

AGENDA FOR  
BOARD OF SCHOOL TRUSTEES  
REGULAR MEETING

Elkhart Community Schools  
Elkhart, Indiana

June 9, 2020

CALENDAR

June	9	5:30 p.m.	Public Work Session, J.C. Rice Educational Services Center
June	9	immediately following	Executive Session, J.C. Rice Educational Services Center
June	9	7:00 p.m.	Regular Board Meeting, J.C. Rice Educational Services Center
June	9	immediately following	Executive Session, J.C. Rice Educational Services Center
June	23	5:30 p.m.	Public Work Session, J.C. Rice Educational Services Center
June	23	7:00 p.m.	Regular Board Meeting, J.C. Rice Educational Services Center

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- A. CALL TO ORDER
- B. THE ELKHART PROMISE
- C. INVITATION TO SPEAK PROTOCOL
- D. SPECIAL RECOGNITION

Jim Eger

Resolution – The Administration request adoption of a Resolution naming the track at Memorial High School as the Jim Eger Track in recognition of his contributions to Elkhart Community Schools.

- E. CONSENT ITEMS:
  - Minutes – May 26, 2020 – Public Work Session
  - Minutes – May 26, 2020 – Regular Board Meeting
  - Claims
  - Gift Acceptance
  - Fundraisers
  - Extra-Curricular Purchase Request
  - Grant Submissions
  - Personnel Report

- F. OLD BUSINESS

Administrative Regulation JFC-1 - Guidelines for Good School Order – The administration presents proposed revisions to Administrative Regulation JFC-1 – Guidelines for Good School Order, with requested revision from the May 26<sup>th</sup> regular meeting.

Administrative Regulation JFC-2 – Rules for Student Conduct – The administration presents proposed revisions to Administrative Regulation JFC-2 – Rules for Student Conduct, with requested revision from the May 26<sup>th</sup> regular meeting.

Administrative Regulation JFCA - Guidelines for Secondary School Athletics – The administration presents proposed revisions to Administrative Regulation JFCA – Guidelines for Secondary School Athletics, as presented at the May 26<sup>th</sup> regular meeting.

G. NEW BUSINESS

Board Policy 2260 – Nondiscrimination and Access to Equal Education Opportunity - The administration presents proposed revisions to Board Policy 2260 – Nondiscrimination and Access to Equal Education Opportunity, for initial consideration.

Board Policy 2260.01 – Section 504/ADA Prohibition Against Employment Opportunity; Board Policy 3122ACS – Nondiscrimination and Equal Employment Opportunity; and Board Policy 3123ACS – Section 504/ADA Prohibition Against Disability Discrimination in Employment - The administration presents proposed revisions to Board Policy 2260.01, Board Policy 3122ACS; and Board Policy 3123ACS, and asks to waive 2<sup>nd</sup> reading.

Title Changes within Board Policy – The administration requests authorization to amend the list of policies provided and to approve future title changes under Consent Items.

Elkhart Public Library Board Re-Appointment

Authorization – The Technology Department requests authorization to renew the Cisco SmartNet maintenance contract.

Resolution The Business office recommends adoption of a Resolution to Transfer Funds from the Rainy Day Fund.

2021 Budget Timeline – A timeline for the 2021 Budget is provided for Board review.

Food Service Bids – The Business Office recommends Board approval of the bid award of food, commodities, fresh produce, supplies, bakery supplies and dairy supplies.

H. INFORMATION AND PROPOSALS

From Audience

From Superintendent and Staff

From Board

I. ADJOURNMENT

RESOLUTION OF THE BOARD OF SCHOOL TRUSTEES  
ELKHART COMMUNITY SCHOOLS

WHEREAS, Jim Eger graduated as a three sport athlete from Elkhart High School in 1955; and

WHEREAS, Jim Eger was awarded the Tim Bringle Award in 1955, emblematic of the top senior male athlete attending Elkhart High School; and

WHEREAS, while attending college at Western Michigan University, where he earned his Bachelor's Degree, he competed in football and track and was elected Co-Captain of the 1958 Western Michigan Football team, and

WHEREAS, he joined the teaching staff in the Mathematics Department at Elkhart High School in 1963; and

WHEREAS, Jim Eger served as an outstanding coach for Elkhart High School from 1963 until 1972; and

WHEREAS, Jim Eger has served and continues to serve as a coach for Elkhart Memorial High School from 1972 until the present day; and

WHEREAS, Jim Eger has actively served as a coach for track for sixty years, football for forty-one years, and basketball for four years; and

WHEREAS, his track teams, while serving as a head coach, posted a 212-43 record including IHSAA State Championship in 1969, five IHSAA Regional titles, seventeen IHSAA Sectional titles, seventeen Northern Indiana Conference titles, and four Goshen Relay Championships; and

WHEREAS, during his tenure as an Assistant Track Coach, his teams won an additional eight conference titles, eight IHSAA Sectional titles, and one IHSAA Regional title; and

WHEREAS, while serving as an assistant football coach at La Porte High School, Elkhart High School, and Elkhart Memorial High School, his teams won five unbeaten football seasons, nine conference titles, one IHSAA Sectional title, and three "mythical" Indiana State Championships; and

WHEREAS, Jim Eger was recognized at the 2019 IHSAA State Boys Track meet as the coach of the 50<sup>th</sup> anniversary 1969 State Championship Team; and

WHEREAS, he was recently honored by the Indiana Association of Track and Cross Country Coaches "IATCCC" for his sixty years of coaching high school track teams; and

WHEREAS, the Board of School Trustees of Elkhart Community Schools wish to honor the commitment to students shown by Jim Eger in the classroom, on the field, and on the track.

NOW, THEREFORE, BE IT RESOLVED the Elkhart Community Schools Board of School Trustees, pursuant to the provisions set forth in Board Policy 7250, hereby names the track at Elkhart Memorial High School as the Jim Eger Track in recognition of the contributions made by Jim Eger to students attending the Elkhart Community Schools and further directs a plaque in his honor be installed at this facility.

Signed this 9<sup>th</sup> day of June, 2020.

AYE

NAY

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BOARD OF SCHOOL TRUSTEES, ELKHART COMMUNITY SCHOOLS

Attest: \_\_\_\_\_, Secretary  
Board of School Trustees

MINUTES OF THE  
PUBLIC WORK SESSION  
OF THE  
BOARD OF SCHOOL TRUSTEES

Elkhart Community Schools  
Elkhart, Indiana

May 26, 2020

J.C. Rice Educational Services Center, 2720 California Road, Elkhart – at 5:30 p.m.

Place/Time

Board Members Present: Kellie L. Mullins  
Carolyn R. Morris  
Roscoe L. Enfield, Jr.

Roll Call

Absent: Douglas K. Weaver

Via Electronic Communication: Babette S. Boling  
Susan C. Daiber  
Rodney J. Dale

ECS Personnel Present: Kevin Scott Doug Thorne  
Steven Thalheimer Cheryl Waggoner

The Board was updated on the following topics by Superintendent Steve Thalheimer: the administrative retreat scheduled for June 8 and 9; reopening of the administration building; information on start of school; and potential date for joint meeting with the Elkhart City Council.

Topics Discussed

The meeting adjourned at approximately 5:45 p.m.

Adjournment

APPROVED:

Signatures

\_\_\_\_\_  
Kellie L. Mullins, President

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Babette S. Boling, Member

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Carolyn R. Morris, Vice President

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Susan C. Daiber, Member

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Roscoe L. Enfield, Jr., Secretary

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Rodney J. Dale, Member

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Douglas K. Weaver, Member

MINUTES  
OF THE REGULAR MEETING  
OF THE BOARD OF SCHOOL TRUSTEES

Elkhart Community Schools  
Elkhart, Indiana  
May 26, 2020

J.C. Rice Educational Services Center, 2720 California Road, Elkhart – at 7:00 p.m.			Place/Time
Board Members Present:	Kellie L. Mullins Carolyn R. Morris Roscoe L. Enfield, Jr.	Douglas K. Weaver	Roll Call
Via Electronic Communication:		Babette S. Boling Susan C. Daiber Rodney J. Dale	
President Kellie Mullins called the regular meeting of the Board of School Trustees to order.			Call to Order
Mrs. Mullins recited the Elkhart Promise.			The Elkhart Promise
Mrs. Mullins discussed the invitation to speak protocol.			
By unanimous action by roll call, the Board approved the following consent items:			Consent Items
<p>May 12, 2020 – Public Work Session Minutes May 12, 2020 – Regular Board Meeting Minutes</p>			Minutes
<p>Payment of claims totaling \$4,357,212.66 as shown on the May 26, 2020, claims listing. (Codified File 1920-138)</p>			Payment of Claims
<p>The following donation made to Elkhart Community Schools (ECS): 4 fully stocked tool chests to be given to four graduating students from the automotive technology program at the EACC from the Gateway Mile Autofest Group.</p>			Gift Acceptance
<p>Grant submission for the Carl D. Perkins and Technical Education Grant from the EACC in the amount of \$708,216.50; a Harbor Freight Tools for Schools Grant to Harbor Freight Tools from the EACC in the amount of between \$50,000 - \$100,000; a Bullying Prevention Program Grant to the Indiana Criminal Justice Institute: Safe Haven Grant from ESC in the amount of \$54,230; and a ProjectAWARE grant to the Indiana Department of Education in the amount of \$30,000 - \$60,000 per year for 3 years. (Codified File 1920-139)</p>			Grant Submissions

