner of Section 10, Township 34 North, Range 6 West of the second principal meridian in Porter County, Indiana, said point being the intersection of the centerline of County Road 100 South and the centerline of County Road 100 West; thence west along the centerline of County Road 100 West; thence west along the centerline of County Road 100 South to the centerline of County Road 500 West; thence south along the centerline of County Road 500 West to the centerline of County Road 250 South; thence west along the centerline of County Road 250 South to the centerline of County Road 600 West; thence south along the centerline of County Road 600 West to the centerline of County Road 350 South; thence west along the centerline of County Road 350 South to the west quarter corner of Section 22 in Township 34 North, Range 7 West, said point being on the Lake-Porter County line; thence south along the Lake-Porter County line to the southwest corner of Section 34 in said township and range; thence east along the south line of Sections 34, 35, and 36 in Township 34 North, Range 6 West to the southeast corner of said Section 35, said point being in the

centerline of Smoke-Meridian Road; thence north along the centerline of Smoke-Meridian Road to the northeast corner of Section 23 in said township and range; thence west along the north line of said Section 23 to the centerline of County Road 100 West; thence north along the centerline of County Road 100 West to the point of beginning.

Resident District 3 shall consist of the following legal description:

Beginning at the northwest corner of Section 10, Township 34 North, Range 7 West of the second principal meridian in Porter Township, Porter County, Indiana; said point being the intersection of the Lake-Porter County line and the centerline of County Road 100 South; thence east along the centerline of County Road 725 West; thence south along the centerline of County Road 725 West to the centerline of County Road 275 South; thence west along the centerline of County Road 275 South to the Lake-Porter County line; thence north along the said Lake-Porter County line to the point of beginning.

The At-Large District shall consist of Porter Township School Corporation.

- A. There shall be one (1) member from each School Board resident district on said School Board, and two (2) members chosen at-large from Porter Township School Corporation. All candidates for School Board membership whether from resident districts or at-large are to be voted on by all registered voters of Porter Township School Corporation voting at any School Board member election.
- B. A candidate for School Board membership from a resident district must be a resident of that district at the time of his/her election. A candidate for School Board membership running at-large may reside anywhere in the Porter Township School Corporation at the time of his/her election. All candidates for School Board memberships whether from a resident district or at-large shall have been a resident in the Porter Township School Corporation for not less than one (1) year and two (2) years in the State of Indiana.
- C. A candidate receiving the highest number of votes in each resident district shall be deemed elected to the School Board from said district. Change of residence from one (1) board member district to another within the Porter Township School Corporation shall not bar an elected School Board member from completing a current term to which s/he has been elected.
- D. The two (2) candidates receiving the highest number of votes from the at-large district shall be deemed elected to the School Board.
- E. At the first School Board election following the creation of the Porter Township School Corporation, the School Board members elected from Resident District 2 and the at-large School Board member receiving the fewest number of votes for that office shall take office and assume their duties on the first day of January after the election and serve in that capacity until June 30, 1984. The School Board members elected from Resident Districts 1 and 3 and the at-large School Board member receiving the most number of votes for that office shall take office and assume their duties on the first day of January after the election and serve in that capacity until June 30, 1986. Thereafter, all School Board members shall be elected in the Primary Election and shall be elected for a four (4) year term. Thereafter, all School Board members shall take office and assume their duties on the first day of July after their election.
- F. In the event a School Board member is unable to serve the balance of his/her term for any reason, his/her replacement shall be appointed by the remaining members of the School Board, in accordance with the terms and provisions of this plan and s/he shall hold office for the balance of the term of the School Board member who s/he replaced.
- G. Following the publication of each Federal Decennial Census, the School Board shall make a study of its structure and may recommend changes or modifications. Such recommended changes shall be submitted to a vote of the electorate at the next Primary Election and shall be adopted or rejected by the majority of the votes cast at the election.

The petition of nomination for a School Board office must state all of the following:

- A. The name of each candidate as:
  - 1. the candidate wants the candidate's name to appear on the ballot; and
  - 2. the candidate's name is permitted to appear on the ballot under I.C. 3-5-7.
- B. The address of each candidate, including the mailing address, if different from the residence address of the candidate.

- C. The School Board office that each candidate seeks.
- D. Each petitioner is a qualified registered voter and desires to be able to vote for the candidates listed on the petition.
- E. One (1) of the following:
  - 1. The candidate's political party affiliation.
  - 2. The candidate is an independent candidate.
  - 3. That the candidate elects not to disclose any affiliation with a political party or that the candidate:
    - a. is not affiliated with a political party; and
    - b. does not identify as an independent candidate.

Unless a candidate who states a political party affiliation under E.1. above is challenged the candidate's statement must be indicated on the ballot in the manner determined by the county election board.

Revised 1/16/03  
Revised 3/21/13  
Revised 4/17/14  
Revised 2/5/20  
Revised 3/12/20  
T.C. 7/14/23

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Book	Policy Manual
Section	For Board Review
Title	Revised Policy - COMPENSATION
Code	po0144.1
Status	
Adopted	June 21, 2001
Last Revised	April 17, 2014

#### 0144.1 - **COMPENSATION**

Board members shall receive a basic compensation within legal parameters, not to exceed ten percent (10%) of the lowest starting salary of a teacher employed by the School Corporation, as determined by the Board annually, at its organization meeting. Board members will also be given a term life insurance policy in the amount of \$30,000 with indemnity upon the annual payment of one (1) dollar (\$1.00). Board members may participate in the Corporation's health, vision, and dental insurance program with full cost of the single or family plan premium to be paid by the participating Board member by the last Monday of the month. At its annual organizational meeting, the Board will establish any additional benefits for the next calendar year. Expenses of a Board member shall be reimbursed when incurred in the performance of his/her duties or in the performance of functions authorized by the Board and duly vouchered.

The following guidelines have been established by the Board to ensure appropriate and proper reimbursement of expenses for Board members.

- A. Expenses will be reimbursed only for activities authorized by the Board.
- B. Reimbursement for mileage will not exceed the current rate established for Corporation employees.
- C. Attendance at Board-approved conferences should be at the location closest to the Corporation.
- D. When attending a Board-approved conference, all fees, parking, mileage, meals, and housing will be reimbursed.
- E. Purchase of any printed or other materials relating to Boardmanship will be reimbursed if pre-purchase approval is given by the Board. If such approval is not possible or feasible, a voucher must be submitted to the Board for approval in a timely fashion. No postpurchase voucher will be approved if it exceeds \$50.00.
- F. No tips, entertainment expenses or purchases of alcoholic beverages are reimbursable.
- G. A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within thirty (30) days after the expenses have been incurred.

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Legal I.C. 20-5-3-6

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - EXECUTIVE SESSION
Code	po0167.2
Status	
Adopted	June 21, 2001
Last Revised	August 21, 2025

## 0167.2 - **EXECUTIVE SESSION**

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

- A. where authorized by Federal or State statute
- B. discussion of strategy with respect to 1) collective bargaining, which does not include a discussion or meeting under I.C. 20-29-6-7, 2) initiation of litigation or litigation which is pending or has been threatened in writing, 3) implementation of security systems, 4) a real property transaction, including a purchase, a lease as a lessor, a lease as a lessee, a transfer, an exchange or a sale by the governing body, up to the time a contract or option is executed by the parties, 5) or school consolidation, providing that the strategy is necessary for bargaining or competitive reasons, and the meeting does not include the competitive bargaining adversaries
- C. for discussion of the assessment, design, and/or implementation of school safety and security measures, plans, and systems
- D. to receive information about, and interview, prospective employees
- E. with respect to any individual over whom the Board has jurisdiction, receive information concerning the individual's alleged misconduct, and to discuss, prior to determination, that individual's status as an employee, student, or independent contractor who is a physician or a school bus driver
- F. discussion of records classified as confidential by Federal or State statute
- G. discussion, before any placement decision, of an individual student's abilities, past performance, behavior, and needs
- H. discussion of an employee's job performance evaluation
- I. when considering the appointment of a public official, to develop a list of prospective appointees, to consider applications and make one (1) initial exclusion of prospective appointees from further consideration
- J. training of Board members by an outside consultant on performance of their role as public officials and/or discussion with or between county officials, Board members, and an outside consultant concerning the performance of Board members
- K. to discuss information and intelligence intended to prevent, mitigate, or respond to a threat of terrorism
- L. to discuss either of the following:
  - 1. Employee health care options with respect to special exceptions for coverage
  - 2. Employee handbook changes
- M. to review negotiations on the performance of publicly bid contracts when public knowledge regarding the review would cause a likelihood of increased costs

N. to discuss soliciting proposals for the purpose of awarding of contracts for goods and services, when:

1. proprietary data, trade secrets, or other information is contained in the bidder's proposal relating to the bidder's unique method of:
  - a. conducting business, or
  - b. determining prices or premium rates to be charged for services under the terms of the proposal; and
2. public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of information described in N.1. above.

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

The Board shall not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting shall not be recessed and reconvened with the intent of circumventing this provision.

Requirements for minutes of an executive session shall be a specific reference to instance or instances from the above-listed purposes for an executive session. The Board shall certify by a statement in the minutes that no other business was discussed in the executive session other than the subject matter specified in the public notice.

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

Revised 12/22/05

Revised 3/21/13

Revised 10/8/20

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Legal

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

I.C. 5-14-1.5-6.1 Executive sessions

I.C. 20-26-4-3 Regular, statutory and special meetings, including notice of meetings to Board members

I.C. 20-29-6-7

Cross References

po0142.3 - VACANCIES AND APPOINTMENT OF BOARD MEMBERS

po0164 - NOTICE OF MEETINGS

Book	Policy Manual
Section	For Board Review
Title	Replacement Policy - Volume 38, No. 1 - Nondiscrimination - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT
Code	po1422
Status	
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Last Revised	August 19, 2021

## **Replacement Policy - Volume 38, No. 1 - Nondiscrimination**

### **~~1422 — NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY~~**

~~The School Board does not discriminate on the basis of race, color, national origin, sex (including gender status, sexual orientation and gender identity), disability, age, religion, military status, ancestry, genetic information, or any other legally protected category (collectively, "Protected Classes") in its programs and activities, including employment opportunities.~~

~~Notice of the Board's policy on nondiscrimination and the identity of the School Corporation's Compliance Officer(s) (see below) will be published on the Corporation's website, posted throughout the Corporation, and included in the Corporation's recruitment statements or general information publications.~~

#### **Definitions**

~~Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.~~

~~**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.~~

~~**Respondent** is the individual who is alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.~~

~~**Corporation community** means students, Corporation employees (i.e., administrators, and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.~~

~~**Third Parties** include but are not limited to guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation community at school related events/activities (whether on or off Corporation property).~~

~~**Day(s)**: Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday — Friday, excluding State recognized holidays).~~

~~**Military status**: refers to a person's status in the uniformed services, which includes the performance of duty on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty for training, full time National Guard duty, and performance of duty or training by a member of Indiana organized militia. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any duty listed above.~~

#### **~~Corporation Compliance Officer(s)~~**

The Board designates the following individuals to serve as the Corporation's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

~~[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of discrimination/retaliation that pertains to the other CO. The Board must list either the Name or Title of the CO, while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.]~~

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

The names, titles, and contact information of these individuals will be published annually on the Corporation's website and:

- A. ( ) in the staff handbooks.
- B. ( ) in the Corporation's Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the Corporation's calendar.
- E. ( ) \_\_\_\_\_.

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ( ) Any sections of the Corporation's collectively bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. **[END OF OPTION]** A copy of each of the Acts and regulations on which this notice is based will be made available upon request from the CO.

## **Reports and Complaints of Unlawful Discrimination and Retaliation**

Employees are required to report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Corporation level official so that the Board may address the conduct. Any administrator, supervisor, or other Corporation level official who receives such a report shall provide it to the CO within two (2) days.

Discrimination against an individual based on their sex (including gender status, sexual orientation, and gender identity) is discrimination in violation of Title VII. Specifically, discrimination on the basis of sex stereotyping/gender nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior. Employment actions based upon an individual's sex could be suspect and potentially impermissible.

COs are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her gender status, sexual orientation, and gender identity.

Any questions concerning whether alleged conduct might violate this prohibition should be brought to the CO's attention promptly.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the Corporation community or a Third Party and such reports that initially are made to an administrator, supervisor, or other Corporation level official. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and initiate either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct unless circumstances make such an intervention dangerous, in which case the employee should notify immediately other Corporation employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant within two (2) business days to advise the Complainant of the Board's intent to investigate the alleged wrongdoing.

### **Investigation and Complaint Procedures (See Form 1422-F2)**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC").

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal

~~complaint. The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.~~

~~The Complainant may proceed immediately to the formal complaint process, and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.~~

~~All complaints involving a Corporation employee or any other adult member of the Corporation community and a student will be investigated formally.~~

~~As an initial course of action, if a Complainant feels comfortable and safe doing so, the Complainant should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the inappropriate conduct may file an informal or a formal complaint.~~

~~In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.~~

~~A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation level employee.~~

~~All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.~~

~~The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:~~

- ~~A. Advising the Complainant about how to communicate concerns to the Respondent.~~
- ~~B. Distributing a copy of Policy 1422—Nondiscrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent works/attends school.~~
- ~~C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.~~

~~While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.~~

~~If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.~~

### **Formal Complaint Procedure**

~~If a complaint is not resolved through the informal complaint process, one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.~~

~~A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation official.~~

~~Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, the Superintendent, or other Corporation official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.~~

~~Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.~~

~~All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.~~

~~If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.~~

~~Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.~~

~~Within two (2) business days of receiving the formal complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.~~

~~Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1422—Nondiscrimination and Equal Employment Opportunity. The Respondent also must be informed of the opportunity to submit a written response to the complaint within five (5) business days.~~

~~Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint.~~

~~The investigation will include:~~

- ~~A. interview(s) with the Complainant;~~
- ~~B. interview(s) with the Respondent;~~
- ~~C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and~~
- ~~D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.~~

~~At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.~~

~~**[ ]** The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

~~Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent either must issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final written decision will be delivered to both the Complainant and the Respondent.~~

~~If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.~~

~~If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age appropriate, effective, and tailored to the specific situation.~~

~~**[ ]** The decision of the Superintendent shall be final.~~

**{OR}**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( )~~

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~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.~~

#### **~~[END OF OPTIONS]~~**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~The parties may be represented, at their own cost, at any of the above described interviews/meetings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the OCR, EEOC or ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

#### **~~Privacy/Confidentiality~~**

~~The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.~~

~~All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.~~

~~During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.~~

#### **~~Remedial Action and Monitoring~~**

~~If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken due to the discrimination or other appropriate action.~~

~~The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.~~

#### **~~Sanctions and Disciplinary Action~~**

~~The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct.~~

~~While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.~~

#### **~~Retaliation~~**

~~Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.~~

~~Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~

~~Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.~~

~~The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.~~

### **Education and Training**

~~In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.~~

### **Retention of Investigatory Records and Materials**

~~The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:~~

- ~~A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;~~
- ~~D. written witness statements;~~
- ~~E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;~~
- ~~F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);~~
- ~~G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;~~
- ~~H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- ~~I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- ~~J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~

- ~~K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- ~~L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);~~
- ~~M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~[DRAFTING NOTE: The following options should be selected if the Corporation concludes that the following items are not adequately encompassed in the preceding paragraphs.]~~**

- ~~N. ( ) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; [REMINDEr: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~
- ~~O. ( ) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. ( ) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~
- ~~Q. ( ) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~
- ~~R. ( ) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.~~

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## **1422 - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT**

### **NONDISCRIMINATION**

The School Board (hereinafter referred to as "the Board" or "the Corporation") does not discriminate based on a person's Protected Class(es) in its education programs or activities and does not tolerate unlawful harassment. Protected Classes (which also may be referred to as Protected Categories) include race, color, national origin, sex (including pregnancy, childbirth, and related conditions), disability, age, religion, military status, ancestry, genetic information, or any other legally protected characteristics. The Board is an equal opportunity employer.

The Board is committed to providing a work environment that is free from Prohibited Conduct (as defined below), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute Prohibited Conduct, and addressing Prohibited Conduct in its education programs or activities. This commitment applies to all Corporation operations, and this policy applies to Prohibited Conduct occurring within or as a part of the Corporation's education programs and activities, whether on school property or at another location during an activity sponsored by the Board.

Persons who commit Prohibited Conduct are subject to the full range of disciplinary sanctions set forth in this policy.

The Board will provide persons who have experienced Prohibited Conduct ongoing remedies as reasonably necessary to restore or preserve access to the Corporation's education programs or activities.

All school employees share responsibility for avoiding, discouraging, and reporting any form of Prohibited Conduct.

The Board will take immediate action to address the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging Prohibited Conduct, or has participated in the grievance procedures described below.
- B. Filing a malicious or knowingly false report or complaint of Prohibited Conduct.
- C. Disregarding, failing to appropriately address, or delaying action to appropriately address allegations of Prohibited Conduct when responsibility for reporting and/or investigating such charges comprises part of one's administrative/supervisory duties.

**Definitions:**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant:**

- A. an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
- B. a person other than an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct and who was participating or attempting to participate in the Corporation's education programs or activities at the time of the alleged Prohibited Conduct.

**Complaint:** an oral or written request to the Corporation that objectively can be understood as a request for the Corporation to investigate and make a determination about alleged Prohibited Conduct.

**Corporation community:** students and Corporation employees (i.e., administrators and professional/classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., days that the Corporation office is open for normal operating hours, Monday–Friday, excluding Federal and State holidays).

**Disciplinary sanctions:** consequences imposed on a Respondent following a determination that the Respondent engaged in Prohibited Conduct.

**Education programs or activities:** all the Corporation's operations including but not limited to in-person and online, remote or virtual educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all programs and activities operated by the Corporation on school grounds or on other property owned or occupied by the Corporation. It also includes events and circumstances that take place off school property/grounds but over which the Corporation asserts disciplinary authority (e.g., at off-campus activities sponsored by the Corporation).

**Exculpatory evidence:** evidence that is favorable to a Respondent because it helps excuse, justify, or absolve a respondent of alleged wrongdoing and tends to establish that a Respondent did not engage in Prohibited Conduct.

**Genetic information:** information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

**Harassment:** any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an employee that (a) places the employee in reasonable fear of harm to their person or damage to their property; (b) has the effect of substantially interfering with the employee's work performance; or (c) has the effect of substantially disrupting the orderly operation of a school. Each of the following types of harassment involves unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's protected characteristic(s) and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

- A. Age Harassment:** harassment based on negative perceptions about older workers. It also includes harassment based on stereotypes about older workers, even if they are not motivated by animus, such as pressuring an older employee to transfer to a job that is less technology-focused because of the perception that older workers are not well-suited to such work or encouraging an older employee to retire.
- B. Disability Harassment:** harassment based upon a person's disability, including harassment based upon stereotypes about individuals with disabilities in general or about an individual's particular disability. It also includes harassment based on traits or characteristics linked to an individual's disability, such as how the person speaks, looks, or moves. For example, negative comments about an individual's speech patterns, movement, physical impairments, or defects/appearances, or the like. Disability-based harassment includes: (a) harassment because an individual requests or receives reasonable accommodation; (b) harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability or a record of disability; (c) harassment because an individual has a record of a disability, even if the individual currently does not have a disability; and (d) harassment based on the disability of an individual with whom the employee is associated. Finally, disability-based harassment may occur where conduct is directed at or pertains to a person's genetic information.
- C. National Origin/Ancestry Harassment:** harassment due to a person's (or their ancestor's) place of origin. Such harassing conduct can include ethnic slurs or epithets, derogatory comments about individuals of a particular nationality, and use of stereotypes about a person's national origin. Additionally, it can include harassment regarding traits or characteristics linked to an individual's national origin, such as physical characteristics, ethnic or cultural characteristics or customs (e.g., surnames, attire, or diet), or linguistic characteristics (e.g., a person's manner of speaking, non-English language accent, or a lack of fluency in English).
- D. Race/Color Harassment:** unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's race or color and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.
- E. Religious (Creed) Harassment:** harassment based on a person's surname, religion (including atheism or lack of religious belief), religious traditions and practices, or religious dress/clothing, and includes making offensive comments about the same. It also includes religious slurs or epithets, harassing conduct based on religious stereotypes, and harassment associated with a person's request for and/or receipt of religious accommodation. Religious harassment also involves explicitly or implicitly coercing an employee to engage in religious practices at work.
- F. Sexual Harassment** (for purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment; (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.
1. Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
  2. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
    - a. Conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or involving sexual activity (e.g., unwelcome sexual propositions, invitations, solicitations, and flirtations; unwanted physical and/or sexual contact, including unwelcome and inappropriate touching, patting, or pinching, and obscene gestures).
    - b. Sexual attention or sexual coercion, such as demands or pressure for sexual favors (e.g., threats or insinuations that a person's employment, wages, or other conditions of employment may be adversely affected by not submitting to sexual advances; giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin).
    - c. Rape, sexual assault, or other acts of sexual violence.

- d. Discussing or displaying visual depictions of sex acts or sexual remarks (e.g., unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts, etc.; sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work environment; asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities; speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history).
- e. A consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- f. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
- g. Non-sexual conduct based on sex, such as sex-based epithets; sexist comments (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or facially sex-neutral offensive conduct motivated by sex (such as bullying directed toward employees of one sex).
- h. Harassment based on pregnancy, childbirth, or related medical conditions, which may include issues pertaining to lactation, using or not using contraception, or deciding whether to have, or not to have, an abortion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be objectively offensive (a reasonable person would find it hostile or abusive), subjectively offensive (the complainant actually perceived it as abusive), and either sufficiently severe (a single extremely serious incident) or pervasive (a pattern of behavior), such that it adversely affects, limits, or denies an individual's employment or creates a hostile or abusive employment environment.

Inculpatory evidence: evidence that links a Respondent to alleged wrongdoing and tends to establish that a Respondent engaged in Prohibited Conduct (i.e., has culpability).

Military status: a person's past, current, or future membership, service, or obligation in a uniformed service (e.g., Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Officer Corps). Service in the uniformed services also means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty, and performance of duty or training by a member of the Indiana organized militia. It further includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

**Party:** a Complainant or Respondent.

#### **Pregnancy, childbirth, or related medical conditions:**

- A. "Pregnancy" and "childbirth" refer to the pregnancy or childbirth of a specific employee and include but are not limited to current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
- B. "Related medical conditions" are medical conditions relating to the pregnancy or childbirth of a specific employee and may include: termination of pregnancy, including via miscarriage, stillbirth, or abortion; ectopic pregnancy; preterm labor; pelvic prolapse; nerve injuries; cesarean or perineal wound infection; maternal cardiometabolic disease; gestational diabetes; preeclampsia; HELLP (hemolysis, elevated liver enzymes and low platelets) syndrome; hyperemesis gravidarum; anemia; endometriosis; sciatica; lumbar lordosis; carpal tunnel syndrome; chronic migraines; dehydration; hemorrhoids; nausea or vomiting; edema of the legs, ankles, feet, or fingers; high blood pressure; infection; antenatal (during pregnancy) anxiety, depression, or psychosis; postpartum depression, anxiety, or psychosis; frequent urination; incontinence; loss of balance; vision changes; varicose veins; changes in hormone levels; vaginal bleeding; menstruation; and lactation and conditions related to lactation, such as low milk supply, engorgement, plugged ducts, mastitis, or fungal infections. The preceding list of related medical conditions is not exhaustive.

**Prohibited Conduct:** unlawful discrimination or harassment based on a person's Protected Class(es) or retaliation. Such misconduct involves a violation of Federal and/or State civil rights laws.

**Relevant:** related to the allegations of Prohibited Conduct under investigation as part of the Board's grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged Prohibited Conduct occurred, and evidence is relevant when it may aid a decision-maker in determining whether the alleged Prohibited Conduct occurred.

**Remedies:** measures provided, as appropriate, to a Complainant or any other person the Corporation identifies as having had their equal access to the Corporation's education programs or activities limited or denied by Prohibited Conduct. These measures are provided to restore or preserve that person's access to the Corporation's education program or activity after the Corporation determines that Prohibited Conduct occurred.

**Respondent:** a person who is alleged to have engaged in Prohibited Conduct.

**Retaliation:** intimidation, threats, coercion, or discrimination against any person by the Corporation, a student, a Board employee, or any other person authorized by the Board to provide aid, benefit, or service under the Corporation's education programs or activities, for the purpose of interfering with any right or privilege secured by Federal or State law, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under applicable Federal or State laws or regulations.

**Supportive measures:** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to the Complainant or the Respondent before or after making a report or filing a complaint. Such measures are designed to restore or preserve that party's access to the Corporation's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Corporation's educational environment or deter Prohibited Conduct. Supportive measures may include modifications of work schedules, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings, training related to Prohibited Conduct, referral to Employee Assistance Program, and other similar measures.

**Third Parties:** guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation community at school-related events/activities (whether on or off Corporation property).

### **Pregnancy, Childbirth, and Related Medical Conditions**

The Board will not discriminate against an employee based on the person's current pregnancy, potential or intent to become pregnant, past pregnancy, or medical condition related to pregnancy or childbirth or because the person uses birth control or has had or not had an abortion.

Additionally, the Board will provide a reasonable accommodation to an employee's known limitation related to pregnancy, childbirth, or a related medical condition, unless the accommodation will cause the Corporation undue hardship.

The Board will treat pregnancy, childbirth, and related medical conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; accrual of seniority and any other benefit or service; reinstatement; and under any fringe benefit offered to employees by virtue of employment.

The Board will provide reasonable break time for an employee to express breast milk while at work for the first year after the employee's child's birth. The Board will provide the employee with a space, other than a bathroom, that is clean, shielded from view, free from intrusion from coworkers and the public, and which the employee can use as needed to express breast milk. See Board Policy 6700 – Fair Labor Standards Act.

### **Nondiscrimination Based on Employee's Genetic Information**

The Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of the individual's genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with GINA, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information,

including the individual's family medical history, in response to requests for medical information as part of the Corporation's application process.

The Corporation recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. However, the Corporation prohibits its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information while working.

If the Corporation either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.

The Corporation Compliance Officer (see below) shall be responsible for overseeing the Corporation's compliance with applicable Federal regulations and promptly handling any inquiries or complaints. The Corporation Compliance Office or designee also shall verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all Corporation requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the Americans with Disabilities Act ("ADA") or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of School Trustees, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

#### **Corporation Compliance Officer(s)**

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Federal and State laws that prohibit discrimination, including harassment, based on Protected Classes and retaliation (also known as "Civil Rights Coordinator(s)" or "Anti-Harassment Compliance Officer(s)") (hereinafter referred to as the "Corporation Compliance Officer(s)" or "CO(s)");

#### **SUPERINTENDENT PORTER TOWNSHIP SCHOOLS**

Address: 248 S 500 W, VALPARAISO, IN 46385

Telephone No.: (219) 477-4933, Ext. 1000

Email address: superintendent@ptsc.k12.in.us

#### **ASSISTANT SUPERINTENDENT**

Address: 248 South 500 West, Valparaiso, IN 46385

Telephone No.: 219-477-4933 Ext. 1000

assistant.superintendent@ptsc.k12.in.us

The Board designates the PTSC Superintendent as the individual who is ultimately responsible for oversight over the Board's compliance with applicable Federal and State laws and regulations that prohibit discrimination based on the basis of protected classes and retaliation.

The Corporation Compliance Officer may delegate specific duties to one (1) or more designees.

The contact information concerning the Corporation Compliance Officer(s) will be published on the Corporation's website.

Questions about this policy should be directed to the Corporation Compliance Officer(s).

The CO(s) is/are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, harassment, retaliation, or denial of equal opportunity/access. The CO(s) also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), Genetic Information Nondiscrimination Act ("GINA"), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Copies of the laws and regulations listed above are available upon request from the CO(s).

The CO(s) will be available during regular work hours to discuss concerns related to Prohibited Conduct, to assist employees, other members of the Corporation community, and third parties who seek support or advice when informing another individual about Prohibited Conduct, including unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The CO(s) shall monitor the Corporation's education programs and activities for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct pursuant to Federal and/or State laws that prohibit discrimination/harassment based on the basis of a Protected Class/Category and retaliation, and take steps reasonably calculated to address such barriers.

#### **Notice of Nondiscrimination**

The Superintendent shall provide a notice of nondiscrimination to: students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the Notice of Nondiscrimination on the Corporation's website and in each handbook.

#### **NOTIFICATION/REPORTS OF PROHIBITED CONDUCT**

Any person may provide information to the CO(s) concerning conduct that reasonably may constitute Prohibited Conduct. Such information may be submitted in person, by mail, by telephone, or by electronic mail using the CO's(s') published contact information, or by any other means (oral or written) that results in the CO(s) receiving the information. Information may be provided at any time (including during non-work hours).

All Corporation employees are required to notify the CO(s) of conduct that reasonably may constitute Prohibited Conduct. For the Board to fulfill its responsibilities under applicable Federal and/or State laws, if a Corporation employee has knowledge of conduct that reasonably may constitute Prohibited Conduct, the Corporation employee must notify the/a CO within two (2) days of learning the information or receiving the report. The Corporation employee also must comply with mandatory reporting responsibilities pursuant to I.C. 31-33-5-2 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Corporation employee's knowledge about the alleged Prohibited Conduct is based on another individual bringing the information to the Corporation employee's attention and the reporting individual submitted a written notification/report or complaint to the Corporation employee, the Corporation employee must provide the written notification/report or complaint to the CO.

Notification can be provided orally or in writing and should be as specific as possible. The person making the notification/report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a notification/report or Complaint involves allegations of Prohibited Conduct by or involving the CO, the person making the report (i.e., providing the notification or filing the complaint) should submit it to the Superintendent or another Corporation employee who, in turn, will notify the Superintendent of the report/complaint. The Superintendent will then serve in place of the CO for purposes of addressing that report of Prohibited Conduct.

When a Corporation employee notifies the CO of suspected Prohibited Conduct, the employee is required to report all known details about the alleged Prohibited Conduct including: (1) the name of the alleged Respondent(s); (2) the person who experienced the alleged Prohibited Conduct (i.e., the Complainant); (3) other persons involved in the alleged Prohibited Conduct (e.g., witnesses); and (4) any other relevant facts, such as date, time, and location. Failure to provide such notification may result in discipline, up to and including suspension or termination of employment.

Any allegations of misconduct not involving Prohibited Conduct as defined in this policy will be addressed through the procedures outlined in other Board policies, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

When a notification/report or complaint of Prohibited Conduct is made, the CO shall promptly (i.e., within two (2) days of the CO's receipt of the notification/report or complaint of Prohibited Conduct) contact the purported Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the

Complainant of the availability of supportive measures with or without the filing of a Complaint, and explain to the Complainant the process for filing a Complaint. The CO is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Corporation to provide the supportive measures.

## **GRIEVANCE PROCEDURES**

### **Overview:**

The Board adopts the following grievance procedures to provide for the prompt, effective, and equitable resolution of complaints made by employees, applicants, or other individuals who are participating or attempting to participate in the Corporation's education programs or activities (i.e., members of the Corporation community and third parties), or by the CO, alleging any act of Prohibited Conduct.

These grievance procedures shall be used for all complaints of Prohibited Conduct, unless it involves conduct involving a student, in which case the grievance procedures set forth in Policy 2260 or Policy 5517.01 shall apply. These grievance procedures set forth the means for investigating and resolving claims involving such Prohibited Conduct; in particular, the procedures provide a method for assessing – in a prompt, effective, and equitable manner – whether an applicable Federal or State law was violated and, if it was, how best to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.

Due to the sensitivity surrounding complaints of Prohibited Conduct, timelines are flexible for initiating the grievance procedures; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner.

Under all circumstances, the CO shall offer and coordinate supportive measures, as appropriate, in accordance with this policy.

### **Complaints:**

The following people may make a complaint of Prohibited Conduct – i.e., request that the Corporation investigate and determine whether Prohibited Conduct occurred:

**A.** A "Complainant," which includes:

1. an employee of the Corporation who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
2. a person other than an employee of the Corporation who is alleged to have been subjected to conduct that could constitute Prohibited Conduct at a time when that individual was participating or attempting to participate in the Corporation's education programs or activities;

**B.** An authorized legal representative with the legal right to act on behalf of a Complainant;

**C.** Corporation Compliance Officer.

A person is entitled to make a complaint of unlawful harassment only if they themselves are alleged to have been subjected to the unlawful harassment, or if the CO initiates a complaint.

With respect to complaints of Prohibited Conduct other than unlawful harassment, or complaints involving allegations of retaliation, in addition to the people listed above, the following persons have a right to make a complaint:

**A.** any employee of the Corporation; or

**B.** any person other than an employee who was participating or attempting to participate in the Corporation's education programs or activities at the time of the alleged Prohibited Conduct.

The Corporation may consolidate complaints of Prohibited Conduct against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of Prohibited Conduct arise out of the same facts or circumstances. When more than one (1) complainant or more than one (1) respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

A person may file criminal charges simultaneously with filing a complaint. A person does not need to wait until the Corporation's internal grievance procedures are completed before filing a criminal complaint. Likewise, questions or complaints relating to alleged violations of applicable Federal or State laws may be filed with the U.S. Department of Education's Office for Civil Rights, the U.S. Department of Justice's Civil Rights Division, the U.S. Equal Employment Opportunity Commission, or the Indiana Civil Rights Commission at any time based on the underlying statutory basis for the complaint.

### **Basic Requirements:**

The Corporation will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of this Policy, including the Corporation Compliance Officer, the investigator, the decision-maker, and the appeal decision-maker, and the facilitator of the informal resolution process, shall be free from any conflicts of interest or bias for or against complainants or respondents generally, or an individual Complainant or Respondent.

The CO may serve simultaneously as an investigator and/or a decision-maker.

If the CO does not intend to serve as the investigator/decision-maker in a specific case, the CO shall designate one (1) or more administrators who are appropriately trained to serve in the role.

In circumstances when the CO and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons impair the CO and other trained administrators from serving as an investigator/decision-maker in a specific case, the CO shall ( ), in consultation with the Superintendent or Board President (as appropriate), secure one (1) or more independent third parties to serve as the investigator and/or decision-maker.

The Corporation presumes that the Respondent is not responsible for the alleged Prohibited Conduct until a determination is made at the conclusion of its grievance procedures.

Under ordinary circumstances, the Board expects to complete the major stages of the grievance procedures within the timeframe specified below:

- A. Evaluation – The Corporation Compliance Officer will determine whether to dismiss a Complaint or investigate it within 10 days of receiving the Complaint.
- B. Investigation – The CO, or designated investigator/decision-maker, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) and issue a Determination (i.e., consider the relevant and not otherwise impermissible evidence and decide whether Prohibited Conduct occurred) within 20 days of the CO determining the charges require investigation.  
  
If, however, the CO, or designated investigator/decision-maker, determines that the investigation is going to take longer, the CO will so notify the parties and the Superintendent and will thereafter keep the parties and the Superintendent informed of the status of the matter on a regular basis.
- C. Appeal – A party filing an appeal of the CO's decision to dismiss a Complaint or the Determination must do so within 5 days of receiving the Dismissal or Determination.

The CO, or the Superintendent if the CO is the individual requesting an extension, may approve reasonable extensions of the preceding timeframes on a case-by-case basis for good cause with notice to the parties.

The Corporation will take reasonable steps to protect the privacy of the parties and witnesses. These steps will not restrict the ability of the parties to present evidence or otherwise participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The CO, or designated investigator/decision-maker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking such evidence, are impermissible (i.e., will not be accessed or considered, except by the Corporation to determine whether one (1) of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed voluntarily waived the privilege or confidentiality; and
- B. a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the Corporation obtains that party's or witness's voluntary, written consent for use in its grievance procedures.

#### **Notice of Allegations:**

Upon initiation of the Board's grievance procedures, the Corporation Compliance Officer shall notify the parties of the following:

- A. the Board's grievance procedures and informal resolution process associated with claims involving Prohibited Conduct;
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s); and
- C. retaliation is prohibited.

Should the CO decide, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the CO will provide a supplemental written notice describing the additional allegations to be investigated.

#### **Dismissal of a Complaint:**

The CO may dismiss a Complaint of Prohibited Conduct if:

- A. the Corporation is unable to identify the Respondent after taking reasonable steps to do so;
- B. the Respondent is not participating in the Corporation's education program or activity and is not employed by the Board;
- C. the Complainant voluntarily withdraws any or all of the allegations in the Complaint, the CO declines to initiate a Complaint, and the Corporation determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Prohibited Conduct even if proven; or
- D. the Corporation determines that the conduct alleged in the Complaint, even if proven, would not constitute Prohibited Conduct. Before dismissing the Complaint, the CO will make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the CO will promptly notify, in writing, the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, the CO will also simultaneously notify, in writing, the Respondent of the dismissal and the basis for the dismissal.

The CO will further notify the Complainant that a dismissal may be appealed and will provide the Complainant with an opportunity to appeal the dismissal of the Complaint. If the dismissal occurs after the Respondent has been notified of the allegations, then the CO will also notify the Respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the CO had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that would change the outcome.

If the dismissal is appealed, the CO will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;

- B. implement appeal procedures equally for the parties;
- C. ensure that the appeal decision-maker did not take part in the original dismissal of the Complaint;
- D. ensure that the appeal decision-maker has been trained consistent with this Policy;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a Complaint is dismissed, the CO will, at a minimum:

- A. offer supportive measures to the Complainant as appropriate;
- B. if the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within the Corporation's education programs or activities.

#### **Informal Resolution Process:**

In lieu of resolving a Complaint through the Board's formal grievance procedures, the parties may instead elect to participate in an informal resolution process. The Corporation will not offer an informal resolution to resolve a Complaint when such a process would conflict with Federal, State, or local law.

#### **Adding Allegations and/or Consolidating Complaints:**

If, in the course of an investigation, the Corporation decides to investigate additional allegations of Prohibited Conduct by the Respondent toward the Complainant that are not included in the original Notice of Allegations or to consolidate charges raised in a different Complaint involving the same Respondent, the CO will notify the parties of the additional allegations.

#### **Investigation:**

The Corporation will provide for an adequate, reliable, and impartial investigation of Complaints.

The burden is on the Corporation — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred.

The CO, or the designated investigator/decision-maker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The CO, or the designated investigator/decision-maker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible, regardless of relevance.

#### **Determination of Whether Prohibited Conduct Occurred:**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the CO or designated investigator/decision-maker will:

- A. Use the preponderance of the evidence standard of proof to determine whether Prohibited Conduct occurred. This standard of proof requires the decision-maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that Prohibited Conduct occurred, regardless of the quantity of the evidence, the decision-maker will not determine that Prohibited Conduct occurred.
- B. Notify the parties, in writing, of the determination whether Prohibited Conduct occurred, including the rationale for such determination, and the procedures and permissible bases for the Complainant and Respondent to appeal.
- C. Not impose discipline on a Respondent for Prohibited Conduct unless there is a determination at the conclusion of the grievance procedures that the Respondent engaged in Prohibited Conduct.

D. If there is a determination that Prohibited Conduct occurred, the CO will, as appropriate:

1. coordinate the provision and implementation of remedies to a Complainant and other people the Corporation identifies as having had equal access to the Corporation's education programs or activities limited or denied by the Prohibited Conduct;
2. coordinate the imposition of any disciplinary sanctions on a Respondent; and
3. take other appropriate prompt and effective steps to ensure that the Prohibited Conduct does not continue or recur within the Corporation's education programs or activities.

E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a Respondent.

F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement based solely on the determination of whether Prohibited Conduct occurred.

### **Appeal of Determinations:**

If a party disagrees with the decision-maker's determination as to whether Prohibited Conduct occurred, the party may file an appeal. Appeals must be submitted, in writing, within 5 days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the investigation occurred and the Determination was made; and
- C. the CO, or the designated investigator/decision-maker, had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that would change the outcome.

The Complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed.

The CO will designate an appeal decision-maker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained.

The CO has authority to secure an independent third party to serve as the appeal decision-maker.

If a party appeals the Determination, the CO will:

- A. notify the parties of the appeal;
- B. implement appeal procedures equally for the parties;
- C. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the Determination;
- D. provide the appeal decision-maker with the relevant and not otherwise impermissible evidence and the Determination; and
- E. notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

### **Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Dismissal or Determination**

When a party files an appeal, the party must set forth the reason(s)/basis/bases for the appeal, and the other party will have 5 days to provide the appeal decision-maker with a statement in support of their position. Once the decision-maker receives the statement (or the deadline for filing such a statement expires), the appeal decision-maker will have 10 days to issue a decision on the appeal.

While a party appealing a Determination may argue the reason/basis for the appeal is that new evidence has been discovered/obtained that would change the outcome and that said new evidence was not reasonably available when the Determination was originally made, the party may not submit the new or additional evidence during the appeal process. Rather, the party appealing should identify/describe, in detail, the evidence, including how and when it was

discovered/obtained, and explain why it was not reasonably available during the investigation (i.e., prior to the Determination). If the appeal decision-maker accepts the proffered explanation, the appeal decision-maker should remand the case back to the investigator/decision-maker (i.e., reopen the investigation) so the new evidence may be submitted and considered by the other party and the investigator/decision-maker.

The appeal decision-maker shall determine the outcome of the appeal based on the appeal decision-maker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence and the written determination) and the appeal decision-maker's application of the law and Board policy to the facts in the record. The appeal decision-maker must give due deference and due weight to the decision-maker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record, read in its entirety, compels a contrary conclusion. Generally, the appeal decision-maker is expected to uphold the original Determination unless the appeal decision-maker concludes the original Determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the original Determination.

The appeal decision-maker shall simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

The appeal decision-maker's decision shall be final.

### **Supportive Measures:**

The Corporation will offer and coordinate supportive measures as appropriate for the Complainant and/or Respondent to restore or preserve that person's access to the Corporation's education programs or activities or provide support during the grievance procedures and/or during the informal resolution process. For allegations of Prohibited Conduct other than prohibited harassment or retaliation, the Corporation's provision of support measures does not require the Corporation, Board employees, or any other person authorized to provide aid, benefit, or service on the Corporation's behalf to alter the alleged discriminatory/retaliatory conduct for the purpose of providing a supportive measure.

The CO shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the CO deems to be reasonably available. Supportive measures may include but are not limited to modifications of work schedules, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings, training related to Prohibited Conduct, and other similar measures.

Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties and/or the Corporation's educational environment, or to provide support during the Board's grievance procedures or the informal resolution process.

The Corporation will not impose such measures for punitive or disciplinary reasons.

The CO may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or the Corporation may continue them beyond that point.

A party may seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The Corporation will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the Corporation's education programs or activities, or as otherwise permitted under existing law and/or policy.

The Superintendent may place an employee Respondent on administrative leave from employment responsibilities during the pendency of the Board's grievance procedures.

### **Disciplinary Sanctions and Remedies:**

Following a determination that Prohibited Conduct occurred, the Corporation may impose disciplinary sanctions, which may include:

A. oral or written warning;

B. written reprimands;

- C. required counseling;
- D. required training or education;
- E. demotion;
- F. suspension with pay;
- G. suspension without pay;
- H. termination; and
- I. any other sanction authorized by any applicable Board policy, Employee/Administrator Handbook, and/or collective bargaining agreement.