	Personnel Report
A consent agreement regarding unpaid time for a certified staff member. (Codified File 1920-140)	Consent Agreement
<p>Employment of the following seven (7) certified staff members for the 2020-2021 school year:</p> <ul style="list-style-type: none"> <li>Brandy Bohm - alt. language arts at North Side</li> <li>Kathryn Case - language arts at EHS West</li> <li>Matthew Gammon - social studies at Elkhart Academy</li> <li>Ashley Hire - math at EHS West</li> <li>Heather Gindling - grade 5 (temp) at Roosevelt</li> <li>Katilin Putt - speech pathologist at TBD</li> <li>Emily Sefcheck - grade 2 at Feeser</li> </ul>	Certified Employment
Retirement of certified staff member, Phyllis Tubbs, assistant athletic director at Memorial, at the end of the 2019-2020 school year, with 57 years of service.	Certified Retirement
Maternity Leave for certified staff member, Sarah Collins, grade 2 at Roosevelt, beginning 5/26/20 and ending 6/2/21.	Certified Leave
<p>Resignation of the following two (2) certified staff members on dates indicated:</p> <ul style="list-style-type: none"> <li>Philip Lederach - director of secondary instruction at ESC, 6/30/20</li> <li>Jeshua Sistrunk - special education intern at ESC, 6/3/20.</li> </ul>	Certified Resignations
<p>Resignation of the following two (2) classified employees effective on dates indicated:</p> <ul style="list-style-type: none"> <li>Barbara Estrup - registered nurse at Riverview, 6/30/20</li> <li>Terry Springer - custodian at Memorial, 5/18/20</li> </ul>	Classified Resignations
<p>Retirement of the following three (3) classified employees effective on dates indicated with years of service in parenthesis:</p> <ul style="list-style-type: none"> <li>Jennifer Novara - registered nurse at Bristol, 6/3/20 (14)</li> <li>Pamela Reddell - paraprofessional at Beck, 5/29/20 (21)</li> <li>Joanne Scheetz - paraprofessional at Riverview, 6/3/20 (15)</li> </ul>	Classified Retirements
By unanimous action by roll call, the Board approved proposed revisions to Board Policy 3410-04CS – Substitute Compensation, as presented at the May 12 <sup>th</sup> regular meeting.	Board Policy 3410.04CS
The Board was presented proposed revisions to Administrative Regulation JFC-1, Guidelines for Good School Order, for initial consideration. In response to Board inquiry, further revisions will be presented at the next Board meeting.	Administrative Regulation JFC-1

The Board was presented proposed revisions to Administrative Regulation JFC-2, Rules for Student Conduct, for initial consideration. In response to Board inquiry, further revisions will be presented at the next Board meeting.

Administrative Regulation JFC-2

The Board was presented proposed revisions to Administrative Regulation JFCA, Guidelines For Secondary School Athletics, for initial consideration.

Administrative Regulation JFCA

By unanimous action by roll call, the Board adopted a Resolution regarding the vacation rollover for classified employees due to COVID-19. (Codified File 1920-141)

Resolution

By unanimous action by roll call, the Board authorized a Memorandum of Understanding (Vacation Carryover) between ECS and AFSCME regarding the rollover of vacation days. (Codified File 1920-142)

Memorandum of Understanding

By unanimous action by roll call, the Board adopted a Resolution regarding an Indiana Bond Bank Temporary Loan. (Codified File 1920-143)

Resolution

Kevin Scott, chief financial officer, stated April's claims were up, but year-to-date claims were still lower than previous year at the same month.

Monthly Insurance Report

The Board received a financial report from Mr. Scott for the period January 1 – April 30, 2020. The Board found the report to be in order.

Financial Report

By unanimous action by roll call, the Board adopted the Elementary Music Curriculum as presented by Kurt Weirich, coordinator of K-12 music. (Codified File 1920-144)

Music Curriculum

Superintendent Thalheimer thanked those workers for the final school year effort, and preparing rooms and bagging personal items for pick up or delivery.

From the Superintendent

Tony Gianesi, chief operating officer, reported 119,636 meals have been packaged and served so far.

From the Staff

The meeting adjourned at approximately 7:50 p.m.

APPROVED:

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Kellie L. Mullins, President

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Carolyn R. Morris, Vice President

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Roscoe L. Enfield, Jr., Secretary

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Babette S. Boling, Member

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Susan C. Daiber, Member

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Rodney J. Dale, Member

\_\_\_\_\_  
Douglas K. Weaver, Member

Adjournment

Signatures



ELKHART AREA CAREER CENTER

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**ELKHART**  
COMMUNITY SCHOOLS

INTERNAL MEMO

**TO: DR. THALHEIMER  
BOARD OF SCHOOL TRUSTEES**

**FROM: BRANDON EAKINS** BE

**DATE: JUNE 2, 2020**

**RE: DONATION APPROVAL - EACC**

Brandon Eakins has donated a John Deere riding mower and a Lawn Boy push mower with an owner estimated value of \$550.00. These mowers will be used in our Recreational and Mobile Equipment class.

The donation of mowers will be useful in the classroom as they will be used by students for training purposes.

I am requesting approval from the Board of School Trustees to accept this donation and that an appropriate letter of acknowledgement and appreciation is sent to:

Brandon Eakins  
23956 Autumnview Lane  
Elkhart, IN 46517



ELKHART AREA CAREER CENTER

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**ELKHART**  
COMMUNITY SCHOOLS

INTERNAL MEMO

**TO: DR. THALHEIMER  
BOARD OF SCHOOL TRUSTEES**

**FROM: BRANDON EAKINS** *BE*

**DATE: JUNE 2, 2020**

**RE: DONATION APPROVAL - EACC**

Steve Thalheimer has donated a Craftsman riding mower, a Craftsman 22" push mower, and a FS 18 string trimmer with an owner estimated value of \$575.00. These items will be used in our Recreational and Mobile Equipment class.

The donation of mowers and trimmer will be useful in the classroom as they will be used by students for training purposes.

I am requesting approval from the Board of School Trustees to accept this donation and that an appropriate letter of acknowledgement and appreciation is sent to:

Steve Thalheimer  
2720 California Rd.  
Elkhart, IN 46514



**ELKHART ACADEMY AT TIPTON**

1013 TIPTON STREET • ELKHART, IN 46516

PHONE: 574-295-4903



**ELKHART COMMUNITY SCHOOLS**

J.C. RICE EDUCATIONAL SERVICES CENTER

2720 CALIFORNIA ROAD • ELKHART, IN 46514

PHONE: 574-262-5500

To: Dr. Thalheimer  
Board of School Trustees

From: Bryan Hammontree

Date: 5/28/20

Re: Donation Approval - Elkhart Academy

Crossroads Community Church has donated \$1500 for the purchase of gift baskets for graduating seniors from Elkhart Academy.

The purchase of the gift baskets will be used to celebrate Elkhart Academy's seniors and acknowledge their hard work.

I am requesting approval from the Board of School Trustees to accept this donation and that an appropriate letter of acknowledgement and appreciation is sent to:

Crossroads Community Church  
57415 Alpha Drive  
Goshen, IN 46528





ELKHART COMMUNITY SCHOOLS  
Elkhart, Indiana

June 2, 2020

TO: Dr. Steven Thalheimer  
Board of School Trustees

FROM: Kevin Scott

SUBJECT: Extra-Curricular Purchase

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The Business Office recommends Board approval of purchase of the following items from extra-curricular funds:

SCHOOL/ACCOUNT	ITEM	AMOUNT
Pierre Moran MS/Extra-Curricular	Student Lanyards	\$1,470.75

What is the title of the grant?	What is the name of the granting agency/entity?	Please list school/entity applying.	Individual/contact applying for the grant?	What is the amount applied for?	How will the grant funds be used and who will oversee the management of the grant?	Please explain how the grant funds will be used to support the district vision, focus, and goals.	Please outline the grant budget for the funds requested.	What is the grant submission deadline?
FFA Day of Service Mini-Service Grant	National FFA	Memorial FFA	Cyndy Keeling/Brenda Mueller	\$400.00	The grant will be used to help increase the size of the community garden at ACCELL by purchasing a tiller, hoses and other garden products. Brenda Mueller and Cyndy Keeling will oversee the funds.	The grant funds will be used to support providing students and the community with a healthy and sustainable food source. It will provide an additional educational source for our students on how their food is grown. We plan to produce a video that will be available for teachers to use in their classroom as a educational tool as well.  <b><i>We did not realize there was not a board meeting until June 9, our apologies. We also did not realize the deadline on the mini-grant was the 1st of the month as the year-long grant is on June 15th. We wanted to make sure we made the cutoff of the 1st to get consideration for the mini-grant by the organization, and did not realize the board schedule. Again, our apologies.</i></b>	Garden hose - \$40 , Tiller \$ 275, Sprinkler \$14, Tomato cages \$ 36, and Vegetable transport boxes \$36	6/1/2020
Mighty Money Mini Grant	AWS Foundation	District Exceptional Learners Department/ Intense Interventions	Lindsey Cox	\$2,500	Funds will be used to purchase licenses for Music Together Funds will be managed by the Department of Exceptional Learners (Charrell Stevens).	Music Together is a music curriculum that has been identified as the first step toward developing a United Music program for the district especially designed to improve inclusive practices for our students with the most significant challenges.	\$56.25/license x 45 licenses = \$2,531.25 - Additional funding is being sought for the purchase of additional licenses to support all students in Intense Interventions K-12 as well as PACE.	7/1/2020