The Corporation also may provide remedies, which may include disciplinary sanctions/consequences. The CO will notify the Superintendent of the recommended remedies so an authorized administrator can consider the recommendation and implement appropriate remedies in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

### **Retaliation**

Retaliation against a person who makes a report, files a complaint alleging Prohibited Conduct or retaliation, or participates in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the U.S. Constitution, the Indiana Constitution, Federal or State law, or this policy or because the individual made a report or Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a Code of Conduct violation that does not involve Prohibited Conduct but arises out of the same facts and circumstances as a Complaint or information reported about possible Prohibited Conduct, for the purpose of interfering with the exercise of any right or privilege secured by Federal or State law constitutes retaliation. Retaliation against a person for making a Complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above. The Corporation shall initiate its grievance procedures upon receiving any complaint alleging retaliation.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation; provided, however, that a determination that Prohibited Conduct occurred, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations. The Corporation will keep confidential the identity of any individual who has made a Complaint of Prohibited Conduct, any Complainant, any individual who has been reported to be the perpetrator of Prohibited Conduct, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. Part 99, as required by law, or to carry out the purposes of relevant Federal or State law or regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Corporation's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigation and determination of whether Prohibited Conduct occurred). All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During an investigation, the CO or designated investigator/decision-maker will instruct each person who is interviewed

about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to other members of the Corporation Community or third parties any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against Prohibited Conduct by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action, up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where Prohibited Conduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the Corporation community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Prohibited Conduct based on expressive conduct that is protected by the First Amendment.

### **Training**

All employees, investigators, decision-makers, facilitators of informal resolution process, the Corporation Compliance Officer(s), and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under applicable Federal and State laws and this policy. The training shall not rely on stereotypes involving Protected Classes.

### **Recordkeeping (Including Retention of Investigatory Records and Materials)**

The Corporation Compliance Officer(s) is/are responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315 - Information Management) created and received as part of an investigation. Records and materials associated with the implementation of this policy shall be retained in accordance with Policy 8310 - Public Records, Policy 8315 - Information Management, Policy 8320 - Personnel Files, and Policy 8330 - Student Records for the period set forth below, unless required to be maintained for a longer period pursuant to the Corporation's records retention schedule.

The Corporation shall maintain, for a period of seven (7) calendar years, the following records:

- A. for each Complaint of Prohibited Conduct, records documenting the informal resolution process and/or the grievance procedures followed, and the resulting outcome;
- B. for each notification that the Corporation Compliance Officer receives of information about conduct that reasonably may constitute Prohibited Conduct, records documenting the actions the Corporation took to implement this policy; and
- C. all materials used to provide the training referenced above.

The information, documents, ESI, and electronic media (as defined in Policy 8315 - Information Management) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records, medical records).

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including but not limited to Corporation Compliance Officer, investigator, decision-maker, appeal decision-maker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of Corporation Compliance

Officer, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process.

The Superintendent may delegate functions assigned to a specific Corporation employee under this policy including but not limited to the functions assigned to the Corporation Compliance Officer, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

### **Discretion in Application**

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time and for any reason. The Board may apply policy revisions to an active case, provided that doing so is not clearly unreasonable.

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#### **Legal**

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1092(F)(6)(A)(v)

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

20 U.S.C. Section 1681, Title IX of Education Amendments of 1972

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

29 U.S.C. 201 et seq., The Fair Labor Standards Act ("FLSA")

29 U.S.C. 218d, PUMP for Nursing Mothers Act ("PUMP Act")

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

38 U.S.C. Chapter 43, 4301-4335 (see in particular 4311(a) [prohibits discrimination based on military service] and 4312 [reemployment rights]), Uniformed Services Employment and Reemployment Rights Act ("USERRA")

42 U.S.C. 1983

42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964

42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act ("GINA")

42 U.S.C. 2000gg, Pregnant Workers Fairness Act ("PWFA")

42 U.S.C. 6101 et seq., Age Discrimination in Employment Act of 1975

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

29 C.F.R. Part 1635 (GINA Regulations)

34 C.F.R. Part 99 (FERPA regulations)

34 C.F.R. Part 110 (7/27/93) (ADEA Regulations)

Book	Policy Manual
Section	For Board Review
Title	Rescind Policy - NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po1422.02
Status	
Adopted	August 19, 2021

## **Rescind Policy - Volume 38, No. 1 - Nondiscrimination - September 2025**

### **~~1422.02 — NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE~~**

~~The School Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify applicants or employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of the person as an employee, based on genetic information. Harassment of a person because of genetic information also is prohibited. Likewise, retaliation against a person for identifying, objecting to, or filing a complaint concerning a violation of this policy is prohibited.~~

~~The identity of the Compliance Officer (see Policy 1422 — Nondiscrimination and Equal Employment Opportunity) shall be posted throughout the School Corporation and published in any Corporation statement regarding the prohibition of discrimination on the basis of genetic information in all aspects of employment, in any staff handbooks, and in general information publications of the Corporation as required by Federal and State law and on the Corporation website.~~

~~In accordance with Title II of the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff, et seq. and 29 C.F.R. 1635 ("GINA"), the Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with GINA, applicants and employees are directed not to provide genetic information, including that individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be provided as part of the certification process for FMLA leave or when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the Corporation's application for employment process. Employees and applicants for employment shall not be penalized for providing genetic information in good faith in response to a request from a Corporation employee or agent, unless that applicant or employee refuses to delete the information at the request of the employee or agent of the Corporation.~~

~~[ ] The Board recognizes that genetic information may be acquired through commercially and publicly available media including newspapers, books, magazines, periodicals, television shows or the Internet. The Board prohibits Corporation employees and agents, including commercial background investigation agents, from searching these sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information. If genetic information about an employee or applicant is obtained in error, it shall be redacted immediately and not shared beyond the point of first receipt.~~

~~As used in this policy, "genetic information," means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (family medical history); (d) an individual's request for or receipt of genetic services or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.~~

~~The term "genetic information" does not include information about the sex or age of the individual, the sex or age of family members, or information about the race or ethnicity of the individual or family member that is not derived from a genetic test.~~

As used in this policy, "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites that detect genotypes, mutations, or chromosomal changes. The term includes any test of a person's DNA/RNA.

If the Corporation's employees or agents legally and/or inadvertently receive genetic information about an employee or applicant, it shall be treated as a confidential medical record in accordance with law.

The Corporation's Compliance Officer (see Policy 1422—Nondiscrimination and Equal Employment Opportunity) is responsible for overseeing the Board's compliance with this policy and GINA and proposing revisions and additions to this policy as necessary to insure the Board's compliance with GINA. This person shall be responsible for working with the Board's legal counsel to fully implement the requirements of GINA in all activities of the Corporation. The Compliance Officer also shall verify that proper notice of nondiscrimination for Title II of GINA is provided to staff members and that all requests for health related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) are accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The written warning shall contain the information in the following sample notice:

#### **Genetic Information Nondiscrimination Act of 2008 (GINA) Disclosure Requirement**

The Genetic Information Nondiscrimination Act of 2008 or "GINA" prohibits employers and other entities covered by the law, including the \_\_\_\_\_ School Corporation, from requesting or requiring genetic information about an employee or applicant or family member of an employee or applicant, except as specifically allowed by law. To comply with GINA, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. Questions concerning compliance with the requirements of GINA may be directed to the Compliance Officer at \_\_\_\_\_ [phone].

~~[ ]~~ The Board offers health services, ~~( )~~ including a wellness program. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the Corporation and no applicant or employee shall be identified or identifiable from the reported information.

The grievance procedure for complaints of discrimination in Policy 1422 applies to complaints of discrimination, including harassment, or retaliation prohibited by GINA and may be utilized if a Corporation employee alleges discrimination or harassment on the basis of genetic information or retaliation for identifying, objecting to, or filing a complaint concerning a violation of GINA or this policy.

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42 U.S.C. 2000ff et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008

29 C.F.R. Part 1635

Book	Policy Manual
Section	For Board Review
Title	Rescind Policy - ANTI-HARASSMENT
Code	po1662
Status	
Adopted	April 17, 2014
Last Revised	August 19, 2021

## **Rescind Policy - Volume 38, No. 1 - Nondiscrimination - September 2025**

### **~~1662—ANTI-HARASSMENT~~**

#### **General Policy Statement**

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

~~The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment") and encourages those within the Corporation community as well as Third Parties who feel aggrieved to seek assistance to rectify such problems.~~

~~The Board will investigate all allegations of harassment and, in those cases where unlawful harassment is substantiated, take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects.~~

~~Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.~~

~~[ ] The Corporation will offer counseling services to any person found to have been subjected to unlawful harassment and, where appropriate, the person(s) who committed the unlawful harassment.~~

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

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

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

#### **Notice**

~~Notice of the Board's policy on anti harassment related to employment practices and the identity of the Corporation's Compliance Officers will be posted throughout the Corporation and published in any Corporation statement regarding the availability of employment, staff handbooks, and general information publications of the Corporation as required by Federal~~

and State law and this policy.

## Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who is alleged to have engaged in unlawful harassment, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged harassment.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and classified staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

**Day(s)**: Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday—Friday, excluding State recognized holidays).

## Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

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

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work performance or of creating an intimidating, hostile, or offensive working environment.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy/AG 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266/AG 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities.

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

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. Unwanted physical and/or sexual contact;
- C. Threats or insinuations that a person's employment, wages, promotion, or other conditions of employment may be adversely affected by not submitting to sexual advances;
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; ( ) unwelcome suggestive or insulting sounds or whistles; ( ) obscene telephone calls;
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature placed in the work environment that reasonably may embarrass or offend individuals;

- F. ~~Unwelcome and inappropriate touching, patting, or pinching; ( ) obscene gestures;~~
- G. ~~Asking or telling about sexual fantasies, sexual preferences, or sexual activities;~~
- H. ~~Speculation about a person's sexual activities or sexual history or remarks about one's own sexual activities or sexual history;~~
- I. ~~Giving unwelcome personal gifts, such as lingerie, that suggest the desire for a romantic relationship;~~
- J. ~~Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;~~
- K. ~~A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;~~
- L. ~~( ) In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment;~~
- M. ~~( ) Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.~~

~~Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent that it adversely affects, limits, or denies an individual's employment or creates a hostile or abusive employment environment.~~

#### **Race/Color Harassment**

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

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

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

#### **National Origin/Ancestry Harassment**

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

#### **Disability Harassment**

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

#### **Corporation Compliance Officers**

The following individuals serve as the Corporation's Compliance Officers (also known as "Anti Harassment Compliance Officer(s)") (hereinafter referred to as the "COs").

~~[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of harassment that pertains to the other CO. The Board must list either the Name or Title of the CO, while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.]~~

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

The names, titles, and contact information of these individuals will be published annually on the Corporation's website and:

- A. ( ) in the student or parent and staff handbooks.
- B. ( ) in the Corporation's Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the Corporation's calendar.
- E. ( ) \_\_\_\_\_

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment on the basis of a protected class.

The COs will oversee the investigation of any complaints of harassment based on a protected class which may be filed pursuant to the Board's adopted internal complaint procedure (see below) and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging harassment based on a protected class.

#### **Reports and Complaints of Unlawful Harassment and Retaliation**

Students and Corporation employees are required, and all other members of the Corporation community and Third Parties are encouraged, to promptly report incidents of harassment based on a protected class to an administrator, supervisor, or other Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days. **[NOTE: while students are advised to report discrimination/retaliation to**

~~administrators, supervisors, or other Corporation officials, the Board recognizes that some students may report discrimination/retaliation to a teacher. When a teacher receives such a report, the teacher must file it with the CO as indicated above.]~~

~~Members of the Corporation community and Third Parties who believe they have been unlawfully harassed by another member of the Corporation community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.~~

~~The COs will be available during regular school/work hours to discuss concerns related to harassment on the basis of a protected class. The COs shall accept reports of unlawful harassment directly from any member of the Corporation community or a Third Party and such reports that initially are made to another Corporation employee. Upon receipt of a report of alleged harassment, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged harassment) or designate a specific individual to conduct such a process.~~

~~The CO will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of harassment based on a protected class that are reported to them to the CO within two (2) business days of learning of the incident/conduct.~~

~~Any Corporation employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to a CO within two business (2) days. Additionally, any Corporation employee who observes an act of unlawful harassment is expected to intervene to stop the harassment unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the CO or designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the Complainant is under the age eighteen (18) within two (2) days to advise of the Board's intent to investigate the alleged harassment.~~

### **~~Investigation and Complaint Procedure (See Form 1662-F1)~~**

~~Except for Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the Corporation community or Third Party (e.g., visitor to the Corporation) who alleges to have been subjected to unlawful harassment or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of harassment based on a protected class or retaliation and a process for rendering a decision regarding whether the charges are substantiated.~~

~~Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.~~

~~Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).~~

~~The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC"). The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604; Telephone: 312 730 1560; FAX: 312 730 1576; TDD: 800 877 8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.~~

### **~~Informal Complaint Procedure~~**

~~The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a Corporation employee, other member of the Corporation community or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.~~

~~The informal process is available only in those circumstances where the Complainant and the Respondent mutually agree to participate in it.~~

~~The Complainant may proceed immediately to the formal complaint process, and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.~~

~~All complaints involving a Corporation employee, any other adult member of the Corporation community, or a Third Party and a student will be formally investigated.~~

~~As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the allegedly inappropriate conduct may file an informal or a formal complaint.~~

~~In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the CO may advise against the use of the informal complaint process.~~

~~A Complainant who alleges harassment based on a protected class or retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation-level employee.~~

~~All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.~~

~~The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:~~

- ~~A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.~~
- ~~B. Distributing a copy of Policy 1662—Anti Harassment to the individuals in the school building or office where the Respondent works or attends school.~~
- ~~C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.~~

~~While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.~~

~~If the Complainant is dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.~~

### **Formal Complaint Procedure**

~~If a complaint is not resolved through the informal complaint process, one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.~~

~~A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation official.~~

~~Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.~~

~~If a Complainant informs a teacher, Principal, Superintendent, or other Corporation official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the CO within two (2) business days.~~

~~Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.~~

~~All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.~~

~~If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.~~

~~Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.~~

~~Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful harassment or retaliation. (-) The Principal will not conduct an investigation unless directed to do so by the CO.~~

~~Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1662—Anti Harassment. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.~~

~~Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within fifteen (15) business days of receiving the formal complaint.~~

~~The investigation will include:~~

- ~~A. interviews with the Complainant;~~
- ~~B. interviews with the Respondent;~~
- ~~C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and~~
- ~~D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.~~

~~At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment of or retaliation toward the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful harassment or retaliation occurred, a preponderance of evidence standard will be used.~~

~~[+] The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

~~Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent either must issue a written decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.~~

~~If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.~~

~~If the Superintendent determines the Respondent engaged in harassment of or retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the harassment or retaliation. The corrective action should be reasonable, timely, age appropriate, effective, and tailored to the specific situation.~~

~~[+] The decision of the Superintendent shall be final.~~

**~~{OR}~~**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( ) \_\_\_\_\_.~~

~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.~~

**~~{END OF OPTIONS}~~**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment or retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~The parties may be represented, at their own cost, at any of the above-described interviews/meetings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the OCR, the ICRC or the EEOC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

**~~Privacy/Confidentiality~~**

~~The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and to comply with any discovery or disclosure obligations.~~

~~All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.~~

~~During the course of a formal investigation, the CO or designee will instruct all members of the Corporation community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.~~

**~~Remedial Action and Monitoring~~**

~~If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken because of the discrimination, or other appropriate action.~~

~~The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.~~

**~~Sanctions and Disciplinary Action~~**

~~The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further misconduct.~~

~~While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.~~

## **Retaliation**

~~Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.~~

~~Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~

~~Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.~~

~~The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.~~

## **Education and Training**

~~In support of this Anti Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and harassment in general will be age and content appropriate.~~

## **Retention of Investigatory Records and Materials**

~~The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:~~

- ~~A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;~~
- ~~D. written witness statements;~~
- ~~E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;~~
- ~~F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);~~
- ~~G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;~~
- ~~H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- ~~I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation;~~

~~including any consequences imposed as a result of a violation of this policy;~~

- ~~J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~
- ~~K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- ~~L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);~~
- ~~M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~[DRAFTING NOTE: The following options should be selected if the Corporation concludes that the following items are not adequately encompassed in the preceding paragraphs.]~~**

- ~~N. ( ) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~
- ~~O. ( ) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~  
~~-~~
- ~~P. ( ) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~  
~~-~~
- ~~Q. ( ) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~  
~~-~~
- ~~R. ( ) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.~~

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Legal	29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
	29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended
	42 U.S.C. 1983
	42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964
	42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
	42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
	42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
	29 C.F.R. Part 1635



Book	Policy Manual
Section	For Board Review
Title	Revised Policy- MANDATORY CURRICULUM
Code	po2221
Status	
Adopted	October 21, 2010
Last Revised	August 21, 2025

## 2221 - MANDATORY CURRICULUM

In compliance with the Indiana Code and Federal law, the School Board directs the Superintendent to prepare, implement, and supervise courses of instruction in the following areas as stipulated in the Indiana Code and the regulations of the State Department of Education:

- A. the Constitution of the United States and Indiana in grades 6 through 12
- B. the system of government in Indiana and the United States, methods of voting, party structures, election laws, and the responsibilities of citizen participation in government and in elections in grades 6 through 12
- C. American History in high school
- D. safety education in grade 8
- E. the principles of hygiene and sanitary science in grade 5, at a minimum
- F. the spread of disease by rats, flies, and mosquitoes, and its effects, and of disease prevention by the proper selection and consumption of food
- G. the nature of alcoholic beverages, tobacco, prescription drugs, controlled substances, and their effects on the human system and society at large in grades K through 12
- H. Human Immunodeficiency Virus (HIV), and to the extent possible, instruction on other serious communicable diseases
- I. instruction on human sexuality or sexually transmitted infections ~~diseases~~ in grades 4 through 12, including: 1) abstinence from sexual activity outside of marriage as the expected standard for all school-age children, 2) abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted infections ~~diseases~~, pregnancy, and other associated health problems, and 3) the best way to avoid sexually-transmitted infections ~~diseases~~ and other associated health problems is to establish a mutually faithful monogamous relationship in the context of marriage , 4) age appropriate instruction concerning the importance of consent to sexual activity between two (2) individuals, and 5) an in-person presentation on human growth and development during pregnancy that is medically accurate and age appropriate and includes the ultrasound video and computer generated rendering or animation outlined in I.C. 20-30-5-13; however, if the course is 100% virtual, a virtual presentation that meets these requirements may be provided instead.  
  
Instruction on human sexuality shall be provided only to students in grades 4 through 12. However, a School Corporation employee is not prohibited from responding to a question from a student in prekindergarten through grade 3 regarding human sexuality.
- J. instruction regarding breast and testicular cancer, including the significance of early detection through self-examination, and in the case of breast cancer, regularly-scheduled mammograms in high school
- K. career awareness and career development, employment matters, and work values in grades 1 - 12

- L. human organ donor program and blood donor program as part of the high school health education curriculum
- M. good citizenship instruction
- N. bullying prevention instruction not later than October 15 of each school year in grades 1 through 12 (see also Policy 5517.01 - Bullying)
- O. daily physical activity, which may include recess for students in full day kindergarten programs and other students in elementary school
- P. dating violence instruction including warning signs, basic principles of prevention, and methods of parent education and outreach for grades 6 through 12 (see also Policy 5517.01 - Bullying)
- Q. child abuse and child sexual abuse education for grades K through 12 by December 15 of each school year (see also Policy 8462 Child Abuse and Neglect)
- R. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications (see Policy 7540.03 - Student Technology Acceptable Use and Safety)
- S. the dangers inherent with the online disclosure of personally identifiable information (see Policy 7540.03 - Student Technology Acceptable Use and Safety)
- T. the consequences of unauthorized access (e.g., "hacking"), cyberbullying, and other unlawful or inappropriate activities by students online (see Policy 7540.03 - Student Technology Acceptable Use and Safety)
- U. morals instruction
- V. instruction in cardiopulmonary resuscitation and use of an automated external defibrillator as part of the high school health education curriculum
- W. instruction in Language Arts, Mathematics, Social Studies and Citizenship, Sciences, Fine Arts, Health Education and Physical Fitness, and Computer Science
- X. a course in personal financial responsibility in high school for all students expected to graduate in 2028 or after
- Y. a course in personal financial responsibility in high school for students expected to graduate in 2026 or 2027 from schools that opt into the New Indiana Diploma, if the student elects to pursue the New Indiana Diploma requirements
- Z. Indiana studies as an elective course in high school
- AA. ethnic studies as an elective course in high school
- AB. civics in grade 6, 7, or 8

The Superintendent shall prepare appropriate guidelines relative to the planning, teaching, and evaluation of these courses and ensure that each teacher present ~~his/her~~ their instruction with special emphasis on honesty, morality, courtesy, obedience to the law, respect for the national flag, the ~~C~~Constitutions of the United States and Indiana, respect for parents and the home, the dignity and necessity of honest labor, and other lessons of a steadying influence, which tend to promote and develop upright and desirable citizenry.

The Superintendent is prohibited from offering, supporting, or promoting any student program, class, or activity that provides student instruction that is contrary to a curriculum required to be provided to students under I.C. 20-30-5, set forth above.

When required by law, the Board shall approve the course of instruction.

Before a school may provide a student with instruction on human sexuality, the school shall provide the parent of the student or the student, if the student is an adult or an emancipated minor, with a written request for consent to ~~of~~ instruction pursuant to 20-30-5-17(d) and (e) ~~I.C. 20-5-30-17(c) and (d)~~. The consent form must include the following information: 1) an accurate summary of the contents and nature of the instruction on human sexuality that will be provided, 2) whether the instruction on human sexuality will be taught to male and female students in a unified setting or in separate settings, 3) whether the instruction on human sexuality will be provided by a female or male instructor, and 4) a statement that a parent of a student or an adult or emancipated minor student has the right to review and inspect all

materials related to the instruction on human sexuality. If the consent form is sent in an electronic format, the form must include a link to the list of instructional materials published on the Corporation's website. Before a student can be administered a personal analysis, evaluation or survey by a third party vendor under I.C. 20-26-21, the school shall provide the parent of the student or the student, if the student is an adult or an emancipated minor, with a written request for consent for ~~of~~ administration that complies with I.C. 20-26-21-4(b) and (c). Before a student can be administered a personal analysis, evaluation or survey by a school that meets the criteria listed in I.C. 20-30-5-17(c) ~~(b)~~, the school shall provide the parent of the student or the student, if the student is an adult or emancipated minor, with a written request for consent for ~~of~~ administration that complies with I.C. 20-30-5-17(c) ~~(b)~~.

If the Corporation or a school uses a third party vendor in providing a personal analysis, evaluation, or survey that reveals, identifies, collects, maintains, or attempts to affect a student's attitudes, habits, traits, opinions, beliefs, or feelings, the third party vendor and the Corporation or school may not record, collect, or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student.

The parent of a student or the student, if the student is an adult or an emancipated minor, has the right to inspect instructional materials and all materials related to personal analyses, evaluations, or surveys. The Superintendent shall establish procedures for a student's parent or the student, if the student is an adult or an emancipated minor, to inspect instructional materials and all materials related to personal analyses, evaluations, or surveys.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term includes teachers' manuals, curricular materials, films or other video materials, tapes, and other materials used in instruction. The term does not include academic tests or assessments.

The Board shall publish on the Corporation's website a list of all instructional materials, including teachers' manuals, curricular materials, films or other video materials, tapes and other materials, used in the instruction on human sexuality. No Corporation school shall use curricular materials to provide instruction on human sexuality that have not been approved by the Board under I.C. 20-26-12-24.

A parent of the student or the student, if the student is an adult or an emancipated minor, may submit a complaint for a violation of policies and procedures related to personal analyses, evaluations, or surveys under the grievance procedures described in Policy 5710 - Student Complaints and Policy 9130 - Public Complaints and Concerns.

If the Corporation contracts with a third party vendor to provide a personal analysis, survey, or evaluation described above, the contract shall include a provision stating that if the third party vendor does not comply with the requirements in I.C. 20-26-21, the third party vendor has committed a breach of contract.

See also Policy 2414 - Reproductive Health and Family Planning and Human Sexuality Instruction and Policy 2416 - Student Privacy and Access to Parental Information.

The Superintendent shall establish and maintain procedures related to the provision of human sexuality instruction and the administration of personal analyses, evaluations, or surveys to students.

Revised 6/11/15  
Revised 4/14/16  
Revised 3/8/18  
Revised 3/14/19  
Revised 7/14/22  
Revised 10/12/23

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Legal	I.C. 20-19-3-10 and 11
	I.C. 20-26-21
	I.C. 20-30-5
	I.C. 20-30-17
	511 IAC Article 6
	47 U.S.C. 254(h), (l), Communications Act of 1934, as amended (2003)
	15 U.S.C. 6551, Title II of the Broadband Data Improvement Act (aka Protecting Children in the 21st Century Act)

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 1232h

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

20 U.S.C. 6777

20 U.S.C. 9134 (2003)

20 U.S.C. 7131, Internet Safety

34 C.F.R. 98.3

47 C.F.R. Part 54

#### Cross References

po2414 - REPRODUCTIVE HEALTH AND FAMILY PLANNING AND HUMAN SEXUALITY INSTRUCTION

po2416 - STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	
Adopted	June 21, 2001
Last Revised	July 14, 2022

## **2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship, and/or personal sense of self-worth.

As such, the School Board of the Porter Township School Corporation does not discriminate on the basis of race, color, national origin, sex ~~(including gender status, sexual orientation or gender identity)~~, disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or 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.

The Corporation will identify, evaluate, and provide a free appropriate public education to students with disabilities who are determined eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, including 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 Corporation, 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 Corporation's educational programs include the academic and nonacademic setting. Each qualified student with a disability shall be educated with students without disabilities to the maximum extent appropriate. In the nonacademic setting, a student with a disability shall participate with students without disabilities to the maximum extent appropriate.

Notice of the Board's policy on nondiscrimination and the identity of the Corporation's Compliance Officer(s) (see below) will be published on the Corporation's website, posted throughout the Corporation, and included in the Corporation's recruitment statements or general information publications.

### **Principal's Responsibilities**

Each Principal shall verify that the procedures used with students and parents for selection of and participation in any part of the Corporation's academic, co-curricular, or extra-curricular programs do not discriminate on the basis of the Protected Classes.

### **Superintendent's Responsibilities**

In order to achieve the aforesaid goal, the Superintendent shall:

#### **A. Curriculum Content**

review current and proposed courses of study and textbooks to detect any bias based upon the Protected Classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both

genders, various races, ethnic groups, etc. toward the development of human society;

## **B. Staff Training**

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the Protected Classes in all aspects of the program;

## **C. Student Access**

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 – Use of School Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;
3. verify that the educational programs of this Corporation are accessible to all students. All programs need to be designed and scheduled so the location or nature of the facility or area will not deny an otherwise qualified student with a disability the opportunity to participate in the academic or other school programs on the same basis as students without disabilities;
4. require that service animals for students who require this type of assistance shall be permitted access to all facilities, programs, and events of the Corporation.

## **D. Corporation Support**

verify that like aspects of the Corporation program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

## **E. Student Evaluation**

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the Protected Classes.

## **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

**Respondent** is the individual who is alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and classified staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

**"Military status"** refers to a person's status in the uniformed services, which includes the performance of duty on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for

training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from school for the purpose of an examination to determine the fitness of the person to perform any duty listed above.

### **Corporation Compliance Officer(s)**

The Board designates the following individuals to serve as the Corporation's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

#### **SUPERINTENDENT PORTER TOWNSHIP SCHOOLS**

Address: 248 S 500 W, VALPARAISO, IN 46385

Telephone No.: (219) 477-4933, Ext. 1000

Email address: superintendent@ptsc.k12.in.us

#### **ASSISTANT SUPERINTENDENT**

Address: 248 South 500 West, Valparaiso, IN 46385

Telephone No.: 219-477-4933 Ext. 1000

assistant.superintendent@ptsc.k12.in.us

The titles and contact information of these individuals will be published annually on the Corporation's website.

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation, or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the Corporation but do not receive public education.

The Board is committed to educating (or providing for the education of) each qualified individual with a disability with individuals without disabilities to the maximum extent appropriate. Generally, the Corporation will place an individual with a disability in the general education environment unless it is demonstrated that the education of the individual in the general education environment, even with the use of supplementary aids and services, cannot be achieved satisfactorily. If the Board operates a separate class or facility that is identified as being provided for individuals with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without disabilities.

In addition, the Superintendent shall establish procedures to identify English Learner (EL) students, including immigrant children and youth, to assess their ability to participate in Corporation programs and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the Corporation will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading, and writing on an annual basis (see AG 2260F).

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

~~Students and Corporation employees are required, and~~ Students, Board members, Corporation employees, all other members of the Corporation community and Third Parties are ~~encouraged~~, required to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Corporation official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days.

Members of the Corporation community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one (1) of the COs, who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend the Policy 5517.01 investigation to await the CO's written report. The CO shall keep the principal informed of the status of the Policy 2260 investigation and provide the Principal with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. The COs shall accept reports of unlawful discrimination/retaliation directly from any member of the Corporation community or a Third Party and reports that initially are made to another Corporation employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO/designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the student is under the age of eighteen (18) within two (2) school days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Investigation and Complaint Procedures (see Form 2260 F2)**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any student who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR") or the Indiana Civil Rights Commission ("ICRC"). ~~The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor Chicago, IL 60604; Telephone: 312-730-1560; FAX: 312-730-1576; TDD: 800-877-8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.~~ The Denver Office of the OCR can be reached at Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582; Telephone: 303-844-5695; FAX: 303-844-4303; TDD: 800-877-8339; Email: OCR.Denver@ed.gov; Web: <http://www.ed.gov/ocr>.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process, and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Corporation employee or any other adult member of the Corporation community and a student will be investigated formally.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the inappropriate conduct may file an informal or a formal complaint.

In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator in the school the student attends; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation-level employee.

All informal complaints must be reported to one (1) of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of Complainant's concerns. Depending upon the nature of the complaint and the Complainant wishes, informal resolution may involve but is not limited to one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity to the individuals in the school building or office where the Respondent works or attends school.
- C. If both parties agree, the Co may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.

If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation-level official.

Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, or other Corporation official at the student's school, Superintendent, or other Corporation employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to prioritize the safety of and protect the Complainant from further discrimination or retaliation, including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and,
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent either must issue a decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation against the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate, effective, and tailored to the specific situation.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described interviews/meetings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the OCR or the ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

## **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

## **Remedial Action and Monitoring**

If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken because of the discrimination, the opportunity to complete assignments missed due to absences related to the discrimination, or other appropriate action.

The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

## **Sanctions and Disciplinary Action**

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.

When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.

Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

## **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation

community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.

### **Retention of Investigatory Records and Materials**

The CO is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, which may include but are not limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination harassment, or retaliation.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.

Revised 4/14/16

Revised 11/8/18

Revised 8/19/21

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## Legal

I.C. 20-33-1-1

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. 7905, Boy Scouts of America Equal Access Act

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

42 U.S.C. 2000 et seq., Civil Rights Act of 1964

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 1973, as amended

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

29 C.F.R. Part 1635

34 C.F.R. Part 110, The Age Discrimination Act Regulations

Guidelines for Vocational Education Programs, Department of Education, Office for Civil Rights, March 21, 1979

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code	po2260.01
Status	
Adopted	June 21, 2001
Last Revised	August 19, 2021
Prior Revised Dates	3/21/2013

## **2260.01 - 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 be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance solely by reason of disability. The School Board does not discriminate in admission or access to, participation in, treatment in, or employment in its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, and the Board will make its facilities, programs, and activities accessible to qualified individuals with disabilities. Discrimination will not be permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices of the Board.

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the School Corporation's Compliance Officer(s) (see below) will be published on the Corporation's website, posted throughout the Corporation, and included in the Corporation's recruitment statements or general information publications.

### **Free Appropriate Public Education**

The Board is committed to identifying, evaluating, and providing a free appropriate public education ("FAPE") to students with disabilities within its jurisdiction who are determined eligible for special education and related services under the Individuals with Disabilities Education Act ("IDEA") or Section 504, regardless of the nature or severity of their disabilities.

If a student has a physical or mental impairment that significantly limits one or more major life activities (see Definitions below), the Board shall provide the student a FAPE. An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For students with disabilities who are not eligible for specially designed instruction under the IDEA, the related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of students without disabilities are met shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan. The quality of education services provided to students with disabilities shall be equal to the quality of services provided to students without disabilities.

The Board is committed to educating (or providing for the education of) each qualified student with a disability within its jurisdiction with students without disabilities to the maximum extent appropriate. Generally, the Corporation will place a student with a disability in the general education environment unless it is demonstrated that the education of the student in the general education environment, even with the use of supplementary aids and services, cannot be achieved satisfactorily. If the Corporation places a student in a setting other than the general education environment, it shall take into account the proximity of the alternate setting to the student's home. If the Board operates a separate class or facility that is identified as being provided for students with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without disabilities.

The Corporation will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified students with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the Corporation, referrals to agencies that provide assistance to individuals with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods and nonacademic and extracurricular services and activities, including those listed above, the Corporation will verify that students with disabilities participate with students without disabilities in such services and activities to the maximum extent appropriate.

In accordance with Section 504, parents and students shall be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation, or misapplication of Section 504. In addition, students and their parents shall be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). Finally, students and parents shall be advised of their right to request a due process hearing before an Impartial Hearing Officer ("IHO") regarding the identification, evaluation, or educational placement of persons with disabilities, and their right to examine relevant education records. (See also AG 2260.01B - Section 504/ADA - Complaint and Due Process Procedures)

## **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

**Respondent** is the individual who is alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

**Day(s)**: Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

**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**

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.

## **Impairment That Substantially Limits a Major Life Activity**

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.

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.

### **Qualified Individual with a Disability**

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

- A. who is of an age during which persons without disabilities are provided educational services;
- B. who is of any age during which it is mandatory under Indiana law to provide educational services to persons with disabilities; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the IDEA.

With respect to vocational education services, a qualified individual with a disability means a student with a disability who meets the academic and technical standards requisite to admission or participation in the vocational program or activity. The Board will not deny a student with a disability access to its vocational education programs or courses due to architectural and/or equipment barriers or because the student needs related aids or services to receive an appropriate education.

With respect to employment, a qualified individual with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position the individual holds or desires and can perform the essential functions of the job in question, with or without reasonable accommodation.

### **Reasonable Accommodation**

With respect to employment, the Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the Board's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

### **Facilities**

No qualified person with a disability will be denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under any program or activity to which Section 504/ADA applies because the Corporation's facilities are inaccessible to or unusable by persons with disabilities.

For facilities constructed or altered after June 3, 1977, the Corporation will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the Corporation is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

### **Compliance Officer**

The Board designates the following individual(s) to serve as the Corporation's Compliance Officers (Also known as Section 504 Compliance Officers/ADA Coordinators) (hereinafter referred to as the "COs").

**SUPERINTENDENT PORTER TOWNSHIP SCHOOLS**

Address: 248 S 500 W, VALPARAISO, IN 46385

Telephone No.: (219) 477-4933, Ext. 1000

Email address: [superintendent@ptsc.k12.in.us](mailto:superintendent@ptsc.k12.in.us)

**ASSISTANT SUPERINTENDENT**

Address: 248 South 500 West, Valparaiso, IN 46385

Telephone No.: 219-477-4933 Ext. 1000

[assistant.superintendent@ptsc.k12.in.us](mailto:assistant.superintendent@ptsc.k12.in.us)

The titles and contact information of these individuals will be published annually on the Corporation's website.

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. A copy of each of the Acts and regulations on which this notice is based will be made available upon request from the CO.

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

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

~~Students and Corporation employees are required, and~~ Students, Board members, Corporation employees, all other members of the Corporation community and Third Parties are encouraged, to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Corporation official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days.

Members of the Corporation community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

A student and/or parent may initiate the internal complaint procedure when they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as having a disability or believed to have a disability pursuant to Section 504 and are not eligible under the IDEA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the OCR or requesting an impartial due process hearing.

If during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs, who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend the Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide the Principal with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the Corporation community or a Third Party and reports that initially are made to another Corporation employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO/designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the student is under the age eighteen (18) within two (2) school days to advise of the Board's intent to investigate the alleged wrongdoing.

## **Investigation and Complaint Procedures** (See Form 2260.01B F2)

Any person who alleges to have been subjected to unlawful discrimination or retaliation on the basis of disability may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC").

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an individual who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process, and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Corporation employee or any other adult member of the Corporation community and a student will be investigated formally.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the Complainant should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the inappropriate conduct may file an informal or a formal complaint.

In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint either orally or in writing to: 1) to a building administrator; 2) one of the COs; or 3) the Superintendent or other Corporation-level employee.

All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability to the individuals in the school building or office where the Respondent works/attends school.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.

If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

## **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

A Complainant may file a formal complaint either orally or in writing with a Principal, the CO, the Superintendent, or other Corporation-level official.

Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, the Superintendent, or other Corporation-level official either orally or in writing about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to prioritize the safety of and protect the Complainant from further discrimination or retaliation, including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the formal complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint.

The investigation will include:

- A. interview(s) with the Complainant;
- B. interview(s) with the Respondent;
- C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law.

as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.

The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent either must issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final written decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation against the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate, effective, and tailored to the specific situation.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described interviews/meetings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the OCR or ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

### **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

### **Remedial Action and Monitoring**

If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken due to the discrimination, the opportunity to complete assignments missed due to absences related to the discrimination, or other appropriate action.

The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

### **Sanctions and Disciplinary Action**

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.

When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.

Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

### **Impartial Due Process Hearing**

A student and/or parent may request an impartial due process hearing regarding the identification, evaluation, or placement of a student with a disability. The student and/or parent may but are not required to first exhaust the above complaint procedure before requesting an impartial due process hearing. The parent of a student with a disability and a student over 18 years old (if not under guardianship) or an emancipated student has the right to: (1) examine records or documents that the school relied on in making its decision about the student; (2) request an impartial due process hearing that provides the parent and/or student with an opportunity to participate and permits representation by an attorney; and (3) have an opportunity for review of the decision made at the hearing.

A request for an impartial due process hearing should be made as soon as possible following a dispute in order to ensure that witnesses are available but no more than two years following the date of the matter in dispute. A request for an impartial due process hearing must be put in writing, identify the specific circumstances or areas of dispute that have given rise to the request for a hearing, and offer possible solutions to the dispute. The request for due process hearing must be filed with a Corporation CO within the time limits specified above. The CO is available to assist individuals in filing a request for an impartial due process hearing.

When a request for an impartial due process hearing is received, the aggrieved party will have the opportunity to receive a hearing conducted by an IHO (i.e., by a person not employed by the Corporation, not involved in the education or care of the child, and not having a personal or professional interest that would conflict with the IHO's objectivity in the hearing). The Corporation will maintain a list of trained IHOs that may include IDEA/Article 7 hearing officers, attorneys, and Directors of Special Education outside the Corporation. The Corporation CO will appoint an IHO from that list, and the Corporation will bear the costs of the hearing. The appointment of an IHO will be made within fifteen (15) school days after the request for an impartial due process hearing is received.

A party to an impartial due process hearing has the right to:

- A. be accompanied and advised by legal counsel and individuals with special knowledge or training with respect to the problems of students with disabilities at the party's own cost;
- B. present evidence and confront, cross-examine and compel the attendance of witnesses;
- C. a written or electronic verbatim record of the hearing; and
- D. written findings of fact and conclusions of law setting forth the reasons for the decision.

The IHO shall conduct the impartial due process hearing within a reasonable period of time (i.e., not to exceed ninety (90) calendar days from the request for a hearing, unless this time-frame is mutually waived by the parties or is determined by the IHO to be impossible to comply with due to extenuating circumstances). The IHO will give the parent and/or student written notice of the date, time and place of the hearing. Notice will be given no less than twenty-one (21) calendar days prior to the date of the hearing, unless otherwise agreed to by the parent and/or student. The notice shall include:

- A. a statement of the time, place and nature of the hearing;
- B. a statement of the legal authority and jurisdiction under which the hearing is being held;
- C. a reference to the particular section(s) of the statutes and rules involved;
- D. a statement of the availability of relevant records for examination;

E. a short and plain statement of the matters asserted; and

F. a statement of the right to be represented by counsel.

The IHO shall conduct the hearing in a manner that will afford all parties a full and fair opportunity to present evidence and otherwise to be heard. The parent and/or student may be represented by another person of the parent or student's choice, including an attorney. The IHO shall make a full and complete record of the proceedings.

The IHO shall render a decision in writing to the parties within thirty (30) calendar days following the conclusion of the hearing. The decision will be based solely on the testimony and demonstrative evidence presented at the hearing and include a summary of the evidence (i.e., findings of fact) and the reason for the decision (conclusions of law). The IHO's decision shall include a statement that either party may appeal the decision.

Appeal of the IHO's decision may be made to a Federal court of competent jurisdiction.

### **OCR Complaint**

At any time, if a student or parent believes that the student has been subjected to discrimination based upon disability in violation of Section 504 or the ADA, the student or parent may file a complaint with the OCR. The Denver Office of the OCR can be reached at Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582; Telephone: 303-844-5695; FAX: 303-844-4303; TDD: 800-877-8339; Email: OCR.Denver@ed.gov; Web: <http://www.ed.gov/ocr>. ~~The OCR can be reached at:~~

~~U.S. Department of Education  
Office for Civil Rights  
Chicago Office  
John C. Kluczynski Federal Building  
230 S. Dearborn Street, 37th Floor  
Chicago, IL 60604  
Telephone: 312-730-1560  
FAX: 312-730-1576  
TDD: 800-877-8339  
E-mail: OCR.Chicago@ed.gov  
Web: <http://www.ed.gov/ocr>~~

Except in extraordinary circumstances, the OCR does not review the result of individual placement and other educational decisions, so long as the Corporation complies with the "process" requirements of Subpart D of Section 504.

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report/formal complaint, testified, assisted or participated, or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.

## **Retention of Investigatory Records and Materials**

The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and the Corporation's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

Additionally, the CO shall retain copies of any written request for an impartial due process hearing, the IHO's notices to the parties, the evidence entered in the hearing, any transcript of the hearing, and the IHO's decision.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.

Revised 10/21/10

Revised 7/28/11

Revised 3/21/13

Legal

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

29 C.F.R. Part 1630

34 C.F.R. Part 104

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2266
Status	
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Last Revised	August 19, 2021

## 2266 – **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES**

### **Introduction**

The School Board of the Porter Township School Corporation (hereinafter referred to as "the Board" or "the Corporation") does not discriminate on the basis of sex ~~(including sexual orientation or gender identity)~~ in its education programs or activities and is required by Title IX of the Education Amendments of 1972 and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the Corporation has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Members of the Corporation Community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. Third Parties who engage in Sexual Harassment also are subject to the disciplinary sanctions listed in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the Corporation's education programs and activities.

### **Coverage**

This policy applies to Sexual Harassment that occurs within the Corporation's education programs and activities and that is committed by a member of the Corporation Community or Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the Corporation's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws and/or Employee/Administrator Handbook(s) if committed by a Corporation employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the Corporation's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student or by Board policies and administrative guidelines, applicable State and/or Federal laws and/or Employee/Administrator Handbook(s) if committed by a Corporation employee.

Complaints alleging sexual harassment and/or discrimination on the basis of sex also are covered by and subject to the investigation procedures in Board Policy 5517 - Anti-Harassment. Complaints not covered by this policy still may be governed by and subject to the procedures in Policy 5517 - Anti-Harassment.

### **Definitions**

Terms used in this policy shall have those meanings defined herein; terms not defined herein shall be construed according to their plain and ordinary meanings.