**HUMAN RESOURCES**

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**ELKHART**  
COMMUNITY SCHOOLS

INTERNAL MEMO

**TO: DR. STEVEN THALHEIMER**  
**FROM: MS. CHERYL WAGGONER**  
**DATE: JUNE 9, 2020**

**PERSONNEL RECOMMENDATIONS**

**CERTIFIED**

- a. **New Certified Staff** – We recommend the following new certified staff for employment in the 2020-21 school year:

<b>Holly Christianson</b>	<b>Roosevelt/Grade 1</b>
<b>Brett Coverstone</b>	<b>Daly/Grade 3 (temporary contract)</b>
<b>Sandra Helfrick-Hendrix</b>	<b>Elkhart East/Science</b>
<b>Rebecca Kmitta</b>	<b>TBD/Psychologist</b>
<b>Joel Springle</b>	<b>Roosevelt/Physical Education</b>
<b>Jason Westra-Hall</b>	<b>Elkhart East/Language Arts</b>

- b. **Resignation** – We report the resignation of the following employees:

<b>Juan Alarcon</b> Began: 2/11/20	<b>Roosevelt/Music</b> Resign: 6/3/20
<b>Kevin Beveridge</b> Began: 8/22/94	<b>Roosevelt/Assistant Principal</b> Resign: 6/15/20
<b>Nathan Eckley</b> Began: 1/7/19	<b>Memorial/Science</b> Resign: 6/3/20
<b>Martha Gourley</b> Began: 8/14/06	<b>Osolo/Grade 1</b> Resign: 6/3/20
<b>Andrew Graber</b> Began: 8/13/19	<b>Woodland/Intervention</b> Resign: 6/3/20
<b>Brett Herschel</b> Began: 8/14/18	<b>Cleveland/Grade 6</b> Resign: 6/3/20

**Rachel Parker**  
Began: 8/2/16

**Central/Science**  
Resign: 6/3/20

**CLASSIFIED**

**a. Resignation** – We report the resignation of the following classified employees:

**Nina Bayes**  
Began: 9/9/19

**EACC/Paraprofessional**  
End: 6/3/20

**Man Ting Choi**  
Began: 8/12/19

**ESC/Psychologist Intern**  
End: 5/29/20

**Betty Lester**  
Began: 10/1/13

**Transportation/Bus Driver**  
End: 6/3/20

**Kelly Myers**  
Began: 9/16/13

**Feeser/Food Service**  
End: 6/3/20

**Tona Vanover**  
Began: 8/12/19

**Central/Paraprofessional**  
End: 6/3/20

**Shari Warlick**  
Began: 11/11/13

**Central/Paraprofessional**  
End: 6/3/20

**Andrea Yeager**  
Began: 12/10/18

**Hawthorne/Paraprofessional**  
End: 6/3/20

**b. Retirement** – We report the retirement of the following classified employees:

**Marianne Grovdahl**  
Began: 3/6/00

**Pinewood/Paraprofessional**  
Retire: 6/3/20  
20 Years of Service

**Nancy Morningstar**  
Began: 10/02/02

**Central/Paraprofessional**  
Retire: 6/3/20  
17 Years of Service

**c. Death**- We regrettfully report the death of the following classified employee:

**Gearlene Griffin**  
Deceased: 5/21/20

**Memorial/Food Service**  
1 Year of Service



## GUIDELINES FOR GOOD SCHOOL ORDER

### Section 1. General Responsibilities

#### A. School Responsibilities

The primary responsibility of the Elkhart Community Schools is to provide each student with an opportunity to acquire meaningful knowledge and skills and to help develop fully his or her potential as an individual in a safe environment. In order to assure a climate for learning, Elkhart Community Schools must maintain certain standards of conduct for school citizenship.

The Board of School Trustees of the Elkhart Community Schools and its employees have the legal responsibility for establishing and enforcing rules for student conduct. The Board of School Trustees has established these Guidelines for Good School Order, among other administrative regulations, and has directed administrative officers and other school personnel to carry out these regulations. School staff members will individually, collectively, and cooperatively work with parents/guardians and appropriate available community resources to help each student gain acceptable self-disciplinary standards. Elkhart Community Schools will make a copy of all discipline rules available to students and students' parents.

To enable the schools to meet the needs of all students, district-wide and building rules and standards of conduct are based on the same principles which govern the life of every individual. Primary among these principles must be respect for self and others and, based on such respect, the freedom to think, speak, and act. Failure to comply with any rule adopted by the Board of School Trustees or the administration shall constitute grounds for expulsion, suspension, or any other reasonable disciplinary action(s). Avenues will be provided to students for due process as prescribed by law. Moreover, qualified students with disabilities may be entitled to additional protections or rights as provided by law.

#### B. Student Responsibilities

Students have the responsibility to know and act in accordance with the rules and regulations of the school. In this regard, each student shall

1. follow reasonable directions of school personnel in all educational settings;
2. refrain from disruptive behavior which interferes with the educational environment;
3. accept responsibility for his or her own behavior;
4. show respect for self and for others; and
5. be involved in the educational process to the fullest extent possible.

#### C. Parent/Guardian Responsibilities

1. Parents/guardians are to become familiar with these Guidelines and review them with their children.
2. Parents/guardians are to work with their children and with school personnel to resolve any disciplinary problems.
3. Parents/guardians can be required to participate in any action taken in connection with their child's behavior.

#### D. Delegation of Authority

In carrying out the purposes of the school corporation, the following grants of authority are made, subject to the limitations which exist under law:

1. When students are being supervised, each teacher or other Elkhart Community Schools staff member is authorized to take any action reasonably necessary to carry out, or to prevent interference with, an educational function.
2. A principal, including any principal's designee, may take any action concerning his or her school or any school activity within his or her jurisdiction reasonably necessary to carry out, or prevent interference with, any educational function or school purpose. Such action may include establishing written rules and standards to govern student conduct.
3. The superintendent, and other administrators with the superintendent's approval, may take any action with respect to all schools within the superintendent's jurisdiction which is reasonably necessary to carry out, or to prevent interference with, any educational function or school purpose.
4. The superintendent and principal may adopt procedures establishing lines of responsibility in compliance with Elkhart Community Schools' discipline policies and administrative regulations.
5. The Board of School Trustees may also make such other delegations of rule-making, disciplinary, and other authority, as are reasonably necessary in carrying out the purposes of the school corporation.

## Section 2. Enforcement of Student Conduct Rules

In the absence of student self-discipline, each administrator, teacher, or any other school personnel is responsible for implementing the rules for student conduct adopted by the individual school and the Board of School Trustees.

Some behavior problems are more serious than others and require different approaches and clearly defined actions.

### A. Definitions

1. As used in these Guidelines for Good School Order, the term "conduct constituting an interference with school purposes," or comparable language, means any conduct which causes, or which can reasonably be foreseen to cause, a substantial disruption or material interference in the carrying out of school purposes. Undifferentiated fear or apprehension of disturbance, disruption, or interference shall not alone constitute sufficient grounds to support a determination this conduct exists.
2. As used in these Guidelines for Good School Order, the term "dismissal from school, class, or activity" means disciplinary action whereby a middle school or high school teacher will have the right to dismiss a student from the teacher's class or activity for a period not to exceed five (5) class periods, and an elementary teacher will have the right to dismiss a student from the teacher's classroom or activity for a period of up to one (1) school day.
3. As used in these Guidelines for Good School Order, the term "educational function" means the performance by the school corporation, or its officers or employees, of an act or series of acts in carrying out school purposes.
4. As used in these Guidelines for Good School Order, the term "expulsion" means a disciplinary action whereby a student

- a. is separated from school attendance for a period exceeding five (5) school days;
- b. is separated from school attendance for the balance of the then current semester or current year, unless a student is permitted to complete required examinations in order to receive credit for courses taken in the then current semester or current year; or
- c. is separated from school attendance 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 apply to situations in which a student is disciplined using a method described in Section 2(B)(1) to (11) of these Guidelines for Good School Order, when a student is removed from school after being found ill, or when the student is removed from school for failure to comply with the immunization requirements.

5. As used in this Administrative Regulation, the term “school function” means any activity sanctioned or sponsored by the school.
6. As used in these Guidelines for Good School Order, the term “school purposes” means the purposes for which the school operates, including
  - a. promoting knowledge and learning;
  - b. maintaining an orderly and effective educational system; and
  - c. taking any action under the authority conferred on the school corporation by any statute.
7. As used in this Administrative Regulation, the term “suspension” means any disciplinary action which does not constitute an expulsion, whereby a student is separated from school attendance for a period of not more than five (5) school days.

The term does not apply to situations in which a student is disciplined using a method described in Section 2(B)(1) to (11) of these Guidelines for Good School Order, when a student is removed from school after being found ill, or when the student is removed from school for failure to comply with the immunization requirements.

B. Discipline

In dealing with students who have not exhibited sufficient self-discipline to live and work in harmony with others, school personnel may use any or all of the following discipline techniques (among others) as consequences to inappropriate behavior for students under their supervision, subject to the limitations which exist under law:

1. counseling with a student or group of students;
2. conferences with parent(s)/guardian(s);
3. assigning additional academic work;
4. rearranging class schedules;
5. requiring a student to remain at school after regular school hours to do additional academic work or for counseling;
6. restricting extracurricular activities;
7. rescinding the privilege of riding the school bus;
8. assignment by the principal of a special course of study, an alternative educational program, or an alternative school;
9. assignment of not more than one hundred twenty (120) hours of service with a non-profit

organization, as outlined by statute;

10. referring students to law enforcement personnel in cases related to violations of the law;
11. denial of attendance at extra-curricular activities;
12. complying with state laws which prevent issuance of or invalidation of driver's licenses or learner's permits;
13. Dismissal from Class or Activity – Teacher
  - a. A middle school or high school teacher will have the right to dismiss a student from the teacher's class or activity for a period not to exceed five (5) class periods.
  - b. An elementary teacher will have the right to dismiss a student from the teacher's classroom or activity for a period of up to one (1) school day.