**Sexual Harassment:** "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. a Corporation employee conditioning the provision of an aid, benefit, or service of the Corporation on an individual's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);
- B. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Corporation's education program or activity; or
- C. "sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, ~~fondling~~ criminal sexual contact (f.k.a. fondling),<sup>7</sup> incest, and statutory rape.

- 1. Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. (Effective upon the retirement of the Summary Reporting System, which is scheduled for January 2021)
- 2. Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- 3. Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
- 4. ~~Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.~~ Criminal Sexual Contact (f.k.a. Fondling) is the intentional touching of the clothed or unclothed body parts, without consent, of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the other individual's clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
- 5. Incest is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
- 6. Statutory Rape is nonforcible sexual intercourse with a person who is under the statutory age of consent as defined by State law.
- 7. Consent refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.
- 8. Incapacitated refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

**"Domestic violence"** includes felony or misdemeanor crimes of violence committed by:

- A. a current or former spouse or intimate partner of the victim;
- B. a person with whom the victim shares a child in common;

- C. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- D. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
- E. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

**"Dating violence"** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**"Stalking"** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

**Complainant:** "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

**Respondent:** "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

**Formal Complaint:** "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Corporation investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the Corporation, a Complainant must be participating in or attempting to participate in the Corporation's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

**Actual Knowledge:** "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the Corporation's Title IX Coordinator, or any Corporation official who has authority to institute corrective measures on behalf of the Board, or any Corporation employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the Corporation. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only Corporation official with actual knowledge is the Respondent.

**Supportive Measures:** "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the Corporation's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Corporation's educational environment or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations), leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), referral to Employee Assistance Program, and other similar measures.

**Education Program or Activity:** "Education program or activity" refers to all operations of the Corporation, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement, and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Corporation. It also includes locations, events, and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

**Corporation Community:** "Corporation Community" refers to students and Corporation employees (i.e., administrators and professional and classified staff), as well as Board members, agents, volunteers, contractors, and other persons subject to the control and supervision of the Board.

**Third Parties:** "Third Parties" include, but are not limited to, guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation Community at school-related

events/activities (whether on or off Corporation property).

**Inculpatory Evidence:** "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

**Exculpatory Evidence:** "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays),

**Eligible Student:** "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

### **Title IX Coordinator(s)**

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Superintendent  
Porter Township School Corporation  
248 S 500 W  
Valparaiso, IN 46385  
219-477-4933 Ext. 1000  
superintendent@ptsc.k12.in.us

Assistant Superintendent  
Porter Township School Corporation  
248 S 500 W  
Valparaiso, IN 46385  
219-477-4933 Ext. 1000  
assistant.superintendent@ptsc.k12.in.us

The Title IX Coordinator shall report directly to the Superintendent except when the Superintendent is a Respondent. In such matters, the Title IX Coordinator shall report directly to the Board Attorney. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Corporation employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The Board of the Porter Township School Corporation does not discriminate on the basis of sex in its education program or activity and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Corporation's Title IX Coordinator(s) is/are:

Superintendent  
Porter Township School Corporation  
248 S 500 W  
Valparaiso, IN 46385  
219-477-4933 Ext. 1000  
superintendent@ptsc.k12.in.us

Assistant Superintendent  
Porter Township School Corporation  
248 S 500 W  
Valparaiso, IN 46385  
219-477-4933 Ext. 1000  
assistant.superintendent@ptsc.k12.in.us

Any inquiries about the application of Title IX and its implementing regulations to the Corporation may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at: [ptsc.k12.in.us](http://ptsc.k12.in.us). The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the Corporation will respond.

The Superintendent also shall prominently display the Title IX Coordinator's(s') contact information – including Name(s) and/or Title(s), Phone Number(s), Office Address(es), and Email Address(es) – and this Policy on the Corporation's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Corporation employees, and all unions or professional organizations holding collective bargaining or professional agreements.

## **Grievance Process**

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The Corporation's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before the imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the Corporation's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies also may be disciplinary or punitive in nature and may burden the Respondent.

The Process described herein relates exclusively to complaints brought under this Policy. The Corporation will continue to handle complaints subject to the Corporation's other nondiscrimination and anti-harassment policies, including Policy 5517 - Anti-Harassment; Policy 5517.01 - Bullying; Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity; Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability; Policies 1422/3122/4122 - Nondiscrimination and Equal Employment Opportunity; and Policies 1662/3362/4362 - Anti-Harassment.

## **Report of Sexual Discrimination/Harassment**

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s). ~~Anonymous reports may be submitted using the online reporting form posted at <https://ptsc.in.safeschoolsalert.com/>.~~

Students, Board Members, Corporation employees, are required, all Corporation Community members and Third Parties are required ~~encouraged~~, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Corporation employee, who in turn will notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving one of the Title IX Coordinators, the person making the report should submit it to the other Title IX Coordinators, or another Board employee who, in turn, will notify the Board Attorney of the report. The Board Attorney will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with Third Parties who are not students or employees of the Board. Notwithstanding any rights that a given Third-Party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or Third Party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any Third Party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies and/or administrative guidelines, the applicable Student Code of Conduct, or Employee/Administrator Handbook(s).

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Corporation employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Corporation employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Corporation employee must also comply with mandatory reporting responsibilities regarding suspected abuse, abandonment or neglect of a child pursuant to I.C. 31-33-5-1 and Policy 8462– Student Abuse and Neglect, if applicable. If the Corporation employee's knowledge is based on another individual bringing the information to the Corporation employee's attention and the reporting individual submitted a written complaint to the Corporation employee, the Corporation employee must provide the written complaint to the Title IX Coordinator.

If a Corporation employee fails to report an incident of Sexual Harassment of which the Corporation employee is aware, the Corporation employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days) of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under eighteen (18) years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Corporation to provide the supportive measures. The Title IX Coordinator shall consider whether any action should be taken to prioritize the safety of and protect the Complainant from further harassment or retaliation.

**Emergency Removal:** Subject to limitations and/or procedures imposed by State and/or Federal law, the Corporation may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purpose of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the Corporation determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5605 – Suspension and Expulsion of Students with Disabilities, Policy 5610 – Suspension and Expulsion of Students, Policy 5611 – Due Process Rights, and 5620 – Court Assisted Resolution of Suspension and Expulsion.

If the Respondent is a non-student employee, the Corporation may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the Corporation Community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

### **Formal Complaint of Sexual Harassment**

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving a Title IX Coordinator, the Complainant should submit the Formal Complaint to the other Title IX Coordinator, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the Corporation will follow its Grievance Process, as set forth herein. Specifically, the Corporation will undertake an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and will not make credibility determinations based solely on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct and the Employee/Administrator Handbook.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### **Timeline**

The Corporation will seek to conclude the grievance process within ninety (90) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as: the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or accommodation of disabilities. The Title IX Coordinator will provide the parties with reasonable updates on the status of the grievance process.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. notice of the Board's grievance process, including any informal resolution processes;
- B. notice of the allegations of misconduct that potentially constitute Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
  - 1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
  - 2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;
  - 3. inform the parties of any provision in the Student Code of Conduct, this policy, and/or Employee/Administrator Handbook that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator, and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

### **Dismissal of a Formal Complaint**

The Corporation shall investigate the allegations in a Formal Complaint, unless the conduct alleged in the Formal Complaint:

- A. would not constitute Sexual Harassment (as defined in this policy) even if proved;
- B. did not occur in the Corporation's education program or activity; or
- C. did not occur against a person in the United States.

If one of the preceding circumstances exists, the Title IX Coordinator shall dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the Corporation may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation.

- A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- B. the Respondent is no longer enrolled in the Corporation or employed by the Board; or
- C. specific circumstances prevent the Corporation from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator promptly must send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

### **Consolidation of Formal Complaints**

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

### **Informal Resolution Process**

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

- A. the allegations;
- B. the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
- C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that otherwise would occur are stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Corporation employee or another adult member of the Corporation Community or Third Party sexually harassed a student.

The informal resolution process is not available to resolve allegations regarding a sexual assault involving a student Complainant and a student Respondent.

### **Investigation of a Formal Complaint of Sexual Harassment**

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the Corporation, not the parties.

In making the determination of responsibility, the decision-maker(s) is/are directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The Corporation is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the Corporation with voluntary, written consent to do so; if a student party is not an Eligible Student, the Corporation must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney;

The Corporation may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

The Corporation establishes the following restriction, which applies equally to both parties, regarding the extent to which an advisor may participate in the proceedings:

The meeting will proceed in an orderly manner and follow general rules of decorum.

- C. Board Policy 2461 – Recording of Corporation Meetings Involving Students and/or Parents controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The Corporation will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of one (1) days' notice with respect to investigative interviews and other meetings.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Corporation does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

### **Determination of Responsibility**

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

**Determination regarding responsibility:** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

- A. identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- C. findings of fact supporting the determination;
- D. conclusions regarding the application of the applicable code of conduct to the facts;
- E. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the Corporation impose on the Respondent(s) and whether remedies designed to restore or preserve equal access to the Corporation's education program or activity should be provided by the Corporation to the Complainant(s); and
- F. the procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

Disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment), including but not limited to:

A. Informal Discipline

- 1. writing assignments;
- 2. changing of seating or location;
- 3. before-school, lunchtime, after-school detention;
- 4. in-school discipline;
- 5. Saturday school.

B. Formal Discipline

- 1. suspension of bus riding/transportation privileges;
- 2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
- 3. emergency removal;
- 4. suspension for up to ten (10) school days;
- 5. expulsion for up to eighty (80) school days or the number of school days remaining, whichever is greater;
- 6. expulsion for up to one (1) year; and
- 7. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Suspension and Expulsion of Students, Policy 5610.02 – In-School Discipline, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Act (IDEA), as amended, and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

Disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy including but not limited to (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. written reprimands;
- C. performance improvement plan;
- D. required counseling;
- E. required training or education;
- F. demotion;
- G. suspension with pay;
- H. suspension without pay;
- I. termination;
- J. any other sanction authorized by any applicable Employee/Administrator Handbook and/or applicable collective bargaining agreement.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual. If the Superintendent is the Respondent, the Title IX Coordinator will notify the Board Attorney of the recommended remedies for consideration and, if necessary and appropriate, implementation in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

Disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the Corporation Community or a Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment), including but not limited to:

- A. oral or written warning;
- B. suspension or termination/ cancellation of the Board's contract with the third-party vendor or contractor;
- C. mandatory monitoring of the third party while on school property and/or while working/interacting with students;
- D. restriction/prohibition on the third party's ability to be on school property; and
- E. any combination of the same.

If the decision-maker(s) determines the third party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately imposing a disciplinary sanction/consequence, the Superintendent (or the Board when the Superintendent is the Respondent) will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances. If the Respondent is a Member of the Board, s/he shall be excluded from any determination regarding the imposition of a disciplinary sanction/consequence by the remaining School Board members.

The Corporation's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process and procedures, the Superintendent (or the Title IX Coordinator if the Superintendent is the Respondent) may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

## **Appeal**

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- A. procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
- C. the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter; and
- D. the recommended remedies (including disciplinary sanctions/consequences) are unreasonable in light of the findings of fact (i.e., the nature and severity of the Sexual Harassment).

The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein must submit a written appeal to the Title IX Coordinator within five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent (or the Board when the Superintendent is the Respondent) from implementing appropriate remedies, excluding disciplinary sanctions, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within five (5) days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-maker's(s') determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying

the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

## **Retaliation**

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitute(s) retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation, is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **Confidentiality**

The Corporation will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ('FERPA'), 20 U.S.C. 1232g, or FERPA's regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Corporation's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

## **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment.

## **Training**

The Corporation's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. the definition of Sexual Harassment (as that term is used in this policy);
- B. the scope of the Corporation's education program or activity;
- C. how to conduct an investigation and implement the grievance process, appeals and informal resolution processes, as applicable; and
- D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Corporation employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

## **Record-keeping**

As part of its response to alleged violations of this policy, the Corporation shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the Corporation shall document the basis for its conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the Corporation's education program or activity. If the Corporation does not provide a Complainant with supportive measures, then the Corporation will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Corporation in the future from providing additional explanations or detailing additional measures taken.

The Corporation shall maintain for a period of seven (7) calendar years the following records:

- A. each Sexual Harassment investigation including any determination regarding responsibility, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the Corporation's education program or activity;
- B. any appeal and the result therefrom;
- C. any informal resolution and the result therefrom; and
- D. all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The Corporation will make its training materials publicly available on its website.

## **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Corporation employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Corporation employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

## **Discretion in Application**

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

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Legal

I.C. 31-33-5-1

I.C. 20-33-8

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Act of 2004 (IDEA), as amended

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

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

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

42 U.S.C. 1983

34 C.F.R. Part 106

OCR's Revised Sexual Harassment Guidance (2001)

20 U.S.C. 1092(F)(6)(A)(v)

34 U.S.C. 12291(a)(10)

34 U.S.C. 12291(a)(8)

34 U.S.C. 12291(a)(30)

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - AUDIO, VIDEO, AND DIGITAL RECORDING OF MEETINGS
Code	po2410
Status	
Adopted	August 19, 2021
Last Revised	July 14, 2023

## 2410 - AUDIO, VIDEO, AND DIGITAL RECORDING OF MEETINGS

The School Board believes that the education of children is a joint responsibility, one it shares with the parents of the school community. The Board realizes it has the responsibility of protecting the rights of students in keeping and sharing student records.

Pursuant to State law, the Board shall not adopt a policy or otherwise prevent the parent of a student from recording a meeting concerning the student's individualized education program (IEP). Parents may record an IEP Team meeting or case conference. See Policy 2461 - Recording of IEP Team Meetings/Case Conferences for the procedure for such recordings.

The recording of meetings, such as parent-teacher conferences, ~~case conferences (i.e., IEP meetings)~~, meetings under Section 504 of the Rehabilitation Act, discipline-related conferences and the like is prohibited unless it is necessary in order for a parent, ~~or~~ authorized representative of a parent, ~~or other meeting participant~~ to meaningfully participate in the educational process ~~and/or his/her child's IEP~~, or otherwise necessary to implement other parental rights ~~under the IDEA, as amended~~, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.

- A. If a parent believes that ~~audio~~ recording such a meeting is necessary, they ~~s/he~~ shall notify the principal in writing, preferably at least two (2) school days before the meeting, of their ~~his/her~~ desire to ~~audio~~ record the meeting and the reason the recording is required. The principal shall notify the parent at least one (1) school day before the meeting whether they intend ~~if s/he intends~~ to grant or deny the parent's request to record the meeting.
- B. If the Corporation representative denies the request, they ~~s/he~~ shall state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the ~~audio~~ recording of meetings typically shall involve situations when a parent, ~~or~~ authorized representative of a parent, or other meeting participant has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the educational process. The Corporation representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to ~~audio~~ record the meeting, they ~~s/he~~ must use their ~~his/her~~ own recording device and tapes or disks, and the Corporation similarly shall record the meeting.

For purposes of this policy, a recording is defined as the capture of a person's individual voice through audio and/or videotape, digital, or other electronic means.

Video recording of meetings such as parent-teacher conferences, case conferences ~~(i.e., IEP meetings)~~, meetings under Section 504 of the Rehabilitation Act, discipline-related conferences and the like is strictly prohibited unless a video recording has been requested due to a hearing impairment of a parent, authorized representative of a parent or other meeting participant.

The requirements of this policy shall not be interpreted to be in conflict with the provisions of Policy 5136 - Use of Personal Communication Devices as it pertains to recordings. Nor shall the requirements of this policy be interpreted to extend to school-sponsored public events, where there can be no expectation of privacy. A school-sponsored public event is any school-related activity, whether free or at which an admission fee is charged, that members of the public may attend. These include but are not limited to athletic competitions, plays, musical performances, awards ceremonies, and graduation ceremonies. See Policy 9160 - Public Attendance at School Events for additional information about restrictions on recording at such events.

If the School Corporation audio or video records or otherwise digitally records meetings ~~meetings~~ such as parent-teacher conferences, ~~case conferences (i.e., IEP meetings)~~, meetings under Section 504 of the Rehabilitation Act, discipline-related conferences and the like, the resulting recording shall become a part of the student's educational record and shall be maintained in accordance with State and Federal law.

T.C. 7/14/23

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Cross References            po2461 - RECORDING OF IEP TEAM MEETINGS/CASE CONFERENCES

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - GUIDANCE AND COUNSELING
Code	po2411
Status	
Adopted	October 21, 2010
Last Revised	April 14, 2016

## 2411 - **GUIDANCE AND COUNSELING**

The Board requires that a planned program of guidance and counseling be an integral part of the educational program of the School Corporation. Such a program should:

- A. assist students in achieving educational goals;
- B. enable students to draw benefit from the offerings of the instructional program of the school;
- C. aid students in identifying options and making choices in vocational and academic course areas;
- D. assist students in career awareness and planning;
- E. help integrate all the student's experiences so that s/he can better relate school activity to life outside the school;
- F. help students learn to make their own decisions and solve problems independently.
- G. assist students with mental health or addiction concerns;

A program of guidance and/or counseling will be offered to all students and will:

- A. be limited to the services of a professional staff of fully certificated guidance personnel;
- B. include the services of professional guidance personnel and other designated faculty and staff members who provide employment counseling and placement services to students who do not intend to enroll in an institution of higher learning after graduation or desire employment in conjunction with their continued education.
- C. include the possibility of a referral to a community mental health center (CMHC) or a provider certified or licensed by the Division of Mental Health and Addiction ~~division of mental health and addiction~~. Any such referral shall be made pursuant to a memorandum of understanding between the Corporation and the CMHC or provider and with the written consent of the student's parent or guardian. If a referral is made, the referral may be noted in the student's cumulative record but may not include a possible diagnosis or information regarding the student's mental health, other than medication(s) taken. All student records containing medical information shall be kept confidential. A school counselor or other Corporation employee shall not diagnose a student as having a mental health condition unless the individual's scope of practice includes diagnosing a mental health condition.

The Superintendent is directed to implement the counseling and guidance program which carries out these purposes and:

- A. involves appropriate staff members at every level;
- B. honors the individuality of each student;
- C. integrates with the total educational program;
- D. coordinates with available resources of the community;

- E. cooperates with parents and recognizes their concern and ideas for the development of their children;
- F. provides means for the sharing of information among appropriate staff members as may be in the best interests of the student;
- G. provides an appropriate amount of time and effort be given to providing guidance and counseling services to those students sixteen (16) to nineteen (19) years of age who do not intend to enroll in an institution of higher education after graduating from high school or who require or desire employment in connection with their continued education;
- H. establishes a referral system that ~~which~~ utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the effectiveness of such referrals.

A student's guidance counselor, in consultation with the student and his/her parent, will review the student's career plan annually to determine if the student is progressing toward fulfillment of the plan.

If the student is not progressing toward fulfillment of the graduation plan, the school counselor shall provide counseling services to advise the student of credit recovery options and services to help make progress toward graduation. If the student is not progressing toward fulfillment of the graduation plan due to failing to meet a postsecondary (college or career) readiness competency, the school counselor shall meet with the teacher assigned to the student for remediation of the particular competency area, the parents, and the student to discuss available remediation and to plan to meet graduation requirements.

Each year, the Corporation shall use the model notice prepared by the Commission for Higher Education to notify each student and parent who is in grade 12 of 1) the existence, availability of, and the State deadline to complete the Free Application for Federal Student Aid (FAFSA); 2) a description of the process for and benefits of completing a FAFSA; 3) a statement regarding the most recent labor market trends, including the number and percentage of State minimum wage jobs that do not require education beyond high school and require additional education or training after obtaining a high school diploma; 4) a statement that Indiana offers guaranteed financial aid options for high school graduates, regardless of family income, including information on Indiana's high value workforce ready credit-bearing grants, such as Indiana's Next Level Jobs Workforce Ready Grant; 5) a statement that eligibility for many merit based and needs based scholarships, grants and other financial aid opportunities require the FAFSA to be completed by a certain date; and 6) a statement that each student is required to complete and submit the FAFSA in the student's senior year unless the parent or guardian (or emancipated minor) submits a signed waiver that the student understands what the FAFSA is and declines to complete it or the high school principal or school counselor waives the requirement due to being unable to reach the parents or guardians by April 15 after two (2) reasonable attempts to contact the parents; and 7) a website link to the online FAFSA affirmation form.

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Legal I.C. 20-30-4-6  
I.C. 20-34-3-21  
511 IAC 4-1-5

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - REPRODUCTIVE HEALTH AND FAMILY PLANNING AND HUMAN SEXUALITY INSTRUCTION
Code	po2414
Status	
Adopted	March 14, 2019
Last Revised	October 12, 2023

#### 2414 - REPRODUCTIVE HEALTH AND FAMILY PLANNING AND HUMAN SEXUALITY INSTRUCTION

The School Board ~~Corporation~~ believes that provision should be made for the teaching of reproductive health, family planning, human sexuality, and the recognition, prevention, and treatment of sexually-transmitted infections ~~diseases~~, as essential ingredients in a comprehensive school health education curriculum in grades 4 through 12. Instruction on human sexuality shall be provided only to students in grades 4 through 12. However, a School Corporation employee is not prohibited from responding to a question from a student in prekindergarten through Grade 3 regarding human sexuality. As required by State law, ~~the curriculum also shall include the teaching of abstinence.~~

teachers who provide instruction on human sexuality or sexually transmitted infections shall:

- A. teach abstinence from sexual activity outside of marriage as the expected standard for all school age children;
- B. include in the instruction that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted infections, and other associated health problems;
- C. include in the instruction that the best way to avoid sexually transmitted infections and other associated health problems is to establish a mutually faithful monogamous relationship in the context of marriage;
- D. include age appropriate instruction concerning the importance of consent to sexual activity between two (2) individuals; and
- E. include in the instruction an in-person presentation on human growth and development during pregnancy that is medically accurate and age appropriate and includes a high definition ultrasound video at least three (3) minutes in duration showing the development of the brain, heart, sex organs and other vital organs in early fetal development and a high quality computer generated rendering or animation showing the process of fertilization and each stage of fetal development inside the uterus noting significant markers in cell growth and organ development for every week of pregnancy from fertilization to birth; however, if the course is 100% virtual, a virtual presentation that meets these requirements may be provided instead.

The Corporation shall make available for inspection by the parent of a student any instructional materials, including teachers' manuals, curricular materials, films or other video materials, tapes, and other materials, used in connection with instruction on human sexuality and shall post a list of the instructional materials used on the Corporation's website.. Before providing instruction on human sexuality, the Corporation shall comply with State law requirements to provide a written request for consent of instruction to a parent of a student or the student, if the student is an adult or an emancipated minor.

A consent form provided to a parent of a student or a student shall include the following information:

- A. An accurate summary of the contents and nature of the instruction on human sexuality that will be provided to the student.
- B. Whether the instruction on human sexuality will be taught to male and female students in a unified setting or in separate settings.

- C. Whether the instruction on human sexuality will be provided by a female or male instructor.
- D. A statement that a parent of a student or an adult or emancipated minor student has the right to review and inspect all materials related to the instruction on human sexuality.

The written consent form may be sent in an electronic format. If the written consent form is sent in an electronic format, the form must include a link to the list of instructional materials published on the Corporation's website.

The Board shall approve all curricular materials used in the instruction of human sexuality, pursuant to I.C. 20-30-5-13(c).

~~See also Policy 2221—Mandatory Curriculum~~

The Superintendent shall prepare administrative guidelines to implement these curriculum components.

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Legal	I.C. 20-30-5-12
	I.C. 20-30-5-13
	I.C. 20-30-5-17

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION
Code	po2416
Status	
Adopted	June 21, 2001
Last Revised	October 12, 2023

## 2416 - **STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION**

The School Board respects the privacy rights of parents and their children. No student shall be required as a part of the school program or the School Corporation's curriculum, without prior written consent of the student, (if an adult or an emancipated minor) or, if an unemancipated minor, the student's parent, to submit to or participate in any, personal analysis, evaluation, or survey that reveals or attempts to affect the student's attitudes, habits, traits, opinions, beliefs, or feelings concerning:

- A. political affiliations;
- B. religious beliefs or practices ~~of the student or the student's family;~~
- C. mental or psychological conditions that may embarrass the student or the student's family;
- D. sexual behavior or attitudes;
- E. illegal, anti-social, self-incriminating, or demeaning behavior;
- F. critical appraisals of other individuals with whom the students has a close, family relationship;
- G. legally-recognized privileged and or confidential relationships, including a relationship with a lawyer, minister, or physician; or
- H. income ( except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The written consent form for a personal analysis, an evaluation, or a survey described above shall accurately reflect the contents and nature of the personal analysis, evaluation, or survey. The Board directs the Superintendent to develop a procedure for distribution of the written consent form.

Additionally, no student shall be required, without prior written consent of the student, if an adult or emancipated minor, or the student's parent if an unemancipated minor, to submit to or participate in any personal analysis, evaluation, or survey administered by a third party vendor that reveals, identifies, collects, maintains, or attempts to affect a student's attitudes, habits, traits, opinions, beliefs, or feelings. A request for written consent shall include an explanation of the reasons for a personal analysis, evaluation, or survey administered by a third party vendor. The Corporation or school shall post a copy of a personal analysis, evaluation, or survey administered by a third party vendor on the Corporation or school website.

If the Corporation or a school uses a third party vendor in providing a personal analysis, evaluation, or survey that reveals, identifies, collects, maintains, or attempts to affect a student's attitudes, habits, traits, opinions, beliefs, or feelings, the third party vendor and the Corporation or school shall ~~may~~ not record, collect, or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student.

The parent of a student or the student, if the student is an adult or an emancipated minor, has the right to inspect instructional materials used in connection with and all materials related to personal analyses, evaluations, or surveys. The Superintendent shall establish procedures for a student's parent or the student, if the student is an adult or an emancipated

minor, to inspect instructional materials used in connection with and all materials related to personal analyses, evaluations, or surveys.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term includes teachers' manuals, curricular materials, films or other video materials, tapes, and other materials used in instruction. The term does not include academic tests or assessments.

A parent of the student or the student, if the student is an adult or an emancipated minor, may submit a complaint for a violation of policies and procedures related to personal analyses, evaluations, or surveys under the grievance procedures described in Policy 5710 - Student Complaints and Policy 9130 - Public Complaints and Concerns.

If the Corporation contracts with a third party vendor to provide a personal analysis, survey, or evaluation described above, the contract shall include a provision stating that if the third party vendor does not comply with the requirements in I.C. 20-26-21, the third party vendor has committed a breach of contract.

See also Policy 2221 - Mandatory Curriculum

The Board prohibits ~~will not allow~~ the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Any survey, analysis or evaluation not ~~directly~~ related to academic instruction must be reviewed and approved by the Superintendent prior to use. The results and proposed manner of release must be reviewed and approved by the Superintendent prior to release. The Superintendent shall develop criteria for review and approval including but not limited to compatibility of instrument's purpose and focus with school's legitimate concerns, age appropriateness, legitimacy of methodology and safeguards for confidentiality, voluntariness and parental review/consent (See also Policy 9700)

#### **Parental Notification Regarding Identification**

The Corporation shall, in compliance with I.C. 20-33-7.5, notify at least one (1) parent, if the student is an unemancipated minor, of a request made by the student to change the student's name or the pronoun, title, or word used to identify the student. This notification shall be made within five (5) business days after a school receives the request from the student.

This notification provision may not be construed to require a school psychologist, a school nurse, a school social worker, or a school counselor to violate a Federal law or regulation.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives or a person who is legally responsible for the welfare of the child).

Revised 1/16/03

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Legal	I.C. 20-26-21
	I.C. 20-30-5-17
	I.C. 20-33-7.5
	20 U.S.C. 1232g
	20 U.S.C. 1232h
	34 C.F.R. 98.3

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - RECORDING OF IEP TEAM MEETINGS/CASE CONFERENCES
Code	po2461
Status	
Adopted	June 21, 2001
Last Revised	July 14, 2023

## 2461 - RECORDING OF IEP TEAM MEETINGS/CASE CONFERENCES

Pursuant to State law, the School Board shall not adopt a policy or otherwise prevent the parent of a student from recording a meeting concerning the student's individualized education program (IEP).

In order to facilitate the parent's ability to fully participate in the IEP process, parents of students with disabilities are permitted to record IEP Team meetings or case conferences in accordance with the procedures set forth below.

- A. Parent(s) wishing to record an IEP Team meeting or case conference shall utilize their own recording device and tapes or disks and are requested to provide notice to the School Corporation that they will record the meeting prior to the date of the scheduled IEP Team meeting or case conference.
- B. If the parent(s) elect(s) to record an IEP Team meeting or case conference, the Corporation also shall record the meeting/case conference.

~~The recording of IEP Team meetings or case conferences is prohibited unless it is necessary in order for a parent or authorized representative of a parent to meaningfully participate in the IEP process and/or his/her child's IEP, or otherwise necessary to implement other parental rights under the IDEA, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.~~

- ~~A. If a parent believes that audio recording an IEP Team meeting or case conference is necessary, s/he shall notify the principal in writing, preferably at least two (2) school days before the IEP Team meeting or case conference, of his/her desire to audio record the meeting or case conference and the reason the recording is required. The principal shall notify the parent at least one (1) school day before the meeting or case conference if s/he intends to grant or deny the parent's request to record the meeting or case conference.~~
- ~~B. If the School Corporation representative denies the request, s/he shall state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the audio recording of IEP Team meetings or case conferences typically shall involve situations when a parent, or authorized representative of a parent, or other IEP Team member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the IEP process. The Corporation representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting or case conference, s/he shall use his/her own recording device and tapes or disks, and the Corporation similarly shall record the meeting or case conference.~~

For purposes of this policy, a recording is defined as the capture of a person's or a group of persons' voice(s) and/or image(s) ~~individual voice~~ through audio and/or video tape, digital, or other electronic means.

~~Video recording an IEP Team meeting or case conference is strictly prohibited.~~

The requirements of this policy shall not be interpreted to be in conflict with the provisions of Policy 5136 - Use of Personal Communication Devices as it pertains to recordings. Nor shall the requirements of this policy be interpreted to extend to school-sponsored public events, where there can be no expectation of privacy. A school-sponsored public event is any school-related activity, whether free or at which an admission fee is charged, that members of the public may attend. These include but are not limited to athletic competitions, plays, musical performances, awards ceremonies, and graduation ceremonies. See Policy 9160 - Public Attendance at School Events for additional information about restrictions on recording at such events.

If the Corporation audio or video records or otherwise digitally records an IEP Team meeting or case conference, the resulting recording shall become a part of the student's educational record and shall be maintained in accordance with State and Federal law.

Revised 1/16/03

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Legal

I.C. 20-8.1-5.1

20 U.S.C. 1401 et seq.

511 I.A.C. 7-29

Cross References

po2410 - AUDIO, VIDEO, AND DIGITAL RECORDING OF MEETINGS

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - STUDENT ASSESSMENT
Code	po2623
Status	
Adopted	June 21, 2001
Last Revised	August 21, 2025

## 2623 - STUDENT ASSESSMENT

The School Board, in compliance with law and rules of the State Board of Education, shall implement the State Board-approved statewide achievement test to assess student achievement and needs in English/language arts, mathematics, social studies, science, and other designated subjects in order to determine the progress of students and to assist them in attaining School Corporation and Indiana Department of Education (IDOE) goals.

Student test scores on statewide assessments may be utilized in making placement decisions; provided, however, a student's score on the state assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program.

Additionally, the Board shall administer any end of course exams as may be required by the State Board in grades 9 through 12.

### **IREAD-3 Assessment**

The Board shall comply with the requirements of the State Board of Education in administering the Indiana Reading Evaluation and Determination (IREAD-3) Assessment to students enrolled in grade 2 and grade 3.

A student in grade 2 who is at risk of not being reading proficient as indicated on the IREAD-3 Assessment shall be offered summer school participation in reading remediation. In grade 3, the student will be administered the IREAD-3 Assessment again. A student in grade 3 who is not reading proficient as indicated on the IREAD-3 Assessment shall be offered summer school participation in reading remediation.

All grade 3 students failing the IREAD-3 Assessment will have an opportunity to retake the IREAD-3 Assessment at least two (2) times in the summer before the grade 3 retention requirements listed below apply.

The student will be retained in grade 3 if the student has not achieved a passing score on the IREAD-3 Assessment after the student has had an opportunity to retake it at least two (2) times in the summer unless:

- A. the student was subject to retention and has been retained in grade 3 for one (1) school year;
- B. the student has an intellectual disability or the student's individualized education program specifies that retention is not appropriate, and the student's case conference committee has determined that promotion to another grade is appropriate;
- C. the student is an English learner who has received services for fewer than two (2) years, and a committee consisting of the student's parent, a building level administrator or designee, a classroom teacher of service, an English learner teacher of record, if one exists, and an English learner Corporation administrator, if one exists, determines that promotion is appropriate based on the implementation of research based instructional practices outlined in the student's individual learning plan;
- D. the student received a score of proficient or above proficient in grade 3 math on Indiana's Learning Evaluation and Assessment Readiness Network (ILEARN);
- E. the student has received intensive intervention as determined by the IDOE in reading for two (2) or more years and was retained more than one (1) time throughout kindergarten, grade 1, or grade 2.

## Appeal Process

The parent of a student who has been retained in grade 3 pursuant to I.C. 20-32-8.5-2(a)(2)(A) because the student has not achieved a passing score on the IREAD-3 and who would not have been retained for other reasons may appeal the student's retention if the parent believes that one of the following exceptions applies:

- A. the student was subject to retention and has been retained in grade 3 for one (1) school year;
- B. the student has an intellectual disability or the student's individualized education program specifies that retention is not appropriate, and the student's case conference committee has determined that promotion to another grade is appropriate;
- C. the student is an English learner who has received services for fewer than two (2) years and a committee consisting of the parent, a building level administrator or designee, a classroom teacher of service, an English learner teacher of record (if one exists), and an English learner Corporation ~~district~~ administrator (if one exists) determines that promotion is appropriate based on the implementation of research based instructional practices outlined in the student's individual learning plan;
- D. the student received a score of proficient or above proficient in grade 3 math on the statewide summative assessment; or
- E. the student has received intensive intervention as determined by the IDOE in reading for two (2) or more years and was retained more than one (1) time throughout kindergarten, grade 1, or grade 2.

The parent must submit the appeal in writing, along with supporting documentation, to the Principal prior to the beginning of the school year in which the student is to be retained. Once received, the Principal will consider the documentation submitted by the parent and issue a determination, in writing, within five (5) business days from receipt of the appeal about whether the student meets one of the criteria in A-E above that exempts the student from retention, which will be provided to the parent via electronic mail (if authorized by the parent), U.S. First Class mail, or hand delivery.

This determination is final, and the Board will not hear appeals from this determination.

The Superintendent shall develop and implement a plan that complies with guidelines established by the IDOE.

## Exemption for English Language Learner Students

The Corporation may apply for an exemption from compliance with the retention requirements for grade 3 students who do not pass the IREAD-3 Assessment for an English language learner who:

- 1. does not achieve a passing score on the IREAD-3 Assessment; and
- 2. attends a school that has a student population comprised of at least fifty percent (50%) of English learners in grade 3, as determined by the Indiana Department of Education

until the beginning of the 2027-2028 school year.

## Participation in the Indiana Literacy Cadre

Subject to available funding, a Corporation school in which fewer than seventy percent (70%) of students of the school achieved a valid passing score on the IREAD-3 Assessment shall participate in the Indiana literacy cadre.

The Superintendent shall develop and implement a plan that complies with guidelines established by the IDOE.

## Mathematics Proficiency Screener

The Board shall comply with the requirements of I.C. 20-32-6.5 in administering the mathematics proficiency screener approved by the IDOE to identify students at risk of not achieving grade level proficiency in mathematics to students in kindergarten, grade 1 and grade 2 beginning with the 2026-2027 school year.

## **Mathematics Interventions**

Beginning with the 2026-2027 school year, if a Corporation school determines that a student in kindergarten through grade 8 is at risk of not achieving grade level proficiency in mathematics as determined by an analysis of the student's data from: 1) a grade level screener approved by the IDOE; or 2) a through-year statewide assessment; the school must provide intervention that meets the following requirements:

- A. The intervention includes a multitiered system of support that progresses from less to more intensive support based on the student's individual needs.
- B. The intervention is aligned to daily Tier I instruction and standard level learning progressions.
- C. The intervention is:
  - 1. targeted;
  - 2. differentiated; and
  - 3. supplemental to Tier I instruction.
- D. The intervention:
  - 1. is aligned with evidence based instructional strategies to promote conceptual understanding, procedural fluency, and real world problem solving; and
  - 2. allows a student opportunities to interact, show progress, and demonstrate understanding through rigorous grade level content.
- E. The intervention includes continual assessment and in depth analysis of each student's data to inform the flexible movement in and out of Tiers II and III.

The Superintendent shall establish administrative guidelines to implement this policy.

Revised 12/14/17

Revised 3/11/21

Revised 12/12/24

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Legal	I.C. 20-32-2
	I.C. 20-32-8
	I.C. 20-32-8.5
	I.C. 20-30-7-13
	511 IAC 5
	511 IAC 6.2-3.1

Cross References	<u><a href="#">po5410 - PROMOTION, PLACEMENT, AND RETENTION</a></u>
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Book	Policy Manual
Section	For Board Review
Title	Replacement Policy - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT
Code	po3122
Status	
Adopted	June 21, 2001
Last Revised	August 19, 2021

## Replacement Policy - Volume 38, No. 1 - Nondiscrimination - September 2025

### ~~3122~~ **~~NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY~~**

~~The School Board does not discriminate on the basis of race, color, national origin, sex (including gender status, sexual orientation and gender identity), disability, age, religion, military status, ancestry, genetic information, or any other legally protected category (collectively, "Protected Classes") in its programs and activities, including employment opportunities.~~

~~Notice of the Board's policy on nondiscrimination and the identity of the School Corporation's Compliance Officer(s) (see below) will be published on the Corporation's website, posted throughout the Corporation, and included in the Corporation's recruitment statements or general information publications.~~

#### **Definitions**

~~Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.~~

**Complainant** ~~is the individual who alleges or is alleged to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.~~

**Respondent** ~~is the individual who is alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.~~

**Corporation community** ~~means students, Corporation employees (i.e., administrators, and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.~~

**Third Parties** ~~include but are not limited to guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation community at school related events/activities (whether on or off Corporation property).~~

**Day(s):** ~~Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday—Friday, excluding State recognized holidays).~~

**Military status:** ~~refers to a person's status in the uniformed services, which includes the performance of duty on a voluntary or involuntary basis, in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty for training, full time National Guard duty, and performance of duty or training by a member of Indiana organized militia. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any duty listed above.~~

#### **Corporation Compliance Officer(s)**

The Board designates the following individuals to serve as the Corporation's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

~~[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of discrimination/retaliation that pertains to the other CO. The Board must list either the Name or Title of the CO, while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.]~~

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

The names, titles, and contact information of these individuals will be published annually on the Corporation's website and:

- A. ( ) in the staff handbooks
- B. ( ) in the Corporation's Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the Corporation's calendar.
- E. ( ) \_\_\_\_\_.

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ( ) Any sections of the Corporation's collectively bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. **[END OF OPTION]** A copy of each of the Acts and regulations on which this notice is based will be made available upon request from the CO.

#### **Reports and Complaints of Unlawful Discrimination and Retaliation**

Employees are required to report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Corporation level official so that the Board may address the conduct. Any administrator, supervisor, or other Corporation level official who receives such a report shall provide it to the CO within two (2) days.

Discrimination against an individual based on their sex (including gender status, sexual orientation, and gender identity) is discrimination in violation of Title VII. Specifically, discrimination on the basis of sex stereotyping/gender nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior. Employment actions based upon an individual's sex could be suspect and potentially impermissible.

COs are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her gender status, sexual orientation, and gender identity.

Any questions concerning whether alleged conduct might violate this prohibition should be brought to the CO's attention promptly.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the Corporation community or a Third Party and such reports that initially are made to an administrator, supervisor, or other Corporation level official. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and initiate either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct unless circumstances make such an intervention dangerous, in which case the employee should notify immediately other Corporation employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant within two (2) business days to advise the Complainant of the Board's intent to investigate the alleged wrongdoing.

### **Investigation and Complaint Procedures (See Form 3122-F2)**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC").

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal

~~complaint. The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.~~

~~The Complainant may proceed immediately to the formal complaint process, and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.~~

~~All complaints involving a Corporation employee or any other adult member of the Corporation community and a student will be investigated formally.~~

~~As an initial course of action, if a Complainant feels comfortable and safe doing so, the Complainant should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the inappropriate conduct may file an informal or a formal complaint.~~

~~In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.~~

~~A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation level employee.~~

~~All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.~~

~~The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:~~

- ~~A. Advising the Complainant about how to communicate concerns to the Respondent.~~
- ~~B. Distributing a copy of Policy 3122—Nondiscrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent works/attends school.~~
- ~~C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.~~

~~While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.~~

~~If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.~~

### **Formal Complaint Procedure**

~~If a complaint is not resolved through the informal complaint process, one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.~~

~~A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation official.~~

~~Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, the Superintendent, or other Corporation official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.~~

~~Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.~~

~~All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.~~

~~If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.~~

~~Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.~~

~~Within two (2) business days of receiving the formal complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.~~

~~Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3122—Nondiscrimination and Equal Employment Opportunity. The Respondent also must be informed of the opportunity to submit a written response to the complaint within five (5) business days.~~

~~Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint.~~

~~The investigation will include:~~

- ~~A. interview(s) with the Complainant;~~
- ~~B. interview(s) with the Respondent;~~
- ~~C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and~~
- ~~D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.~~

~~At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.~~

~~[ ] The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

~~Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent either must issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final written decision will be delivered to both the Complainant and the Respondent.~~

~~If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.~~

~~If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age appropriate, effective, and tailored to the specific situation.~~

~~[ ] The decision of the Superintendent shall be final.~~

**{OR}**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( )~~

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~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.~~

#### **~~[END OF OPTIONS]~~**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~The parties may be represented, at their own cost, at any of the above described interviews/meetings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the OCR, EEOC or ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

#### **~~Privacy/Confidentiality~~**

~~The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.~~

~~All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.~~

~~During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.~~

#### **~~Remedial Action and Monitoring~~**

~~If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken due to the discrimination or other appropriate action.~~

~~The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.~~

#### **~~Sanctions and Disciplinary Action~~**

~~The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct.~~

~~While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.~~

#### **~~Retaliation~~**

~~Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.~~

~~Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~

~~Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.~~

~~The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.~~

### **Education and Training**

~~In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.~~

### **Retention of Investigatory Records and Materials**

~~The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:~~

- ~~A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;~~
- ~~D. written witness statements;~~
- ~~E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;~~
- ~~F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);~~
- ~~G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;~~
- ~~H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- ~~I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- ~~J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~

- K. ~~documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- L. ~~copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);~~
- M. ~~copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~[DRAFTING NOTE: The following options should be selected if the Corporation concludes that the following items are not adequately encompassed in the preceding paragraphs.]~~**

- N. ~~(-) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~
- O. ~~(-) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, and longer if required by the Corporation's records retention schedule.~~

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## **3122 - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT**

### **NONDISCRIMINATION**

The School Board (hereinafter referred to as "the Board" or "the Corporation") does not discriminate based on a person's Protected Class(es) in its education programs or activities and does not tolerate unlawful harassment. Protected Classes (which also may be referred to as Protected Categories) include race, color, national origin, sex (including pregnancy, childbirth, and related conditions), disability, age, religion, military status, ancestry, genetic information, or any other legally protected characteristics. The Board is an equal opportunity employer.

The Board is committed to providing a work environment that is free from Prohibited Conduct (as defined below), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute Prohibited Conduct, and addressing Prohibited Conduct in its education programs or activities. This commitment applies to all Corporation operations, and this policy applies to Prohibited Conduct occurring within or as a part of the Corporation's education programs and activities, whether on school property or at another location during an activity sponsored by the Board.

Persons who commit Prohibited Conduct are subject to the full range of disciplinary sanctions set forth in this policy.

The Board will provide persons who have experienced Prohibited Conduct ongoing remedies as reasonably necessary to restore or preserve access to the Corporation's education programs or activities.

All school employees share responsibility for avoiding, discouraging, and reporting any form of Prohibited Conduct.

The Board will take immediate action to address the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging Prohibited Conduct, or has participated in the grievance procedures described below.
- B. Filing a malicious or knowingly false report or complaint of Prohibited Conduct.
- C. Disregarding, failing to appropriately address, or delaying action to appropriately address allegations of Prohibited Conduct when responsibility for reporting and/or investigating such charges comprises part of one's administrative/supervisory duties.

**Definitions:**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant:**

- A. an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
- B. a person other than an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct and who was participating or attempting to participate in the Corporation's education programs or activities at the time of the alleged Prohibited Conduct.

**Complaint:** an oral or written request to the Corporation that objectively can be understood as a request for the Corporation to investigate and make a determination about alleged Prohibited Conduct.

**Corporation community:** students and Corporation employees (i.e., administrators and professional/classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., days that the Corporation office is open for normal operating hours, Monday–Friday, excluding Federal and State holidays).

**Disciplinary sanctions:** consequences imposed on a Respondent following a determination that the Respondent engaged in Prohibited Conduct.

**Education programs or activities:** all the Corporation's operations including but not limited to in-person and online, remote or virtual educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all programs and activities operated by the Corporation on school grounds or on other property owned or occupied by the Corporation. It also includes events and circumstances that take place off school property/grounds but over which the Corporation asserts disciplinary authority (e.g., at off-campus activities sponsored by the Corporation).

**Exculpatory evidence:** evidence that is favorable to a Respondent because it helps excuse, justify, or absolve a respondent of alleged wrongdoing and tends to establish that a Respondent did not engage in Prohibited Conduct.

**Genetic information:** information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

**Harassment:** any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an employee that (a) places the employee in reasonable fear of harm to their person or damage to their property; (b) has the effect of substantially interfering with the employee's work performance; or (c) has the effect of substantially disrupting the orderly operation of a school. Each of the following types of harassment involves unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's protected characteristic(s) and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

- A. **Age Harassment:** harassment based on negative perceptions about older workers. It also includes harassment based on stereotypes about older workers, even if they are not motivated by animus, such as pressuring an older employee to transfer to a job that is less technology-focused because of the perception that older workers are not well-suited to such work or encouraging an older employee to retire.
- B. **Disability Harassment:** harassment based upon a person's disability, including harassment based upon stereotypes about individuals with disabilities in general or about an individual's particular disability. It also includes harassment based on traits or characteristics linked to an individual's disability, such as how the person speaks, looks, or moves. For example, negative comments about an individual's speech patterns, movement, physical impairments, or defects/appearances, or the like. Disability-based harassment includes: (a) harassment because an individual requests or receives reasonable accommodation; (b) harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability or a record of disability; (c) harassment because an individual has a record of a disability, even if the individual currently does not have a disability; and (d) harassment based on the disability of an individual with whom the employee is associated. Finally, disability-based harassment may occur where conduct is directed at or pertains to a person's genetic information.
- C. **National Origin/Ancestry Harassment:** harassment due to a person's (or their ancestor's) place of origin. Such harassing conduct can include ethnic slurs or epithets, derogatory comments about individuals of a particular nationality, and use of stereotypes about a person's national origin. Additionally, it can include harassment regarding traits or characteristics linked to an individual's national origin, such as physical characteristics, ethnic or cultural characteristics or customs (e.g., surnames, attire, or diet), or linguistic characteristics (e.g., a person's manner of speaking, non-English language accent, or a lack of fluency in English).
- D. **Race/Color Harassment:** unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's race or color and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.
- E. **Religious (Creed) Harassment:** harassment based on a person's surname, religion (including atheism or lack of religious belief), religious traditions and practices, or religious dress/clothing, and includes making offensive comments about the same. It also includes religious slurs or epithets, harassing conduct based on religious stereotypes, and harassment associated with a person's request for and/or receipt of religious accommodation. Religious harassment also involves explicitly or implicitly coercing an employee to engage in religious practices at work.
- F. **Sexual Harassment** (for purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment; (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.
1. Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
  2. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
    - a. Conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or involving sexual activity (e.g., unwelcome sexual propositions, invitations, solicitations, and flirtations; unwanted physical and/or sexual contact, including unwelcome and inappropriate touching, patting, or pinching, and obscene gestures).
    - b. Sexual attention or sexual coercion, such as demands or pressure for sexual favors (e.g., threats or insinuations that a person's employment, wages, or other conditions of employment may be adversely affected by not submitting to sexual advances; giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin).
    - c. Rape, sexual assault, or other acts of sexual violence.

- d. Discussing or displaying visual depictions of sex acts or sexual remarks (e.g., unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts, etc.; sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work environment; asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities; speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history).
- e. A consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- f. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
- g. Non-sexual conduct based on sex, such as sex-based epithets; sexist comments (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or facially sex-neutral offensive conduct motivated by sex (such as bullying directed toward employees of one sex).
- h. Harassment based on pregnancy, childbirth, or related medical conditions, which may include issues pertaining to lactation, using or not using contraception, or deciding whether to have, or not to have, an abortion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be objectively offensive (a reasonable person would find it hostile or abusive), subjectively offensive (the complainant actually perceived it as abusive), and either sufficiently severe (a single extremely serious incident) or pervasive (a pattern of behavior), such that it adversely affects, limits, or denies an individual's employment or creates a hostile or abusive employment environment.

Inculpatory evidence: evidence that links a Respondent to alleged wrongdoing and tends to establish that a Respondent engaged in Prohibited Conduct (i.e., has culpability).

Military status: a person's past, current, or future membership, service, or obligation in a uniformed service (e.g., Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Officer Corps). Service in the uniformed services also means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty, and performance of duty or training by a member of the Indiana organized militia. It further includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

**Party:** a Complainant or Respondent.

**Pregnancy, childbirth, or related medical conditions:**

- A. "Pregnancy" and "childbirth" refer to the pregnancy or childbirth of a specific employee and include but are not limited to current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
- B. "Related medical conditions" are medical conditions relating to the pregnancy or childbirth of a specific employee and may include: termination of pregnancy, including via miscarriage, stillbirth, or abortion; ectopic pregnancy; preterm labor; pelvic prolapse; nerve injuries; cesarean or perineal wound infection; maternal cardiometabolic disease; gestational diabetes; preeclampsia; HELLP (hemolysis, elevated liver enzymes and low platelets) syndrome; hyperemesis gravidarum; anemia; endometriosis; sciatica; lumbar lordosis; carpal tunnel syndrome; chronic migraines; dehydration; hemorrhoids; nausea or vomiting; edema of the legs, ankles, feet, or fingers; high blood pressure; infection; antenatal (during pregnancy) anxiety, depression, or psychosis; postpartum depression, anxiety, or psychosis; frequent urination; incontinence; loss of balance; vision changes; varicose veins; changes in hormone levels; vaginal bleeding; menstruation; and lactation and conditions related to lactation, such as low milk supply, engorgement, plugged ducts, mastitis, or fungal infections. The preceding list of related medical conditions is not exhaustive.

**Prohibited Conduct:** unlawful discrimination or harassment based on a person's Protected Class(es) or retaliation. Such misconduct involves a violation of Federal and/or State civil rights laws.

**Relevant:** related to the allegations of Prohibited Conduct under investigation as part of the Board's grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged Prohibited Conduct occurred, and evidence is relevant when it may aid a decision-maker in determining whether the alleged Prohibited Conduct occurred.

**Remedies:** measures provided, as appropriate, to a Complainant or any other person the Corporation identifies as having had their equal access to the Corporation's education programs or activities limited or denied by Prohibited Conduct. These measures are provided to restore or preserve that person's access to the Corporation's education program or activity after the Corporation determines that Prohibited Conduct occurred.

**Respondent:** a person who is alleged to have engaged in Prohibited Conduct.

**Retaliation:** intimidation, threats, coercion, or discrimination against any person by the Corporation, a student, a Board employee, or any other person authorized by the Board to provide aid, benefit, or service under the Corporation's education programs or activities, for the purpose of interfering with any right or privilege secured by Federal or State law, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under applicable Federal or State laws or regulations.

**Supportive measures:** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to the Complainant or the Respondent before or after making a report or filing a complaint. Such measures are designed to restore or preserve that party's access to the Corporation's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Corporation's educational environment or deter Prohibited Conduct. Supportive measures may include modifications of work schedules, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings, training related to Prohibited Conduct, referral to Employee Assistance Program, and other similar measures.

**Third Parties:** guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation community at school-related events/activities (whether on or off Corporation property).

### **Pregnancy, Childbirth, and Related Medical Conditions**

The Board will not discriminate against an employee based on the person's current pregnancy, potential or intent to become pregnant, past pregnancy, or medical condition related to pregnancy or childbirth or because the person uses birth control or has had or not had an abortion.

Additionally, the Board will provide a reasonable accommodation to an employee's known limitation related to pregnancy, childbirth, or a related medical condition, unless the accommodation will cause the Corporation undue hardship.

The Board will treat pregnancy, childbirth, and related medical conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; accrual of seniority and any other benefit or service; reinstatement; and under any fringe benefit offered to employees by virtue of employment.

The Board will provide reasonable break time for an employee to express breast milk while at work for the first year after the employee's child's birth. The Board will provide the employee with a space, other than a bathroom, that is clean, shielded from view, free from intrusion from coworkers and the public, and which the employee can use as needed to express breast milk. See Board Policy 6700 – Fair Labor Standards Act.

### **Nondiscrimination Based on Employee's Genetic Information**

The Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of the individual's genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with GINA, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information,

including the individual's family medical history, in response to requests for medical information as part of the Corporation's application process.

The Corporation recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. However, the Corporation prohibits its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information while working.

If the Corporation either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.

The Corporation Compliance Officer (see below) shall be responsible for overseeing the Corporation's compliance with applicable Federal regulations and promptly handling any inquiries or complaints. The Corporation Compliance Office or designee also shall verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all Corporation requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the Americans with Disabilities Act ("ADA") or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of School Trustees, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

### **Corporation Compliance Officer(s)**

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Federal and State laws that prohibit discrimination, including harassment, based on Protected Classes and retaliation (also known as "Civil Rights Coordinator(s)" or "Anti-Harassment Compliance Officer(s)") (hereinafter referred to as the "Corporation Compliance Officer(s)" or "CO(s)");

#### **SUPERINTENDENT PORTER TOWNSHIP SCHOOLS**

Address: 248 S 500 W, VALPARAISO, IN 46385

Telephone No.: (219) 477-4933, Ext. 1000

Email address: superintendent@ptsc.k12.in.us

#### **ASSISTANT SUPERINTENDENT**

Address: 248 South 500 West, Valparaiso, IN 46385

Telephone No.: 219-477-4933 Ext. 1000

assistant.superintendent@ptsc.k12.in.us

The Board designates the PTSC Superintendent as the individual who is ultimately responsible for oversight over the Board's compliance with applicable Federal and State laws and regulations that prohibit discrimination based on the basis of protected classes and retaliation.

The Corporation Compliance Officer may delegate specific duties to one (1) or more designees.

The contact information concerning the Corporation Compliance Officer(s) will be published on the Corporation's website.

Questions about this policy should be directed to the Corporation Compliance Officer(s).

The CO(s) is/are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, harassment, retaliation, or denial of equal opportunity/access. The CO(s) also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), Genetic Information Nondiscrimination Act ("GINA"), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public.

The CO(s) will be available during regular work hours to discuss concerns related to Prohibited Conduct, to assist employees, other members of the Corporation community, and third parties who seek support or advice when informing another individual about Prohibited Conduct, including unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The CO(s) shall monitor the Corporation's education programs and activities for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct pursuant to Federal and/or State laws that prohibit discrimination/harassment based on the basis of a Protected Class/Category and retaliation, and take steps reasonably calculated to address such barriers.

### **Notice of Nondiscrimination**

The Superintendent shall provide a notice of nondiscrimination to: students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the Notice of Nondiscrimination on the Corporation's website and in each handbook.

### **NOTIFICATION/REPORTS OF PROHIBITED CONDUCT**

Any person may provide information to the CO(s) concerning conduct that reasonably may constitute Prohibited Conduct. Such information may be submitted in person, by mail, by telephone, or by electronic mail using the CO's(s') published contact information, or by any other means (oral or written) that results in the CO(s) receiving the information. Information may be provided at any time (including during non-work hours).

All Corporation employees are required to notify the CO(s) of conduct that reasonably may constitute Prohibited Conduct. For the Board to fulfill its responsibilities under applicable Federal and/or State laws, if a Corporation employee has knowledge of conduct that reasonably may constitute Prohibited Conduct, the Corporation employee must notify the/a CO within two (2) days of learning the information or receiving the report. The Corporation employee also must comply with mandatory reporting responsibilities pursuant to I.C. 31-33-5-2 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Corporation employee's knowledge about the alleged Prohibited Conduct is based on another individual bringing the information to the Corporation employee's attention and the reporting individual submitted a written notification/report or complaint to the Corporation employee, the Corporation employee must provide the written notification/report or complaint to the CO.

Notification can be provided orally or in writing and should be as specific as possible. The person making the notification/report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a notification/report or Complaint involves allegations of Prohibited Conduct by or involving the CO, the person making the report (i.e., providing the notification or filing the complaint) should submit it to the or another Corporation employee who, in turn, will notify the Superintendent of the report/complaint. The Superintendent will then serve in place of the CO for purposes of addressing that report of Prohibited Conduct.

When a Corporation employee notifies the CO of suspected Prohibited Conduct, the employee is required to report all known details about the alleged Prohibited Conduct including: (1) the name of the alleged Respondent(s); (2) the person who experienced the alleged Prohibited Conduct (i.e., the Complainant); (3) other persons involved in the alleged Prohibited Conduct (e.g., witnesses); and (4) any other relevant facts, such as date, time, and location. Failure to provide such notification may result in discipline, up to and including suspension or termination of employment.

Any allegations of misconduct not involving Prohibited Conduct as defined in this policy will be addressed through the procedures outlined in other Board policies, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

When a notification/report or complaint of Prohibited Conduct is made, the CO shall promptly (i.e., within two (2) days of the CO's receipt of the notification/report or complaint of Prohibited Conduct) contact the purported Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Complaint, and explain to the Complainant the process for filing a Complaint. The CO is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Corporation to provide the supportive measures.

## **GRIEVANCE PROCEDURES**

### **Overview:**

The Board adopts the following grievance procedures to provide for the prompt, effective, and equitable resolution of complaints made by employees, applicants, or other individuals who are participating or attempting to participate in the Corporation's education programs or activities (i.e., members of the Corporation community and third parties), or by the CO, alleging any act of Prohibited Conduct.

These grievance procedures shall be used for all complaints of Prohibited Conduct, unless it involves conduct involving a student, in which case the grievance procedures set forth in Policy 2260 or Policy 5517.01 shall apply. These grievance procedures set forth the means for investigating and resolving claims involving such Prohibited Conduct; in particular, the procedures provide a method for assessing – in a prompt, effective, and equitable manner – whether an applicable Federal or State law was violated and, if it was, how best to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.

Due to the sensitivity surrounding complaints of Prohibited Conduct, timelines are flexible for initiating the grievance procedures; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner.

Under all circumstances, the CO shall offer and coordinate supportive measures, as appropriate, in accordance with this policy.

### **Complaints:**

The following people may make a complaint of Prohibited Conduct – i.e., request that the Corporation investigate and determine whether Prohibited Conduct occurred:

#### **A. A "Complainant," which includes:**

1. an employee of the Corporation who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
2. a person other than an employee of the Corporation who is alleged to have been subjected to conduct that could constitute Prohibited Conduct at a time when that individual was participating or attempting to participate in the Corporation's education programs or activities;

#### **B. An authorized legal representative with the legal right to act on behalf of a Complainant;**

#### **C. Corporation Compliance Officer.**

A person is entitled to make a complaint of unlawful harassment only if they themselves are alleged to have been subjected to the unlawful harassment, or if the CO initiates a complaint.

With respect to complaints of Prohibited Conduct other than unlawful harassment, or complaints involving allegations of retaliation, in addition to the people listed above, the following persons have a right to make a complaint:

#### **A. any employee of the Corporation; or**

#### **B. any person other than an employee who was participating or attempting to participate in the Corporation's education programs or activities at the time of the alleged Prohibited Conduct.**

The Corporation may consolidate complaints of Prohibited Conduct against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of Prohibited Conduct arise out of the same facts or circumstances. When more than one (1) complainant or more than one

(1) respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

A person may file criminal charges simultaneously with filing a complaint. A person does not need to wait until the Corporation's internal grievance procedures are completed before filing a criminal complaint. Likewise, questions or complaints relating to alleged violations of applicable Federal or State laws may be filed with the U.S. Department of Education's Office for Civil Rights, the U.S. Department of Justice's Civil Rights Division, the U.S. Equal Employment Opportunity Commission, or the Indiana Civil Rights Commission at any time based on the underlying statutory basis for the complaint.

### **Basic Requirements:**

The Corporation will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of this Policy, including the Corporation Compliance Officer, the investigator, the decision-maker, and the appeal decision-maker, ( ) and the facilitator of the informal resolution process, shall be free from any conflicts of interest or bias for or against complainants or respondents generally, or an individual Complainant or Respondent.

The CO may serve simultaneously as an investigator and/or a decision-maker.

If the CO does not intend to serve as the investigator/decision-maker in a specific case, the CO shall designate one (1) or more administrators who are appropriately trained to serve in the role.

In circumstances when the CO and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons impair the CO and other trained administrators from serving as an investigator/decision-maker in a specific case, the CO shall, in consultation with the Superintendent or Board President (as appropriate), secure one (1) or more independent third parties to serve as the investigator and/or decision-maker.

The Corporation presumes that the Respondent is not responsible for the alleged Prohibited Conduct until a determination is made at the conclusion of its grievance procedures.

Under ordinary circumstances, the Board expects to complete the major stages of the grievance procedures within the timeframe specified below:

- A. Evaluation – The Corporation Compliance Officer will determine whether to dismiss a Complaint or investigate it within 10 days of receiving the Complaint.
- B. Investigation – The CO, or designated investigator/decision-maker, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) and issue a Determination (i.e., consider the relevant and not otherwise impermissible evidence and decide whether Prohibited Conduct occurred) within 20 days of the CO determining the charges require investigation.  
  
If, however, the CO, or designated investigator/decision-maker, determines that the investigation is going to take longer, the CO will so notify the parties and the Superintendent and will thereafter keep the parties and the Superintendent informed of the status of the matter on a regular basis.
- C. Appeal – A party filing an appeal of the CO's decision to dismiss a Complaint or the Determination must do so within 5 days of receiving the Dismissal or Determination.

The CO, or the Superintendent if the CO is the individual requesting an extension, may approve reasonable extensions of the preceding timeframes on a case-by-case basis for good cause with notice to the parties.

The Corporation will take reasonable steps to protect the privacy of the parties and witnesses. ( ) These steps will not restrict the ability of the parties to present evidence or otherwise participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The CO, or designated investigator/decision-maker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking such evidence, are impermissible (i.e., will not be accessed or considered, except by the Corporation to determine whether one (1) of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed voluntarily waived the privilege or confidentiality; and
- B. a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the Corporation obtains that party's or witness's voluntary, written consent for use in its grievance procedures.

**Notice of Allegations:**

Upon initiation of the Board's grievance procedures, the Corporation Compliance Officer shall notify the parties of the following:

- A. the Board's grievance procedures and informal resolution process associated with claims involving Prohibited Conduct;
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s); and
- C. retaliation is prohibited.

Should the CO decide, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the CO will provide a supplemental written notice describing the additional allegations to be investigated.

**Dismissal of a Complaint:**

The CO may dismiss a Complaint of Prohibited Conduct if:

- A. the Corporation is unable to identify the Respondent after taking reasonable steps to do so;
- B. the Respondent is not participating in the Corporation's education program or activity and is not employed by the Board;
- C. the Complainant voluntarily withdraws any or all of the allegations in the Complaint, the CO declines to initiate a Complaint, and the Corporation determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Prohibited Conduct even if proven; or
- D. the Corporation determines that the conduct alleged in the Complaint, even if proven, would not constitute Prohibited Conduct. Before dismissing the Complaint, the CO will make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the CO will promptly notify, in writing, the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, the CO will also simultaneously notify, in writing, the Respondent of the dismissal and the basis for the dismissal.

The CO will further notify the Complainant that a dismissal may be appealed and will provide the Complainant with an opportunity to appeal the dismissal of the Complaint. If the dismissal occurs after the Respondent has been notified of the allegations, then the CO will also notify the Respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the CO had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that would change the outcome.

If the dismissal is appealed, the CO will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;

- B. implement appeal procedures equally for the parties;
- C. ensure that the appeal decision-maker did not take part in the original dismissal of the Complaint;
- D. ensure that the appeal decision-maker has been trained consistent with this Policy;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a Complaint is dismissed, the CO will, at a minimum:

- A. offer supportive measures to the Complainant as appropriate;
- B. if the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within the Corporation's education programs or activities.

#### **Informal Resolution Process:**

In lieu of resolving a Complaint through the Board's formal grievance procedures, the parties may instead elect to participate in an informal resolution process. The Corporation will not offer an informal resolution to resolve a Complaint when such a process would conflict with Federal, State, or local law.

#### **Adding Allegations and/or Consolidating Complaints:**

If, in the course of an investigation, the Corporation decides to investigate additional allegations of Prohibited Conduct by the Respondent toward the Complainant that are not included in the original Notice of Allegations or to consolidate charges raised in a different Complaint involving the same Respondent, the CO will notify the parties of the additional allegations.

#### **Investigation:**

The Corporation will provide for an adequate, reliable, and impartial investigation of Complaints.

The burden is on the Corporation — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred.

The CO, or the designated investigator/decision-maker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The CO, or the designated investigator/decision-maker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible, regardless of relevance.

#### **Determination of Whether Prohibited Conduct Occurred:**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the CO or designated investigator/decision-maker will:

- A. Use the preponderance of the evidence standard of proof to determine whether Prohibited Conduct occurred. This standard of proof requires the decision-maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that Prohibited Conduct occurred, regardless of the quantity of the evidence, the decision-maker will not determine that Prohibited Conduct occurred.
- B. Notify the parties, in writing, of the determination whether Prohibited Conduct occurred, including the rationale for such determination, and the procedures and permissible bases for the Complainant and Respondent to appeal.
- C. Not impose discipline on a Respondent for Prohibited Conduct unless there is a determination at the conclusion of the grievance procedures that the Respondent engaged in Prohibited Conduct.

D. If there is a determination that Prohibited Conduct occurred, the CO will, as appropriate:

1. coordinate the provision and implementation of remedies to a Complainant and other people the Corporation identifies as having had equal access to the Corporation's education programs or activities limited or denied by the Prohibited Conduct;
2. coordinate the imposition of any disciplinary sanctions on a Respondent; and
3. take other appropriate prompt and effective steps to ensure that the Prohibited Conduct does not continue or recur within the Corporation's education programs or activities.

E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a Respondent.

F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement based solely on the determination of whether Prohibited Conduct occurred.

### **Appeal of Determinations:**

If a party disagrees with the decision-maker's determination as to whether Prohibited Conduct occurred, the party may file an appeal. Appeals must be submitted, in writing, within 5 days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the investigation occurred and the Determination was made; and
- C. the CO, or the designated investigator/decision-maker, had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that would change the outcome

The Complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed.

The CO will designate an appeal decision-maker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained.

The CO has authority to secure an independent third party to serve as the appeal decision-maker.

If a party appeals the Determination, the CO will:

- A. notify the parties of the appeal;
- B. implement appeal procedures equally for the parties;
- C. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the Determination;
- D. provide the appeal decision-maker with the relevant and not otherwise impermissible evidence and the Determination; and
- E. notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

### **Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Dismissal or Determination**

When a party files an appeal, the party must set forth the reason(s)/basis/bases for the appeal, and the other party will have 5 days to provide the appeal decision-maker with a statement in support of their position. Once the decision-maker receives the statement (or the deadline for filing such a statement expires), the appeal decision-maker will have 10 days to issue a decision on the appeal.

While a party appealing a Determination may argue the reason/basis for the appeal is that new evidence has been discovered/obtained that would change the outcome and that said new evidence was not reasonably available when the Determination was originally made, the party may not submit the new or additional evidence during the appeal process. Rather, the party appealing should identify/describe, in detail, the evidence, including how and when it was

discovered/obtained, and explain why it was not reasonably available during the investigation (i.e., prior to the Determination). If the appeal decision-maker accepts the proffered explanation, the appeal decision-maker should remand the case back to the investigator/decision-maker (i.e., reopen the investigation) so the new evidence may be submitted and considered by the other party and the investigator/decision-maker.

The appeal decision-maker shall determine the outcome of the appeal based on the appeal decision-maker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence and the written determination) and the appeal decision-maker's application of the law and Board policy to the facts in the record. The appeal decision-maker must give due deference and due weight to the decision-maker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record, read in its entirety, compels a contrary conclusion. Generally, the appeal decision-maker is expected to uphold the original Determination unless the appeal decision-maker concludes the original Determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the original Determination.

The appeal decision-maker shall simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

The appeal decision-maker's decision shall be final.

### **Supportive Measures:**

The Corporation will offer and coordinate supportive measures as appropriate for the Complainant and/or Respondent to restore or preserve that person's access to the Corporation's education programs or activities or provide support during the grievance procedures and/or during the informal resolution process. For allegations of Prohibited Conduct other than prohibited harassment or retaliation, the Corporation's provision of support measures does not require the Corporation, Board employees, or any other person authorized to provide aid, benefit, or service on the Corporation's behalf to alter the alleged discriminatory/retaliatory conduct for the purpose of providing a supportive measure.

The CO shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the CO deems to be reasonably available. Supportive measures may include but are not limited to modifications of work schedules, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings, training related to Prohibited Conduct, and other similar measures.

Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties and/or the Corporation's educational environment, or to provide support during the Board's grievance procedures or the informal resolution process.

The Corporation will not impose such measures for punitive or disciplinary reasons.

The CO may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or the Corporation may continue them beyond that point.

A party may seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The Corporation will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the Corporation's education programs or activities, or as otherwise permitted under existing law and/or policy.

The Superintendent may place an employee Respondent on administrative leave from employment responsibilities during the pendency of the Board's grievance procedures.

### **Disciplinary Sanctions and Remedies:**

Following a determination that Prohibited Conduct occurred, the Corporation may impose disciplinary sanctions, which may include:

- A. oral or written warning;
- B. written reprimands;

- C. required counseling;
- D. required training or education;
- E. demotion;
- F. suspension with pay;
- G. suspension without pay;
- H. termination; and
- I. any other sanction authorized by any applicable Board policy, Employee/Administrator Handbook, and/or collective bargaining agreement.

The Corporation also may provide remedies, which may include disciplinary sanctions/consequences. The CO will notify the Superintendent of the recommended remedies so an authorized administrator can consider the recommendation and implement appropriate remedies in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

### **Retaliation**

Retaliation against a person who makes a report, files a complaint alleging Prohibited Conduct or retaliation, or participates in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the U.S. Constitution, the Indiana Constitution, Federal or State law, or this policy or because the individual made a report or Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a Code of Conduct violation that does not involve Prohibited Conduct but arises out of the same facts and circumstances as a Complaint or information reported about possible Prohibited Conduct, for the purpose of interfering with the exercise of any right or privilege secured by Federal or State law constitutes retaliation. Retaliation against a person for making a Complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above. The Corporation shall initiate its grievance procedures upon receiving any complaint alleging retaliation.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation; provided, however, that a determination that Prohibited Conduct occurred, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations. The Corporation will keep confidential the identity of any individual who has made a Complaint of Prohibited Conduct, any Complainant, any individual who has been reported to be the perpetrator of Prohibited Conduct, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. Part 99, as required by law, or to carry out the purposes of relevant Federal or State law or regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Corporation's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigation and determination of whether Prohibited Conduct occurred). All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During an investigation, the CO or designated investigator/decision-maker will instruct each person who is interviewed

about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to other members of the Corporation Community or third parties any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against Prohibited Conduct by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action, up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where Prohibited Conduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the Corporation community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Prohibited Conduct based on expressive conduct that is protected by the First Amendment.

### **Training**

All employees, investigators, decision-makers, facilitators of informal resolution process, the Corporation Compliance Officer(s), and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under applicable Federal and State laws and this policy. The training shall not rely on stereotypes involving Protected Classes.

### **Recordkeeping (Including Retention of Investigatory Records and Materials)**

The Corporation Compliance Officer(s) is/are responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315 - Information Management) created and received as part of an investigation. Records and materials associated with the implementation of this policy shall be retained in accordance with Policy 8310 - Public Records, Policy 8315 - Information Management, Policy 8320 - Personnel Files, and Policy 8330 - Student Records for the period set forth below, unless required to be maintained for a longer period pursuant to the Corporation's records retention schedule.

The Corporation shall maintain, for a period of seven (7) calendar years, the following records:

- A. for each Complaint of Prohibited Conduct, records documenting the informal resolution process and/or the grievance procedures followed, and the resulting outcome;
- B. for each notification that the Corporation Compliance Officer receives of information about conduct that reasonably may constitute Prohibited Conduct, records documenting the actions the Corporation took to implement this policy; and
- C. all materials used to provide the training referenced above.

The information, documents, ESI, and electronic media (as defined in Policy 8315 - Information Management) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records, medical records).

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including but not limited to Corporation Compliance Officer, investigator, decision-maker, appeal decision-maker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of Corporation Compliance

Officer, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process.

The Superintendent may delegate functions assigned to a specific Corporation employee under this policy including but not limited to the functions assigned to the Corporation Compliance Officer, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

### **Discretion in Application**

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time and for any reason. The Board may apply policy revisions to an active case, provided that doing so is not clearly unreasonable.

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Legal	I.C. 5-14-3 (Access to Public Records Act)
	I.C. 20-28-10-12
	I.C. 20-28-10-13
	I.C. 20-33-1-6
	I.C. 22-9-10, Employment Opportunities for Veterans and Indiana National Guard and Reserve Members
	Fourteenth Amendment, U.S. Constitution
	29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
	29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended
	38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act
	42 U.S.C. 2000 et seq., Civil Rights Act of 1964
	42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964
	42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 1973 as amended
	42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
	42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
	29 C.F.R. Part 1635, The GINA Regulations
	34 C.F.R. Part 110, The Age Discrimination Act Regulations

Book	Policy Manual
Section	For Board Review
Title	Rescind Policy - NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po3122.02
Status	
Adopted	October 21, 2010
Last Revised	August 19, 2021

## **Rescind Policy - Volume 38, No. 1 - Nondiscrimination - September 2025**

### **~~3122.02 - NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE~~**

~~The School Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify applicants or employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of the person as an employee, based on genetic information. Harassment of a person because of genetic information also is prohibited. Likewise, retaliation against a person for identifying, objecting to, or filing a complaint concerning a violation of this policy is prohibited.~~

~~The identity of the Compliance Officer (see Policy 3122 - Nondiscrimination and Equal Employment Opportunity) shall be posted throughout the School Corporation and published in any Corporation statement regarding the prohibition of discrimination on the basis of genetic information in all aspects of employment, in any staff handbooks, and in general information publications of the Corporation as required by Federal and State law and on the Corporation website.~~

~~In accordance with Title II of the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff, et seq. and 29 C.F.R. 1635 ("GINA"), the Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with GINA, applicants and employees are directed not to provide genetic information, including that individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be provided as part of the certification process for FMLA leave or when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the Corporation's application for employment process. Employees and applicants for employment shall not be penalized for providing genetic information in good faith in response to a request from a Corporation employee or agent, unless that applicant or employee refuses to delete the information at the request of the employee or agent of the Corporation.~~

~~[ ] The Board recognizes that genetic information may be acquired through commercially and publicly available media including newspapers, books, magazines, periodicals, television shows or the Internet. The Board prohibits Corporation employees and agents, including commercial background investigation agents, from searching these sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information. If genetic information about an employee or applicant is obtained in error, it shall be redacted immediately and not shared beyond the point of first receipt.~~

~~As used in this policy, "genetic information," means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (family medical history); (d) an individual's request for or receipt of genetic services or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.~~

~~The term "genetic information" does not include information about the sex or age of the individual, the sex or age of family members, or information about the race or ethnicity of the individual or family member that is not derived from a genetic test.~~

~~As used in this policy, "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites that detect genotypes, mutations, or chromosomal changes. The term includes any test of a person's DNA/RNA.~~

~~If the Corporation's employees or agents legally and/or inadvertently receive genetic information about an employee or applicant, it shall be treated as a confidential medical record in accordance with law.~~

~~The Corporation's Compliance Officer (see Policy 3122—Nondiscrimination and Equal Employment Opportunity) is responsible for overseeing the Board's compliance with this policy and GINA and proposing revisions and additions to this policy as necessary to insure the Board's compliance with GINA. This person shall be responsible for working with the Board's legal counsel to fully implement the requirements of GINA in all activities of the Corporation. The Compliance Officer also shall verify that proper notice of nondiscrimination for Title II of GINA is provided to staff members and that all requests for health related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) are accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The written warning shall contain the information in the following sample notice:~~

### **~~Genetic Information Nondiscrimination Act of 2008 (GINA) Disclosure Requirement~~**

~~The Genetic Information Nondiscrimination Act of 2008 or "GINA" prohibits employers and other entities covered by the law, including the \_\_\_\_\_ School Corporation, from requesting or requiring genetic information about an employee or applicant or family member of an employee or applicant, except as specifically allowed by law. To comply with GINA, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. Questions concerning compliance with the requirements of GINA may be directed to the Compliance Officer at \_\_\_\_\_ [phone].~~

~~[ ] The Board offers health services, ( ) including a wellness program. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the Corporation and no applicant or employee shall be identified or identifiable from the reported information.~~

~~The grievance procedure for complaints of discrimination in Policy 3122 applies to complaints of discrimination, including harassment, or retaliation prohibited by GINA and may be utilized if a Corporation employee alleges discrimination or harassment on the basis of genetic information or retaliation for identifying, objecting to, or filing a complaint concerning a violation of GINA or this policy.~~

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Legal

42 U.S.C. 2000ff et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008

29 C.F.R. Part 1635

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - TEACHER APPRECIATION GRANTS
Code	po3220.01
Status	
Adopted	August 10, 2017
Last Revised	August 10, 2023

### 3220.01 - **TEACHER APPRECIATION GRANTS**

~~The School Board shall adopt an annual policy concerning the distribution of teacher appreciation grants. This policy shall be submitted to the Indiana Department of Education (IDOE) along with the School Corporation's staff performance evaluation plan online as one (1) document by September 15<sup>th</sup> of each year.~~

The School Board adopts this policy for the benefit of the School Corporation's teachers. The Corporation may apply for and distribute teacher appreciation grant funds as described in this policy.

#### **Definitions:**

For purposes of this policy, the following definitions apply:

The term "teacher" means a professional person whose position with the Corporation requires a license (as defined in I.C. 20-28-1-7) and whose primary responsibility is the instruction of students.

The term "license" refers to a document issued by the IDOE that grants permission to serve as a particular kind of teacher. The term includes any certificate or permit issued by the Indiana Department of Education IDOE.

#### **Eligibility for Teacher Appreciation Grants:**

To be eligible for a grant under the program, the Corporation must:

- A. apply in a manner prescribed by the IDOE;
- B. identify not more than twenty percent (20%) of certified teachers as eligible grant recipients annually based on criteria outlined below;
- C. report how each recipient met the criteria outlined below; and
- D. meet any other requirements established by the IDOE.

#### **Distribution of Annual Teacher Appreciation Grants:**

Teacher appreciation grant funds received by the Corporation may be used only to pay stipends within the amounts described below ~~shall be distributed~~ to licensed teachers who meet the following criteria:

- A. ~~employed in the classroom (including providing instruction in a virtual classroom setting);~~ have instructed students in the Corporation for at least one (1) school year prior to the grant distribution year;

- ~~B. rated as Effective or Highly Effective on their most recent performance evaluation; and~~ maintain employment at the Corporation at the time of the grant distribution;
- ~~C. employed by the Corporation as of December 1st of the year in which the teacher appreciation grant funds are received by the Corporation; are determined to significantly impact student outcomes using National, State, or local assessment measures; and~~
- D. are designated in one (1) of the following categories:
  - 1. meets the criteria for a recognition stipend;
  - 2. meets the criteria for an exemplary stipend; or
  - 3. meets the criteria for an exemplary plus stipend.

The following criteria apply in evaluating a teacher for a stipend designation:

- A. For a recognition stipend designation, whether the teacher demonstrates high performance in teaching based on student outcomes.
- B. For an exemplary stipend designation whether the teacher:
  - 1. demonstrates high performance in teaching based on student outcomes; and
  - 2. meets one (1) of the following:
    - a. mentors or coaches another teacher to improve student outcomes, or provides instructional leadership to improve student outcomes across multiple classrooms; or
    - b. serves in a high need or geographic shortage area as determined by the IDOE based on educator supply and demand.
- C. For an exemplary plus stipend designation, whether the teacher:
  - 1. demonstrates high performance in teaching based on student outcomes;
  - 2. mentors or coaches another teacher to improve student outcomes, or provides instructional leadership to improve student outcomes across multiple classrooms; and
  - 3. serves in a high need or geographic shortage area as determined by the IDOE based on educator supply and demand.

The Corporation shall utilize the rubric developed by the IDOE pursuant to I.C. 20-43-16-7.

The Corporation shall distribute the teacher appreciation grant funds as follows:.

The amount of the stipend that the Corporation may distribute to a teacher for a State fiscal year under this chapter must be within the following amounts:

- A. For a teacher who receives a stipend for a recognition designation, \$3,500.
- B. For a teacher who receives a stipend for an exemplary designation, \$5,000.
- C. For a teacher who receives a stipend for an exemplary plus designation, \$7,500.

~~The Corporation shall distribute the teacher appreciation grant funds as follows:~~

- ~~A. A cash stipend as determined by the Superintendent shall be distributed to all teachers in the Corporation who are rated as Effective; and~~
- ~~B. A cash stipend in an amount that is twenty five percent (25%) more than the stipend given the teachers rated as Effective shall be distributed to all teachers in the Corporation who are rated as Highly Effective.~~
- ~~C. The Corporation will not set aside twenty percent (20%) of the TAG revenue for distribution to teachers with less than five (5) years of experience who were rated as "Highly Effective" or "Effective" during the latest evaluation period.~~

If the Corporation is the local educational agency (LEA) or lead school corporation that administers a special education cooperative or joint services program or a career and technical education program, including programs managed under I.C. 20-26-10, 20-35-5, 20- 37, or I.C. 36-1-7, then it shall award teacher appreciation grant stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers in the special education program or career and technical education program with respect to the teacher appreciation grant funds it receives on behalf of those teachers.

A stipend to an individual teacher in a particular year is not subject to collective bargaining and is in addition to the minimum salary or increases in the salary set under I.C. 20-28-9-1.5. The Corporation may discuss with a certificated employee or a group of certificated employees, at one (1) or more meetings open to all certificated employees, the policy for distribution of teacher appreciation grants.

The Corporation shall distribute all stipends from a teacher appreciation grant to individual teachers within sixty (60) ~~twenty (20)~~ business days of the date the IDOE distributes the teacher appreciation grant funds to the Corporation.

The Corporation shall return any part of the grant not distributed as stipends to teachers not later than June 30 of the applicable State fiscal year.

~~This policy shall be reviewed annually by the Board and shall be submitted to the IDOE annually by the Superintendent as indicated above.~~

Revised 8/8/19  
Reviewed 8/20/20  
Reviewed 8/19/21

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Legal I.C. 20-18-2-22  
I.C. 20-28-1-7  
I.C. 20-43-10-3.5

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - OUTSIDE ACTIVITIES OF STAFF
Code	po3231
Status	
Adopted	July 14, 2023

### **3231 - OUTSIDE ACTIVITIES OF STAFF**

The School Board directs the Superintendent to promulgate the following guidelines so that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the School Corporation. If non-school activities threaten a staff member's effectiveness within the school system, the Board reserves the right to evaluate the impact of such activity upon a staff member's responsibility to the students and to the Board.

- A. Staff members shall not give school time to an outside activity without valid reason to be excused from assigned duties.
- B. Staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. Staff members shall not campaign on school property during duty hours on behalf of any political issue or candidate for local, State, or National office except on election day at election polls on school property.
- D. Staff members may not accept fees for tutoring when such tutoring is conducted during the normal workday.
- E. Staff members may not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes in the same subject that they are teaching the student while the student is enrolled in their class.:-

### **Research and Publishing**

- A. Professional staff members are encouraged to contribute articles to professional publications and to engage in approved professional research.
- B. Publications and productions shall be subject to the following copyright provisions:
  - 1. Rights to copyrights or patents of books, materials, devices, etc. developed by professional staff members on their own time shall be relinquished by the Board upon request of the staff member provided that:
    - a. the books, materials, devices, etc. were prepared without the use of Corporation data, facilities, and/or equipment;
    - b. the Corporation is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
    - c. the staff member does not become involved in any way in the selling of the product to the Corporation.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the Superintendent.

Professional staff members who desire to publish or produce materials on their own time shall make such action known to the Superintendent prior to the time such work is started in order that proper procedures can be established to assure that Corporation interests and the interests of the staff member are protected.

2. All books, materials, devices, or products that ~~which~~ result from the paid work time and/or prescribed duties of professional staff members shall remain the property of the Corporation. The Corporation shall retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the Superintendent is authorized to secure copyrights, patents, etc. which shall ensure the ownership of the product by the Corporation.

The Superintendent is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

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Legal

I.C. 35-44-2-3(f)

Cross References

po3113 - CONFLICT OF INTEREST

po4113 - CONFLICT OF INTEREST

Book	Policy Manual
Section	For Board Review
Title	Rescind Policy - ANTI-HARASSMENT
Code	po3362
Status	
Adopted	June 21, 2001
Last Revised	August 19, 2021

## **Rescind Policy - Volume 38, No. 1 - Nondiscrimination - September 2025**

### **~~3362—ANTI-HARASSMENT~~**

#### **General Policy Statement**

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

~~The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the Corporation community as well as Third Parties who feel aggrieved to seek assistance to rectify such problems.~~

~~All Corporation employees, including administrators, professional staff and support staff, shall report any incident of alleged unlawful harassment (see definition above) occurring in the Corporation's employment opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's employment opportunities, programs and activities, affecting the Corporation environment that the employee observes or which is reported to the employee.~~

~~The Board will investigate all allegations of harassment and, in those cases where unlawful harassment is substantiated, take immediate steps to end the harassment, prevent its recurrence, and remedy its effects.~~

~~Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.~~

~~[ ] The Corporation will offer counseling services to any person found to have been subjected to unlawful harassment and, where appropriate, the person(s) who committed the unlawful harassment.~~

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

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

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

#### **Notice**

~~Notice of the Board's policy on anti-harassment related to employment practices and the identity of the Corporation's Compliance Officers will be posted throughout the Corporation and published in any Corporation statement regarding the availability of employment, staff handbooks, and general information publications of the Corporation as required by Federal and State law and this policy.~~

## **Definitions**

~~Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.~~

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who is alleged to have engaged in unlawful harassment, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged harassment.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday—Friday, excluding State-recognized holidays).