14. Suspension from School – Principal

A school principal (or designee) may deny a student the right to attend school or take part in any school function for not more than five (5) school days. However, a student may be suspended for more than five (5) school days, if the suspension is pending an expulsion decision and the continued suspension will prevent or substantially reduce the risk of interference with an educational function or purpose or a physical injury to the student, other students, school employees, or visitors to the school.

15. Expulsion from School

In accordance with the due process procedures defined in this administrative regulation, a student may be expelled from school for a period no longer than the remainder of the school year in which the expulsion took effect, if the misconduct occurred during the first semester. If a student is expelled during the second semester, the expulsion remains in effect for summer school and may remain in effect for the first semester of the following school year. A principal may require a student, who is at least sixteen (16) years of age and who wishes to reenroll after expulsion, to attend an alternative school or educational program or evening classes.

C. Grounds for Suspensions and Expulsions

1. Prohibited Conduct Which May Result in a Suspension or Expulsion:

The following types of student conduct may constitute grounds for suspension, expulsion, or other disciplinary action, subject to the limitations which exist under law. Such conduct is defined to include, but not to be limited to, the following acts committed 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 when traveling to or from school or a school activity, function, or event. The discipline rules may also apply when the student is using property or equipment provided by the school.

- a. Interference with School Purposes. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other comparable conduct constituting an interference with school purposes or urging other students to engage in such conduct.
- b. Speech/Conduct. Engaging in speech or conduct, including use of clothing, jewelry, or hair style, which is profane, indecent, lewd, vulgar, disparaging of another's race, disability, religion, ethnic background, or gender, an indicator of gang involvement, or offensive to school purposes.
- c. Vandalism. Causing, or attempting to cause, damage to school or private property.

- d. Theft. Stealing, or attempting to steal, school or private property, or being in possession of another person's property.
- e. Fighting or Physical Injury. Intentionally causing, or attempting to cause, physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief it was necessary to protect some other person does not, however, constitute a violation of this provision.
- f. Bullying Behavior, Intimidation, or Harassment. Engaging in bullying behavior as defined in Board Policy 5517.01. Threatening, intimidating, or harassing any person, causing injury to an individual's person or property or, with the intent of obtaining money or anything of value from the person. Engaging in sexual harassment of another person, which involves sexually-related verbal statements, gestures, or physical contact. This section also includes bullying **behavior** through the use of data or computer software which is accessed through a computer, computer system, or network of the school.  
**f. When reasonably foreseeable, bullying behavior through the use of social media constitutes a violation of Board Policy 5517.01.**
- g. Hazing. Participation in an act of hazing. Hazing will be considered to be any act of initiation into any organization, group, activity, or social entity which causes or creates a substantial risk of causing mental, emotional, or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing will not diminish the inappropriateness of an act of hazing.
- h. Drug involvement. Knowingly possessing, using, providing, or transmitting to another person or being under the influence of any substance which is, looks like, or which is or was represented to be a tobacco product, including cigar, cigarette, pipe, snuff, or any other matter or substance which contains tobacco or nicotine (unless prescribed by a doctor), as well as electronic, "vapor," or other substitute forms of cigarettes; narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, substance containing alcohol, heavily-based caffeine product, substance containing phenylpropanolamine (PPA), steroid, stimulant, depressant or intoxicant of any kind, ~~;~~ or any paraphernalia for the use of such substance. An individual who uses an authorized drug as prescribed for him or her by a registered physician shall not be in violation of this rule. (Any student who is unsure if possession, use, or providing another person with any particular substance would violate this rule should contact the building principal before possessing, using, or transmitting the substance in question.)
- i. Student Operated Vehicles. Improperly operating motorized vehicles on school property, failing to obey posted speed limits, failing to display parking passes, or failing to obey other school regulations and Indiana laws which may apply. Keeping prohibited items in any automobile while it is on school property.
- j. Electronic Devices. Knowingly using on school grounds during school hours an electronic device (e.g. cellular phone, tablet computer, pager, music device, digital camera, electronic equipment, etc.) in a manner which constitutes an interference with a school purpose, educational function, invasion of privacy, or act of academic dishonesty; or is profane, indecent, or obscene.

In addition to being subjected to discipline, students who use an electronic device in a manner which is inconsistent with these rules may have the device confiscated by the school. Such device will be returned to the parent upon request.

This section applies at all times while on school premises including school buses or at school sponsored events, regardless of the location.

- k. Sale of drugs. Engaging in the unlawful selling of a controlled substance or engaging in a violation of criminal law which constitutes a danger to other students or constitutes an interference with school purposes or an educational function.
  - l. Insubordination. Failing to comply with directions of teachers or other school personnel where the failure constitutes an interference with school purposes or an educational function, including extra-curricular functions and other school sponsored activities.
  - m. Academic Dishonesty. Submission by a student of any schoolwork, for the purpose of meeting course requirements, which does not represent the efforts of the individual student. Any form of academic dishonesty is prohibited. Academic dishonesty includes, but is not limited to, plagiarism, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, or unauthorized use of hard copy or software to develop one's own software.
  - n. Violation of the law. Engaging in unlawful activity on or off school grounds, including any unlawful activity during weekends, holidays, other school breaks, and the summer, if
    - (1) the unlawful activity may be considered to be an interference with school purposes or an educational function; or
    - (2) the student's removal is necessary to restore order or protect persons on school property.
  - o. Violation of school rules. Violating or repeatedly violating any rules which are reasonably necessary and are validly adopted.
  - p. Refusing a Search. Refusing to permit a lawful, reasonable search by authorized school officials of the student's person and/or possessions. A student who uses a locker which is the property of the school is presumed to have no expectation of privacy in the locker or the locker's contents.
  - q. Pyrotechnic Devices. Possessing and/or using, on school grounds without authorization by school officials, any pyrotechnic device, including firecrackers.
2. Prohibited Conduct Which Will Result in an Expulsion

The following conduct will constitute grounds for expulsion, subject to the limitations that exist under law:

- a. Possession/Use of a Firearm, Destructive Device, or Deadly Weapon. Bringing or possessing a firearm or destructive device to school or on school property will result in expulsion for at least one (1) calendar year, with the return of the student at the beginning of the first school semester after the end of the one (1) year period. Bringing or possessing a deadly weapon to school or on school property may result in expulsion for not more than one (1) calendar year. The following definitions apply with regard to this section:
  - (1) A firearm is any weapon which is capable of expelling, is designed to expel, or may readily be converted to expel a projectile by the action of an explosion.

- (2) The following items are considered to be destructive devices:
  - i. an explosive, incendiary, or overpressure device which is configured as a bomb, a grenade, a rocket with a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, a Molotov cocktail, or a device substantially similar to an item described above;
  - ii. a type of weapon which may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel which has a bore diameter of more than one-half inch; or
  - iii. a combination of parts designed or intended for use in the conversion of a device into a destructive device.
- (3) The following items are considered to be deadly weapons:
  - i. a loaded or unloaded firearm;
  - ii. a destructive device, weapon, taser or electronic stun weapon, device, equipment, chemical substance, or other material which, in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury;
  - iii. an animal which is readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime; or
  - iv. a biological disease, virus, or organism which is capable of causing serious bodily injury.

The superintendent may, on a case by case basis, modify the period of expulsion for a student who has brought a firearm or destructive device to school.

The superintendent shall immediately notify the county prosecuting attorney's office when a student is expelled for bringing or possessing a firearm or destructive device. The superintendent may give similar notice if the student brings or possesses a deadly weapon.

3. Expulsion Based Upon Legal Settlement

- a. A student may be expelled, subject to the limitations which exist in Federal and State law, when the student's legal settlement is not in the attendance area of Elkhart Community Schools and the student is not authorized by any other provision of School Board Policy or State Law to attend the Elkhart Community Schools.
- b. The Assistant Superintendent of Student Services/designee shall have the authority to recommend expulsion to the Superintendent for this reason.

D. Student Due Process Procedures

1. Procedure for Dismissal from Class or Activity

When dismissing a student from an educational function, teachers or other school personnel shall follow this procedure:

- a. Inform the student of the reason(s) for his or her dismissal. (Students whose presence poses a danger to persons or property or an ongoing disruption of the academic process may be immediately dismissed from class without informing the student of the reasons.)
- b. Verbally notify the office that the student is being dismissed from the educational function, and may not return to the teacher's classroom or activity.

- c. Instruct the student to leave the classroom or activity and report to the office. If necessary, the student shall be escorted to the office.
- d. The office should notify the teacher in the event the student has not reported to the office in a timely manner.
- e. Complete and send a referral form to the office reporting the reason(s) for the student's dismissal.
- f. The administrator shall notify the parent(s)/guardian(s) ("parent") of the dismissal and the need for a conference with the parent(s), teacher, student, and administrator for the purpose of developing a contract to address the behavior leading to the dismissal.
- g. The administrator shall have the discretion to assign the student to another appropriate class or placement within the school pending the conference.
- h. A contract shall be developed during this conference and should contain the following:
  - 1) a goal related to the behavior causing the dismissal,
  - 2) a strategy to address the behavior,
  - 3) consequences and rewards relevant to the behavior, and
  - 4) monitoring procedures.
- i. In the event the student and parent(s) do not meet with the principal and the student's teacher within a reasonable amount of time, the principal has the discretion to assign the student to another appropriate class.

2. Procedure for Suspensions

Any principal or designee may suspend a student from school and all school functions for a period of five (5) school days or less after an investigation has determined such suspension is necessary to further school purposes or to prevent an interference with school purposes.

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

- a. The student will be afforded an opportunity for a meeting during which the student is entitled to the following:
  - 1) a written or oral statement of the charges;
  - 2) a summary of the evidence against the student, if the student denies the charges; and
  - 3) an opportunity to explain his or her conduct.
- b. The meeting shall precede suspension of the student and the student's parents or guardians will be notified as soon as possible after the meeting is concluded. In addition, the student's parents or guardians will be given written notification of the suspension. The notification will describe the student's misconduct, and the action taken by the principal. ("Student Suspension Notice" Administrative Regulation JFC-su)
- c. Where the nature of the misconduct requires the immediate removal of the student, the meeting with the principal will then be held within a reasonable time following the date of the suspension.

- d. Prior to the student's return to school from a suspension of three (3) school days or more, the principal should attempt to schedule a meeting with the student's parent(s)/guardian(s) for the purpose of discussing the student's conduct.

3. Procedure for Expulsions

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

- a. The principal, vice-principal, or assistant principal shall, after consulting or attempting to consult with the District Counsel/Chief of Staff, complete the "Principals Written Charge Requesting Expulsion," Administrative Regulation JFC-ex<sup>3</sup>.
- b. After said form has been completed, the form shall be delivered to the Superintendent, with a copy to the Assistant Superintendent of Student Services and the District Counsel/Chief of Staff. For a student with a disability, the form shall also be submitted to the ~~Director of Special Services~~ **Assistant Superintendent of Exceptional Learners**. The Superintendent shall, after having reviewed the charge and determining reasonable grounds for an investigation exist, appoint an Expulsion Examiner and forward the charge, within one school day of its receipt, to such Expulsion Examiner.
- c. The superintendent (or designee) shall either decide to conduct the expulsion meeting or appoint one of the following persons to conduct the expulsion meeting:
  - 1) Legal counsel; or
  - 2) A member of the administrative staff if the member has not expelled the student during the current school year and was not involved in the events giving rise to the request for expulsion.
- d. The Expulsion Examiner shall, within two days after receiving the "Principal's Written Charge Requesting Expulsion," complete and personally deliver or send to the parent(s)/guardian(s) and student by certified mail the "Notice Regarding Expulsion Request." The Notice must contain the reasons for the expulsion and the procedure for requesting an expulsion meeting.
- e. If the Expulsion Examiner does receive a request for an expulsion meeting in person or by mail within five school attendance days after receipt by parent(s)/guardian(s) of the Notice Regarding Expulsion Request, the Expulsion Examiner shall schedule the meeting within a period of five school days after it is requested. When scheduling such meeting, the Expulsion Examiner should confer with the principal, District Counsel/Chief of Staff, and parent(s)/guardian(s) as to the date and time of the meeting.
- f. The superintendent or person appointed to conduct the expulsion meeting may issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at the expulsion meeting. If an expulsion meeting is held, the principal (or designee), will present evidence to support the charges against the student. The student or parent will have the opportunity to answer the charges against the student and to present evidence to support the student's position. The individual conducting the expulsion meeting will make a written summary of the evidence heard at the meeting, and should the individual conclude disciplinary action is necessary, make a recommendation to the Superintendent or Superintendent's designee. The Superintendent or Superintendent's Designee may accept, reject, or modify the recommendation of the individual who conducted the expulsion meeting.

Notice of the action taken shall be given to the student, the student's parent, the principal, and the Assistant Superintendent of Student Services.

- g. The student or parent has the right to appeal the decision of the Superintendent to the school board within 10 days of the receipt of notice of the action taken. The student or parent appeal to the school board must be in writing and must provide a statement of the reasons, written information or submissions in support (provided said written information or submissions were provided at the original expulsion meeting) and arguments for overruling the decision of the Superintendent. If an appeal is properly made, the board must consider the appeal. The board shall hold a meeting to consider the written summary of the expulsion meeting and the written arguments of the school administration and the student and/or the student's parent. The board will make its decision based upon the written submissions of the parties and any documents introduced during the original expulsion meeting, unless the board votes to conduct a meeting at which the school administration and student and/or the student's parents shall appear. In the event the board votes to conduct a meeting at which the school administration and the student and/or the student's parents shall appear, the meeting shall be held in executive session and the Board President shall communicate to the school administration and the student and/or the student's parents the procedure to be used during the meeting. The board may then take any action deemed appropriate. The decision of the board may be appealed only through judicial review. The board may vote to not hear appeals of actions taken after an expulsion meeting. If the board votes not to hear such appeals, subsequent to the date of the vote, a student or parent may appeal only through judicial review.
  - h. If the Expulsion Examiner does not receive a request for an expulsion meeting within five school attendance days after receipt by parent(s)/guardian(s) of the Notice of Expulsion Request, or a student/parent fails to appear at an expulsion meeting after receipt of the Notice, then all rights administratively to contest and appeal the expulsion shall be forfeited. The Expulsion Examiner shall then notify by memorandum the Superintendent, the principal, the Assistant Superintendent of Student Services, and the District Counsel/Chief of Staff that the action requested in the charge by the principal concerning such student shall automatically become effective.
  - i. An expulsion which takes effect more than three (3) weeks before the beginning of the second semester of a school year must be reviewed before the beginning of the second semester. An expulsion remaining in effect during the first semester of the following school year must be reviewed before the beginning of the school year.
4. Possession and Self-Administration of Medication Permitted

A student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition, without risk of discipline for possession of drugs, if certain conditions are met.
  5. Procedure for Students with Disabilities

Students with disabilities are subject to the same disciplinary action for violating school rules as any other student. However, if a student with a disability is subjected to disciplinary change of placement, there are additional procedural safeguards which apply. A disciplinary change of placement occurs when a student is removed for more than ten (10) consecutive school days or is subjected to a series of removals which cumulates to more than ten (10) school days in a school year and constitutes a pattern.

When a student with a disability is subjected to a series of removals accumulating to more than ten (10) school days in a school year, the principal (or designee) must determine if the series of removals constitutes a pattern. If the principal determines a disciplinary change of placement has not occurred, the school shall follow the procedures for suspension (outlined above) and in consultation with at least one (1) of the student's teachers, determine the extent to which services are needed to enable the student to do the following:

- a. Continue to participate in the general education curriculum, although in another setting.
- b. Progress towards meeting the goals set out in the student's IEP.

If a disciplinary change of placement occurs, the following procedures must be followed:

- a. The school must notify the student's parents and provide the parent with the Notice of Procedural Safeguards on the date the decision to make a removal that constitutes a change of placement is made. If the school is unable to notify the parent on the date the decision is made, notice must be mailed to the parent not later than the following business day.
- b. Within ten (10) instructional days of any decision to change the placement of a student with a disability, the Case Conference Committee (CCC) must meet to determine whether the student's behavior is a manifestation of the student's disability. The conduct will be considered a manifestation of the student's disability, if the CCC determines the conduct was
  - 1) caused by, or had a direct and substantial relationship to the student's disability;  
or
  - 2) the direct result of the school's failure to implement the student's IEP.
- c. If the conduct was a manifestation of the student's disability, the CCC must either
  - 1) conduct a functional behavioral assessment, unless an FBA was conducted prior to the behavior resulting in disciplinary action, and implement a behavioral intervention plan for the student; or
  - 2) review the BIP and modify it, as necessary if a BIP has already been developed for the student.

Then, the student shall be returned to the placement from which the student was removed, unless the parent and school agree to a change of placement as a part of a BIP or an interim alternative setting is required due to weapons, drugs, or serious bodily injury.

- d. If the conduct was NOT a manifestation of the student's disability, the school may impose disciplinary sanctions in the same manner as it does for students without disabilities. However, the student must continue to receive appropriate services.
- e. The school may remove a student with a disability to an interim alternative educational setting for up to forty-five (45) school days; if the student, while at school, on school premises, or at a school function, does the following:
  - 1) carries a weapon to school or possesses a weapon;
  - 2) knowingly possesses or uses illegal drugs or sells or solicits the sales of a controlled substance; or
  - 3) inflicts serious bodily injury upon another person.

Regardless of whether the CCC determines the student's conduct is a manifestation of the student's disability, the student may remain in the IAES for up to forty-five (45) school days. But, the student must continue to receive appropriate services.

| ~~June 11, 2019~~ June 9, 2020

RULES FOR STUDENT CONDUCT

In addition to adopted Board Policies and Administrative Regulations governing all students of the Elkhart Community Schools, the Elkhart Community Schools adopt the following rules governing student conduct. These rules apply to actions which occur on school property, inside or outside the school building, or on property adjacent to school property; or at any school-sponsored activity regardless of location; or when traveling to or from school or any educational activity. Disregard of these rules shall constitute grounds for suspension, expulsion, or any other reasonable form of disciplinary action. In addition to being subjected to discipline, students who use cellular phones, tablet computers, music devices, digital cameras, electronic equipment and other similar devices in a manner which is inconsistent with these rules may have those devices confiscated by the school.