## **Sexual Harassment**

~~For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:~~

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

- ~~A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment;~~
- ~~B. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;~~
- ~~C. Such conduct has the purpose or effect of interfering with the individual's work performance or of creating an intimidating, hostile, or offensive working environment;~~

~~Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.~~

~~Sexual Harassment covered by Policy/AG 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266/AG 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities.~~

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

- ~~A. Unwelcome sexual propositions, invitations, solicitations, and flirtations;~~
- ~~B. Unwanted physical and/or sexual contact;~~
- ~~C. Threats or insinuations that a person's employment, wages, promotion, or other conditions of employment may be adversely affected by not submitting to sexual advances;~~
- ~~D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; ( ) unwelcome suggestive or insulting sounds or whistles; ( ) obscene telephone calls;~~

- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work environment, that reasonably may embarrass or offend individuals;
- F. Unwelcome and inappropriate touching, patting, or pinching; ( ) obscene gestures;
- G. Asking or telling about sexual fantasies, sexual preferences, or sexual activities;
- H. Speculation about a person's sexual activities or sexual history or remarks about one's own sexual activities or sexual history;
- I. Giving unwelcome personal gifts, such as lingerie, that suggest the desire for a romantic relationship;
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment;
- M. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent that it adversely affects, limits, or denies an individual's employment or creates a hostile or abusive employment environment.

### **Race/Color Harassment**

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

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

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

### **National Origin/Ancestry Harassment**

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

### **Disability Harassment**

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

## Corporation Compliance Officers

The following individuals serve as the Corporation's Compliance Officers (also known as "Anti Harassment Compliance Officer(s)") (hereinafter referred to as the "COs"):

~~{DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of harassment that pertains to the other CO. The Board must list either the Name or Title of the CO, while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.}~~

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

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\_\_\_\_\_  
{Address}

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{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

~~The names, titles, and contact information of these individuals will be published annually on the Corporation's website and:~~

- ~~A. ( ) in the student or parent and staff handbooks.~~
- ~~B. ( ) in the Corporation's Annual Report to the public.~~
- ~~C. ( ) on each individual school's website.~~
- ~~D. ( ) in the Corporation's calendar.~~
- ~~E. ( ) \_\_\_\_\_~~

~~The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment on the basis of a protected class.~~

~~The COs will oversee the investigation of any complaints of harassment based on a protected class which may be filed pursuant to the Board's adopted internal complaint procedure (see below) and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging harassment based on a protected class.~~

## Reports and Complaints of Unlawful Harassment and Retaliation

~~Students and Corporation employees are required, and all other members of the Corporation community and Third Parties are encouraged, to promptly report incidents of harassment based on a protected class to an administrator, supervisor, or other Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days. [NOTE: while students are advised to report discrimination/retaliation to administrators, supervisors, or other Corporation officials, the Board recognizes that some students may report discrimination/retaliation to a teacher. When a teacher receives such a report, the teacher must file it with the CO as indicated above.]~~

~~Members of the Corporation community and Third Parties who believe they have been unlawfully harassed by another member of the Corporation community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are not time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.~~

~~The COs will be available during regular school/work hours to discuss concerns related to harassment on the basis of a protected class. The COs shall accept reports of unlawful harassment directly from any member of the Corporation community or a Third Party and such reports that initially are made to another Corporation employee. Upon receipt of a report of alleged harassment, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged harassment) or designate a specific individual to conduct such a process.~~

~~The CO will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of harassment based on a protected class that are reported to them to the CO within two (2) business days of learning of the incident/conduct.~~

~~Any Corporation employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to a CO within two business (2) days. Additionally, any Corporation employee who observes an act of unlawful harassment is expected to intervene to stop the harassment unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the CO or designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the Complainant is under the age eighteen (18) within two (2) days to advise of the Board's intent to investigate the alleged harassment.~~

### **Investigation and Complaint Procedure (See Form 3362 F1)**

~~Except for Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the Corporation community or Third Party (e.g., visitor to the Corporation) who alleges to have been subjected to unlawful harassment or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of harassment based on a protected class or retaliation and a process for rendering a decision regarding whether the charges are substantiated.~~

~~Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.~~

~~Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).~~

~~The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC"). The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604; Telephone: 312 730 1560; FAX: 312 730 1576; TDD: 800 877 8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.~~

### **Informal Complaint Procedure**

~~The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a Corporation employee, other member of the Corporation community or Third Party who alleges unlawful harassment or retaliation. This~~

~~informal procedure is not required as a precursor to the filing of a formal complaint.~~

~~The informal process is available only in those circumstances where the Complainant and the Respondent mutually agree to participate in it.~~

~~The Complainant may proceed immediately to the formal complaint process, and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.~~

~~All complaints involving a Corporation employee, any other adult member of the Corporation community, or a Third Party and a student will be formally investigated.~~

~~As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the allegedly inappropriate conduct may file an informal or a formal complaint.~~

~~In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the CO may advise against the use of the informal complaint process.~~

~~A Complainant who alleges harassment based on a protected class or retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation-level employee.~~

~~All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.~~

~~The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:~~

- ~~A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the alleged Respondent.~~
- ~~B. Distributing a copy of Policy 3362—Anti Harassment to the individuals in the school building or office where the Respondent works or attends school.~~
- ~~C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.~~

~~While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.~~

~~If the Complainant is dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.~~

### **Formal Complaint Procedure**

~~If a complaint is not resolved through the informal complaint process, one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.~~

~~A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation official.~~

~~Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.~~

~~If a Complainant informs a teacher, Principal, Superintendent, or other Corporation official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the CO within two (2) business days.~~

~~Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.~~

~~All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.~~

~~If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.~~

~~Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including, but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.~~

~~Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful harassment or retaliation. (-) The Principal will not conduct an investigation unless directed to do so by the CO.~~

~~Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3362—Anti Harassment. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.~~

~~Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within fifteen (15) business days of receiving the formal complaint.~~

~~The investigation will include:~~

- ~~A. interviews with the Complainant;~~
- ~~B. interviews with the Respondent;~~
- ~~C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and~~
- ~~D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.~~

~~At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment of or retaliation toward the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful harassment or retaliation occurred, a preponderance of evidence standard will be used.~~

~~[+] The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

~~Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's decision will be delivered to both the Complainant and the Respondent.~~

~~If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.~~

~~If the Superintendent determines the Respondent engaged in harassment of or retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the harassment or retaliation. The corrective action should be reasonable, timely, age appropriate, effective, and tailored to the specific situation.~~

~~[ ] The decision of the Superintendent shall be final.~~

### **~~{OR}~~**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written Statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( ) \_\_\_\_\_.~~

~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.~~

### **~~{END OF OPTIONS}~~**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment or retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~The parties may be represented, at their own cost, at any of the above-described interviews/meetings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the OCR, the ICRC or the EEOC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

### **~~Privacy/Confidentiality~~**

~~The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and to comply with any discovery or disclosure obligations.~~

~~All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.~~

~~During the course of a formal investigation, the CO or designee will instruct all members of the Corporation community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.~~

### **~~Remedial Action and Monitoring~~**

~~If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken because of the discrimination, or other appropriate action.~~

~~The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.~~

### **~~Sanctions and Disciplinary Action~~**

~~The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further misconduct.~~

~~While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and any terms of the relevant collective bargaining agreement or student code of conduct.~~

~~When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.~~

### **Retaliation**

~~Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.~~

~~Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~

~~Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.~~

~~The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.~~

### **Education and Training**

~~In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and harassment in general will be age and content appropriate.~~

### **Retention of Investigatory Records and Materials**

~~The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:~~

- ~~A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;~~
- ~~D. written witness statements;~~
- ~~E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;~~
- ~~F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);~~
- ~~G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;~~

- H. ~~written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- I. ~~dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- J. ~~documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~
- K. ~~documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- L. ~~copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);~~
- M. ~~copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~[DRAFTING NOTE: The following options should be selected if the Corporation concludes that the following items are not adequately encompassed in the preceding paragraphs.]~~**

- N. ~~(-) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; [REMINDEr: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~
- O. ~~(-) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.~~

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Legal	29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
	29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended
	42 U.S.C. 1983
	42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964
	42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

29 C.F.R. Part 1635

National School Boards Association Inquiry and Analysis - May 2008

Book	Policy Manual
Section	For Board Review
Title	Replacement Policy - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po4122
Status	
Adopted	June 21, 2001
Last Revised	August 19, 2021

## Replacement Policy - Volume 38, No. 1 - Nondiscrimination - September 2025

### ~~4122—NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY~~

~~The School Board does not discriminate on the basis of race, color, national origin, sex (including gender status, sexual orientation and gender identity), disability, age, religion, military status, ancestry, genetic information, or any other legally protected category (collectively, "Protected Classes") in its programs, and activities, including employment opportunities.~~

~~Notice of the Board's policy on nondiscrimination and the identity of the School Corporation's Compliance Officer(s) (see below) will be published on the Corporation's website, posted throughout the Corporation, and included in the Corporation's recruitment statements or general information publications.~~

#### **Definitions**

~~Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.~~

**Complainant** ~~is the individual who alleges or is alleged to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.~~

**Respondent** ~~is the individual who is alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.~~

**Corporation community** ~~means students, Corporation employees (i.e., administrators, and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.~~

**Third Parties** ~~include but are not limited to guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation community at school related events/activities (whether on or off Corporation property).~~

**Day(s)** ~~Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday—Friday, excluding State recognized holidays).~~

**Military status** ~~refers to a person's status in the uniformed services, which includes the performance of duty on a voluntary or involuntary basis, in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty for training, full time National Guard duty, and performance of duty or training by a member of Indiana organized militia. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any duty listed above.~~

**Corporation Compliance Officer(s)**

The Board designates the following individuals to serve as the Corporation's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

~~[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of discrimination/retaliation that pertains to the other CO. The Board must list either the Name or Title of the CO, while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.]~~

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

The names, titles, and contact information of these individuals will be published annually on the Corporation's website and:

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- A. ~~( )~~ in the staff handbooks.
- B. ~~( )~~ in the Corporation's Annual Report to the public.
- C. ~~( )~~ on each individual school's website.
- D. ~~( )~~ in the Corporation's calendar.
- E. ~~( )~~ \_\_\_\_\_.

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The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ~~( )~~ Any sections of the Corporation's collectively bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. **[END OF OPTION]** A copy of each of the Acts and regulations on which this notice is based will be made available upon request from the CO.

## **Reports and Complaints of Unlawful Discrimination and Retaliation**

Employees are required to report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Corporation level official so that the Board may address the conduct. Any administrator, supervisor, or other Corporation level official who receives such a report shall provide it to the CO within two (2) days.

Discrimination against an individual based on their sex (including gender status, sexual orientation, and gender identity) is discrimination in violation of Title VII. Specifically, discrimination on the basis of sex stereotyping/gender nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior. Employment actions based upon an individual's sex could be suspect and potentially impermissible.

COs are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her gender status, sexual orientation, and gender identity.

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Any questions concerning whether alleged conduct might violate this prohibition should be brought to the CO's attention promptly.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the Corporation community or a Third Party and such reports that initially are made to an administrator, supervisor, or other Corporation level official. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and initiate either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct unless circumstances make such an intervention dangerous, in which case the employee should notify immediately other Corporation employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant within two (2) business days to advise the Complainant of the Board's intent to investigate the alleged wrongdoing.

### **Investigation and Complaint Procedures (See Form 4122-F2)**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC").

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal

~~complaint. The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.~~

~~The Complainant may proceed immediately to the formal complaint process, and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.~~

~~All complaints involving a Corporation employee or any other adult member of the Corporation community and a student will be investigated formally.~~

~~As an initial course of action, if a Complainant feels comfortable and safe doing so, the Complainant should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the inappropriate conduct may file an informal or a formal complaint.~~

~~In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.~~

~~A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation level employee.~~

~~All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.~~

~~The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:~~

- ~~A. Advising the Complainant about how to communicate concerns to the Respondent.~~
- ~~B. Distributing a copy of Policy 4122—Nondiscrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent works/attends school.~~
- ~~C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.~~

~~While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.~~

~~If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.~~

### **Formal Complaint Procedure**

~~If a complaint is not resolved through the informal complaint process, one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.~~

~~A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation official.~~

~~Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, the Superintendent, or other Corporation official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.~~

~~Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.~~

~~All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.~~

~~If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.~~

~~Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.~~

~~Within two (2) business days of receiving the formal complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.~~

~~Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 4122—Nondiscrimination and Equal Employment Opportunity. The Respondent also must be informed of the opportunity to submit a written response to the complaint within five (5) business days.~~

~~Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint.~~

~~The investigation will include:~~

- ~~A. interview(s) with the Complainant;~~
- ~~B. interview(s) with the Respondent;~~
- ~~C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and~~
- ~~D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.~~

~~At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.~~

~~**[ ]** The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

~~Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent either must issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final written decision will be delivered to both the Complainant and the Respondent.~~

~~If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.~~

~~If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age appropriate, effective, and tailored to the specific situation.~~

~~**[ ]** The decision of the Superintendent shall be final.~~

**{OR}**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( )~~

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~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.~~

## **~~[END OF OPTIONS]~~**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~The parties may be represented, at their own cost, at any of the above described interviews/meetings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the OCR, EEOC or ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

## **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

## **Remedial Action and Monitoring**

~~If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken due to the discrimination or other appropriate action.~~

The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

## **Sanctions and Disciplinary Action**

~~The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct.~~

~~While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.~~

## **Retaliation**

~~Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.~~

~~Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~

~~Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.~~

~~The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.~~

### **Education and Training**

~~In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.~~

### **Retention of Investigatory Records and Materials**

~~The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:~~

- ~~A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;~~
- ~~D. written witness statements;~~
- ~~E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;~~
- ~~F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);~~
- ~~G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) but not including transitory notes whose content is otherwise memorialized in other documents;~~
- ~~H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- ~~I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- ~~J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~

- K. ~~documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- L. ~~copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);~~
- M. ~~copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~[DRAFTING NOTE: The following options should be selected if the Corporation concludes that the following items are not adequately encompassed in the preceding paragraphs.]~~**

- N. ~~( ) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~
- 
- O. ~~( ) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~
- 
- P. ~~( ) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~
- 
- Q. ~~( ) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~
- 
- R. ~~( ) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.~~
- 

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.~~

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## **4122 - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT**

### **NONDISCRIMINATION**

The School Board (hereinafter referred to as "the Board" or "the Corporation") does not discriminate based on a person's Protected Class(es) in its education programs or activities and does not tolerate unlawful harassment. Protected Classes (which also may be referred to as Protected Categories) include race, color, national origin, sex (including pregnancy, childbirth, and related conditions), disability, age, religion, military status, ancestry, genetic information, or any other legally protected characteristics. The Board is an equal opportunity employer.

The Board is committed to providing a work environment that is free from Prohibited Conduct (as defined below), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute Prohibited Conduct, and addressing Prohibited Conduct in its education programs or activities. This commitment applies to all Corporation operations, and this policy applies to Prohibited Conduct occurring within or as a part of the Corporation's education programs and activities, whether on school property or at another location during an activity sponsored by the Board.

Persons who commit Prohibited Conduct are subject to the full range of disciplinary sanctions set forth in this policy.

The Board will provide persons who have experienced Prohibited Conduct ongoing remedies as reasonably necessary to restore or preserve access to the Corporation's education programs or activities.

All school employees share responsibility for avoiding, discouraging, and reporting any form of Prohibited Conduct.

The Board will take immediate action to address the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging Prohibited Conduct, or has participated in the grievance procedures described below.
- B. Filing a malicious or knowingly false report or complaint of Prohibited Conduct.
- C. Disregarding, failing to appropriately address, or delaying action to appropriately address allegations of Prohibited Conduct when responsibility for reporting and/or investigating such charges comprises part of one's administrative/supervisory duties.

**Definitions:**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant:**

- A. an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
- B. a person other than an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct and who was participating or attempting to participate in the Corporation's education programs or activities at the time of the alleged Prohibited Conduct.

**Complaint:** an oral or written request to the Corporation that objectively can be understood as a request for the Corporation to investigate and make a determination about alleged Prohibited Conduct.

**Corporation community:** students and Corporation employees (i.e., administrators and professional/classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., days that the Corporation office is open for normal operating hours, Monday–Friday, excluding Federal and State holidays).

**Disciplinary sanctions:** consequences imposed on a Respondent following a determination that the Respondent engaged in Prohibited Conduct.

**Education programs or activities:** all the Corporation's operations including but not limited to in-person and online, remote or virtual educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all programs and activities operated by the Corporation on school grounds or on other property owned or occupied by the Corporation. It also includes events and circumstances that take place off school property/grounds but over which the Corporation asserts disciplinary authority (e.g., at off-campus activities sponsored by the Corporation).

**Exculpatory evidence:** evidence that is favorable to a Respondent because it helps excuse, justify, or absolve a respondent of alleged wrongdoing and tends to establish that a Respondent did not engage in Prohibited Conduct.

**Genetic information:** information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

**Harassment:** any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an employee that (a) places the employee in reasonable fear of harm to their person or damage to their property; (b) has the effect of substantially interfering with the employee's work performance; or (c) has the effect of substantially disrupting the orderly operation of a school. Each of the following types of harassment involves unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's protected characteristic(s) and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

- A. **Age Harassment:** harassment based on negative perceptions about older workers. It also includes harassment based on stereotypes about older workers, even if they are not motivated by animus, such as pressuring an older employee to transfer to a job that is less technology-focused because of the perception that older workers are not well-suited to such work or encouraging an older employee to retire.
- B. **Disability Harassment:** harassment based upon a person's disability, including harassment based upon stereotypes about individuals with disabilities in general or about an individual's particular disability. It also includes harassment based on traits or characteristics linked to an individual's disability, such as how the person speaks, looks, or moves. For example, negative comments about an individual's speech patterns, movement, physical impairments, or defects/appearances, or the like. Disability-based harassment includes: (a) harassment because an individual requests or receives reasonable accommodation; (b) harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability or a record of disability; (c) harassment because an individual has a record of a disability, even if the individual currently does not have a disability; and (d) harassment based on the disability of an individual with whom the employee is associated. Finally, disability-based harassment may occur where conduct is directed at or pertains to a person's genetic information.
- C. **National Origin/Ancestry Harassment:** harassment due to a person's (or their ancestor's) place of origin. Such harassing conduct can include ethnic slurs or epithets, derogatory comments about individuals of a particular nationality, and use of stereotypes about a person's national origin. Additionally, it can include harassment regarding traits or characteristics linked to an individual's national origin, such as physical characteristics, ethnic or cultural characteristics or customs (e.g., surnames, attire, or diet), or linguistic characteristics (e.g., a person's manner of speaking, non-English language accent, or a lack of fluency in English).
- D. **Race/Color Harassment:** unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's race or color and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.
- E. **Religious (Creed) Harassment:** harassment based on a person's surname, religion (including atheism or lack of religious belief), religious traditions and practices, or religious dress/clothing, and includes making offensive comments about the same. It also includes religious slurs or epithets, harassing conduct based on religious stereotypes, and harassment associated with a person's request for and/or receipt of religious accommodation. Religious harassment also involves explicitly or implicitly coercing an employee to engage in religious practices at work.
- F. **Sexual Harassment** (for purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment; (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.
1. Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
  2. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
    - a. Conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or involving sexual activity (e.g., unwelcome sexual propositions, invitations, solicitations, and flirtations; unwanted physical and/or sexual contact, including unwelcome and inappropriate touching, patting, or pinching, and obscene gestures).
    - b. Sexual attention or sexual coercion, such as demands or pressure for sexual favors (e.g., threats or insinuations that a person's employment, wages, or other conditions of employment may be adversely affected by not submitting to sexual advances; giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin).
    - c. Rape, sexual assault, or other acts of sexual violence.

- d. Discussing or displaying visual depictions of sex acts or sexual remarks (e.g., unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts, etc.; sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work environment; asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities; speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history).
- e. A consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- f. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
- g. Non-sexual conduct based on sex, such as sex-based epithets; sexist comments (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or facially sex-neutral offensive conduct motivated by sex (such as bullying directed toward employees of one sex).
- h. Harassment based on pregnancy, childbirth, or related medical conditions, which may include issues pertaining to lactation, using or not using contraception, or deciding whether to have, or not to have, an abortion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be objectively offensive (a reasonable person would find it hostile or abusive), subjectively offensive (the complainant actually perceived it as abusive), and either sufficiently severe (a single extremely serious incident) or pervasive (a pattern of behavior), such that it adversely affects, limits, or denies an individual's employment or creates a hostile or abusive employment environment.

**Inculpatory evidence:** evidence that links a Respondent to alleged wrongdoing and tends to establish that a Respondent engaged in Prohibited Conduct (i.e., has culpability).

**Military status:** a person's past, current, or future membership, service, or obligation in a uniformed service (e.g., Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Officer Corps). Service in the uniformed services also means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty, and performance of duty or training by a member of the Indiana organized militia. It further includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

**Party:** a Complainant or Respondent.

#### **Pregnancy, childbirth, or related medical conditions:**

- A. "Pregnancy" and "childbirth" refer to the pregnancy or childbirth of a specific employee and include but are not limited to current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
- B. "Related medical conditions" are medical conditions relating to the pregnancy or childbirth of a specific employee and may include: termination of pregnancy, including via miscarriage, stillbirth, or abortion; ectopic pregnancy; preterm labor; pelvic prolapse; nerve injuries; cesarean or perineal wound infection; maternal cardiometabolic disease; gestational diabetes; preeclampsia; HELLP (hemolysis, elevated liver enzymes and low platelets) syndrome; hyperemesis gravidarum; anemia; endometriosis; sciatica; lumbar lordosis; carpal tunnel syndrome; chronic migraines; dehydration; hemorrhoids; nausea or vomiting; edema of the legs, ankles, feet, or fingers; high blood pressure; infection; antenatal (during pregnancy) anxiety, depression, or psychosis; postpartum depression, anxiety, or psychosis; frequent urination; incontinence; loss of balance; vision changes; varicose veins; changes in hormone levels; vaginal bleeding; menstruation; and lactation and conditions related to lactation, such as low milk supply, engorgement, plugged ducts, mastitis, or fungal infections. The preceding list of related medical conditions is not exhaustive.

**Prohibited Conduct:** unlawful discrimination or harassment based on a person's Protected Class(es) or retaliation. Such misconduct involves a violation of Federal and/or State civil rights laws.

**Relevant:** related to the allegations of Prohibited Conduct under investigation as part of the Board's grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged Prohibited Conduct occurred, and evidence is relevant when it may aid a decision-maker in determining whether the alleged Prohibited Conduct occurred.

**Remedies:** measures provided, as appropriate, to a Complainant or any other person the Corporation identifies as having had their equal access to the Corporation's education programs or activities limited or denied by Prohibited Conduct. These measures are provided to restore or preserve that person's access to the Corporation's education program or activity after the Corporation determines that Prohibited Conduct occurred.

**Respondent:** a person who is alleged to have engaged in Prohibited Conduct.

**Retaliation:** intimidation, threats, coercion, or discrimination against any person by the Corporation, a student, a Board employee, or any other person authorized by the Board to provide aid, benefit, or service under the Corporation's education programs or activities, for the purpose of interfering with any right or privilege secured by Federal or State law, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under applicable Federal or State laws or regulations.

**Supportive measures:** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to the Complainant or the Respondent before or after making a report or filing a complaint. Such measures are designed to restore or preserve that party's access to the Corporation's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Corporation's educational environment or deter Prohibited Conduct. Supportive measures may include modifications of work schedules, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings, training related to Prohibited Conduct, referral to Employee Assistance Program, and other similar measures.

**Third Parties:** guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation community at school-related events/activities (whether on or off Corporation property).

### **Pregnancy, Childbirth, and Related Medical Conditions**

The Board will not discriminate against an employee based on the person's current pregnancy, potential or intent to become pregnant, past pregnancy, or medical condition related to pregnancy or childbirth or because the person uses birth control or has had or not had an abortion.

Additionally, the Board will provide a reasonable accommodation to an employee's known limitation related to pregnancy, childbirth, or a related medical condition, unless the accommodation will cause the Corporation undue hardship.

The Board will treat pregnancy, childbirth, and related medical conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; accrual of seniority and any other benefit or service; reinstatement; and under any fringe benefit offered to employees by virtue of employment.

The Board will provide reasonable break time for an employee to express breast milk while at work for the first year after the employee's child's birth. The Board will provide the employee with a space, other than a bathroom, that is clean, shielded from view, free from intrusion from coworkers and the public, and which the employee can use as needed to express breast milk. See Board Policy 6700 – Fair Labor Standards Act.

### **Nondiscrimination Based on Employee's Genetic Information**

The Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of the individual's genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with GINA, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information,

including the individual's family medical history, in response to requests for medical information as part of the Corporation's application process.

The Corporation recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. However, the Corporation prohibits its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information while working.

If the Corporation either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.

The Corporation Compliance Officer (see below) shall be responsible for overseeing the Corporation's compliance with applicable Federal regulations and promptly handling any inquiries or complaints. The Corporation Compliance Office or designee also shall verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all Corporation requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the Americans with Disabilities Act ("ADA") or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of School Trustees, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

### **Corporation Compliance Officer(s)**

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Federal and State laws that prohibit discrimination, including harassment, based on Protected Classes and retaliation (also known as "Civil Rights Coordinator(s)" or "Anti-Harassment Compliance Officer(s)") (hereinafter referred to as the "Corporation Compliance Officer(s)" or "CO(s)"):

#### **SUPERINTENDENT PORTER TOWNSHIP SCHOOLS**

Address: 248 S 500 W, VALPARAISO, IN 46385

Telephone No.: (219) 477-4933, Ext. 1000

Email address: [superintendent@ptsc.k12.in.us](mailto:superintendent@ptsc.k12.in.us)

#### **ASSISTANT SUPERINTENDENT**

Address: 248 South 500 West, Valparaiso, IN 46385

Telephone No.: 219-477-4933 Ext. 1000

[assistant.superintendent@ptsc.k12.in.us](mailto:assistant.superintendent@ptsc.k12.in.us)

The Board designates the PTSC Superintendent as the individual who is ultimately responsible for oversight over the Board's compliance with applicable Federal and State laws and regulations that prohibit discrimination based on the basis of protected classes and retaliation.

The Corporation Compliance Officer may delegate specific duties to one (1) or more designees.

The contact information concerning the Corporation Compliance Officer(s) will be published on the Corporation's website.

Questions about this policy should be directed to the Corporation Compliance Officer(s).

The CO(s) is/are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, harassment, retaliation, or denial of equal opportunity/access. The CO(s) also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), Genetic Information Nondiscrimination Act ("GINA"), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Copies of the laws and regulations listed above are available upon request from the CO(s).

The CO(s) will be available during regular work hours to discuss concerns related to Prohibited Conduct, to assist employees, other members of the Corporation community, and third parties who seek support or advice when informing another individual about Prohibited Conduct, including unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The CO(s) shall monitor the Corporation's education programs and activities for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct pursuant to Federal and/or State laws that prohibit discrimination/harassment based on the basis of a Protected Class/Category and retaliation, and take steps reasonably calculated to address such barriers.

### **Notice of Nondiscrimination**

The Superintendent shall provide a notice of nondiscrimination to: students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the Notice of Nondiscrimination on the Corporation's website and in each handbook.

### **NOTIFICATION/REPORTS OF PROHIBITED CONDUCT**

Any person may provide information to the CO(s) concerning conduct that reasonably may constitute Prohibited Conduct. Such information may be submitted in person, by mail, by telephone, or by electronic mail using the CO's(s') published contact information, or by any other means (oral or written) that results in the CO(s) receiving the information. Information may be provided at any time (including during non-work hours).

All Corporation employees are required to notify the CO(s) of conduct that reasonably may constitute Prohibited Conduct. For the Board to fulfill its responsibilities under applicable Federal and/or State laws, if a Corporation employee has knowledge of conduct that reasonably may constitute Prohibited Conduct, the Corporation employee must notify the/a CO within two (2) days of learning the information or receiving the report. The Corporation employee also must comply with mandatory reporting responsibilities pursuant to I.C. 31-33-5-2 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Corporation employee's knowledge about the alleged Prohibited Conduct is based on another individual bringing the information to the Corporation employee's attention and the reporting individual submitted a written notification/report or complaint to the Corporation employee, the Corporation employee must provide the written notification/report or complaint to the CO.

Notification can be provided orally or in writing and should be as specific as possible. The person making the notification/report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a notification/report or Complaint involves allegations of Prohibited Conduct by or involving the CO, the person making the report (i.e., providing the notification or filing the complaint) should submit it to the Superintendent or another Corporation employee who, in turn, will notify the Superintendent of the report/complaint. The Superintendent will then serve in place of the CO for purposes of addressing that report of Prohibited Conduct.

When a Corporation employee notifies the CO of suspected Prohibited Conduct, the employee is required to report all known details about the alleged Prohibited Conduct including: (1) the name of the alleged Respondent(s); (2) the person who experienced the alleged Prohibited Conduct (i.e., the Complainant); (3) other persons involved in the alleged Prohibited Conduct (e.g., witnesses); and (4) any other relevant facts, such as date, time, and location. Failure to provide such notification may result in discipline, up to and including suspension or termination of employment.

Any allegations of misconduct not involving Prohibited Conduct as defined in this policy will be addressed through the procedures outlined in other Board policies, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

When a notification/report or complaint of Prohibited Conduct is made, the CO shall promptly (i.e., within two (2) days of the CO's receipt of the notification/report or complaint of Prohibited Conduct) contact the purported Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Complaint, and explain to the Complainant the process for filing a Complaint. The CO is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Corporation to provide the supportive measures.

## **GRIEVANCE PROCEDURES**

### **Overview:**

The Board adopts the following grievance procedures to provide for the prompt, effective, and equitable resolution of complaints made by employees, applicants, or other individuals who are participating or attempting to participate in the Corporation's education programs or activities (i.e., members of the Corporation community and third parties), or by the CO, alleging any act of Prohibited Conduct.

These grievance procedures shall be used for all complaints of Prohibited Conduct, unless it involves conduct involving a student, in which case the grievance procedures set forth in Policy 2260 or Policy 5517.01 shall apply. These grievance procedures set forth the means for investigating and resolving claims involving such Prohibited Conduct; in particular, the procedures provide a method for assessing – in a prompt, effective, and equitable manner – whether an applicable Federal or State law was violated and, if it was, how best to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.

Due to the sensitivity surrounding complaints of Prohibited Conduct, timelines are flexible for initiating the grievance procedures; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner.

Under all circumstances, the CO shall offer and coordinate supportive measures, as appropriate, in accordance with this policy.

### **Complaints:**

The following people may make a complaint of Prohibited Conduct – i.e., request that the Corporation investigate and determine whether Prohibited Conduct occurred:

#### **A. A "Complainant," which includes:**

1. an employee of the Corporation who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
2. a person other than an employee of the Corporation who is alleged to have been subjected to conduct that could constitute Prohibited Conduct at a time when that individual was participating or attempting to participate in the Corporation's education programs or activities;

#### **B. An authorized legal representative with the legal right to act on behalf of a Complainant;**

#### **C. Corporation Compliance Officer.**

A person is entitled to make a complaint of unlawful harassment only if they themselves are alleged to have been subjected to the unlawful harassment, or if the CO initiates a complaint.

With respect to complaints of Prohibited Conduct other than unlawful harassment, or complaints involving allegations of retaliation, in addition to the people listed above, the following persons have a right to make a complaint:

#### **A. any employee of the Corporation; or**

#### **B. any person other than an employee who was participating or attempting to participate in the Corporation's education programs or activities at the time of the alleged Prohibited Conduct.**

The Corporation may consolidate complaints of Prohibited Conduct against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of Prohibited Conduct arise out of the same facts or circumstances. When more than one (1) complainant or more than one

(1) respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

A person may file criminal charges simultaneously with filing a complaint. A person does not need to wait until the Corporation's internal grievance procedures are completed before filing a criminal complaint. Likewise, questions or complaints relating to alleged violations of applicable Federal or State laws may be filed with the U.S. Department of Education's Office for Civil Rights, the U.S. Department of Justice's Civil Rights Division, the U.S. Equal Employment Opportunity Commission, or the Indiana Civil Rights Commission at any time based on the underlying statutory basis for the complaint.

### **Basic Requirements:**

The Corporation will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of this Policy, including the Corporation Compliance Officer, the investigator, the decision-maker, and the appeal decision-maker, and the facilitator of the informal resolution process, shall be free from any conflicts of interest or bias for or against complainants or respondents generally, or an individual Complainant or Respondent.

The CO may serve simultaneously as an investigator and/or a decision-maker.

If the CO does not intend to serve as the investigator/decision-maker in a specific case, the CO shall designate one (1) or more administrators who are appropriately trained to serve in the role.

In circumstances when the CO and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons impair the CO and other trained administrators from serving as an investigator/decision-maker in a specific case, the CO shall, in consultation with the Superintendent or Board President (as appropriate), secure one (1) or more independent third parties to serve as the investigator and/or decision-maker.

The Corporation presumes that the Respondent is not responsible for the alleged Prohibited Conduct until a determination is made at the conclusion of its grievance procedures.

Under ordinary circumstances, the Board expects to complete the major stages of the grievance procedures within the timeframe specified below:

A. Evaluation – The Corporation Compliance Officer will determine whether to dismiss a Complaint or investigate it within 10 days of receiving the Complaint.

B. Investigation – The CO, or designated investigator/decision-maker, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) and issue a Determination (i.e., consider the relevant and not otherwise impermissible evidence and decide whether Prohibited Conduct occurred) within 20 days of the CO determining the charges require investigation.

If, however, the CO, or designated investigator/decision-maker, determines that the investigation is going to take longer, the CO will so notify the parties and the Superintendent and will thereafter keep the parties and the Superintendent informed of the status of the matter on a regular basis.

C. Appeal – A party filing an appeal of the CO's decision to dismiss a Complaint or the Determination must do so within 5 days of receiving the Dismissal or Determination.

The CO, or the Superintendent if the CO is the individual requesting an extension, may approve reasonable extensions of the preceding timeframes on a case-by-case basis for good cause with notice to the parties.

The Corporation will take reasonable steps to protect the privacy of the parties and witnesses. These steps will not restrict the ability of the parties to present evidence or otherwise participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The CO, or designated investigator/decision-maker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking such evidence, are impermissible (i.e., will not be accessed or considered, except by the Corporation to determine whether one (1) of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed voluntarily waived the privilege or confidentiality; and
- B. a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the Corporation obtains that party's or witness's voluntary, written consent for use in its grievance procedures.

**Notice of Allegations:**

Upon initiation of the Board's grievance procedures, the Corporation Compliance Officer shall notify the parties of the following:

- A. the Board's grievance procedures and informal resolution process associated with claims involving Prohibited Conduct;
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s); and
- C. retaliation is prohibited.

Should the CO decide, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the CO will provide a supplemental written notice describing the additional allegations to be investigated.

**Dismissal of a Complaint:**

The CO may dismiss a Complaint of Prohibited Conduct if:

- A. the Corporation is unable to identify the Respondent after taking reasonable steps to do so;
- B. the Respondent is not participating in the Corporation's education program or activity and is not employed by the Board;
- C. the Complainant voluntarily withdraws any or all of the allegations in the Complaint, the CO declines to initiate a Complaint, and the Corporation determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Prohibited Conduct even if proven; or
- D. the Corporation determines that the conduct alleged in the Complaint, even if proven, would not constitute Prohibited Conduct. Before dismissing the Complaint, the CO will make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the CO will promptly notify, in writing, the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, the CO will also simultaneously notify, in writing, the Respondent of the dismissal and the basis for the dismissal.

The CO will further notify the Complainant that a dismissal may be appealed and will provide the Complainant with an opportunity to appeal the dismissal of the Complaint. If the dismissal occurs after the Respondent has been notified of the allegations, then the CO will also notify the Respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the CO had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that would change the outcome.

If the dismissal is appealed, the CO will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;

- B. implement appeal procedures equally for the parties;
- C. ensure that the appeal decision-maker did not take part in the original dismissal of the Complaint;
- D. ensure that the appeal decision-maker has been trained consistent with this Policy;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a Complaint is dismissed, the CO will, at a minimum:

- A. offer supportive measures to the Complainant as appropriate;
- B. if the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within the Corporation's education programs or activities.

#### **Informal Resolution Process:**

In lieu of resolving a Complaint through the Board's formal grievance procedures, the parties may instead elect to participate in an informal resolution process. The Corporation will not offer an informal resolution to resolve a Complaint when such a process would conflict with Federal, State, or local law.

#### **Adding Allegations and/or Consolidating Complaints:**

If, in the course of an investigation, the Corporation decides to investigate additional allegations of Prohibited Conduct by the Respondent toward the Complainant that are not included in the original Notice of Allegations or to consolidate charges raised in a different Complaint involving the same Respondent, the CO will notify the parties of the additional allegations.

#### **Investigation:**

The Corporation will provide for an adequate, reliable, and impartial investigation of Complaints.

The burden is on the Corporation — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred.

The CO, or the designated investigator/decision-maker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The CO, or the designated investigator/decision-maker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible, regardless of relevance.

#### **Determination of Whether Prohibited Conduct Occurred:**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the CO or designated investigator/decision-maker will:

- A. Use the preponderance of the evidence standard of proof to determine whether Prohibited Conduct occurred. This standard of proof requires the decision-maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that Prohibited Conduct occurred, regardless of the quantity of the evidence, the decision-maker will not determine that Prohibited Conduct occurred.
- B. Notify the parties, in writing, of the determination whether Prohibited Conduct occurred, including the rationale for such determination, and the procedures and permissible bases for the Complainant and Respondent to appeal.
- C. Not impose discipline on a Respondent for Prohibited Conduct unless there is a determination at the conclusion of the grievance procedures that the Respondent engaged in Prohibited Conduct.

D. If there is a determination that Prohibited Conduct occurred, the CO will, as appropriate:

1. coordinate the provision and implementation of remedies to a Complainant and other people the Corporation identifies as having had equal access to the Corporation's education programs or activities limited or denied by the Prohibited Conduct;
2. coordinate the imposition of any disciplinary sanctions on a Respondent; and
3. take other appropriate prompt and effective steps to ensure that the Prohibited Conduct does not continue or recur within the Corporation's education programs or activities.

E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a Respondent.

F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement based solely on the determination of whether Prohibited Conduct occurred.

### **Appeal of Determinations:**

If a party disagrees with the decision-maker's determination as to whether Prohibited Conduct occurred, the party may file an appeal. Appeals must be submitted, in writing, within **5** days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the investigation occurred and the Determination was made; and
- C. the CO, or the designated investigator/decision-maker, had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent, that would change the outcome.

The Complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed.

The CO will designate an appeal decision-maker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained.

The CO has authority to secure an independent third party to serve as the appeal decision-maker.

If a party appeals the Determination, the CO will:

- A. notify the parties of the appeal;
- B. implement appeal procedures equally for the parties;
- C. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the Determination;
- D. provide the appeal decision-maker with the relevant and not otherwise impermissible evidence and the Determination; and
- E. notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

### **Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Dismissal or Determination**

When a party files an appeal, the party must set forth the reason(s)/basis/bases for the appeal, and the other party will have 5 days to provide the appeal decision-maker with a statement in support of their position. Once the decision-maker receives the statement (or the deadline for filing such a statement expires), the appeal decision-maker will have 10 days to issue a decision on the appeal.

While a party appealing a Determination may argue the reason/basis for the appeal is that new evidence has been discovered/obtained that would change the outcome and that said new evidence was not reasonably available when the Determination was originally made, the party may not submit the new or additional evidence during the appeal process. Rather, the party appealing should identify/describe, in detail, the evidence, including how and when it was

discovered/obtained, and explain why it was not reasonably available during the investigation (i.e., prior to the Determination). If the appeal decision-maker accepts the proffered explanation, the appeal decision-maker should remand the case back to the investigator/decision-maker (i.e., reopen the investigation) so the new evidence may be submitted and considered by the other party and the investigator/decision-maker.

The appeal decision-maker shall determine the outcome of the appeal based on the appeal decision-maker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence and the written determination) and the appeal decision-maker's application of the law and Board policy to the facts in the record. The appeal decision-maker must give due deference and due weight to the decision-maker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record, read in its entirety, compels a contrary conclusion. Generally, the appeal decision-maker is expected to uphold the original Determination unless the appeal decision-maker concludes the original Determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the original Determination.

The appeal decision-maker shall simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

The appeal decision-maker's decision shall be final.

### **Supportive Measures:**

The Corporation will offer and coordinate supportive measures as appropriate for the Complainant and/or Respondent to restore or preserve that person's access to the Corporation's education programs or activities or provide support during the grievance procedures and/or during the informal resolution process. For allegations of Prohibited Conduct other than prohibited harassment or retaliation, the Corporation's provision of support measures does not require the Corporation, Board employees, or any other person authorized to provide aid, benefit, or service on the Corporation's behalf to alter the alleged discriminatory/retaliatory conduct for the purpose of providing a supportive measure.

The CO shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the CO deems to be reasonably available. Supportive measures may include but are not limited to modifications of work schedules, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings, training related to Prohibited Conduct, and other similar measures.

Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties and/or the Corporation's educational environment, or to provide support during the Board's grievance procedures or the informal resolution process.

The Corporation will not impose such measures for punitive or disciplinary reasons.

The CO may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or the Corporation may continue them beyond that point.

A party may seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The Corporation will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the Corporation's education programs or activities, or as otherwise permitted under existing law and/or policy.

The Superintendent may place an employee Respondent on administrative leave from employment responsibilities during the pendency of the Board's grievance procedures.

### **Disciplinary Sanctions and Remedies:**

Following a determination that Prohibited Conduct occurred, the Corporation may impose disciplinary sanctions, which may include:

- A. oral or written warning;
- B. written reprimands;

- C. required counseling;
- D. required training or education;
- E. demotion;
- F. suspension with pay;
- G. suspension without pay
- H. termination; and
- I. any other sanction authorized by any applicable Board policy, Employee/Administrator Handbook, and/or collective bargaining agreement.

The Corporation also may provide remedies, which may include disciplinary sanctions/consequences. The CO will notify the Superintendent of the recommended remedies so an authorized administrator can consider the recommendation and implement appropriate remedies in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

### **Retaliation**

Retaliation against a person who makes a report, files a complaint alleging Prohibited Conduct or retaliation, or participates in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the U.S. Constitution, the Indiana Constitution, Federal or State law, or this policy or because the individual made a report or Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a Code of Conduct violation that does not involve Prohibited Conduct but arises out of the same facts and circumstances as a Complaint or information reported about possible Prohibited Conduct, for the purpose of interfering with the exercise of any right or privilege secured by Federal or State law constitutes retaliation. Retaliation against a person for making a Complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above. The Corporation shall initiate its grievance procedures upon receiving any complaint alleging retaliation.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation; provided, however, that a determination that Prohibited Conduct occurred, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations. The Corporation will keep confidential the identity of any individual who has made a Complaint of Prohibited Conduct, any Complainant, any individual who has been reported to be the perpetrator of Prohibited Conduct, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. Part 99, as required by law, or to carry out the purposes of relevant Federal or State law or regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Corporation's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigation and determination of whether Prohibited Conduct occurred). All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During an investigation, the CO or designated investigator/decision-maker will instruct each person who is interviewed

about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to other members of the Corporation Community or third parties any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against Prohibited Conduct by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action, up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where Prohibited Conduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the Corporation community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Prohibited Conduct based on expressive conduct that is protected by the First Amendment.