1. Insubordination. Refusal to obey or follow a reasonable order or directive given by any Elkhart school staff member. Refusal to provide proper and sufficient identification upon request of any staff member. Staff members shall mean teachers, administrators, custodians, bus drivers, paraprofessionals, all other employees and officials, and authorized volunteers.
2. Failure to clearly display a school identification card when this is required by a student's school.
3. Theft of school property or property belonging to another student or staff member or being in possession of stolen property.
4. Fighting and/or committing any act which jeopardizes the health, safety, or welfare of other students, staff members, or visitors.
5. Vandalism. Damaging any property belonging to other students, staff, or to the Elkhart Community Schools.
6. Use of, display of, or participation in any form of profanity, indecency, or obscenity.
7. Conduct or use of language which reasonably threatens, intimidates, or indicates disrespect of another person.
8. Bullying Behavior: Intentional behaviors involving unwanted negative actions which may be repeated over time and involve an imbalance of power.
9. Failure to follow directions during an emergency or an emergency drill.
10. Failure to follow cafeteria procedures and rules.
11. Consuming food or drink in the building except in the cafeteria or other designated areas.
12. Use of the elevator without the specific and express permission of a staff member.
13. Leaving a class station or other assigned area without permission of a staff member.
14. Leaving school property at a time other than the end of the student's scheduled day, unless specific permission is granted by the administration, and the sign-out procedure is followed by the student.
15. Failure to comply with school attendance/tardy policies.
16. Failure to comply with study hall, detention, and/or in-school suspension regulations.
17. Failure to attend assigned detention including, but not limited to, after-school detention,

- lunch detention, weekend detention, etc.
18. Failure to comply with driving and parking regulations. Reckless driving is prohibited.
  19. Failure to comply with bus regulations.
  20. Failure to comply with the school's release time regulations.
  21. Possession or use of tobacco in any form including cigar, cigarette, pipe, snuff, or any other matter or substance which contains tobacco or nicotine (unless prescribed by a doctor), as well as electronic, "vapor," or the substitute forms of cigarettes; possession, use, or under the influence of alcohol; or possession, use, under the influence, or transmission of any controlled substance or substance represented as a controlled substance, or paraphernalia for the use of such substance.
  22. Violating any reasonable condition of probationary enrollment status for which proper notice has been given.
  23. Using an electronic device (e.g. cellular phone, tablet computer, music device, digital camera, etc.) either in a manner which constitutes an interference with a school purpose, educational function, invasion of privacy, or act of academic dishonesty; or which is profane, indecent, or obscene.
  24. Failure to comply with the building's dress code.
  25. Failure to bring required materials and equipment to classes and refusal to participate in class activities.
  26. Continuously and intentionally making noise or acting in any manner so as to interfere with the ability of any teacher or any other school personnel to conduct the educational function under his/her supervision.
  27. Violations of the Board of School Trustees' Policy on Network and Internet Acceptable Use and Safety (7540.03) regarding appropriate use of school corporation computers and networks.
  28. Knowingly possessing, handling, or transmitting a knife, gun, destructive device, or any other object which can reasonably be considered a weapon.
  29. Possessing and/or using matches, cigarette lighters, or any pyrotechnic device, including firecrackers, on school grounds without authorization from school officials.

## GUIDELINES FOR SECONDARY SCHOOL ATHLETICS

### A. PURPOSE AND PHILOSOPHY

#### 1. Purpose

- a) To encourage students involved in athletic activities to develop a wholesome and healthful lifestyle.
- b) To foster self-discipline.
- c) To communicate rules and regulations in a clear concise manner.
- d) To publish and distribute the rules and regulations so they are readily available to students, parents and staff.
- e) To provide coaches with guidelines so rule enforcement is done fairly and equally throughout the school district.

#### 2. Philosophy

Interscholastic athletics are an integral part of the school system's educational programs and offers students a means to help develop self-discipline, accept responsibility, and make decisions to prepare for the adult world. Athletics will also help students to develop a social conscience as well as intellectual faculties. We believe learning is a never-ending process and athletic involvement helps to develop a positive set of values to guide young people through life.

### B. RESPONSIBILITIES

Involvement and association with athletics is a privilege. This privilege is extended to all students, provided they are willing to assume certain responsibilities.

A student must be willing to make necessary sacrifices in order to be a credit to himself/herself.

This can be done by

1. achieving academically by first being a good student;
2. exhibiting high standards of social behavior;
3. displaying positive sportsmanship;
4. respecting other athletes, cheerleaders, officials, spectators, and those in authority;
5. being cooperative;
6. maintaining a good appearance including cleanliness and good grooming;
7. using language which reflects well on self, family, and school;
8. being a positive leader by example, words, and/or actions; and
9. complying with the rules to be in good standing.

### C. ELIGIBILITY

1. All secondary students participating in athletics must have a completed, school approved, athletic physical examination form on file before practicing and must be in good standing with the school.
2. Students and their parent(s)/guardian(s) must have reviewed and completed the following items: material on concussions/cardiac arrest, insurance release form (for non-

IHSAA sanctioned sports), guidelines agreement, and drug waiver which are provided to each student. Students are not allowed to participate in athletics until these forms are submitted.

3. High school students must have earned passing grades in seventy (70%) percent or more full-credit semester subjects during the previous grading period and must be currently enrolled in seventy (70%) percent or more full credit subjects.
4. Middle school students must be passing six or more classes at grade check time.

D. GENERAL RULES

The principal shall enforce all rules and regulations as described in "Guidelines for Good School Order" and "School Rules for Student Conduct." The rules stated herein are in addition to the aforementioned rules.

All rules regarding behavior and/or training as outlined in IHSAA regulations apply.

The use of alcohol, tobacco, vaping products, and certain other drugs are regarded as detrimental to good health and are illegal; therefore, all participants are expected to establish habits which would extend throughout the year (12 months), including in-season during school, out of season during school, and summer.

The following general rules for participants have been established:

1. A participant shall not violate local and state laws, IHSAA regulations, nor the Elkhart Community Schools' "Guidelines for Good School Order," "School Rules for Student Conduct," the "Guidelines for Secondary School Athletics," and the "Substance Abuse Testing Program for High School Student Athletic Participants and Student Drivers."
2. A participant must attend at least one-half day of school on the day in which they participate in competition, performance, or practice unless excused by the principal or designee.
3. A participant shall not engage in an act of hazing. Hazing will be considered to be any act of initiation into any organization, group, activity, or social entity which causes or creates a substantial risk of causing mental, emotional, or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing will not diminish the inappropriateness of an act of hazing.
4. A participant shall not possess or use tobacco or vaping products.
5. A participant shall not consume or be in possession of alcoholic beverages (except at religious services and then only when no school-related activity follows later that day).
6. A participant shall not knowingly misuse or distribute any prescription drug or knowingly possess, use, distribute, or be under the influence of any Controlled Substance, including, but not limited to, any anabolic steroid, hallucinogenic, narcotic, depressant, stimulant, and any pure or adulterated form of marijuana, opium, or cocaine. Nor shall any participant possess, use, or distribute paraphernalia for use of such substances. Use of a substance as prescribed by a licensed practitioner shall not constitute a violation of this rule.
7. A participant shall not be present at a place where alcohol is being illegally consumed or possessed or where a Controlled Substance (see D-6) is being illegally possessed, used, misused, or distributed.
- 7.8. A participant shall not engage in the use of Social Media in an inappropriate manner when

it is reasonably foreseeable such use will have a disruptive impact on the morale and success of a team. Inappropriate use of technology can lead to disruptions in the classroom learning environment, school cohesiveness/morale, and may constitute harassment or bullying. Inappropriate use of Social Media which could lead to athletic discipline and possible suspension or removal from participation includes but is not be limited to: sexually explicit, profane, lewd, indecent, or defamatory language; the use of derogatory language regarding school personnel or other students; comments designed to harass or bully students/school personnel; and nude/sexually-oriented/indecent photos/images or altered pictures/videos. The use of the District's computers to view inappropriate off-campus postings is prohibited. The use of student/athlete personal or non-school devices on school property is prohibited. The re-communication of inappropriate content on District property is prohibited.

#### E. PROCEDURE FOR ALLEGED VIOLATIONS

Any alleged violation of the above general rules shall be reported first to the principal, designee, or athletic director, and then is to be followed by an investigation by the (in-season) coach, athletic director, and principal. If the student is found to be in violation of the rules, the following disciplines will result:

1. When information regarding an alleged violation of criminal law comes to the attention of the school, or following an arrest of any student participant, an investigation will be made by the coach, athletic director, and/or principal. A student may be excluded from participation pending the school's investigation. Discipline will be determined by the results of the school's investigation.
2. Any student participant who is convicted of a felony or is adjudicated for an equivalent offense shall be excluded from participation for one full year (12 months) following the date the offense was adjudicated or the date the school discipline associated with the violation was begun, whichever occurs first. Conviction/adjudication of a misdemeanor (other than a drug substance offense) or admission to any criminal act shall be subject to discipline by the coach, athletic director, and/or principal.
3. Participants in violation of other rules and regulations not governed by the Guidelines for Secondary School Athletics will be governed by decisions of their respective coach, athletic director and/or principal.
4. Other than situations covered in E-2, on the first offense in violation of Section D-4, 5, 6, or 7, the student will be excluded from contest participation for a minimum of 1/3 of the contests (include one IHSAA tournament contest) for the present or next sport. If an exclusion period includes a fraction of an athletic contest and that fraction is .5 or higher, the athlete will not be allowed to participate in any part of that contest. If the fraction is lower than .5, then the athlete will be allowed to participate in the entire contest. If the violation occurs in the last 1/3 of the sport season, the athlete will not be considered in good standing and therefore will forfeit all awards for that sport season, which ends following the last contest or awards program, whichever comes later. If the violation occurs at a time other than during the last 1/3 of the season, and the athlete qualifies for any awards, the awards may be given subject to the approval of the head coach and the athletic director.