### **Training**

All employees, investigators, decision-makers, facilitators of informal resolution process, the Corporation Compliance Officer(s), and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under applicable Federal and State laws and this policy. The training shall not rely on stereotypes involving Protected Classes.

### **Recordkeeping (Including Retention of Investigatory Records and Materials)**

The Corporation Compliance Officer(s) is/are responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315 - Information Management) created and received as part of an investigation. Records and materials associated with the implementation of this policy shall be retained in accordance with Policy 8310 - Public Records, Policy 8315 - Information Management, Policy 8320 - Personnel Files, and Policy 8330 - Student Records for the period set forth below, unless required to be maintained for a longer period pursuant to the Corporation's records retention schedule.

The Corporation shall maintain, for a period of seven (7) calendar years, the following records:

- A. for each Complaint of Prohibited Conduct, records documenting the informal resolution process and/or the grievance procedures followed, and the resulting outcome;
- B. for each notification that the Corporation Compliance Officer receives of information about conduct that reasonably may constitute Prohibited Conduct, records documenting the actions the Corporation took to implement this policy; and
- C. all materials used to provide the training referenced above.

The information, documents, ESI, and electronic media (as defined in Policy 8315 - Information Management) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records, medical records).

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including but not limited to Corporation Compliance Officer, investigator, decision-maker, appeal decision-maker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of Corporation Compliance

Officer, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process.

The Superintendent may delegate functions assigned to a specific Corporation employee under this policy including but not limited to the functions assigned to the Corporation Compliance Officer, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

### **Discretion in Application**

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time and for any reason. The Board may apply policy revisions to an active case, provided that doing so is not clearly unreasonable.

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#### **Legal**

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

I.C. 20-28-10-12

I.C. 20-28-10-13

I.C. 20-33-1-6

I.C. 22-9-10, Employment Opportunities for Veterans and Indiana National Guard and Reserve Members

Fourteenth Amendment, U.S. Constitution

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 2000 et seq., Civil Rights Act of 1964

42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964

42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 1973

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

29 C.F.R. Part 1635, The GINA Regulations

34 C.F.R. Part 110, The Age Discrimination Act Regulations

Book	Policy Manual
Section	For Board Review
Title	Rescind Policy - NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po4122.02
Status	
Adopted	October 21, 2010
Last Revised	August 19, 2021

## **Rescind Policy - Volume 38, No. 1 - Nondiscrimination - September 2025**

### **~~4122.02 - NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE~~**

~~The School Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify applicants or employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of the person as an employee, based on genetic information. Harassment of a person because of genetic information also is prohibited. Likewise, retaliation against a person for identifying, objecting to, or filing a complaint concerning a violation of this policy is prohibited.~~

~~The identity of the Compliance Officer (see Policy 4122 - Nondiscrimination and Equal Employment Opportunity) shall be posted throughout the School Corporation and published in any Corporation statement regarding the prohibition of discrimination on the basis of genetic information in all aspects of employment, in any staff handbooks, and in general information publications of the Corporation as required by Federal and State law and on the Corporation website.~~

~~In accordance with Title II of the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff, et seq. and 29 C.F.R. 1635 ("GINA"), the Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with GINA, applicants and employees are directed not to provide genetic information, including that individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be provided as part of the certification process for FMLA leave or when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the Corporation's application for employment process. Employees and applicants for employment shall not be penalized for providing genetic information in good faith in response to a request from a Corporation employee or agent, unless that applicant or employee refuses to delete the information at the request of the employee or agent of the Corporation.~~

~~[ ] The Board recognizes that genetic information may be acquired through commercially and publicly available media including newspapers, books, magazines, periodicals, television shows or the Internet. The Board prohibits Corporation employees and agents, including commercial background investigation agents, from searching these sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information. If genetic information about an employee or applicant is obtained in error, it shall be redacted immediately and not shared beyond the point of first receipt.~~

~~As used in this policy, "genetic information," means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (family medical history); (d) an individual's request for or receipt of genetic services or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.~~

~~The term "genetic information" does not include information about the sex or age of the individual, the sex or age of family members, or information about the race or ethnicity of the individual or family member that is not derived from a genetic test.~~

~~As used in this policy, "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites that detect genotypes, mutations, or chromosomal changes. The term includes any test of a person's DNA/RNA.~~

~~If the Corporation's employees or agents legally and/or inadvertently receive genetic information about an employee or applicant, it shall be treated as a confidential medical record in accordance with law.~~

~~The Corporation's Compliance Officer (see Policy 4122—Nondiscrimination and Equal Employment Opportunity) is responsible for overseeing the Board's compliance with this policy and GINA and proposing revisions and additions to this policy as necessary to insure the Board's compliance with GINA. This person shall be responsible for working with the Board's legal counsel to fully implement the requirements of GINA in all activities of the Corporation. The Compliance Officer also shall verify that proper notice of nondiscrimination for Title II of GINA is provided to staff members and that all requests for health related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) are accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The written warning shall contain the information in the following sample notice:~~

### **~~Genetic Information Nondiscrimination Act of 2008 (GINA) Disclosure Requirement~~**

~~The Genetic Information Nondiscrimination Act of 2008 or "GINA" prohibits employers and other entities covered by the law, including the \_\_\_\_\_ School Corporation, from requesting or requiring genetic information about an employee or applicant or family member of an employee or applicant, except as specifically allowed by law. To comply with GINA, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. Questions concerning compliance with the requirements of GINA may be directed to the Compliance Officer at \_\_\_\_\_ [phone].~~

~~[ ] The Board offers health services, ( ) including a wellness program. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the Corporation and no applicant or employee shall be identified or identifiable from the reported information.~~

~~The grievance procedure for complaints of discrimination in Policy 4122 applies to complaints of discrimination, including harassment, or retaliation prohibited by GINA and may be utilized if a Corporation employee alleges discrimination or harassment on the basis of genetic information or retaliation for identifying, objecting to, or filing a complaint concerning a violation of GINA or this policy.~~

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Legal

42 U.S.C. 2000ff et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008

29 C.F.R. Part 1635

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - DRUG AND ALCOHOL TESTING OF CDL HOLDERS AND OTHER EMPLOYEES WHO PERFORM SAFETY-SENSITIVE FUNCTIONS
Code	po4162
Status	
Adopted	June 21, 2001
Last Revised	October 8, 2020
Prior Revised Dates	11/8/2018

#### **4162 - DRUG AND ALCOHOL TESTING OF CDL HOLDERS AND OTHER EMPLOYEES WHO PERFORM SAFETY-SENSITIVE FUNCTIONS**

The School Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with School Corporation-owned and/or operated ("Corporation-owned") vehicles (collectively, "Covered Employees") must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' health and well-being.

To that end, the Board has established this policy and others related to employees' health and well-being.

The Board expects all Drivers to comply with Board Policy 4122.01 - Drug-Free Workplace, which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.

Further, the board concurs with the Federal requirement that all Drivers should be free of any influence of alcohol or controlled substances while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Drivers.

#### **Covered Employees**

The term 'Covered Employee' means all commercial driver license (CDL) holders and regular and substitute bus drivers as well as other staff who operate, inspect, service, and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL.

#### **Definitions**

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

- A. The term "alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. This term is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test as described herein.
- B. The term "illegal drug" means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.

- C. ~~The term "controlled substance" includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.~~ The term **controlled substance** includes the possession or use of any drug which is unlawful pursuant to Federal, State and local laws and regulations, and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions. This term includes but is not limited to marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites, and phencyclidine (PCP).
- D. The term "controlled substance abuse" includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- E. The term "safety-sensitive functions" includes ~~all tasks associated with the operation and maintenance of Corporation-owned vehicles. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function: waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading Corporation-owned vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled Corporation vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.~~
- F. ~~The term "Covered Employee" means all commercial driver license (CDL) holders and regular and substitute bus drivers as well as other staff who operate, inspect, service, and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL. The Board expects all CDL holders to comply with Board Policy 4122.01 on Drug-Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all Covered Employees should be free of any influence of alcohol or controlled substances while on duty.~~ The term **Driver** means all CDL holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty, as well as other service employees who may drive students in Corporation-owned vehicles or inspect, repair, and maintain Corporation-owned vehicles, and employees who drive vehicles designed to transport sixteen (16) or more people, and are required to hold a CDL.
- G. The term **while on duty** means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time they are relieved from work and all responsibility for performing work.
- H. The term **CDL license holder** means all regular and substitute bus drivers, staff members who may drive students in Corporation-owned vehicles or inspect, repair, and maintain Corporation-owned vehicles, and staff members who drive vehicles designed to transport sixteen (16) or more people (including the driver), who are required to hold a CDL.
- I. The Board will not tolerate the possession, use, sale, or distribution of alcohol and/or any controlled substance or drug other than those approved for administration by the appropriate school personnel on school property, at any time. All CDL license holders must comply strictly with this policy. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substances while on duty.

~~The Board directs the Superintendent shall to~~ establish a drug and alcohol testing program whereby each Covered Employee is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opioids
- D. Amphetamines
- E. Phencyclidine (PCP)

The drug tests are to be conducted in accordance with Federal and State regulations and Administrative Guideline 4162A - Alcohol Testing Program for CDL Holders and Employees who Perform Safety-Sensitive Functions: a) prior to employment, for controlled substances only, b) for reasonable suspicion, c) upon return to duty after any alcohol or drug rehabilitation, d) post-accident, e) on a random basis, and f) on a follow-up basis.

The Superintendent shall require that the Corporation query the FMCSA's Drug and Alcohol Clearinghouse for current and prospective CDL holders' drug and alcohol violations before allowing a driver to operate a Corporation-owned and/or operated vehicle, consistent with Federal regulations, including consent requirements.

Any staff member who tests positive shall be prohibited from performing or continuing to perform his/her safety-sensitive functions (e.g., driving any Corporation-owned vehicle) immediately and be referred to the Corporation's Employee Assistance Program and subject to discipline, up to and including discharge, in accordance with Corporation guidelines and the terms of any applicable collective bargaining agreements. ~~No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completing any required treatment program, and passing a retest. Return to a safety-sensitive position is solely at the Corporation's discretion and the employee may be required to participate in ongoing services if recommended by the SAP. Any staff member who has tested positive for alcohol or a controlled substance will be provided with a list of SAPs available and acceptable to the Corporation.~~

No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completing any required treatment program, and passing a retest. Return to a safety-sensitive position is solely at the Corporation's discretion and the employee may be required to participate in ongoing services if recommended by the SAP. Any staff member who has tested positive for alcohol or a controlled substance will be provided with a list of SAPs available and acceptable to the Corporation.

Furthermore, if during any test the lab determines that an adulterant has been added to the specimen, then the test will be considered positive and the employee shall be prohibited from driving any Corporation-owned vehicle and be referred to the Corporation's Employee Assistance Program.

Any staff member who refuses to submit to a test shall be prohibited from performing or continuing to perform his/her safety-sensitive functions (e.g., driving any Corporation-owned vehicle) immediately.

Staff members who voluntarily disclose that they have an addiction to alcohol or controlled substances may participate in the Employee Assistance Program and will qualify for the receipt of medical insurance benefits for treatment of alcohol or substance abuse, including follow-up care, to the extent that such benefits are provided for or offered in the Corporation's health insurance package. Voluntary disclosure of an alcohol or drug addiction by a staff member will not subject the staff member to disciplinary action unless such disclosure is made after the staff member is selected to be tested or immediately prior to the selection of staff members to be tested. Nothing herein shall prevent the Board from disciplining a staff member for misconduct associated with his/her alcohol and/or drug use regardless of whether the employee has disclosed that their ~~s/he~~ has an alcohol or drug addiction.

If a staff member admits to failing a previous drug or alcohol test, or has refused to test, the staff member will not be permitted to perform safety-sensitive functions until completing the return-to-duty process.

A staff member will be subject to disciplinary action, up to and including termination, for any of the following reasons:

- A. reports for duty or performs work while consuming or possessing alcohol or drives a school bus or performs safety-sensitive functions within six (6) hours after consuming alcohol;
- B. reports for duty or performs work while consuming or possessing a controlled substance, or drives a school bus or performs safety-sensitive functions within six (6) hours after consuming a controlled substance, unless the controlled substance is consumed or possessed in accordance with a medical prescription issued by an Indiana physician to the staff member;
- C. refuses to disclose any therapeutic drug use or submit to drug and/or alcohol testing;
- D. alters or attempts to alter or unduly influence alcohol and/or drug testing results; or
- E. fails to remain readily available for post-accident testing (including refraining from the use of alcohol for eight (8) hours following the accident or until undergoing a post-accident alcohol test, whichever occurs first, and notifying their ~~his/her~~ supervisor of their ~~his/her~~ location, if the staff member leaves the scene of the accident prior to the submission of a post-accident test, unless the staff member's departure is to obtain necessary emergency medical care).

Prior to the beginning of the testing program, the Board shall provide a drug-free awareness program which will inform each Covered Employee about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. indicators of probable alcohol misuse and controlled substance abuse;
- C. Board Policy 4122.01 - Drug-Free Workplace, Policy 4161 - Unrequested Leaves of Absence/Fitness for Duty, Policy 4170 - Substance Abuse, and Policy 4170.01 - Employee Assistance Program;
- D. the sanctions that may be imposed for violations of Policy 4122.01.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at their ~~his/her~~ overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. Requests for a "split specimen" must be made within seventy-two (72) hours of receipt of the notification of a positive drug test. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under Federal law (i.e. test results shall be provided on a right to know basis - the employee, the employer, and the substance abuse professional - and the results shall not be presented until analyzed by a Medical Review Officer).

A tested individual, upon written request, will be provided copies of any records relating to their ~~his/her~~ use of drugs and alcohol, including any records pertaining to their ~~his/her~~ drug and alcohol tests, promptly. A tested individual must provide specific written consent before their ~~his/her~~ test result can be provided to any other person except as required by law.

All tests shall be conducted in accordance with Federal testing guidelines and be performed by a laboratory that is Federally certified (i.e., testing procedures and devices used will be as set forth in 49 C.F.R. Part 40)..

The alcohol and drug testing program shall be under the direction of the Superintendent.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse. The Superintendent shall arrange for periodic retraining of supervisors and staff members as necessary. The Superintendent shall provide a copy of this policy and testing guidelines to all Covered Employees and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the Corporation's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the Corporation, the MRO, and to Federal and State governments

The Superintendent also shall select the agency or persons who will conduct the alcohol breathalyzer tests, the Corporation's MRO, and the drug collection site(s) in accordance with the requirements of the law.

### **Notification**

A tested candidate shall be notified of the results of a pre-employment controlled substances test conducted under this part if the driver requests such results within sixty (60) calendar days of being notified of the disposition of the employment application.

A tested individual shall be notified of the results of random, reasonable suspicion and post-accident tests for controlled substances conducted under this policy if the test results are verified positive. The tested individual also shall be informed which controlled substance or substances were verified as positive.

The Superintendent shall make reasonable efforts to contact and request each driver who submitted a specimen under the employer's program, regardless of the driver's employment status, to contact and discuss the results of the controlled substances test with a medical review officer who has been unable to contact the driver.

The Superintendent shall notify the medical review officer immediately that the driver has been notified to contact the medical review officer within seventy-two (72) hours.

Individuals holding a CDL must notify all current employers of any DOT violations (such as testing positive for the presence of alcohol or a controlled substance in violation of this policy). The notification must be made (i) by the end of the business day following the day the individual first receives notice of the violation or (ii) prior to performing any safety-sensitive function, whichever comes first. Individuals are not required to notify the employer that administered the test or that documented the circumstances giving rise to the violation.

In the event that an individual is selected for testing, the Superintendent will inform the individual that the test is required by applicable law.

### **Reporting Test Results**

The Superintendent shall report all information required by Federal regulations to the Clearinghouse in a timely manner. The Superintendent shall prepare and maintain a summary of the results of the Corporation's alcohol and controlled substances testing programs performed under this policy during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers. Such summaries shall be submitted in a manner and timeline as required by law.

### **Educational Materials Related to Certain Federal Regulations, Board Policies, and Procedures**

CDL Holders and other employees who perform safety-sensitive functions will be provided educational materials that discuss the employer's policies and procedures with respect to post-accident information and positive test results, among other things, at the time of hire or at any time when required to operate a school vehicle. The educational materials shall explain the requirements of applicable Federal regulations and the Board's policies and Corporation's procedures with respect to meeting these Federal regulations. The Board designates the Director of Transportation as the individual responsible for providing educational materials to CDL Holders and other employees who perform safety-sensitive functions. The educational materials will include, at a minimum, the following:

- A. the contact information for the Director of Transportation, who is the individual designated by the Board to answer questions about the educational materials
- B. a statement that all CDL Holders and other employees who perform safety-sensitive functions are subject to Federal law addressing the misuse of alcohol and other controlled substances
- C. information sufficient to make clear to employees the period of the work day during which they are required to comply with the regulations
- D. information concerning prohibited conduct
- E. the circumstances under which employees are subject to testing for alcohol and/or controlled substances
- F. the procedures for testing for the presence of alcohol and controlled substances in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to confirm the results are attributed to the correct employee, including post-accident information, procedures, and instructions required under Federal regulations
- G. the requirement that staff members must submit to alcohol and controlled substance testing as required by the regulations
- H. an explanation of what constitutes a refusal to be tested for alcohol or controlled substances and the attendant consequences
- I. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation, and treatment
- J. the consequences for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04
- K. information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol problem (the employee's or a co-worker's); and available methods of intervening when a drug or alcohol and/or controlled substances problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management), and

- L. information regarding the requirement that certain personal information collected and maintained under Federal law be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse
- M. information indicating that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited on all Corporation property and at school-sponsored activities. Individuals are strictly prohibited from reporting to work or being on duty while under the influence of alcohol or a controlled substance.

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. Each staff member must sign a statement certifying receipt of such materials. A staff member who refuses to sign the requisite statement shall be prohibited from performing any safety-sensitive functions. Each employee (and a labor organization representing Corporation employees) shall receive written notice of the availability of this information, and the identity of the Board's designated representative in charge of answering employee questions about the materials.

#### **Return-to-Duty (Safety-Sensitive Positions)**

Employees who are removed from performing safety-sensitive functions as a result of this policy must take and pass a return-to-duty test before returning to performing safety-sensitive functions. The return-to-duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties. The employee will not be permitted to perform safety-sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than twenty-four (24) hours following administration of the return-to-duty test.

Employees also must comply with the SAP's written follow-up testing plan, which will be administered by the Corporation, or they will not be permitted to perform safety-sensitive duties.

Subject to any collective bargaining agreement or other legal requirements, employees who are eligible to return to performing safety-sensitive functions may not do so without the approval of the Superintendent.

Revised 9/18/03  
Revised 12/22/05  
Revised 2/21/08  
Revised 3/21/13  
Revised 11/8/18

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Legal	I.C. 20-27-8-1
	I.C. 20-27-8-3(b)
	34 C.F.R. Part 84
	49 C.F.R. Part 40
	49 C.F.R. Part 382

Book	Policy Manual
Section	For Board Review
Title	Rescind Policy - ANTI-HARASSMENT
Code	po4362
Status	
Adopted	June 21, 2001
Last Revised	August 19, 2021

## **Rescind Policy - Volume 38, No. 1 - Nondiscrimination - September 2025**

### **~~4362—ANTI-HARASSMENT~~**

#### **General Policy Statement**

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

~~The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the Corporation community as well as Third Parties who feel aggrieved to seek assistance to rectify such problems.~~

~~All Corporation employees, including administrators, professional staff and support staff, shall report any incident of alleged unlawful harassment (see definition above) occurring in the Corporation's employment opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's employment opportunities, programs and activities, affecting the Corporation environment that the employee observes or which is reported to the employee.~~

~~The Board will investigate all allegations of harassment and, in those cases where unlawful harassment is substantiated, take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects.~~

~~Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.~~

~~[ ] The Corporation will offer counseling services to any person found to have been subjected to unlawful harassment and, where appropriate, the person(s) who committed the unlawful harassment.~~

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

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

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

#### **Notice**

~~Notice of the Board's policy on anti-harassment related to employment practices and the identity of the Corporation's Compliance Officers will be posted throughout the Corporation and published in any Corporation statement regarding the availability of employment, staff handbooks, and general information publications of the Corporation as required by Federal and State law and this policy.~~

## **Definitions**

~~Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.~~

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who is alleged to have engaged in unlawful harassment, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged harassment.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday—Friday, excluding State-recognized holidays).

## **Sexual Harassment**

~~For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:~~

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

- ~~A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment;~~
- ~~B. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;~~
- ~~C. Such conduct has the purpose or effect of interfering with the individual's work performance or of creating an intimidating, hostile, or offensive working environment;~~

~~Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.~~

~~Sexual Harassment covered by Policy/AG 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266/AG 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities.~~

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

- ~~A. Unwelcome sexual propositions, invitations, solicitations, and flirtations;~~
- ~~B. Unwanted physical and/or sexual contact;~~
- ~~C. Threats or insinuations that a person's employment, wages, promotion, or other conditions of employment may be adversely affected by not submitting to sexual advances;~~
- ~~D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; ( ) unwelcome suggestive or insulting sounds or whistles; ( ) obscene telephone calls;~~

- ~~E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work environment, that reasonably may embarrass or offend individuals;~~
- ~~F. Unwelcome and inappropriate touching, patting, or pinching; ( ) obscene gestures;~~
- ~~G. Asking or telling about sexual fantasies, sexual preferences, or sexual activities;~~
- ~~H. Speculation about a person's sexual activities or sexual history or remarks about one's own sexual activities or sexual history;~~
- ~~I. Giving unwelcome personal gifts, such as lingerie, that suggest the desire for a romantic relationship;~~
- ~~J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;~~
- ~~K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;~~
- ~~L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment;~~
- ~~M. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.~~

~~Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent that it adversely affects, limits, or denies an individual's employment or creates a hostile or abusive employment environment.~~

### **~~Race/Color Harassment~~**

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

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

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

### **~~National Origin/Ancestry Harassment~~**

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

### **~~Disability Harassment~~**

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

## Corporation Compliance Officers

The following individuals serve as the Corporation's Compliance Officers (also known as "Anti Harassment Compliance Officer(s)") (hereinafter referred to as the "COs").

~~{DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of harassment that pertains to the other CO. The Board must list either the Name or Title of the CO, while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.}~~

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

\_\_\_\_\_  
\_\_\_\_\_  
{Name and/or Title}

\_\_\_\_\_  
\_\_\_\_\_  
{Address}

\_\_\_\_\_  
\_\_\_\_\_  
{Telephone No.}

\_\_\_\_\_  
\_\_\_\_\_  
{Email address}

The names, titles, and contact information of these individuals will be published annually on the Corporation's website and:

- A. ( ) in the student or parent and staff handbooks.
- B. ( ) in the Corporation's Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the Corporation's calendar.
- E. ( ) \_\_\_\_\_

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment on the basis of a protected class.

The COs will oversee the investigation of any complaints of harassment based on a protected class which may be filed pursuant to the Board's adopted internal complaint procedure (see below) and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging harassment based on a protected class.

## Reports and Complaints of Unlawful Harassment and Retaliation

~~Students and Corporation employees are required, and all other members of the Corporation community and Third Parties are encouraged, to promptly report incidents of harassment based on a protected class to an administrator, supervisor, or other Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days. [NOTE: while students are advised to report discrimination/retaliation to administrators, supervisors, or other Corporation officials, the Board recognizes that some students may report discrimination/retaliation to a teacher. When a teacher receives such a report, the teacher must file it with the CO as indicated above.]~~

~~Members of the Corporation community and Third Parties who believe they have been unlawfully harassed by another member of the Corporation community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are not time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.~~

~~The COs will be available during regular school/work hours to discuss concerns related to harassment on the basis of a protected class. The COs shall accept reports of unlawful harassment directly from any member of the Corporation community or a Third Party and such reports that initially are made to another Corporation employee. Upon receipt of a report of alleged harassment, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged harassment) or designate a specific individual to conduct such a process.~~

~~The CO will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of harassment based on a protected class that are reported to them to the CO within two (2) business days of learning of the incident/conduct.~~

~~Any Corporation employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to a CO within two business (2) days. Additionally, any Corporation employee who observes an act of unlawful harassment is expected to intervene to stop the harassment unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the CO or designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the Complainant is under the age eighteen (18) within two (2) days to advise of the Board's intent to investigate the alleged harassment.~~

### **Investigation and Complaint Procedure (See Form 4362 F1)**

~~Except for Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the Corporation community or Third Party (e.g., visitor to the Corporation) who alleges to have been subjected to unlawful harassment or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of harassment based on a protected class or retaliation and a process for rendering a decision regarding whether the charges are substantiated.~~

~~Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.~~

~~Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).~~

~~The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC"). The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604; Telephone: 312-730-1560; FAX: 312-730-1576; TDD: 800-877-8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.~~

### **Informal Complaint Procedure**

~~The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a Corporation employee, other member of the Corporation community or Third Party who alleges unlawful harassment or retaliation. This~~

~~informal procedure is not required as a precursor to the filing of a formal complaint.~~

~~The informal process is available only in those circumstances where the Complainant and the Respondent mutually agree to participate in it.~~

~~The Complainant may proceed immediately to the formal complaint process, and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.~~

~~All complaints involving a Corporation employee, any other adult member of the Corporation community, or a Third Party and a student will be formally investigated.~~

~~As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the allegedly inappropriate conduct may file an informal or a formal complaint.~~

~~In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the CO may advise against the use of the informal complaint process.~~

~~A Complainant who alleges harassment based on a protected class or retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation-level employee.~~

~~All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.~~

~~The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:~~

- ~~A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the alleged Respondent.~~
- ~~B. Distributing a copy of Policy 4362—Anti Harassment to the individuals in the school building or office where the Respondent works or attends school.~~
- ~~C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.~~

~~While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.~~

~~If the Complainant is dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.~~

### **Formal Complaint Procedure**

~~If a complaint is not resolved through the informal complaint process, one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.~~

~~A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation official.~~

~~Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.~~

~~If a Complainant informs a teacher, Principal, Superintendent, or other Corporation official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the CO within two (2) business days.~~

~~Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.~~

~~All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.~~

~~If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.~~

~~Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including, but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.~~

~~Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful harassment or retaliation. (-) The Principal will not conduct an investigation unless directed to do so by the CO.~~

~~Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 4362 Anti Harassment. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.~~

~~Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within fifteen (15) business days of receiving the formal complaint.~~

~~The investigation will include:~~

- ~~A. interviews with the Complainant;~~
- ~~B. interviews with the Respondent;~~
- ~~C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and~~
- ~~D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.~~

~~At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment of or retaliation toward the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful harassment or retaliation occurred, a preponderance of evidence standard will be used.~~

~~[+] The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

~~Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's decision will be delivered to both the Complainant and the Respondent.~~

~~If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.~~

~~If the Superintendent determines the Respondent engaged in harassment of or retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the harassment or retaliation. The corrective action should be reasonable, timely, age appropriate, effective, and tailored to the specific situation.~~

~~[ ] The decision of the Superintendent shall be final.~~

## **{OR}**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written Statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( ) \_\_\_\_\_.~~

~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.~~

## **{END OF OPTIONS}**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment or retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~The parties may be represented, at their own cost, at any of the above-described interviews/meetings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the OCR, the ICRC or the EEOC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

## **Privacy/Confidentiality**

~~The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and to comply with any discovery or disclosure obligations.~~

~~All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.~~

~~During the course of a formal investigation, the CO or designee will instruct all members of the Corporation community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.~~

## **Remedial Action and Monitoring**

~~If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken because of the discrimination, or other appropriate action.~~

~~The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.~~

## **Sanctions and Disciplinary Action**

~~The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further misconduct.~~

~~While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and any terms of the relevant collective bargaining agreement or student code of conduct.~~

~~When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.~~

~~Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.~~

### **Retaliation**

~~Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.~~

~~Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~

~~Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.~~

~~The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.~~

### **Education and Training**

~~In support of this Anti Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and harassment in general will be age and content appropriate.~~

### **Retention of Investigatory Records and Materials**

~~The CO is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:~~

- ~~A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;~~
- ~~C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;~~
- ~~D. written witness statements;~~
- ~~E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;~~
- ~~F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);~~

- G. ~~notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;~~
- H. ~~written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- I. ~~dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- J. ~~documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~
- K. ~~documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- L. ~~copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);~~
- M. ~~copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

- N. ~~(-) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~
- O. ~~(-) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.~~

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42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964

42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

29 C.F.R. Part 1635

National School Boards Association Inquiry and Analysis - May 2008

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION
Code	po5111
Status	
Adopted	December 22, 2005
Last Revised	April 10, 2025

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

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

- A. The Board will educate, tuition-free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Corporation, the student may be enrolled without payment of tuition.
- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition-free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.
- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition-free.
- E. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. If a student's legal settlement is changed after the student has begun attending school in the Corporation in any school year, the effective date of withdrawal from the Corporation may, at the election of the parent, the student (if the student is at least eighteen years of age), or a juvenile court conducting a proceeding under IC 31-34-20-5, IC 31-34-21-10, IC 31-37-19-26, or IC 31-37-20-6 (or IC 31-6-4-18.5 before its repeal), be extended to the end of the semester in which the change of legal settlement occurred. At the discretion of the Superintendent, the effective date of withdrawal from the Corporation may be extended to the end of that school year.

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

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

- G. The School Corporation shall maintain proof of Indiana residency for each student enrolled in the Corporation whom the Corporation counts for membership in the ADM count. This documentation of Indiana residency shall be placed in the student's electronic or hard copy file. (See also Policy 6250 - Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership.)

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

#### **I. Children of Divorced Parents**

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

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

- J. A student who has been expelled from another school corporation or who is expelled from a nonpublic school or withdraws from a public or a nonpublic school to avoid expulsion may not be enrolled in the Corporation during the actual or proposed expulsion.
- K. Students whose parents do not have legal settlement within the Corporation but who present evidence that they will move into the Corporation within a short period of time may enroll in the schools of this Corporation as tuition free students for the time not in residence.
- L. Students who do not have legal settlement may/will be enrolled in the special education program of this Corporation pursuant to the provisions of a Cooperative agreement.

#### **Transfer Students**

##### **Transfer Student Whose Parent Is Employed by the Corporation:**

The Corporation shall accept a transferring student who does not have legal settlement in the Corporation and whose parent is a current employee of the Corporation who resides in Indiana.

##### **Nonpublic School Transfer Student**

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

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

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

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

- A. The Board or Board's designee will establish the number of transfer students that can be accepted in each building and grade level.
- B. The Board or Board's designee will establish a date by which requests to enroll a transfer student must be submitted to the Superintendent. This date shall be submitted to the Indiana Department of Education and published on the Corporation Internet website.

C. Requests to enroll a student without legal settlement in the Corporation shall not be denied if the student to be transferred:

1. has been enrolled in the Corporation in the prior school year;
2. is a member of a household in which any other member of the household is a student in the transferee school; or
3. has a parent who is an employee of the Corporation

D. If the number of requests to enroll in each building and grade level exceeds the number established by the Board reduced by the number of transfers that may not be denied as described in paragraph (C) above, the students to be enrolled in each building and grade level shall be determined by random selection in which each application submitted on or before the date established by the Board pursuant to paragraph (A) above has an equal chance of being selected.

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

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

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

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

All due process procedures applicable to Corporation students who are subject to discipline, including the expulsion procedure in I.C. 20-33-8-19, apply to transfer students during the school year. (See Board Policy 5610 - Suspension and Expulsion of Students)

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

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

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

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

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

Revised 1/19/06  
Revised 10/21/10  
Revised 6/20/13  
Revised 5/12/16  
Revised 3/12/20  
Revised 10/8/20  
Revised 3/11/21  
Revised 8/19/21  
Revised 7/14/23

## Legal

I.C. 20-18-2-11 (legal settlement defined)

I.C. 20-33-2-12 (transfer to another accredited or non-accredited school)

I.C. 20-33-8-17 (expulsion for lack of legal settlement)

I.C. 20-26-11-1 (residence defined)

I.C. 20-26-11-2

I.C. 20-26-11-2.5 (divorced parent election)

I.C. 20-26-11-6(e) (option to not charge transfer tuition)

I.C. 20-26-11-6.5 (children of school employees)

I.C. 20-26-11-6.7 (nonpublic school students)

I.C. 20-26-11-32 (student transfer requests, HEA 1381 2013; SEA 108 - 2017)

I.C. 20-26-11-33 (non-transfer student attending alternative education program)

Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)

Divorced Parents Agreement:

<http://www.doe.in.gov/sites/default/files/legal/formiii.pdf>

Third Party Agreement:

<http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf>

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - ATTENDANCE
Code	po5200
Status	
Adopted	June 21, 2001
Last Revised	July 11, 2024

## 5200 - **ATTENDANCE**

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

**Attendance** shall mean being physically present in a school or at another location where the school's educational program is being conducted during regular school hours on a day on which the educational program in which the student is enrolled is being offered.

Attendance shall be required of all School Corporation students, except those exempted under other provisions of Federal or State law, during the days and hours that school is in session or during the sessions to which the student has been assigned.

Exceptions to compulsory attendance that shall be recognized by the Corporation as provided by State statute are:

- A. service as a page or honoree of the general assembly (I.C. 20-33-2-14);
- B. service on a precinct election board or helper to a political candidate or a political party on the date of an election (I.C. 20-33-2-15);
- C. subpoena to appear in court as a witness in a judicial proceeding (I.C. 20- 33-2-16);
- D. service in active duty with the Armed Forces of the United States, including their reserve components, or the Indiana National Guard for not more than ten (10) days (I.C. 20-33-2-16);
- E. participating as a member of the Indiana wing of the Civil Air Patrol for not more than five (5) days (I.C. 20-33-2-17.2);
- F. exhibiting or participating in the Indiana State Fair for educational purposes by a student or member of the student's household for not more than five (5) school days provided that the student is in good academic standing as determined by the Corporation, the student's parent has requested the absence in writing, and the school principal has provided written approval for the absence (I.C. 20-33-2-17.7);
- G. participating in an educationally related non-classroom activity that is consistent with and promotes the educational philosophy and goals of the Corporation and the State Board of Education, facilitates the attainment of specific educational objectives, is part of the goals and objectives of an approved course or curriculum, represents a unique educational opportunity, cannot reasonably occur without interrupting the school day, and is approved in writing by the school principal (I.C. 20-33-2-17.5).
- H. participating in a scheduled competition, exhibition, or event offered by: 1) the National FFA Organization, 2) the Indiana FFA Association, or 3) a 4-H club for not more than six (6) school days provided that the student is in good academic standing as determined by the Corporation, the student's parent has requested the absence in writing, and the school Principal has provided written approval for the absence (I.C. 20-33-2-17.8).

For any of these exceptions a student shall not be recorded as absent from school.

Additionally, the Board shall allow a 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 for not more than 120 minutes per week if an elementary school student and for not more than the amount of time that is equivalent to attending one (1) elective course at the public secondary school during the week if a secondary school student for the student to receive religious instruction if the student's parent makes a written request for such absence to the school principal and the school principal approves that request. A student who is receiving religious instruction as indicated herein shall not be recorded as absent from school.

### **Excused/Parent or Guardian Verified/Unexcused Absences**

Excused, parent or guardian verified, and unexcused absences shall be defined in the Porter Township School Corporation Student Handbook. The handbook can be accessed at [www.ptsc.k12.in.us](http://www.ptsc.k12.in.us)

Repercussions for excessive absences shall be defined in the Porter Township School Corporation Handbook. The handbook can be accessed at [www.ptsc.k12.in.us](http://www.ptsc.k12.in.us)

### **Truancy and Habitual Truants**

**Truancy** shall mean an absence from school that is not an excused absence as stated above or that is not an absence under a parent request that has been filed with the school.

**Habitual Truant** shall mean a student who has been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.

The Superintendent, Corporation attendance officer, a security police officer appointed under I.C. 36-8-3-7, or a Corporation police officer appointed under I.C. 20-26-16 shall report a child who is a habitual truant to the prosecuting attorney in the county in which the student resides by filing an affidavit as provided in I.C. 20-33-2-26. Each of the aforementioned individuals has an independent duty to file such an affidavit under State law. The Superintendent or Corporation attendance officer also shall report a student who is habitually absent from school in violation of the compulsory school attendance law to an intake officer of the juvenile court of the Indiana Department of Child Services (DCS).

### **Truancy Prevention**

**Truancy Prevention Measures** shall mean actions designed to address truancy before a student becomes a habitual truant and to minimize the need for referrals to a voluntary truancy prevention program or reports to a juvenile court.

For purposes of the Corporation's truancy prevention measures, **absent student** shall mean a student who is absent from school five (5) days within a ten (10) week period without being excused or absent in conformity with a note on file from the student's doctor, therapist, or other authorized professional requesting frequent absences be excused under the student's individualized education program (IEP), service plan developed under 511 IAC 7-34, choice scholarship education plan developed under 51 IAC 7-49, or Section 504 plan. When a student is identified as an absent student under this policy, the school that the student attends shall:

A. Immediately provide written notification to the student's parent that:

1. The student has been identified as an absent student based on the student's school attendance.
2. The parent is responsible for monitoring the student's school attendance and ensuring the student attends school, in accordance with compulsory attendance laws.
3. The school will be initiating truancy prevention measures for the student.
4. The parent is required to attend an attendance conference regarding the truancy prevention measures that the school will be implementing for the student.
5. If the student meets the definition of a habitual truant:
  - a. the Superintendent or Corporation attendance officer is required to report the student to an intake officer of the juvenile court or DCS in accordance with I.C. 20-33-2-25
  - b. the juvenile court may determine that the student is committing a delinquent act as provided under I.C. 31-37-2-3; and

c. the student's parent may be subject to prosecution under I.C. 35-46-1-4.

B. Hold an attendance conference with at least the following individuals to discuss the student's absences and establish a plan for the student to prevent future absences:

1. A representative of the school.
2. A teacher of the student.
3. The student's parent.
4. A representative chosen by the student's parent who may provide insight into the student's absenteeism if the student's parent makes a request to the school that the representative attend and provides notice to the school regarding the identification of the representative at least forty-eight (48) hours before the attendance conference.

The attendance conference shall be held not more than ten (10) ~~five (5)~~ instructional days after the student's fifth absence in a ten (10) week period regardless of whether the parent or the parent's chosen representative is able to attend the conference. The school shall make all reasonable efforts to hold the attendance conference on a date and at a time that works with the schedule of the student's parent.

C. At the attendance conference, establish a plan for the student to prevent future absences that may include the following:

1. Any wraparound services that are able to be provided to the absent student to ensure the absent student attends school.
2. A specific description of the behavior that is required or prohibited for the absent student.
3. The period for which the plan will be effective, not to exceed forty-five (45) instructional days after the date it is established.
4. Any additional disciplinary action the school will take if the absent student does not comply with the plan.
5. If applicable, a referral to counseling, mentoring, or other services for the student.
6. If applicable, whether a parent is expected to attend the counseling, mentoring, or other services with the student.

The school representative shall ask the absent student's parent to sign the plan indicating the parent's agreement to comply with its terms.

D. Offer additional counseling services to an absent student if the school determines that the student's absences are related to any of the following:

1. The student's pregnancy.
2. The student is in foster care (as defined in I.C. 31-9-2-46.7).
3. The student is homeless.
4. The student has a severe or life-threatening illness or related treatment.

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

- A. provide a school session that is in conformity with the requirements of the law;
- B. permit students absent for any excusable reason to have an opportunity to make up work they missed;
- C. govern the maintenance of attendance records in accordance with the rules of the State Board;
- D. provide that any student who, due to a physical or mental impairment, exceeds or may exceed the Corporation's limit on excused absences is to be referred for an evaluation to determine eligibility under either the Individuals with

Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

Such guidelines shall provide that a student's grade in any course is based on performance in the instructional setting and is not reduced for misconduct. If a student violates the Corporation's attendance policy or other school rules, the student shall be disciplined appropriately for the misconduct, but grades shall be based upon what the student can demonstrate has been learned.

Such guidelines also shall provide for reporting to the Bureau of Motor Vehicles those students who have been suspended for the second time during a school year, are expelled, or are considered dropouts under I.C. 20-33-2-28.5.

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

- A. identifies the habitual truant, that is, a student who has been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school;
- B. investigates the cause(s) of the student's truant behavior;
- C. considers, when appropriate, modification of the student's educational program to meet particular needs that may be causing the truancy;
- D. provides for the discipline of truant students in accordance with the Corporation's policies and administrative guidelines on student discipline;
- E. provides for reporting to the Bureau of Motor Vehicles those students who are habitual truants as provided in I.C. 20-33-2-11.

No student shall be suspended or expelled solely because the student is chronically absent or a habitual truant. However, a student who attends a virtual education program operated by the Corporation who is a habitual truant shall be withdrawn from enrollment in the virtual education program.

The Superintendent shall make available to all parents and adult or emancipated students the Board's policy and the Corporation's administration guidelines on attendance.