When a student self reports within one (1) school day of the violation, the athlete will be removed from practice until the penalty for the violation has been imposed. When it is

determined the student has been truthful about the violation from the beginning of the investigation, the penalty for exclusion from participation will be reduced by 50%.

A review of relevant factors, including an addictions assessment, may be held by the coach, athletic director, parent(s), and principal. Following the meeting a decision regarding return to participation will be made by school personnel.

5. Students using, misusing, and/or abusing drugs are encouraged to participate in an addictions assessment program and any follow-up therapy recommended. Voluntary participation in addictions assessment/drug treatment, not in connection with any known violation of these guidelines, will not be cause for exclusion from participation.
6. When there have been two or more offenses at the middle school or at the high school, in violation of Section D-4, 5, 6, or 7, the athlete will be excluded from all athletic participation for one full year (12 months).

F. APPEAL PROCEDURE

Any excluded participant may appeal a decision of exclusion. Appeals will be reviewed by the superintendent or designee. Parent(s) of the student or the student must notify the superintendent, in writing, of the desire for a conference within five (5) school days of the decision to exclude.

| ~~February 11, 2020~~ June 9, 2020

Book	Policy Manual
Section	2000 Program
Title	PROPOSED REVISED NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	
Adopted	November 22, 2016
Last Reviewed	June 9, 2020

## 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 Board does not discriminate on the basis of race, color, national origin, sex (including transgender status, sexual orientation and gender identity), disability, age, religion, military status, ancestry, or genetic information which are classes protected by Federal and/or State law (collectively, "Protected Classes") occurring in the Corporation's educational opportunities, programs, and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs, and activities, affecting the Corporation environment.

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

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the 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.

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 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 ensure that all students have equal access thereto and are not segregated on the basis of Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 – Use of Corporation 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;

### 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, or 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 Protected Classes.

The Superintendent shall appoint and publicize the name of the Compliance Officer(s) who 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 or denial of equal access. The Compliance Officer(s) also shall verify 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, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), is provided to students, their parents, staff members, and the general public.

Compliance Officer(s)

The following person(s) is/are designated as the Corporation's Compliance Officer(s) and, as such, shall handle inquiries regarding the nondiscrimination policies of the Corporation and address any complaint of discrimination:

District Counsel/Chief of Staff ~~Executive Director of Personnel and Legal Services~~

2720 California Road  
Elkhart IN 46514

574-262-5517

Assistant Superintendent of Exceptional Learners ~~Director of Special Education~~

2720 California Road  
Elkhart IN 46514

574-262-~~5860~~5542

Reports and Complaints of Unlawful Discrimination and Retaliation

Students are encouraged to promptly report incidents of unlawful discrimination and/or retaliation occurring in the Corporation's educational opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs and activities, affecting the Corporation environment 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 complaint shall file it with a Compliance Officer within two (2) business days.

Any Corporation employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers 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 Compliance Officer or designee must contact the employee within two (2) business days to advise him/her of the Corporation's intent to investigate the wrongdoing.

Complaint Procedures

Any student who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint by submitting his/her complaint to a building administrator.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs.

Privacy/Confidentiality

The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), 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.

All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the Compliance Officer 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 s/he learns and/or provides during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation occurring in the Corporation's educational opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational

opportunities, programs and activities, affecting the Corporation environment 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.

### **Retention of Public Records, Student Records, and Investigatory Records and Materials**

All individuals charged with conducting investigations 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, including but not limited to complaints, responses, witness statements, documentary evidence, audio, video and/or digital recordings, handwritten and contemporaneous notes, e-mails related to the investigation and allegations, 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 Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, Policy 8330 and the Corporation's records retention schedule.

#### Retaliation

Retaliation against a person who (1) makes a report or files a complaint alleging unlawful discrimination occurring in the Corporation's educational opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs and activities, affecting the Corporation environment, or (2) participates as a witness in an investigation, is prohibited.

#### Training

The Compliance Officers also will oversee the training of Corporation employees so that all employees understand their rights and responsibilities under Federal and State law and are informed of the Board's policies and practices with respect to fully implementing and complying with the requirements of Federal and State law.

#### Notice

Notice of the Board's policy on nondiscrimination in educational programs and the identity of the Compliance Officers will be posted throughout the Corporation and published in any Corporation statement regarding the availability of educational opportunities, in any student handbooks, and in general information publications of the Corporation as required by Federal and State law and this policy.

The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the Corporation but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), 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)~~.

Legal

I.C. 20-33-1-1

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

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. Section 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act

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

34 CFR Part 110 (7/27/93)

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services,  
Department of Education, Office of Civil Rights, March 1979

Title III of the No Child Left Behind Act of 2001

Book	Policy Manual
Section	2000 Program
Title	PROPOSED REVISED SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code	po2260.01
Status	
Adopted	November 22, 2016
Last Reviewed	June 9, 2020

#### 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, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board does not discriminate in admission or access to, or participation in, or treatment, or employment in, its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the Corporation.

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

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

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

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

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

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

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

Corporation Compliance Officer

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

Assistant Superintendent of Exceptional Learners ~~Director of Special Education~~

J. C. Rice Educational Service Center  
2720 California Road

Elkhart, IN 46514  
574-262-5861 5540  
574-262-5548 Fax

The Corporation Compliance Officer is responsible for coordinating the Corporation's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Corporation Compliance Officer.

The Corporation Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints

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

#### Training

The Corporation Compliance Officer will also oversee the training of employees in the Corporation so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

#### Facilities

No qualified person with a disability will, because the Corporation's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

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. This includes, but is not limited to, providing accommodations to persons with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities.

#### Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504, regardless of the nature or severity of their disabilities.

If a student has a physical or mental impairment that significantly limits one (1) or more major life activities, the Board will provide the student with a free appropriate public education. An appropriate education, may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEIA, the related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students 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 Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the Corporation with persons who are not disabled to the maximum extent appropriate. Generally, the Corporation will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the Corporation places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The Corporation will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the Corporation, referrals to agencies that provide assistance to persons 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 persons with disabilities participate with persons without disabilities in such services and activities to the maximum extent appropriate.

#### Notice

Notice of the Board's policy on nondiscrimination in education practices and the identity of the Corporation's Compliance Officer will be posted throughout the Corporation, and published in the Corporation's recruitment statements or general information publications.

Legal

29 C.F.R. Part 1630

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

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

Book	Policy Manual
Section	3000 Personnel
Title	PROPOSED REVISED NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po3122ACS
Status	
Adopted	November 22, 2016
Last Reviewed	June 9, 2020

**3122ACS - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

Elkhart Community Schools is committed to an environment in which all individuals are treated with respect and dignity. This includes ensuring that its students and employees are not subject to sexual harassment, or to harassment or discrimination on the basis of race, color, religion, sex, transgender status, national origin, sexual orientation, gender identity, age, military status, ancestry, genetic information, disability or any other characteristic protected by law. Elkhart Community Schools prohibits any such harassment or discrimination and all persons associated with the school community, including, but not limited to, the Board, the administration, the staff, the students, agents, volunteers, contractors, and persons subject to the supervision and control of the School Corporation are expected to conduct themselves at all times so as to provide an atmosphere free from harassment, discrimination, and retaliation. Complaints of violations of these policies will be investigated and resolved appropriately.

The Superintendent shall appoint and publicize the name of the compliance officer(s) who is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer(s) shall also verify 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, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act is provided to staff members and the general public.

Compliance Officers

District Counsel/Chief of Staff~~Executive Director of Personnel and Legal~~  
 Elkhart Community Schools  
 2720 California Road  
 Elkhart IN 46514  
 574-262-5517

Assistant Superintendent of Exceptional Learners~~Director of Special Education Services~~  
 Elkhart Community Schools  
 2720 California Road  
 Elkhart IN 46514  
 574-262-~~5861~~5542

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Legal	I.C. 20-33-1-6
	I.C. 20-28-10-12
	I.C. 20-28-10-13
	20 U.S.C. 1681 et seq., Title IX
	29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended
	29 C.F.R. Part 1635
	42 U.S.C. 2000e et seq., Civil Rights Act of 1964
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
	42 U.S.C. 12112, Americans with Disabilities Act of 1990, as amended

Book	Policy Manual
Section	3000 Personnel
Title	PROPOSED REVISED SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po3123ACS
Status	
Adopted	November 22, 2016
Last Reviewed	June 9, 2020

### 3123ACS - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of School Trustees prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

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

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

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

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

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 Corporation's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Corporation Compliance Officer

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

Assistant Superintendent of Exceptional Learners ~~Director of Special Education~~

2720 California Road

Elkhart, IN 46514

(574) 262-~~5861~~5542

The Corporation Compliance Officer are responsible for coordinating the Corporation's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Corporation Compliance Officer.

The Corporation Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA.