Revised 1/16/03

Revised 1/19/06

Revised 6/4/08

Revised 3/21/13

Revised 5/12/16

Revised 8/10/17

Revised 3/8/18

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Legal

I.C. 9-24-2-1

I.C. 9-24-2-4

I.C. 20-18-2-6.5

I.C. 20-26-16

I.C. 20-33-2-11

I.C. 20-33-2-14

I.C. 20-33-2-15

I.C. 20-33-2-17

I.C. 20-33-2-17.5

I.C. 20-33-2-17.7

I.C. 20-33-2-25

I.C. 20-33-2-26  
I.C. 20-33-2-28.5  
I.C. 31-9-2-46.7  
I.C. 31-37-2-3  
I.C. 36-8-3-7  
511 IAC 1-3-1  
511 IAC 6-7.1-8  
511 IAC 6-7.1-9

Cross References

po2370 - EDUCATIONAL OPTIONS  
po5111.01 - HOMELESS STUDENTS  
po5111.03 - CHILDREN AND YOUTH IN FOSTER CARE  
po5223 - RELEASED TIME FOR RELIGIOUS INSTRUCTION

Book	Policy Manual
Section	For Board Review
Title	Replacement Policy - STUDENT SUICIDE AWARENESS AND PREVENTION
Code	po5350
Status	
Adopted	June 21, 2001
Last Revised	May 9, 2024

## Replacement Policy - Volume 38, No. 1 - September 2025

### ~~5350—STUDENT SUICIDE AWARENESS AND PREVENTION~~

~~The School Board recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. Students who experience depression cannot benefit fully from the educational program of the School Corporation, and students who have attempted self-destruction pose a danger both to themselves and to other students. This Board policy is intended to increase child suicide awareness and prevention.~~

~~All Corporation personnel shall be alert to the student who exhibits signs of extreme depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member shall be taken with the utmost seriousness and may warrant follow-up based on implementation of the intervention procedure described below.~~

~~The Superintendent shall make available to families in the Corporation information concerning suicide prevention services in the community. The Superintendent shall encourage cooperation among the Corporation and suicide prevention services in the community.~~

~~The Superintendent shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:~~

~~Step 1—Stabilization~~

~~Step 2—Assess the Risk~~

~~Step 3—Take Appropriate Action Based on the Risk~~

~~Step 4—Communicate with Appropriate Parties~~

~~Step 5—Follow up~~

~~Take Appropriate Action Based on the Risk in Step 3 shall include providing referral information about appropriate crisis intervention services or facilities to students, parents, and Corporation staff.~~

~~Follow up in Step 5 and the suicide post-intervention process shall include the development of a plan to assist survivors of attempted suicide and to assist students and Corporation staff in coping with an attempted suicide or death of a student or Corporation employee. The plan may include counseling services for the student and the student's family related to suicide prevention.~~

~~The Corporation shall offer to students, parents, and staff in the Corporation training on warning signs and tendencies that may evidence that a student is considering suicide, including increasing awareness of the relationship between suicide and drug and alcohol use.~~

~~The Superintendent shall confirm that all Corporation teachers [ ] and any other appropriate Corporation employees [END OF OPTION] who are employed at schools that provide instruction to students in any combination of grades 5-12 attend or participate in at least two (2) hours of research-based in-service youth suicide awareness and prevention training program~~

~~every three (3) school years. The training required under this policy shall be held during the teacher's or Corporation employee's contracted day or at a time chosen by the teacher or employee. For purposes of this policy, "teacher" includes the following:~~

- ~~A. a superintendent who holds a license under I.C. 20-28-5;~~
- ~~B. a principal;~~
- ~~C. a teacher;~~
- ~~D. a librarian;~~
- ~~E. a school counselor;~~
- ~~F. a school psychologist;~~
- ~~G. a school nurse;~~
- ~~H. a school social worker.~~

~~The format of this training may include an in-person presentation, an electronic or technology-based medium, including self-review modules available on an online system, an individual program of study of designated materials, or any other method approved by the Board that is consistent with current professional development standards. The in-service training required under this section shall count toward the requirements for professional development required by the Board. The research-based youth suicide awareness and prevention training program required under this policy shall be demonstrated to be effective or a promising program and recommended by the Indiana Suicide Prevention Network Advisory Council.~~

~~The Corporation may leverage any~~

- ~~A. existing or new State and Federal grant funds; or~~
- ~~B. free or reduced-cost evidence-based youth suicide awareness and prevention training provided by any State agency or qualified Statewide or local organization~~

~~to cover the costs of the training required under this Policy.~~

~~The Superintendent shall develop any other program or activity that is appropriate to increase child suicide awareness and prevention.~~

~~The parent of a student in the Corporation shall be allowed to review any materials used in any bullying prevention or suicide prevention program.~~

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

~~Kelson v. City of Springfield, 767 F.2d 651 (9th Cir. 1985)  
I.C. 20-26-5-34.4  
I.C. 20-28-3-6  
I.C. 20-33-8-13.5(d)~~

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## **5350 - STUDENT SUICIDE AWARENESS AND PREVENTION**

The School Board recognizes that depression and self-destruction are increasingly severe problems among children and adolescents. Students who experience depression cannot fully benefit from the educational program of the School Corporation, and students who have attempted self-destruction pose a danger to themselves and to other students.

This policy is meant to increase awareness and prevention of child suicide and self-destruction. The Board believes that a partnership between families, the community, and the Corporation is necessary to support students with mental health needs effectively.

The Corporation shall have a written memorandum of understanding with ~~( )~~ a community mental health center established under I.C. 12-29-2 ~~( )~~ a State-certified or State-licensed provider **[END OF OPTIONS]** able to deliver appropriate mental or behavioral health services. **[DRAFTING NOTE: Based on I.C. 20-34-3-21, at least one (1) provider must be selected.]**

Information regarding suicide prevention services in the community can be found ~~( )~~ on the Corporation's website ~~( )~~ and ~~( )~~ by contacting the school counselor in any school in the Corporation. **[END OF OPTIONS]** **[DRAFTING NOTE: At least one source must be selected.]**

Further information regarding crisis intervention referral is available to students, parents, and Corporation employees by contacting ( ) school counselors or ; ~~( )~~ the school social worker, ~~( )~~ Student Support Services at the Corporation central office by calling \_\_\_\_\_ **[END OF OPTIONS]**. In cases of emergency, dial 911 for immediate assistance.

The Corporation provides school counseling services for students and families related to suicide prevention.

The Corporation cooperates with the suicide prevention services in the community.

The Corporation recognizes the relationship between suicide and drug and alcohol use. The plan, training, and programs authorized under this policy will address awareness of this correlation.

The Corporation shall meet the training requirements for all employees in suicide awareness, prevention and response established by Indiana Law and any regulations issued by the Indiana Department of Education (IDOE) or the Indiana State Board of Education (ISBOE). Compliance with these statutes and regulations shall be reviewed annually. (I.C. 20-26-5-34.4)

Teacher licensing prerequisites include youth suicide awareness and prevention training. The ISBOE sets the timing/frequency/method for all licensure trainings. (I.C. 20-28-5.5-1)

The Superintendent shall ensure licensed staff meet training requirements and that suicide prevention training is part of required professional learning. Suicide prevention training shall include the warning signs and tendencies that may evidence that a child is considering suicide.

The Superintendent shall require teachers, counselors, and other licensed personnel to provide proof of suicide prevention training when applying for or renewing a license under I.C. 20-28-5. The Superintendent shall ensure that all licensed staff have uploaded completion certificates into IDOE's Licensing Verification and Information System for license renewal purposes.

The Superintendent shall ensure the training vendor/curriculum is approved by the ISBOE.

If an online platform is established or licensed under I.C. 20-19-3-29, then suicide-prevention training shall be delivered via that online platform.

Consistent with Indiana law, the Superintendent shall develop a plan that describes the protocol teachers are to follow in preventing suicide, actions to be taken should a suicide occur, how best to assist survivors of attempted suicide and how to assist students and Corporation employees in coping with a suicide or attempted suicide.

The plan shall include postvention strategies to support healing and prevent additional crises, including:

- A. Assemble and activate a Crisis Response Team to manage the response, including mental health professionals and administrators.
- B. Provide accurate information to staff, students, and parents, avoiding details that could lead to suicide contagion.
- C. Offer grief counseling and support groups for students and staff affected by the loss.
- D. Develop guidelines for memorials that honor the deceased without glorifying the act to prevent potential imitation.
- E. Monitor and support high-risk students over time, recognizing that grief and trauma responses can be delayed.
- F. Any other appropriate programs or activities designed to enhance awareness and prevention.

Throughout any intervention, Board policies and Corporation confidentiality guidelines must be observed always.

Legal

I.C. 10-21-1-10

I.C. 12-29-2

I.C. 20-19-3-29

I.C. 20-26-5-34.4

I.C. 20-28-5

I.C. 20-28-5.5-1

I.C. 20-28-5.5-1.5

I.C. 20-34-3-21

511 IAC 6.1-2-2.5

Book	Policy Manual
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Title	Revised Policy - ANTI-HARASSMENT
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## 5517 - ANTI-HARASSMENT

### General Policy Statement

It is the policy of the School Board of the Porter Township School Corporation to maintain an education and work environment that is free from all forms of unlawful harassment occurring in the Corporation's educational opportunities, programs, or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs, and activities, affecting the Corporation environment (hereinafter referred to collectively as 'unlawful harassment'). This commitment applies to all Corporation operations, educational opportunities, programs, and activities. All students, administrators, teachers, staff, and other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment occurring in the Corporation's educational opportunities, programs, or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs, and activities, affecting the Corporation environment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct affects the Corporation environment.

The Board shall vigorously enforce its prohibition against unlawful harassment that is based on race, color, national origin, sex ~~(including gender status, sexual orientation and/or gender identity)~~, religion, disability, military status, ancestry, or genetic information, which are classes protected by Federal and/or State civil rights laws (hereinafter referred to as 'Protected Classes'), and encourages those within the Corporation community as well as Third Parties who feel aggrieved to seek assistance to rectify such problems occurring in the Corporation's educational opportunities, programs or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs and activities, affecting the Corporation environment.

The Corporation shall offer counseling services to any person found to have been subjected to unlawful harassment and, where appropriate, the person(s) who committed the unlawful harassment.

All Corporation employees, including administrators, professional staff and support staff, shall report any incident of alleged unlawful harassment that the employee observes or which is reported to the employee.

The Corporation shall investigate all allegations of unlawful harassment and, in those cases where unlawful harassment is substantiated, take steps immediately to end the harassment, prevent its recurrence, and remedy its effects.

Individuals who are found to have engaged in unlawful harassment shall be subject to appropriate disciplinary action, up to and including termination of employment or expulsion from school.

Furthermore, Corporation employees who fail to report any incident of alleged unlawful harassment that the employee observes or which is reported to the employee also are subject to appropriate disciplinary action, up to and including termination of employment.

### Other Violations of the Anti-Harassment Policy

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

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's duties.

Sexual Harassment covered by Policy/AG 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266/AG 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities.

## **Notice**

Notice of the Board's policy on anti-harassment in the educational environment and the identity of the Corporation's Compliance Officers shall be posted throughout the Corporation and published in any Corporation statement regarding the availability of employment, staff handbooks, and general information publications of the Corporation as required by Federal and State law and this policy.

## **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who is alleged to have engaged in unlawful harassment, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged harassment.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and classified staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

**Day(s)**: Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

## **Bullying**

Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict(s) physical hurt or psychological distress on one (1) or more students with the intent to harass, ridicule, humiliate, intimidate or harm that/those student(s) based upon sex, race, color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance or participation and may involve:

A. teasing;

B. threats;

C. intimidation;

D. stalking;

E. cyberstalking;

F. cyberbullying;

- G. physical violence;
- H. sexual violence;
- I. theft;
- J. sexual, religious, or racial harassment;
- K. public humiliation; or
- L. destruction of property.

In the bullying context, "harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student that:

- A. places a student in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Bullying that rises to the level of Sexual Harassment is covered by Policy/AG 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, and is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266/AG 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities. Bullying that does not rise to the level of unlawful harassment shall be investigated under Policy 5517.01 - Bullying.

### **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of: interfering with the individual's educational performance; creating an intimidating, hostile, or offensive learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references regarding racial customs.

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

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of: interfering with the individual's educational performance; creating an intimidating, hostile, or offensive learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involving religious slurs.

### **National Origin Harassment**

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of: interfering with the individual's educational performance; creating an intimidating, hostile, or offensive learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of: interfering with the individual's educational performance; creating an intimidating, hostile, or offensive learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

### **Corporation Compliance Officers**

The Board designates the following individuals to serve as the Corporation's Compliance Officers (also known as 'Anti-Harassment Compliance Officers') (hereinafter referred to as the 'COs').

**SUPERINTENDENT PORTER TOWNSHIP SCHOOLS**

Address: 248 S 500 W, VALPARAISO, IN 46385

Telephone No.: (219) 477-4933, Ext. 1000

Email address: superintendent@ptsc.k12.in.us

**ASSISTANT SUPERINTENDENT**

Address: 248 South 500 West, Valparaiso, IN 46385

Telephone No.: 219-477-4933 Ext. 1000

assistant.superintendent@ptsc.k12.in.us

The titles and contact information for the COs will be published annually on the Corporation's website.

The Compliance Officer(s) are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment on the basis of a protected class.

The COs shall oversee the investigation of any complaints of harassment based on a protected class that ~~which~~ may be filed pursuant to the Board's adopted internal complaint procedure (see below) and shall attempt to resolve such complaints. The Board shall provide for the prompt and equitable resolution of complaints alleging harassment based on a protected class.

### **Reports and Complaints of Unlawful Harassment and Retaliation**

Students and Corporation employees are required, and all other members of the Corporation community and Third Parties are encouraged, to promptly report incidents of harassment based on a protected class to an administrator, supervisor, or other Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days.

Members of the Corporation community, which includes students, who believe they have been unlawfully harassed by another member of the Corporation community or a Third Party are entitled to utilize the Board's complaint process set forth below. Initiating a complaint, whether formally or informally, shall not adversely affect the Complainant's participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals shall make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may have created a hostile educational environment and may have constituted unlawful harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the COs, who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, the matter shall be handled in accordance with the grievance process and procedures outlined in Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities. While the CO investigates the allegation or the matter is being addressed pursuant to Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, the Principal shall suspend the Policy 5517.01- Bullying investigation to await the CO's written report or the determination of responsibility pursuant to Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities. The CO shall keep the Principal informed of the status of the Policy 5517 - Anti-Harassment investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator shall provide the Principal with the determination of responsibility that results from the Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities grievance process.

The COs shall be available during regular school/work hours to discuss concerns related to 'unlawful harassment' on the basis of a protected class, to assist students who seek support or advice when informing another individual about 'unwelcome' conduct, or to intercede informally on behalf of the student. COs shall accept complaints of unlawful harassment directly from any member of the Corporation community or a Third Party and reports that initially are made to another Corporation employee. Upon receipt of a report of alleged harassment, the CO will contact the Complainant and begin either an informal or formal process (depending on the Complainant's request and the nature of the alleged harassment) or designate a specific individual to conduct such a process.

The CO shall provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the CO shall prepare recommendations for the Superintendent or shall oversee the preparation of such recommendations by a designee. All members of the Corporation community shall report incidents of harassment based on a Protected Class that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to a CO within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful harassment is expected to intervene to stop the harassment unless circumstances make such an intervention dangerous, in which case the staff member shall immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the CO or designee shall contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the Complainant is under the age of eighteen (18) within two (2) days to advise of the Board's intent to investigate the alleged harassment. Additionally, if the alleged harasser is a student, the CO or designee shall contact the Respondent if age eighteen (18) or older, or the Respondent's parents/guardians if the Respondent is under the age of eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged harassment.

### **Investigation and Complaint Procedure (see Form 5517 F1)**

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Program or Activities, any student who alleges to have been subjected to unlawful harassment based on a Protected Class may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation shall be completed in a timely manner (ordinarily within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights ('OCR') or the Indiana Civil Rights Commission ('ICRC'). The Denver ~~Chicago~~ Office of the OCR can be reached at Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582 ~~John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor Chicago, IL 60604~~; Telephone: 303-844-5695 ~~312-730-1560~~; FAX: 303-844-4303 ~~312-730-1576~~; TDD: 800-877-8339; Email: OCR.Denver@ed.gov ~~OCR.Chicago@ed.gov~~; Web: <http://www.ed.gov/ocr>.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process, and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Corporation employee, any other adult member of the Corporation community, or a Third Party and a student shall be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual shall tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant shall address the allegedly harassing conduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the allegedly inappropriate conduct may file an informal or a formal complaint.

In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the CO may advise against the use of the informal complaint process.

A Complainant who alleges harassment based on a protected class or retaliation may make an informal complaint, either orally or in writing to: 1) a building administrator; 2) one of the COs; or 3) the Superintendent or other Corporation-level employee.

All informal complaints shall be reported to one of the COs who either shall facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options designed to bring about a resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of Policy 5517 - Anti-Harassment as a reminder to the individuals in the school building or office where the Respondent works or attends school.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint shall be resolved, the CO or a designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.

If the Complainant is dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

A Complainant may file a formal complaint either orally or in writing with a Principal, the CO, the Superintendent, or other Corporation official.

Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other Corporation official, either orally or in writing, about any complaint of harassment or retaliation, that employee shall report such information to the CO within two (2) business days.

Throughout the course of the process, the CO shall keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints of unlawful harassment or retaliation shall include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO shall prepare a written summary of the oral interview and the Complainant shall be asked to verify the accuracy of the reported complaint by signing the document.

Upon receiving a formal complaint, the CO shall consider whether any action shall be taken in the investigatory phase to prioritize the safety of and protect the Complainant from further harassment or retaliation, including but not limited to a change of building or class assignment or class schedule for the Complainant and/or the Respondent. In making such a determination, the CO shall consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer still may take whatever actions are deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee shall initiate a formal investigation to determine whether the Complainant has been subjected to unlawful harassment or retaliation.

The principal shall not conduct an investigation unless directed to do so by the CO.

Simultaneously, the CO shall inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 5517 - Anti-Harassment. The Respondent also shall be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee shall attempt to complete an investigation into the allegations of harassment based on a Protected Class or retaliation within fifteen (15) business days of receiving the formal complaint.

The investigation shall include:

- A. interview(s) with the Complainant;
- B. interview(s) with the Respondent;
- C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and
- D. consideration of any documentation or other information, presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment of or retaliation against the Complainant. The CO's recommendations shall be based upon the totality of the circumstances, including the age and maturity level of any student involved. In determining if unlawful harassment or retaliation occurred, a preponderance of the evidence standard shall be used.

The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO/designee, the Superintendent shall either issue a decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision shall be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent shall specify the additional information that is to be gathered, and such additional investigation shall be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent shall issue a written decision as described above.

If the Superintendent determines the Respondent engaged in harassment of or retaliation toward the Complainant, the Superintendent shall identify what corrective action shall be taken to stop, remedy, and prevent the recurrence of the harassment or retaliation. The corrective action shall be reasonable, timely, age-appropriate, effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the Board President.

In an attempt to resolve the Complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment or retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described interviews/meetings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the OCR or the ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of the complaint procedures is not a prerequisite to the pursuit of other remedies.

## **Privacy/Confidentiality**

The Corporation shall employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses to the extent possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent shall be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee shall instruct all members of the Corporation community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

### **Remedial Action and Monitoring**

If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken because of the discrimination, or other appropriate action.

The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

### **Sanctions and Disciplinary Action**

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further misconduct.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action shall be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct. Any discipline of students with disabilities shall be in accordance with the Individuals with Disabilities Education Act ("IDEA") and the Federal and State regulations implementing the IDEA.

When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.

Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

### **Allegations Constituting Child Abuse/Criminal Conduct**

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Child Services ('DCS'). If, during the course of a harassment investigation, the CO or designee has reason to believe or suspect that the

alleged conduct reasonably indicates abuse or neglect of the Complainant, a report shall be made in accordance with State law and Board Policy.

If the CO or designee has reason to believe that the Complainant has been the victim of criminal conduct as defined under State law, a report shall be made to local law enforcement.

Any reports made to DCS or local law enforcement shall not terminate the CO's or designee's obligation and responsibility to continue to investigate a complaint of harassment. While the CO or designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies.

### **Education and Training**

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and harassment, in general, shall be age and content appropriate.

### **Retention of Investigatory Records and Materials**

The CO is responsible for overseeing the retention of all records that shall be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ('ESI'), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee

Handbooks);

M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The documents, ESI, and electronic media (as defined in Policy 8315 - Information Management) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315 - Information Management) created or received as part of an investigation shall be retained in accordance with Policy 8310 - Public Records, Policy 8315 - Information Management, Policy 8320 - Personnel Files, and Policy 8330 - Student Records for not less than three (3) years and longer if required by the Corporation's records retention schedule.

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Revised 5/12/16

Revised 11/8/18

Revised 3/14/19

Revised 8/19/21

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Legal

I.C. 20-33-8

I.C. 35-42-4

511 IAC 7-32-1 et seq. (Article 7)

20 U.S.C. 1400 et seq., the Individuals with Disabilities Education Act of 2004, as amended (IDEA)

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

42 U.S.C. 1983

42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

34 C.F.R. Part 104, Section 504 Regulations

34 C.F.R. Part 300, IDEA Regulations

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - BULLYING
Code	po5517.01
Status	
Adopted	December 22, 2005
Last Revised	August 21, 2025

## 5517.01 - **BULLYING**

The School Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Bullying behavior toward a student, whether by other students, staff, or third parties, is strictly prohibited and shall not be tolerated. At all times, the safety of the victim of bullying shall be a priority. This prohibition includes physical, verbal, and psychological abuse as provided herein. The Board shall not tolerate any gestures, comments, threats, or actions that cause or threaten to cause bodily harm or personal degradation. Engaging in "cyberbullying," which is bullying that occurs through the use of data or computer software that is accessed through a computer, computer system, computer network, or cellular telephone or other wireless or cellular communications device also is prohibited. This policy applies when a student is 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; off school grounds at a school activity, function, or event; traveling to or from school or a school activity, function, or event; or, using property or equipment provided by the school. Additionally, this policy applies regardless of the physical location when:

- A. the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within the School Corporation; and
- B. the bullying behavior results in a substantial interference with school discipline or an unreasonable threat to the rights of others to a safe and peaceful learning environment.

Bullying as defined in State law means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or 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 and create for the targeted student an objectively hostile school environment that:

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

This type of behavior is a form of harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It includes but is not limited to such behaviors as stalking, intimidation, menacing behavior, coercion, name-calling, taunting, making threats, and hazing. It also includes the use of digital or electronic communications to engage in such behaviors.

However, Indiana law exempts the following from the definition of "bullying":

- A. Participating in a religious event.

- B. Acting in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial danger.
- C. 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.
- D. Participating 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.
- E. Participating in an activity undertaken at the prior written direction of the student's parent.
- F. Engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

Any student who believes they have been or are currently the victim of bullying shall immediately report the situation to the building principal, assistant principal, or the Superintendent. The student also may report concerns to a teacher or counselor who shall be responsible for notifying the appropriate administrator or Board official. This report may be made anonymously. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board President. A parent may file a complaint on behalf of a student in the same manner.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying behavior directed toward a student. Reports may be made to those identified above. Staff members who fail to report bullying or who fail to conduct an investigation when assigned that duty are subject to disciplinary action, up to and including discharge.

All complaints about bullying behavior that may violate this policy shall be investigated promptly and documented according to the timeline established by the Superintendent's administrative guidelines. At all times, the safety of the victim of bullying shall be a priority. Bullying incidents shall be reported to the parents of both the targeted student and the alleged perpetrator in an expedited manner, that is before the end of the next instructional day ~~not less than five (5) business days~~ after the incident is reported, by the Principal, Assistant Principal or Superintendent to whom the bullying incident initially was reported or by their designee.

If, during an investigation of reported acts of bullying and/or harassment, the investigator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the investigator shall report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment or Policy 2266 - Discrimination on the Basis of Sex in Education Programs or Activities, as applicable.

If the investigator finds an instance of bullying behavior has occurred, prompt and appropriate action or responses shall be taken to address the behavior wherever it occurs including, as appropriate, disciplinary action, up to and including expulsion for students, discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Bullying acts shall be reported to law enforcement officials immediately upon determining that a report to law enforcement is necessary.

The parents of the targeted student and the alleged perpetrator shall be notified of the alleged bullying incident at the beginning of the investigation (before the end of the next instructional day ~~no later than five (5) business days~~ after the incident is reported), the findings of the investigation at the conclusion of the investigation (before the end of the next instructional day after the conclusion of the investigation), and, as appropriate, any remedial action that has been or shall be taken to the extent disclosure is permitted by law. In addition to discipline, remedial action may include support services for the targeted student and bullying education for the alleged perpetrator, among other actions.

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

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

The Corporation shall maintain a link on its internet website to the internet website resource page maintained by the Indiana Department of Education that provides parents and school officials with resources or best practices regarding the prevention and reporting of bullying and cyberbullying.

## Confidentiality

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

## Discipline Rules

As required by State law, the Superintendent shall require that any discipline rules adopted by the Corporation's schools shall prohibit bullying and include:

- A. provisions concerning education, parental involvement, and intervention;
- B. a detailed procedure for the expedited investigation of incidents of bullying that includes:
  - 1. appropriate responses to bullying behaviors, wherever the behaviors occur;
  - 2. provisions for anonymous and personal reporting of bullying to a teacher or other school staff;
  - 3. provisions that require a school to prioritize the safety of the victim;
  - 4. timetables for reporting the conclusion of a bullying investigation ~~incidents~~ to the parents of both the targeted student and the alleged perpetrator in an expedited manner that is before the end of the next instructional day ~~not later than five (5) business days~~ after the conclusion of the investigation ~~incident is reported~~;
  - 5. timetables for reporting of bullying incidents to school counselors, school administrators, the Superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;
  - 6. discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; ~~and~~
  - 7. discipline provisions for false reporting of bullying; and
  - 8. provisions to make a reasonable attempt to notify both the parent of a targeted student and the parent of an alleged perpetrator that the school is investigating a possible incident of bullying or similar misconduct before the end of the next instructional day after the school becomes aware of the possible incident; and
- C. a detailed procedure outlining the use of follow-up services that includes:
  - 1. support services for the victim; and
  - 2. bullying education for the alleged perpetrator.

The discipline rules may be applied regardless of the physical location in which the bullying behavior occurred, whenever:

- A. the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within the Corporation; and
- B. disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

The discipline rules shall prohibit bullying through the use of data or computer software that is accessed through a:

- A. computer;
- B. computer system;
- C. computer network; or
- D. cellular telephone or other wireless or cellular communications device.

The discipline rules shall include policies to allow a parent of a child in the Corporation to review any materials used in any bullying prevention or suicide prevention program.

Pursuant to I.C. 20-33-8-13.5, this section may not be construed to give rise to a cause of action against a person or the Corporation based on an allegation of noncompliance with this section. Likewise, noncompliance with this section may not be used as evidence against the Corporation in a cause of action.

Each school in the Corporation shall document acts of bullying and abusive behaviors:

- A. against a victim; and
- B. committed by a verified perpetrator.

Pursuant to I.C. 20-33-8-13.5, a record made of an investigation, a disciplinary action, or a follow-up action performed under rules adopted under this section is not a public record under I.C. 5-14-3.

**Documentation**

The Corporation shall document acts of bullying and abusive behaviors against a victim that are committed by a verified perpetrator.

**Parent Access to Materials**

The parent of a child attending a school in the corporation shall be allowed to review any materials used in any bullying prevention or suicide prevention program.

**Safe School Committee**

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

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

Revised 6/20/13  
Revised 5/15/14  
Revised 3/14/19  
Revised 7/14/23  
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Legal	I.C. 5-2-10.1
	I.C. 20-20-8-8
	I.C. 20-30-5-5.5
	I.C. 20-33-8-0.2
	I.C. 20-33-8-13.5
	I.C. 20-33-8-35
	I.C. 20-34-6-1
Cross References	po2266 - NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
	po5517 - ANTI-HARASSMENT
	po8400 - SCHOOL SAFETY INFORMATION

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - STUDENT DISCIPLINE
Code	po5600
Status	
Adopted	June 21, 2001
Last Revised	March 12, 2020
Prior Revised Dates	2/15/2007

## 5600 - **STUDENT DISCIPLINE**

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

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

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

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

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

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

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

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

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

- A. The Superintendent will report to the Board periodically the methods of discipline used and the incidents of those types of student misconduct designated by the Board.
- B. The Superintendent / Building Principal will appoint a committee of staff members to review rules of student conduct annually and to advise on alterations and modifications.

The Superintendent may request that the State Department of Education provide information and assistance to the Corporation regarding the implementation of the Code of Conduct to ensure that teachers and administrators receive appropriate professional development and other resources in preparation for carrying out the plan.

- C. The principal shall have the authority to assign discipline to students, subject to Corporation administrative guidelines and the student's due process rights.
- D. Teachers and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.
- E. No student is to serve before or after school detention unless the student's parent has been contacted and informed that the student will be detained or other suitable transportation arrangements have been made.

No student shall be suspended or expelled solely because the student is chronically absent or a habitual truant, as defined in Policy 5200 - Attendance.

Revised 2/15/07

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Legal

I.C. 20-26-5-32

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

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - SUSPENSION AND EXPULSION OF STUDENTS
Code	po5610
Status	
Adopted	June 21, 2001
Last Revised	April 10, 2025

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

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

No student is to be suspended and/or expelled from an activity, program, or a school unless the student's behavior represents misconduct or substantial disobedience while the student is 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; off school grounds at a school activity, function, or event; or traveling to or from school or a school activity, function, or event. This includes but is not limited to bringing to or possessing at school a firearm, deadly weapon, or destructive device.

In addition to the grounds specified above, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function, or the student's removal is necessary to restore order or protect persons on school property, including any unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions and/or a student may be expelled if his/her legal settlement is not in the attendance area of the School Corporation, except as otherwise allowed by Policy 5111.

Furthermore, a student may be suspended or expelled for bullying, regardless of the physical location in which the bullying occurred, whenever:

- A. the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation; and
- B. disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other to a safe and peaceful learning environment.

A student also may be expelled when the student's legal settlement is not within the Corporation's attendance area.

No student shall be suspended or expelled solely because the student is chronically absent or a habitual truant, as defined in Policy 5200 - Attendance.

A Student Code of Conduct, approved by the Board, shall specify the procedures to be followed by school officials when administering this policy. In addition to the procedural safeguards and definitions set out in this policy and the student/parent handbook, the procedures set forth in Board Policy 5605 - Suspension and Expulsion of Students with Disabilities shall apply to students identified as having a disability under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. 1400 et seq., or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C. 794.

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

- A. 'Suspension' means any disciplinary action that does not constitute an expulsion whereby a student is separated from school attendance for a period not to exceed ten (10) school days. A student may be suspended for a longer period of time in accordance with the provisions of I.C. 20-33- 8-23 pending expulsion.

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 that the student has questions regarding the assignments or schoolwork. The student will receive credit, in the same manner as 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. The student shall be allowed to make up missed tests or quizzes when the student returns to school.

B. 'Expulsion' means a disciplinary or other action where by a student is:

1. separated from school attendance for a period exceeding ten (10) school days;
2. 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. separated from school attendance for at least one (1) calendar year pursuant to I.C. 20-33-8-16 for possession of firearms, deadly weapons, or destructive devices, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.

The term does not include situations when a student is disciplined under I.C. 20-33-8-25, removed from school pursuant to I.C. 20-34-3-9, or removed from school for failure to comply with the immunization requirements of I.C. 20-34-4-5.

Any student who brings a firearm, as defined under I.C. 35-47-1-5, to school shall be expelled for at least one (1) calendar year unless the Superintendent reduces the punishment for reasons justified by the particular circumstances of the incident.

If the student brings a deadly weapon as defined in I.C. 35-31.5-2-86 onto Corporation property or is found to possess a deadly weapon on Corporation property or at a school-related activity, the student may be expelled for a period of not more than one (1) calendar year. The Superintendent or his/her designee shall notify the law enforcement agency designated by the Prosecuting attorney when a student possesses a firearm or deadly weapon on school property or at a school-related activity.

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

The Corporation shall annually prepare a list of:

1. alternative education programs in the same county in which the Corporation is located or a county immediately adjacent to the county in which the Corporation is located; and
2. virtual charter schools;

in which a student may enroll if the student is expelled. The list must contain contact information for the entities described above and must provide the student and the student's parent notice that the student may be required to comply with I.C. 20-33-2 or any statute relating to compulsory school attendance in accordance with I.C. 20-33-8-31. A copy of the list shall be provided to the student or the student's parent at the expulsion meeting. If the student or student's parent fails to attend an expulsion meeting, a copy of the list shall be mailed to the student's residence.

If a student is expelled from school or from any educational function, the student's absence from school because of the expulsion is a violation of I.C. 20-33-2 or any other statute relating to compulsory school attendance if the student may enroll in:

1. an alternative education program in the county where or in a county immediately adjacent to the county where the Corporation from which the student was expelled is located; or
2. a virtual charter school

and the student does not enroll in an alternative education program or a virtual charter school during the student's expulsion. In the event an alternative education program or virtual charter school is not available for a student to

attend under this subsection, the student's expulsion is not a violation of I.C. 20-33-2 or any other statute relating to compulsory school attendance.

The Board will hear all expulsion appeals.

The Superintendent shall develop administrative guidelines which provide appropriate procedures for implementing this policy and ensure compliance with applicable statutes. The procedures provided in such administrative guidelines shall include that the student/parent is not entitled to representation by legal counsel within the meeting room during an expulsion meeting, but may request a short recess during the expulsion meeting to consult with legal counsel who may sit outside the meeting room.

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

The Principal may report all expulsions and second suspensions to the Bureau of Motor Vehicles in accordance with law and the Bureau's guidelines. If a student has withdrawn or seeks to withdraw from school in an effort to circumvent the second suspension or expulsion in order to avoid the loss of the student's driver's license or learner's permit, the Principal may notify the Bureau of Motor Vehicles.

### **Retention of Public Records, Student Records, and Investigatory Records and Materials**

All individuals charged with imposing discipline under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation of student misconduct and disciplinary action taken, including but not limited to reports, admissions, witness statements, documentary evidence, audio, video and/or digital recordings, handwritten and contemporaneous notes, emails related to the allegations, investigation and disciplinary action, printouts, letters, determinations, and summaries. The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Board Policy 8315 - Information Management) created or received as part of an investigation of student misconduct or disciplinary action taken shall be retained in accordance with Board Policy 8310 - Public Records, Board Policy 8315 - Information Management, Policy 8320, and Board Policy 8330 - Student Records and the Corporation's records retention schedule.

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Revised 3/12/20

Revised 3/11/21

Revised 12/8/22

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Legal	I.C. 20-18-2-6.5
	I.C. 20-20-8-8(a)(17)
	I.C. 20-33-2-25
	I.C. 20-33-8-3
	I.C. 20-33-8-7
	I.C. 20-33-8-13.5
	I.C. 20-33-8-14
	I.C. 20-33-8-15
	I.C. 20-33-8-16
	I.C. 20-33-8-17
	I.C. 20-33-8-18
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	I.C. 20-33-8-20

I.C. 20-33-8-21

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I.C. 20-33-8-24

I.C. 20-33-8-25

I.C. 20-33-8-26

I.C. 20-33-8-28

I.C. 20-33-8-34

I.C. 35-31.5-2-86

I.C. 35-47-1-5

I.C. 35-47.5-2-4

20 U.S.C. 7151

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - SEARCH AND SEIZURE
Code	po5771
Status	
Adopted	June 21, 2001
Last Revised	July 14, 2023

## 5771 - SEARCH AND SEIZURE

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

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

### A. School Property

School facilities such as lockers and desks are school property provided for student use subject to the right of the Superintendent ~~and his/her designee~~ to enter the facility as needed and inspect all items in the facility searched. Students shall not have an expectation of privacy in any facility provided by the school and shall not be permitted to deny entry to a ~~School~~ Corporation administrator by the use of a lock or other device.

### B. Student's Person and Possessions

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

Searches, pursuant to this policy, also shall be permitted in all situations in which the student is under the jurisdiction of the Board as defined by I.C. 20-33-8-14.

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

If a Corporation student has died, transferred, dropped out, or otherwise withdrawn from enrollment in the Corporation, the Corporation shall not remove the student's property without first providing the parents an opportunity to collect the property. The term "student property" refers to property belonging to a student that the student has stored in a locker, desk, or personal cubby that is located on school property and has been assigned to the student for the student's use. Provided, however, that this requirement does not restrict or otherwise limit the authority of a law enforcement agency to search an area containing student property or seize student property pursuant to a law enforcement investigation.

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

### C. Breath Test Instruments

Administrators are authorized to arrange for the use of breath-test instruments for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

### D. Metal Detectors

To address the Corporation's duty to maintain a safe learning environment free of the potential presence of weapons, school officials, school resource officers and other school personnel trained in the usage of metal detectors are authorized to use metal detectors, either hand-held wands or walk through devices, for the purpose of determining if a person is in possession of weapons or other dangerous metal objects and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices). When the school administration has a reasonable suspicion to believe weapons or other dangerous metal objects and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) are in the possession of an identified person, a search of the identified person and/or of their ~~his/her~~ possessions shall be conducted in accordance with the requirements of this policy's provisions for searching a Student's Person or Possessions (B. above) and AG7440A - Metal Detector Search Procedures.

### E. Use of Dogs

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

A student's refusal to submit to a search or to cooperate in a search effort as provided by this policy will be considered insubordination and an interference with school purposes sufficient to warrant disciplinary action up to and including suspension and/or expulsion. Where applicable, such refusal will also be considered reasonable suspicion of a weapon's violation and may result in a referral to law enforcement officials for investigation.

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

The Superintendent shall prepare administrative guidelines to implement this policy.

Revised 11/12/15

Revised 2/4/20

Revised 3/12/20

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Legal

I.C. 20-33-8-32

U.S. Constitution, 4th Amendment

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - BAD CHECKS AND UNCOLLECTABLE DEBTS
Code	po6151
Status	
Adopted	June 21, 2001
Last Revised	April 17, 2014

#### **6151 - BAD CHECKS AND UNCOLLECTABLE DEBTS**

When the Corporation receives a check from a student or parent that, when deposited, is returned marked "insufficient funds", the Superintendent shall provide an opportunity for the payer to make proper payment or to arrange for a satisfactory payment schedule. If payment is not received within fifteen (15) days, the payment schedule is not adhered to, or the monies do not appear to be collectable, the School Board authorizes the Superintendent to remove the fee or charge from the Corporation's Accounts Receivable and to take appropriate action against the student and/or the parents.

If efforts to collect an amount due the Corporation have not been successful and, in the opinion of the CFO ~~Business Manager~~ and Superintendent (hereafter "the staff"), further efforts to collect the amount due are unlikely to be successful, the staff shall submit a recommendation that the Board find that the debt is uncollectable. This recommendation shall be supported by a brief statement that summarizes the efforts to collect the debt to date and the reason(s) why further efforts to collect the debt are not likely to be successful. The Board shall act upon this recommendation.

If the Board approves the staff recommendations that it find a debt to be uncollectable, the staff recommendation and any Board addition, deletion, or modification to the staff recommendation shall be included in the minutes of the Board meeting in which the staff recommendation is considered by the Board.

If the staff concludes that collection of the full amount due the Corporation is not possible, but that collection of a lesser amount is possible, the staff shall recommend that the Board authorize the staff to accept a reduced amount as payment in full of the amount due to the Corporation. This authorization shall contain a date by which payment in full of the reduced amount is due. If payment in full of the reduced amount is received by the due date established by the Board, the amount by which the original debt to the Corporation is reduced shall be processed pursuant to this policy as an uncollectable amount.

#### **Outstanding (Stale Dated) Checks - Unclaimed Property Process**

Checks that are outstanding, meaning they have not been cashed by the payee, after the period of time established by the banking institution for the validity period of the the check a period of 180 days after issuance shall be deemed to be a "stale" check. Any stale check shall be treated as unclaimed property consistent with the guidance provided by Indiana's Unclaimed Property Division and its Reporting Guidelines for unclaimed property, including due diligence prior to remittance and annual reporting of unclaimed property.

#### **Insufficient Funds Checks**

When the Corporation receives a check that is not honored upon presentation to the respective bank or other depository institution, the Treasurer/CFO is authorized to take appropriate action. If payment is not received within fifteen (15) days, the payment schedule is not adhered to, or the monies do not appear to be collectable, the Board authorizes the Treasurer to remove the fee or charge from the Corporation's Accounts Receivable and to take appropriate action against the payer. The payer may be charged a fee for insufficient funds (NSF fee) not to exceed \$25.00 for a returned check. A check may be presented for payment not more than three (3) times. However, only one (1) NSF fee may be charged.



Book	Policy Manual
Section	For Board Review
Title	Revised Policy - PURCHASING
Code	po6320
Status	
Adopted	June 21, 2001
Last Revised	May 9, 2024

## 6320 - **PURCHASING**

It is the policy of the School Board that the Superintendent and/or CFO shall act as the purchasing agent for the Board. This policy applies only to purchases that are not paid from Federal funds or School Corporation matching funds. All purchases that are paid from Federal funds or Corporation matching funds shall be made pursuant to Policy 6325 - Procurements - Federal Grants/Funds.

### **Purchase or Lease of Materials and Performance of Public Works**

The Board may purchase or lease materials in the manner provided in I.C. 5-22 and perform any public work, by means of its own workforce, without awarding a contract whenever the cost of that public work project is estimated to be less than \$375,000, adjusted annually by the percentage change in the Consumer Price Index for all Urban Consumers as published by the United States Bureau of Labor Statistics. The department of local government finance shall annually publish the adjusted cost estimate threshold for the current year, determined in the manner required by this subsection, on the department's website. Before the Board may perform any work under this section by means of its own workforce, the Corporation must have a group of employees on its staff who are capable of performing the construction, maintenance, and repair applicable to that work. For purposes of this section, the cost of a public work project includes:

- A. the actual cost of materials, labor, equipment, and rental;
- B. a reasonable rate for use of trucks and heavy equipment owned; and
- C. all other expenses incidental to the performance of the project.

### **Purchases of Supplies**

For purposes of this policy "supplies" means any personal property. The term includes equipment, goods, and materials. The term does not include an interest in real property. For purposes of this policy "purchase" means buy, procure, rent, lease, or otherwise acquire.

The purchasing agent may make open-market purchases of supplies totaling no more than \$50,000 for a single item or a group of similar items.

The purchasing agent shall seek at least three (3) price quotations on purchases of supplies that are more than \$50,000 but less than \$150,000 except in cases of emergency or where materials are of such nature that price quotations would not result in a savings to the Corporation.

The purchasing agent shall mail an invitation to quote at least seven (7) days before the time fixed for receiving quotes.

If the purchasing agent receives a satisfactory quote, they shall award a contract to the lowest responsible and responsive quoter for each line or class of supplies required. The purchasing agent may reject all quotes.

If the purchasing agent does not receive a quote from a responsible and responsive quoter, they may purchase the items by following the procedure for items costing under \$50,000.

When the purchase of, and contract for, single items of supplies, amounts to \$150,000 or more, is equal to or exceeds the amount stipulated by statute, the Superintendent or CFO shall obtain competitive bids.

### **Competitive Bidding - Supplies**

The purchasing agent shall follow the procedure described below in awarding a contract for supplies that equals or exceeds \$150,000.

A. The purchasing agent shall issue an invitation for bids.

B. An invitation for bids shall include the following:

1. A purchase description.
2. All contractual terms and conditions that apply to the purchase.
3. A statement of the evaluation criteria that shall be used, including any of the following:
  - a. Inspection.
  - b. Testing.
  - c. Quality.
  - d. Workmanship.
  - e. Delivery.
  - f. Suitability for a particular purpose.
  - g. The requirement imposed in I.C. 5-22-3-5 for offers submitted by trusts.
4. The time and place for opening the bids.
5. A statement concerning whether the bid shall be accompanied by a certified check or other evidence of financial responsibility that may be imposed in accordance with rules or policies of the Board.
6. A statement concerning the conditions under which a bid may be canceled or rejected in whole or in part as specified in I.C. 5-22-18-2.

Evaluation criteria that will:

A. affect the bid price; and

B. be considered in the evaluation for an award;

shall be objectively measurable.

Only criteria specified in the invitation for bids shall be used in bid evaluation.

The purchasing agent shall give notice of the invitation for bids in the manner required by I.C. 5-3-1. The purchasing agent also may provide electronic access to the notice through:

A. the computer gateway administered by the Office of Technology; or

B. any other electronic means available to the Corporation.

The purchasing agent shall open bids publicly in the presence of one (1) or more witnesses at the time and place designated in the invitation for bids.

Bids shall be:

A. unconditionally accepted without alteration or correction, except as permitted below; and

B. evaluated based on the requirements provided in the invitation for bids.

A contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder.

For a bidder to be considered responsive, the proposal shall:

A. respond to all bid specifications in all material respects;

B. contain no irregularities or deviations from the bid specifications that would affect the amount of the bid or otherwise provide a competitive advantage; and

C. comply specifically with the solicitation and instructions to bidders.

The purchasing agent also may consider whether the bidder has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of a public contract.

For a bidder to be deemed responsible, the purchasing agent may request evidence from the bidder concerning its:

A. experience (type of product or service being purchased, etc.);

B. financial condition;

C. conduct and performance on previous contracts (with the Corporation or other agencies);

D. facilities;

E. management skills; and

F. ability to execute the contract properly.

The purchasing agent may consider the following factors in determining whether a bidder is responsible:

A. the ability and character of the bidder to provide the supplies;

B. the integrity, character and reputation of the bidder; and

C. the competency and experience of the bidder.

The purchasing agent shall maintain the following information:

A. The name of each bidder.

B. The amount of each bid.

C. Other information required I.C. 5-22 and its rules.

The information described above is subject to public inspection after each contract award.

The purchasing agent shall not accept proposed additions to the contract that are prejudicial to the interest of the Board or fair competition.

A decision of the purchasing agent to permit a change to the requirements of the invitation for bids shall be supported by a written determination by the purchasing agent which provides the justification for that change.

The Board reserves the right to reject any and all bids.

The Board shall be informed of the terms and conditions of all competitive bids. All bids shall be entered upon the records of the Board at its next meeting following the bid opening. The Board shall accept or reject bids in a Board meeting open to the public and award contracts as a consequence of such bids.

**Public Works Projects - Less than \$300,000**

Whenever the cost of a public works project will be at least \$50,000 but less than \$300,000, the following procedure applies:

- A. The Board shall invite quotes from at least three (3) persons known to deal in the class of work proposed to be done by mailing them a notice stating that plans and specifications are on file in a specified office. The notice shall be mailed not less than seven (7) days before the time fixed for receiving quotes.
- B. The Board shall not require a person to submit a quote before the meeting at which quotes are to be received. The meeting for receiving quotes shall be open to the public. All quotes received shall be opened publicly and read aloud at the time and place designated and not before.
- C. The Board shall award the contract for the public work to the lowest responsible and responsive quoter.
- D. The Board may reject all quotes submitted.

#### **Public Works Projects - At Least \$300,000 (Competitive Bidding)**

Whenever the cost of a public works project will be at least \$300,000, the following procedure applies:

- A. The Board shall prepare general plans and specifications describing the kind of public works project required, but shall avoid specifications which might unduly limit competition. If the project involves the resurfacing (as defined by I.C. 8-14-2-1) of a road, street, or bridge, the specifications shall show how the weight or volume of the materials will be accurately measured and verified.
- B. The Board shall file the plans and specifications in a place reasonably accessible to the public, which shall be specified in the notice required by section 3 below.
- C. Upon the filing of the plans and specifications, the Board shall publish notice in accordance with I.C. 5-3-1 calling for sealed proposals for the public works project. If the Board receives electronic bids, the Board also shall provide electronic access to the notice of the bid solicitation through the computer gateway administered under I.C. 4-13.1-2-2(a)(6) by the Office of Technology.
- D. The notice shall specify the place where the plans and specifications are on file and the date fixed for receiving bids.
- E. The period of time between the date of the first publication and the date of receiving bids shall be governed by the size of the contemplated project in the discretion of the Board. The period of time between the date of the first publication and receiving bids may not be more than:
  - 1. six (6) weeks if the estimated cost of the public works project is less than \$25,000,000; and
  - 2. ten (10) weeks if the estimated cost of the public works project is at least \$25,000,000.
- F. The Board shall require the bidder to submit a financial statement, a statement of experience, a proposed plan or plans for performing the public works project, and the equipment that the bidder has available for the performance of the public works project. The statement shall be submitted on forms prescribed by the State Board of Accounts.
- G. The Board shall not require a bidder to submit a bid before the meeting at which bids are to be received. The meeting for receiving bids shall be open to the public. All bids received shall be opened publicly and read aloud at the time and place designated and not before. Notwithstanding any other law, bids may be opened after the time designated if both of the following apply:
  - 1. The Board makes a written determination that it is in the best interest of the Board to delay the opening.
  - 2. The day, time, and place of the rescheduled opening are announced at the day, time, and place of the originally scheduled opening.
- H. The Board shall:
  - 1. award the contract for public works project or improvements to the lowest responsible and responsive bidder; or
  - 2. reject all bids submitted.

I. If the Board awards the contract to a bidder other than the lowest bidder, the Board shall state in the minutes or memoranda, at the time the award is made, the factors used to determine which bidder is the lowest responsible and responsive bidder and to justify the award. The Board shall keep a copy of the minutes or memoranda available for public inspection.

J. In determining whether a bidder is responsive, the Board may consider the following factors:

1. Whether the bidder has submitted a bid or quote that conforms in all material respects to the specifications.
2. Whether the bidder has submitted a bid that complies specifically with the invitation to bid and the instructions to bidders.
3. Whether the bidder has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of a public contract.

K. In determining whether a bidder is a responsible bidder, the Board may consider the following factors:

1. The ability and capacity of the bidder to perform the work.
2. The integrity, character, and reputation of the bidder.
3. The competence and experience of the bidder.

L. The Board shall require the bidder to submit an affidavit.

M. that the bidder has not entered into a combination or agreement:

1. relative to the price to be bid by a person;
2. to prevent a person from bidding; or
3. to induce a person to refrain from bidding; and

N. that the bidder's bid is made without reference to any other bid.

The purchasing agent may charge a bidder in a reverse auction a fee set in the written procedures adopted above.

An internet purchasing site used for a reverse auction shall do the following:

- A. provide information that the purchasing entity considers necessary or beneficial to potential bidders.
- B. display the amount of all bids previously submitted regarding the reverse auction for public viewing.
- C. conceal information that identifies a bidder.
- D. comply with I.C. 5-22.

## **Procurement**

The Board shall be informed of the terms and conditions of all competitive bids. All bids must be entered upon the records of the Board at its next meeting following the bid opening. The Board shall accept or reject bids in a Board meeting open to the public and award contracts as a consequence of such bids.

The president and secretary of the Board are entitled, on behalf of the Board, to sign any contract. These contracts may include, but are not limited to, employment contracts and contracts for goods and services. However, each contract must be approved by a majority of the full Board. In the absence of the president or secretary, the vice president may sign the contract with the officer who is present.

Exceptions to the foregoing requirements may be permitted when purchasing from vendors who have been awarded State contracts or when purchasing from authorized State institutions.

All specifically identified purchases may be made upon authorization of the Superintendent.

The purchasing agent is authorized to make emergency purchases, without prior approval, of supplies needed to keep the Corporation's schools in operation.

Such purchases shall be brought to the Board for approval at the next regular meeting.

In order to promote efficiency and economy in the operation of the Corporation, the Board requires that the purchasing agent periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped, but with staggered delivery dates, shall be made a part of the bid specifications.

Before the purchasing agent places a purchase order, they shall have the CFO check whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the Corporation. All purchase orders shall be numbered consecutively.

During the current year, provisions may be made in these agreements for renewal for the succeeding year, subject to appropriations being available.

### **Procurement – Federal Grants**

The Superintendent shall maintain a procurement and contract administration system in accordance with the United States Department of Education (USDOE) requirements (2 C.F.R. 200.317 - .326) for the administration and management of Federal grants and Federally-funded programs. The Corporation shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320A) and comply with 34 C.F.R. 80.36. Please refer to Policy 6325 - Procurements - Federal Grants/Funds.

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Revised 8/10/17

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Legal	I.C. 5-22-2-21
	I.C. 5-22-3-3
	I.C. 5-22-2-30
	I.C. 5-22-2-38
	I.C. 5-22-6-1 and 5-22-6-2
	I.C. 5-22-7.5 - Online Reverse Auctions
	I.C. 5-22-7-1 et seq.
	I.C. 5-22-8-2, 5-22-8-3
	I.C. 5-22-10-1 et seq.
	I.C. 5-22-16-1, 5-22-16-2
	I.C. 20-26-4-6, 20-26-4-8
	I.C. 20-26-5-4
	I.C. 36-1-12-2
	Education Department General Administrative Regulations (EDGAR)
	2 C.F.R. 200.317 - .326

Cross References	po6325 - PROCUREMENT - FEDERAL GRANTS/FUNDS
	po6330 - APPROVAL OF CONTRACTS
	po6440 - COOPERATIVE PURCHASING

po6450 - LOCAL PURCHASING

po6460 - CONFLICTS OF INTEREST AND VENDOR RELATIONS

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - ELECTRONIC MONITORING AND RECORDING
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Status	
Adopted	October 21, 2010
Last Revised	August 21, 2025

#### **7440.01 - ELECTRONIC MONITORING AND RECORDING**

In order to protect School Corporation property, promote security, and protect the health, welfare and safety of students, staff and visitors, the School Corporation authorizes the use of video and audio monitoring equipment on Corporation property, and on school buses. Information obtained through video and audio monitoring may be used to identify intruders and persons violating the law, Board policy, or the Student Code of Conduct. No representation shall be made that the monitoring system is capable of insuring protection of persons or property.

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school and student property. Video surveillance/electronic monitoring systems serve to complement other means being employed in the Corporation to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of the school staff assigned by the building principal to monitor and supervise the school building. Rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The building principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Superintendent is responsible for approving where and when to install and operate fixed-location monitoring equipment. The building principals and administrators responsible for other facilities shall be responsible for recommending use of monitoring in those facilities. Monitoring equipment may be placed in common areas in Corporation facilities. Common areas include hallways, entryways, offices where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries, parking lots and other outside areas, and in school buses. Except in extraordinary circumstances such as a response to possible bullying, hazing, harassment, personal injury, property damage, or theft, and only with the written authorization of the Superintendent, monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g., restrooms, locker rooms, changing areas). In assessing whether extraordinary circumstances exist, the Superintendent shall consult with Corporation legal counsel before authorizing placement of monitoring equipment in private areas in which privileged communications occur (unless there is express consent given by the office occupant), or conference/meeting rooms, or in individual classrooms during instructional times. Access to live monitoring or recordings made in private areas will be based on the need for access to respond to the information obtained. The Board authorizes security personnel to use body-worn monitoring equipment while on duty.

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Signs shall be placed at the main entrance to buildings in which monitoring equipment may be deployed. These signs shall notify people entering through that entrance that their communication and actions may be monitored and recorded in the facility they are entering. Students and staff shall also be advised of the use of monitoring the recording equipment in Corporation facilities and on Corporation property.

Information obtained from monitoring and recording may be used to support the safe and orderly operation of the School Corporation's schools and facilities. This includes providing access to monitoring or recordings to law enforcement officers when proper authority in support of the requested access is provided. Records obtained through the use of monitoring equipment installed and operated in compliance with this policy may be authenticated and used as

evidence in any forum in which its use would assist in the search for the truth concerning the recorded event. Recording that focuses on and follows a specific student or staff member may become a part of the student's education record or the staff member's personnel file.

Monitoring and recording equipment capability shall not be used to intercept or record communication between persons unless at least one of the participants is aware of the possibility of monitoring and recording. The results of monitoring or recording shall not be used for any tortious or criminal purpose and shall never be used in violation of the rights of the persons whose communication is monitored or recorded.

Not all monitoring will result in recording of what is monitored. Where a recording is made, not all recordings will include both audio and video, and the quality of recorded audio or video is not warranted to always be intelligible. Where audio or video records are made, they may be destroyed if a timely request is not made pursuant to this policy.

To protect students and faculty, promote security, and protect the health, welfare, and safety of students, staff, and visitors, the Board authorizes the use of smart sensor electronic monitoring equipment on school property, including in school buildings and on school vehicles. Smart sensor monitoring technology uses devices that can sense, collect, and process a variety of environmental information. Information obtained through smart sensor devices may be used to identify intruders and persons breaking the law, Board policy, or the Student Code of Conduct; as such, it may be used as evidence in disciplinary actions and may be provided to law enforcement in appropriate circumstances.

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school and student property. Smart sensor monitoring systems serve to complement other means that the Corporation employs to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a smart sensor monitoring system does not replace the need for the ongoing vigilance of the school staff assigned by the building principal to monitor and supervise the school building. Rather, the smart sensor monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The building principal is responsible for verifying that due diligence is observed in maintaining general campus safety and security.

The Superintendent is responsible for determining where to install and operate fixed-location smart sensor monitoring equipment in the Corporation. The determination of where and when to use smart sensor equipment will be made in a nondiscriminatory manner. Smart sensor monitoring equipment may be placed in designated areas in school buildings (e.g., school hallways, restrooms, classrooms, gymnasiums, libraries, locker rooms, entryways, the front office, and other areas where students, employees, and visitors are permitted to freely come and go). The Superintendent will post notices in areas where smart sensor monitoring equipment is in use.

Any person who takes action to block, move, or alter the location of a smart sensor device shall be subject to disciplinary action.

Any information obtained from smart sensor monitoring systems may only be used to support the orderly operation of the Corporation's schools and facilities and for law enforcement purposes and not for any other purposes. As such, information obtained through the use of smart sensor monitoring equipment may be used as evidence in any disciplinary proceedings or administrative proceedings, or provided to local law enforcement, subject to Board policy and administrative guidelines.

Smart sensor monitoring technology is to be implemented in accordance with this policy and the related guidelines. The Board will not accept or tolerate the improper use of smart sensor monitoring equipment and will take appropriate action in any cases of wrongful use of this policy or such technology.

Monitoring and recording equipment shall ~~will~~ not be used for the purpose of routine staff appraisal/evaluation. However, prerecorded lessons or observations of online or virtual learning sessions may be included as part of an employee's evaluation, ~~subject to discussion with the exclusive representative of the Corporation's teachers prior to adoption of this policy.~~

Further, if an employee is assigned to work remotely (i.e., telework), the administration is authorized to conduct observations that consist of the supervisor reviewing video-recordings of the employee working and/or watching the employee perform his/her job responsibilities through means of a live-stream that includes both video and audio, provided the employee is afforded advanced notice of the observation. ~~subject to discussion with the exclusive representative of the Corporation's teachers prior to adoption of this policy.~~

Additionally, nothing herein shall prevent the administration from using information gathered through electronic means (i.e., viewing a video-recording or live-stream of an employee working) for employment purposes, including but not limited to completing components of an evaluation. ~~subject to discussion with the exclusive representative of the Corporation's teachers prior to adoption of this policy.~~

Recordings containing personally identifiable information about a student shall not be released except as required or authorized by the Family Educational Rights and Privacy Act ("FERPA"). A parent or guardian of a student, and a student who is eighteen (18) years of age or older shall have access to relevant portions of any video or audio recording related to disciplinary charges against the student. Upon written request to the building principal, if the requested access does not violate State and/or Federal law (i.e., the privacy rights of any other student whose images appear on the recording), a recording may be exhibited to a parent/guardian and an eligible student. However, the parent/guardian and student will not be given a copy of the recording.

School personnel with responsibility for the program of a student may have access to relevant portions of a recording related to the services they delivered to the student and any disciplinary charge against the depicted student.

The Board shall maintain monitoring recordings for a limited period. Any request to view a recording under this policy must be made within seven (7) days of the event/incident. Unless an investigation is being conducted, or the Corporation legal counsel advises that specific recordings must be preserved pursuant to a "litigation hold" notice, recordings may be destroyed after seven (7) days. If, however, action is taken by the Board/administration based upon recorded events, the recordings shall be kept for a minimum of two (2) years from the date of the action taken. Recordings may also be kept beyond the normal retention period if they are going to be used for training purposes. This policy shall not be interpreted to guarantee the destruction of a recording after any specific length of time.

With the knowledge of the persons depicted, students, staff or a parent/guardian may record a school event open to the public such as a play, music performance, athletic contest, graduation, or Board meeting. Instruction may be recorded for staff evaluation or educational or research purposes.

The Superintendent may develop administrative guidelines consistent with this policy to address the use of monitoring and recording equipment in school buildings, school buses and on property owned and/or operated by the Corporation.

Monitoring is to be implemented in accordance with this policy and the Superintendent's guidelines. The use of monitoring and recording equipment in violation of this policy will result in disciplinary action.

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Legal

FERPA, 20 U.S.C. 1232g

34 C.F.R. 99.1-99.67

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510-2521

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - ACCOUNTING SYSTEM FOR FIXED ASSETS
Code	po7455
Status	
Adopted	December 22, 2005
Last Revised	August 21, 2025

#### **7455 - ACCOUNTING SYSTEM FOR FIXED ASSETS**

The School Board shall maintain a capital-asset, accounting system. The fixed-asset system shall maintain sufficient information to permit the following:

- A. the preparation of year-end financial statements in accordance with Generally Accepted Accounting Principles (GAAP)
- B. adequate insurance coverage
- C. control and accountability

Capital assets are defined as those tangible assets of the School Corporation:

- A. with a useful life in excess of one (1) year;
- B. with an initial cost equal to or exceeding the amount determined periodically in the Corporation's administrative guidelines;
- C. which are capitalized in accordance with GAAP; and
- D. which the Corporation intends to hold or continue in use for an extended period of time.

Further, some items may be identified as "controlled" assets that, although they do not meet all capital asset criteria, are to be recorded on the capital-asset system to maintain control.

Capital assets shall be classified as follows:

- A. buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as a financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards; and
- B. additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

Leased capital assets and assets which are jointly-owned shall be identified and recorded on the capital-asset system.

Capital assets shall be recorded at actual, or if not determinable, estimated purchase price or fair market value at the time of acquisition. The method(s) to be used to estimate such price or market value shall be established by the Superintendent pursuant to the State Board of Accounts, Department of Local Government Finance, I.C. 29-1-15-14 and 2 C.F.R. 200.439.-

Normally, the cost recorded is the purchase price or construction costs of the asset. Also included are any other reasonable and necessary costs incurred to place the asset in its intended use that can be directly related to the asset. Such costs may include the following:

- A. Legal and title fees, closing costs
- B. Appraisal and negotiation fees, surveying fees
- C. Damage payments
- D. Land preparation costs, demolition costs
- E. Architect and accounting fees
- F. Design and consulting fees
- G. Transportation charges

Donated or contributed assets should be recorded at their fair market value on the date donated or acquired.

The Corporation will capitalize items with an individual value equal to or greater than \$5,000. Improvements or renovations to existing machinery and equipment will be capitalized only if the change causes the total cost to exceed \$5,000, extends its useful life two (2) or more years, and if the total costs will be greater than the current book value and less than fair market value.

The Superintendent shall develop administrative guidelines to ensure proper purchase, transfer, and disposal of capital assets. The following information shall be maintained for all fixed assets:

- A. description
- B. asset classification (land, building, equipment, etc.)
- C. location
- D. purchase price
- E. date purchased

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Legal	2 C.F.R. 200.1
	2 C.F.R. 200.436
	2 C.F.R. 200.439
	2 C.F.R. 200.465
	I.C. 20-40-18-6
	I.C. 20-40-18-7
	I.C. 29-1-15-14
	U.S. Department of Education's FAWs on Uniform Guidance (July 2024)
	GASB Implementation Guide No. 2021-1, Implementation Guidance Update - 2021
	State of Indiana Capital Asset Management Policy (July 1, 2009)

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - DIGITAL CONTENT AND ACCESSIBILITY
Code	po7540.02
Status	
Adopted	August 19, 2021
Last Revised	May 9, 2024

## 7540.02 - ~~WEB CONTENT, APPS AND SERVICES~~ DIGITAL CONTENT AND ACCESSIBILITY

### A. ~~Creation of Content for Webpages, Websites, Apps and Services~~ Creating Digital Content

The School Board authorizes staff members to create content for the School Corporation's website and Corporation-approved/affiliated apps and services ~~webpages, websites, and apps and services~~ (see Bylaw 0100 - Definitions) (digital content). ~~that are hosted by the School Corporation on its servers or Corporation-affiliated servers (i.e., servers the Board pays to use or otherwise sanctions the use of) and/or published on the Internet.~~

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

Creation of school-related content by students for the Corporation's website or Corporation-approved affiliated apps and services must be done under the supervision of a Corporation staff member.

~~The creation of content for webpages, websites, and apps and services by students shall be done under the supervision of a professional staff member.~~

### B. ~~Purpose of Digital Content of Corporation Webpages, Websites, and Apps and Services~~

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

The purpose of digital ~~the content of webpages, websites, and apps and services~~ covered by this policy is to educate, inform, and communicate. The following criteria shall ~~be used to~~ guide the development of ~~such content for webpages, websites, and apps and services~~ Corporation-generated digital content:

#### 1. Educate

Digital content ~~Content~~ provided shall be suitable for and usable by students and teachers to support the curriculum and the Corporation's objectives.

#### 2. Inform

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

### 3. Communicate

Digital content ~~Content~~ may communicate information about the plans, policies and operations of the Corporation to members of the public and other persons who may be interested in and/or affected by Corporation matters.

The information published on the Corporation's website and Corporation-approved/affiliated apps and services should ~~contained on the Corporation's webpages, websites, and apps and services shall~~ reflect and support the Corporation's policies and philosophy, including any mission statement.

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

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

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

Under no circumstances ~~are staff member-created webpages, websites, and apps and services, including personal webpages or websites, to be used to post~~ shall a staff member post on their personal web pages/websites or private digital accounts (i.e., non-Corporation-approved/affiliated apps and services) student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the ~~Corporation-specified webpages, websites, and apps and services~~, Corporation's website or Corporation-approved/affiliated apps and services for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal web pages or websites ~~(including but not limited to their Facebook, Instagram, Pinterest pages, YouTube Channel(s), or TikTok sites)~~ and/or private digital accounts (i.e., non-Corporation-approved/affiliated apps and services) (including but not limited to the staff member's personal accounts on Facebook, Instagram, Pinterest, YouTube Channel(s), or TikTok site(s)) to check grades, obtain class assignments and/or class-related materials, or to turn in assignments.

If staff members create digital content for ~~webpages, websites, and apps and services~~ related to their classes, they shall be hosted on the Corporation's website or a Corporation-approved/affiliated apps and services ~~server or a Corporation-affiliated server~~.

~~Unless the content of webpages, websites, and apps and services contain a student's personally identifiable information, Corporation webpages, websites, and apps and services that are created by students and/or staff members that are posted on the Internet shall not be password-protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the webpages, websites, and apps and services. Community members, parents, employees, staff, students, and other users generally shall be given full access to the Corporation's webpages, websites, and apps and services. The Corporation's website, including school-specific websites, generally shall be open/available to the public unless specific digital content is unique to a specific child and/or includes student personally identifiable information, in which case the information must be password-protected or access to it must be otherwise restricted. When digital content involving student personally identifiable information or information concerning coursework particular to a specific student's classes/assignments is password-protected/access is otherwise restricted, the student's parent(s)/guardian(s) will continue to have access to that digital content.~~

~~The content of Corporation webpages, websites, and apps and services shall~~ Digital content published on the Board's website should reflect an understanding that both internal and external audiences shall be viewing the information.

~~The Corporation's webpages, websites, and apps and services shall be hosted on Corporation-owned or Corporation-affiliated servers.~~

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to staff and students who publish digital content on the Board's website and Corporation-approved/affiliated apps and services.~~the use of the Corporation's webpages, websites, and apps and services and the creation of webpages, websites, and apps and services by staff and students.~~

The Corporation retains all proprietary rights related to the design of and content for its website(s) and any apps and services it operates and/or is affiliated with, ~~webpages, websites, and apps and services that are hosted on Corporation-owned or Corporation-affiliated servers,~~ absent written agreement to the contrary.

In order for a student's school work (i.e., work that is created for a ~~in a class, at school,~~ or as part of a school-sponsored extracurricular activity) to be displayed on the Corporation's website, the student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) shall provide written permission and expressly license its display without cost to the Corporation.

Likewise, prior written permission of a student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) is necessary for a student to be identified by name on the Corporation's website.

### **C. Instructional Use of Apps and Services**

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

The Board requires the Superintendent pre-approve each of the apps and services that a teacher intends to use to supplement and enhance student learning. To be approved, the apps and services shall have a FERPA-compliant privacy policy and comply with all requirements of the COPPA, CIPA, and Section 504/ADA, including the WCAG 2.1, Level AA accessibility standards. ~~COPPA and CIPA and Section 504 and the ADA.~~

A teacher who elects to supplement and enhance student learning through the use of apps and services is responsible for verifying/certifying to the Superintendent that the apps and services have a FERPA-compliant privacy policy and comply with all requirements of COPPA and CIPA and Section 504 and the ADA including the WCAG 2.1, Level AA accessibility standards..

The Board further requires the use of a Corporation-issued e-mail address in the login process for Corporation-approved/affiliated apps and services.

### **One-Way Communication Using the Corporation Websites ~~Webpages, Websites, and Apps and Services~~ and/or Corporation-Approved/Affiliated Apps and Services**

The Board ~~Corporation~~ approves the use of its the Corporation's website and Corporation-approved/affiliated apps and services ~~webpages, websites, and apps and services~~ to promote school activities and inform stakeholders and the general public about Corporation news and operations.

Such communications constitute public records that shall be archived.

When the Board or Superintendent designates communications distributed via Corporation ~~webpages, websites, and apps and services~~ the Corporation's website and/or Corporation-approved/affiliated apps and services to be one-way communication, public comments are not solicited or desired, and the ~~webpage, website, or apps and services~~ website, or app or service are to be considered a nonpublic forum.

If the Corporation uses apps and services that do not allow the Corporation to block or deactivate public comments, the Corporation's use of those apps and services shall be subject to Policy 7544 - Use of Social Media, unless the Corporation is able to withhold all public comments automatically.

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

Revised 7/14/23

## Legal

P.L. 106-554, Children's Internet Protection Act

15 U.S.C. 6501 et seq., Children's Online Privacy Protection Act

20 U.S.C. 6777, 9134

47 U.S.C. 254, Communications Act of 1934, as amended

34 C.F.R. Part 99, Family Educational Rights and Privacy Act

47 C.F.R. 54.520, Children's Internet Protection Act

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - CHILD ABUSE AND NEGLECT
Code	po8462
Status	
Adopted	June 21, 2001
Last Revised	March 11, 2021
Prior Revised Dates	Revised 3/8/18 3/14/2019 3/12/2020

#### 8462 - **CHILD ABUSE AND NEGLECT**

As an agency of the State, the School Board is concerned with the physical and mental well-being of the children of this School Corporation and will cooperate in the identification and reporting of cases of suspected child abuse or neglect in accordance with law.

~~Each staff member employed by this Corporation shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse, abandonment, cruelty, or neglect resulting in physical or mental injury to a student by other than accidental means.~~

~~If a staff member has reason to believe a child is a victim of abuse or neglect, s/he shall immediately make a report to the Department of Child Services ("DCS") by calling the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556 or the Porter County Sheriff's Department. After making the report, the staff member shall notify the appropriate building administrator of the circumstances that led to the report that the staff member made to DCS or the police. The building administrator shall document the report and, if unable to confirm the date and time it was made and/or the identity of the person to whom the report was made, shall contact DCS or the police to ensure that they have received the report and an investigation has begun.~~ Each staff member and youth coach employed by this Corporation, volunteer coach, and any volunteer shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse, abandonment, cruelty, or neglect resulting in physical or mental injury to a student by other than accidental means. If a staff member has reason to believe a child is a victim of abuse or neglect, they shall make a report immediately to the Department of Child Services ("DCS") by calling the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556 and, if a crime is suspected, the appropriate local law enforcement agency. After making the report, the staff member shall notify the appropriate building administrator of the circumstances that led to the report that the staff member made to DCS and/or the appropriate local law enforcement agency. The building administrator shall document the report and, if unable to confirm the date and time it was made and/or the identity of the person to whom the report was made, shall contact DCS and, if a crime is suspected, the appropriate local law enforcement agency to ensure that they have received the report and an investigation has begun.

The building administrator shall secure prompt medical attention for any such injuries reported.

Information concerning alleged abuse or neglect of a student is confidential information and is not to be shared with anyone other than the administration, DCS, the local prosecutor, or the Porter County Sheriff's Department. If the parent or a member of the household is not the subject of the investigation, the Corporation may notify the parents that a report was made.

Failing to report suspected child abuse or neglect is a Class B misdemeanor, which is punishable by up to 180 days in jail and a \$1,000 fine.

Building administrators should be mindful of the possibility of physical or mental abuse inflicted by a staff member. A staff member who violates this policy also may be subject to disciplinary action. Information concerning alleged abuse of a student by a teacher is confidential information and is not to be shared with anyone other than the parent(s), administration, DCS, or the Porter County Sheriff's Department. Any such instances, real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent after making a report of suspected abuse or neglect as described above.

The Board requires that each Corporation employee who is likely to have direct, ongoing contact with children within the scope of their ~~his/her~~ employment attend or participate in training on child abuse and neglect, including:

- A. training on the duty to report suspected child abuse or neglect under I.C. 31-33-5; and
- B. training on recognizing possible signs of child abuse or neglect at least once every two (2) years.

The training may be provided through:

- A. an in-person presentation; or
- B. an electronic or technology-based medium, including self-review modules available on an online system; or
- C. an individual program of student of designated materials; or
- D. any other method approved by the Superintendent that is consistent with current professional development standards.

The training required by this policy shall count toward the Board's requirements for professional development and be provided during the Corporation employee's contracted day or at a time chosen by the employee.

Also, the Board requires each Corporation employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in at least one (1) hour of training at least every two (2) years on the identification and reporting of human trafficking. The format of this training may include:

- A. an in-person presentation;
- B. an electronic or technology-based medium, including self-review modules available on an online system;
- C. an individual program of study of designated materials.

Annually, the Corporation shall provide age-appropriate and research and evidence-based instruction on child abuse and child sexual abuse to students in Kindergarten through Grade 12. This instruction may be delivered by a school safety specialist, school counselor, school social worker, school psychologist, or any person with training and expertise in the area of child abuse and child sexual abuse.

A staff member who violates this policy in any way may be subject to disciplinary action, up to and including termination.

Revised 3/8/18  
Revised 3/14/19  
Revised 3/12/20

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Legal	I.C. 20-26-5-35.5
	I.C. 20-28-3-4.5
	I.C. 20-28-3-7
	I.C. 20-30-5-5.7
	I.C. 31-33-1-1
	I.C. 31-33-5-1
	I.C. 31-33-5-2(b)
	I.C. 31-33-5-3
	I.C. 31-33-5-5(b)
	I.C. 31-33-22-1(a)

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - STUDENT SUPERVISION AND WELFARE
Code	po3213
Status	
Adopted	March 21, 2013
Last Revised	April 12, 2018

### 3213 - **STUDENT SUPERVISION AND WELFARE**

Each professional staff member shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.

It is the responsibility of the Superintendent to prepare administrative guidelines for the maintenance of the following standards:

- A. A professional staff member shall immediately report to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. A professional staff member shall provide proper instruction in the safety matters as presented in assigned course guides.
- C. Each professional staff member shall immediately report to a building administrator knowledge of threats of violence by students.
- D. A professional staff member shall not send students on any non school related personal errands.
- E. A professional staff member shall not associate inappropriately with students (in person, through social media, through text, email or other forms of electronic communication or otherwise) at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and discipline up to and including termination of employment.
- F. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationship, etc., the staff member shall report the information to the building level administrator immediately. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should any such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- G. ~~If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationship, etc., the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the Corporation who specialize in the assessment, diagnosis, and treatment of the student's stated problem. Any staff member who determines that a student is in need of services shall report the matter to appropriate authorities. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should any such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law. Parents are to be notified.~~
- H. A professional staff member shall not transport students in a private vehicle without the approval of the principal.

Family exception: A staff member who has a family relationship with a current corporation student may transport that student in a private vehicle.

Relationship exception: When a staff member (or a member of the staff member's family) has a close relationship with a current corporation student (or a member of the student's family), the professional staff member may transport the student in a private vehicle.

Under either exception, it is recommended that the staff member inform the building level administrator of the possibility of transporting students listed in this policy in their private vehicle, along with having approval of the student's parent guardian.

I. A student shall not be required to perform work or services that may be detrimental to his/her health.

As further guidance to professional staff regarding the above standards, professional staff members' interactions with students are subject to the following parameters for online, social media and other forms of communication:

The expected method of school-related communication between a staff member and corporation students is through the use of School Corporation provided email accounts and Schoology.

Under limited circumstances requiring more immediate communication, and with the prior approval of the building level administrator/athletic director, a professional staff member may communicate school-related information with students via text messaging provided it is done as a group message (defined as the staff member along with two (2) or more students included on the message). The building level administrator/athletic director may require that the staff member copy them on any text messages.

Family exception: A staff member who has a family relationship with a current corporation student may communicate with the student about non-school related topics by other means, so long as the communication is appropriate and consistent with the above standards.

Relationship exception: While we do not recommend it, when a staff member (or a member of the staff member's family) has a close relationship with a current corporation student (or a member of the student's family), the professional staff member may communicate with the student outside of School Corporation provided email and Schoology, provided all interactions are appropriate and consistent with the above standards.

Under either exception, it is recommended that the staff member inform the building level administrator of the relationship and the communication along with having approval of the student's parent/guardian.

**SOCIAL MEDIA CONTACTS.** Communications with current corporation students through the use of social media including, but not limited to, Facebook, Twitter, Instagram, and YouTube, must occur on public accounts. At no time are staff members permitted to communicate privately via social media using methods, including but not limited to, direct messaging, private accounts, and private chat rooms with current corporation students. All posts and interactions on a staff member's social media account with a current corporation student must be appropriate and reflective of the corporation's expectations and standards.

When a staff member has a concern about a social media post of another staff member, a student, or an interaction with a student, these concerns should be brought to a building level administrator immediately.

Since most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, alleged child abuse, and any other record information.

Pursuant to the laws of the State and Board Policy 8462, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

Revised 12/22/05

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Book	Policy Manual
Section	For Board Review
Title	Revised Policy - CLASS RANK
Code	po5430
Status	
Adopted	June 21, 2001

#### 5430 - **CLASS RANK**

The School Board acknowledges the usefulness of a system of computing grade point averages and class ranking for high school students, both to inform students of their relative academic placement among their peers and to provide students, prospective employers, and institutions of higher learning with a predictive device so that each student is more likely to be placed in an environment conducive to success.

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

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

**Class Rank Through Graduating Class of 2027:** Class rank is based on the accumulated average of semester grades earned in grade nine (9) through the end of the 7 th semester. Class rank is based on this average. Any student transferring into Boone Grove High School after the first week of the 5th semester will not be eligible for the BGHS Academic Hall of Fame, Valedictorian or Salutatorian.

**Latin GPA Recognition (transition completely away from Valedictorian and Salutatorian beginning with the Class of 2028):** We will no longer recognize Valedictorian and Salutatorian beginning with the Class of 2028. We will add the Latin Academic with the class of 2025 and use both systems through the class of 2027. The two students who will be featured speakers graduation will be determined by earning at least a cumulative gpa of 3.5 and an application process as determined by the administration.

The designations follow below:

- Cum Laude: 3.5 to 3.6 GPA
- Magna Cum Laude: 3.7 to 3.8 GPA
- Summa Cum Laude: 3.9 GPA and above

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.03
Status	
Adopted	October 21, 2010
Last Revised	December 12, 2024
Last Reviewed	April 14, 2022

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

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

The Board regulates the use of Corporation Technology Resources by principles consistent with applicable local, State, and Federal laws, the Corporation's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy, its related administrative guidelines and the Student Code of Conduct govern students' use of Corporation Technology Resources and students' personal communication devices when they are connected to the Corporation computer network, Internet connection, and/or online educational apps and services, or when used while the student is on Corporation-owned property or at a Corporation-sponsored activity (see Board Policy 5136 - Personal Communication Devices).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Use of Artificial Intelligence/Natural Language Processing Tools for School Work

Students are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students can use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

- A. **Research assistance:** AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.
- B. **Data Analysis:** AI/NLP tools can be used to help students analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments - e.g., scientific experiments and marketing research.
- C. **Language translation:** AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.
- D. **Writing assistance:** AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. **Accessibility:** AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language.

As outlined above, under appropriate circumstances, AI/NLP tools can be used as a supplement to but not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use such resources to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

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

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

Revised 4/14/22

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### Legal

P.L. 106-554 (2000), Children's Internet Protection Act of 2000

47 U.S.C. 2454(h)(1)(B)

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

20 U.S.C. 6777, 9134 (2003)

47 C.F.R. 54.500 - 54.523

I.C. 20-26-5-40.5

I.C. 35-49-2-2

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - Volume 37, No. 1 - November 2024 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.04
Status	
Adopted	October 21, 2010
Last Revised	April 14, 2022
Last Reviewed	April 14, 2022

### **Revised Policy - Volume 37, No. 1 - November 2024**

#### **7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY**

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

The Board regulates the use of Corporation Technology Resources and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Corporation's educational mission. This policy, its related administrative guidelines, ( ) Board Policy 7544 - Use of Social Media and AG 7544 - Use of Social Media, **[END OF OPTION]** and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Corporation's Technology Resources and Information Resources and staff's personal communication devices (PCDs) when they are connected to the Corporation's computer network, Internet connection and/or online educational ~~services/apps~~ and services, or when used while the staff member is on Corporation-owned property or at a Corporation-sponsored activity (see Board Policy 7530.02 - Web Content, Apps and Services).

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

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

Staff members are expected to utilize Corporation Technology Resources and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 – Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that provides students and staff with access to up-to-date, highly relevant information that will enhance their learning and the education process. Further, Corporation Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world.

Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

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

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

The Board prohibits an employee from using Corporation Technology Resources and Information Resources to:

- A. engage in lobbying (as defined in I.C. 2-7-1-9) that is outside the scope of the employee's duties;
- B. engage in illegal activity; or
- C. violate the Corporation's cybersecurity policy (if applicable).

Pursuant to Federal law, the Corporation has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act or I.C. 35-49-2-2. At the discretion of the Board or Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using Corporation Technology Resources and Information Resources if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or Director of Technology \_\_\_\_\_ may temporarily or permanently unblock temporarily or permanently access to websites or online educational apps and services/apps containing appropriate material if access to such sites has been blocked inappropriately by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protective actions of the technology protection measures. ~~§~~ The Superintendent or Director of Technology \_\_\_\_\_ may also may disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

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

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

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

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Corporation Technology Resources. All users of Corporation Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents, and other constituents, fellow staff members, and vendors or individuals seeking to do business with the Corporation.

Staff may direct students who have been issued school-assigned email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications ~~apps~~ and apps and services that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior on Corporation Technology Resources and Information Resources, i.e., behavior comparable to that expected when they are in classrooms, in school hallways, on other school premises and at school-sponsored events.

Communications on Education Technology are often public in nature. The Board does not approve any use of its Technology Resources and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines [ ] and Board Policy 7544 - Use of Social Media and its accompanying guidelines.

Staff members' use of Corporation Technology Resources and Information Resources to access or use social media shall be consistent with Board Policy 7544 - Use of Social Media and its accompanying guidelines.

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Corporation's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school ~~property~~ property, including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or ~~revoked~~ revoked, and disciplinary action ~~taken~~ may be imposed against them. Users are personally responsible and liable, both civilly and criminally, for uses of Technology Resources and Information Resources not authorized by this Board Policy and its accompanying guidelines. Users who violate this policy will be subject to disciplinary action, up to and including termination.

The Board designates the Superintendent and the building administrators as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Corporation Technology Resources and Information Resources.

### **Social Media Use**

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parent consent (see Board Policy 8330 - Student Records). Education records include a wide variety of information, and posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Nothing in this policy is intended to interfere with any school employee's rights under applicable law with respect to union organizing or collective bargaining.

### **Use of Artificial Intelligence/Natural Language Processing Tools**

Staff are permitted to use Artificial Intelligence (AI) and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") to accomplish their job responsibilities so long as the use is ethical, responsible, and does not violate any provisions of this policy (e.g., it does not infringe on students' or staff members' privacy rights, violate their duty to maintain confidentiality related to personally identifiable information, etc.

With respect to students, it is the Board's policy that they are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, students are prohibited from using AI/NLP tools to complete school work. The use of AI/NLP tools without the express permission/consent of a teacher is considered to undermine the learning and problem-solving skills that are essential to a student's academic success and that the staff is tasked to develop in each student. Consequently, students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools, and they are expected to ask their teachers when they have questions and/or need assistance. A student's unauthorized use of AI/NLP tools is considered a form of plagiarism, and any student found using such tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students are allowed to use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

- A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.
- B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments, e.g., scientific experiments and marketing research.
- C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.
- D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments to understand spoken language.

As outlined above, under appropriate circumstances, AI/NLP tools can be used effectively as a supplement to but not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use AI/NLP tools to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

#### **[END OF OPTIONAL LANGUAGE]**

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

P.L. 106-554 (2000), Children's Internet Protection Act

~~47 U.S.C. 254(h), (1)~~, 47 U.S.C. 254(h)(1)(B), Communications Act of 1934, as amended (2003)

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

20 U.S.C. 6777, 9134 (2003)

47 C.F.R. 54.500 - 54.523

I.C. 2-7-1-9

I.C. 20-26-5-40.5

I.C. 35-49-2-2

#### Cross References

po0100 - DEFINITIONS

po2520 - SELECTION OF CURRICULAR MATERIALS, SCHOOL LIBRARY MATERIALS, AND EQUIPMENT

po7530.02 - STAFF USE OF PERSONAL COMMUNICATION DEVICES

po7540 - TECHNOLOGY

po7544 - USE OF SOCIAL MEDIA

po7540.09 - ARTIFICIAL INTELLIGENCE  
po8330 - STUDENT RECORDS  
ag7544 - USE OF SOCIAL MEDIA

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Legal

P.L. 106-554 (2000), Children's Internet Protection Act  
47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)  
18 U.S.C. 1460  
18 U.S.C. 2246  
18 U.S.C. 2256  
20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)  
20 U.S.C. 6777, 9134 (2003)  
47 C.F.R. 54.500 - 54.523  
I.C. 2-7-1-9  
I.C. 20-26-5-40.5  
I.C. 35-49-2-2

Cross References

po0100 - DEFINITIONS  
po2520 - SELECTION OF CURRICULAR MATERIALS, SCHOOL LIBRARY MATERIALS, AND EQUIPMENT  
po7530.02 - STAFF USE OF PERSONAL COMMUNICATION DEVICES  
po7540 - TECHNOLOGY  
po7544 - USE OF SOCIAL MEDIA  
po7540.09 - ARTIFICIAL INTELLIGENCE  
po8330 - STUDENT RECORDS  
ag7544 - USE OF SOCIAL MEDIA

Book	Policy Manual
Section	For Board Review
Title	Revised Policy - GRADUATION REQUIREMENTS
Code	po5460
Status	
Adopted	June 21, 2001
Last Revised	July 14, 2022

## 5460 - GRADUATION REQUIREMENTS

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

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

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

~~To earn a standard Indiana high school diploma, students in the graduating class of 2023, and each graduating class thereafter must satisfy all three of the graduation pathway requirements established by the State. To be eligible to receive a diploma a student shall: 1) meet the credit requirements of the State as provided by the Indiana Department of Education (IDOE). 2) learn and demonstrate employability skills through one of three methods as defined by the IDOE 3) demonstrate postsecondary ready competencies through one of the several methods provided for by the IDOE.~~

Students enrolled in the Corporation shall have the opportunity to earn the standard Indiana high school diploma with any of the designations approved by the Indiana State Board of Education, and for those pursuing the New Indiana Diploma requirements, the opportunity to earn one (1) or more of the diploma seals..

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

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

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

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

Students with disabilities who have completed and are ready to exit their programs may participate in graduation activities and shall be awarded, as appropriate, an alternate diploma for students with significant cognitive disabilities.

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

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

The Board shall award a certificate of course completion to a student who completes the minimum courses required for high school graduation but does not satisfy all three (3) of the Graduation Pathway Requirements unless the student meets the criteria for waiver under State law, in which case the Board shall award a diploma to the student.

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

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

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

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

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

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

Each student is required to meet:

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

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

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

Revised 1/19/06  
Revised 5/12/16  
Revised 8/10/17  
Revised 3/8/18  
Revised 3/14/19  
Revised 10/8/20

Legal

I.C. 20-19-2-21

I.C. 20-26-5-37

I.C. 20-30-4-2

I.C. 20-32-4-1.5 through 14