#### Training

The Corporation Compliance Officer will also oversee the training of employees in the Corporation so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

#### Facilities

No qualified person with a disability will, because the Corporation's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

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.

#### Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the Corporation's Compliance Officers will be posted throughout the Corporation, and published in the Corporation's recruitment statements or general information publications.

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#### Legal

29 C.F.R. Part 1630

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

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



DISTRICT COUNSEL/  
CHIEF OF STAFF  
\*\*\*\*\*  
**ELKHART**  
COMMUNITY SCHOOLS

INTERNAL MEMO

**TO: BOARD OF SCHOOL TRUSTEES**

**DR. STEVE THALHEIMER  
SUPERINTENDENT**

**FROM: W. DOUGLAS THORNE**   
**DISTRICT COUNSEL/CHIEF OF STAFF**

**DATE: JUNE 5, 2020**

**RE: TITLE CHANGES WITHIN BOARD POLICY**

In reviewing several Board policies, it has come to my attention numerous policies reference incorrect titles, for both administrative positions and departments, as titles have changed over the years. Per the attached list, I would like to request your permission to update such policies to reflect the current titles, as approved by the Board; no content changes will be made to any of these policies.

Going forward, I am requesting permission for such items to be presented under Consent Items on the Board agenda.

WDT/dls

Policies in need of updating due to title changes

1210—Change Executive Director of Personnel and Legal Services to District Counsel/Chief of Staff

3120C—Replace Personnel Department with Human Resources Department

3120.04CS—Replace Personnel Department with Human Resources Department

3131.01S—Replace Personnel Department with Human Resources Department

3213.02A—Replace Executive Director of Support Services/Assistant Superintendent with Chief Operating Officer

3213.03ACS—Replace Senior Director of Communication and Data with Director of Communication; Senior Director of Technology with Director of Technology; and Executive Director of Personnel and Legal Services with District Counsel/Chief of Staff

3220.01AS—Replace Executive Director of Personnel and Legal Services with Director of Human Resources

3221S—Replace Director of Personnel with Director of Human Resources

3340S—Replace Director of Employee and Student Relations with District Counsel/Chief of Staff

3362ACS—Replace Executive Director of Personnel and Legal Services with District Counsel/Chief of Staff

3413S—Replace Director of Personnel with Director of Human Resources

5340—Replace Executive Director of Support Services with Business Office

5517— Replace Executive Director of Personnel and Legal Services with District Counsel/Chief of Staff

6320—Replace Director of Business Operations with Chief Operating Officer

6423.01—Replace Executive Director of Support Services with Chief Financial Officer

6700—Replace Executive Director of Support Services with Chief Financial Officer; Director of Business Operations with CFO

7230—Replace Assistant Superintendent for Business Affairs with Chief Financial Officer

7540.05—Replace Senior Director of Communication and Data with Director of Communication; Senior Director of Technology with Director of Technology; and Executive Director of Personnel and Legal Services with District Counsel/Chief of Staff

8320—Replace Executive Director of Personnel and Legal Services with Director of Human Resources; Director of Personnel with Director of Human Resources

8330—Replace Director of Student Services with Assistant Superintendent of Student Services; Director of Employee and Student Relations with District Counsel/Chief of Staff

8452—Replace Director of Student Services with Assistant Superintendent of Student Services

8462—Replace Director of Student Services with Assistant Superintendent of Student Services

8500—Replace Executive Director of Support Services with Chief Financial Officer

9900.02—Replace Pupil Services with Student Services



**CERTIFICATE OF APPOINTMENT – PUBLIC LIBRARY BOARD MEMBER**  
**Form for Class I Libraries**  
 State Form 31873 (R5 / 5-17)

INSTRUCTIONS: (See IC 36-12-2-19; IC 5-4-1-1.2; IC 5-4-1-4)

1. Appointing Authority completes the "Appointment" section then delivers this Certificate of Appointment to the board appointee in person or by mail.
2. Within 10 days of receiving the Certificate of Appointment, the library board appointee must take the oath of office and ensure the "Oath of Office" section is completed. The oath may be administered by the circuit court clerk, a notary public, or anyone else authorized under IC 33-42-4-1 or IC 33-42-9-7 to administer oaths.
3. The library board appointee must file the completed Certificate of Appointment with the library and with the clerk of the circuit court of the county in which the library is located. **The form must be filed with the clerk of the circuit court not later than 30 days after the board term begins.**

**APPOINTMENT**

I/We Kellie Mullins,  
Name(s) of Official(s)  
President, of  
Title(s)  
Board of School Trustees, Elkhart Community Schools of Elkhart, Indiana  
Name of Appointing Authority(ies) Municipal Corporation(s)  
 hereby certify that I/we have duly appointed Clarence W. Thomas to the  
Elkhart Public Library Board,  
 said term beginning on the 1st day of July, 2020 and ending on the 30 day of June, 2024.

- This is a full 4-year term. - OR -**  
 **This is a partial term to complete the unexpired term of** \_\_\_\_\_  
Name of Appointee Being Replaced

WITNESS, MY HAND AND OFFICIAL SEAL, THIS 9th DAY OF June, 2020.

\_\_\_\_\_  
Signature of appointing official or attesting officer

\_\_\_\_\_  
(Additional line for signatures if joint appointment occurs)

**OATH OF OFFICE**

STATE OF INDIANA )  
 ) SS  
 ELKHART COUNTY )

I, the undersigned, do hereby solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Indiana and to the best of my ability will faithfully, impartially, and diligently discharge the duties and accept the responsibilities of a member of the Library Board of the \_\_\_\_\_ Public Library, and that I will observe and obey all the laws relating to said office now in force or which may hereafter be enacted during my term of service.

\_\_\_\_\_  
Name of Appointee

\_\_\_\_\_  
Signature of Appointee

SUBSCRIBED AND SWORN TO ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

*If the person administering the oath is a notary public, add the county of residence and date of commission expiration.*

County of Residence \_\_\_\_\_ Date Commission Expires \_\_\_\_/\_\_\_\_/\_\_\_\_



**TECHNOLOGY SERVICES**

PHONE: 574-262-5676



**ELKHART COMMUNITY SCHOOLS**

J.C. RICE EDUCATIONAL SERVICES CENTER  
2720 CALIFORNIA ROAD • ELKHART, IN 46514  
PHONE: 574-262-5500

**To:** Kevin Scott, Chief Financial Officer  
**CC:** Tony Ganesi, Chief Operating Officer  
**From:** Jason Inman, Director of Technology Services  
**Date:** June 3rd, 2020  
**Subject:** Cisco SmartNet Purchase

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Mr. Scott:

I am requesting approval to renew our Cisco SmartNet maintenance contract on a 3-year lease at 0% interest. Cisco SmartNet covers the licensing and support for all wireless access points and other networking equipment in our district buildings. Leasing and going with a multi-year contract instead of a 1-year purchase will result in savings to the district of \$48,000 over the 3-year lease. Three annual payments of \$57,203.74 will allow us to split the cost up over the lease term.



BUSINESS OFFICE

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**ELKHART**  
COMMUNITY SCHOOLS

INTERNAL MEMO

**TO: BOARD OF SCHOOL TRUSTEES  
DR. THALHEIMER**

**FROM: KEVIN SCOTT, CHIEF FINANCIAL OFFICER**

**DATE: JUNE 9, 2020**

**SUBJECT: RAINY DAY FUND RESOLUTION**

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In order to prevent the Food Service fund from having a negative balance at the end of the July 2019 to June 2020 audit period, the Business Department recommends approval of the attached Board Resolution to provide the CFO authority to transfer funds as required. The CFO will provide final amount of the transfer in the July financial report.

**Elkhart Community Schools**  
Elkhart, Indiana

**RESOLUTION TO TRANSFER FUNDS FROM THE RAINY DAY FUND**

WHEREAS, the Board of School Trustees of the Elkhart Community Schools established by resolution a Rainy Day Fund in December 2006 as set out in IC 36-1-8-5.1;

WHEREAS, the Rainy Day Fund as of April 30, 2020 has a fund balance of \$8,416,993.22;

WHEREAS, the Board of School Trustees approved a \$2,000,000 appropriation for the 2020 budget in order to meet anticipated commitments;

WHEREAS, the need exists for the School Lunch Fund to have a positive or zero cash balance as of June 30th;

THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to execute a fund transfer in an amount sufficient to prevent the School Lunch Fund from having a negative cash balance. The transfer will be from the Rainy Day Fund and will occur with a ledger date not later than June 30, 2020, such funds being unused and unencumbered;

FURTHERMORE, the Chief Financial Officer is directed to report the actual amount of transfers to the Board of School Trustees in July 2020.

Passed and adopted this 9<sup>th</sup> day of June, 2020.

AYE

NAY


ATTEST:

\_\_\_\_\_  
Secretary, Board of School Trustees

**ELKHART COMMUNITY SCHOOLS  
BUDGET 2021  
TIMELINE**

June 2020	Virtual DOE Budget Workshop, date of release tbd
July 2020	Virtual DLGF Budget Workshop, date of release tbd
August 25, 2020	Budget Draft Review (Debt Service Fund, Pension Debt Service Fund, Referendum Debt Service Fund, Operations Fund, Referendum Operating Fund and proposed plans for Capital Projects and Bus Replacement) @ 5:30 p.m. Work Session
September 22, 2020	Budget Draft Review (Education Fund and any updates for other funds) @ 5:30 p.m. Work Session Approval from Board to Advertise 2021 Budget, Bus Replacement Plan, CPF Plan Approval to Hold Public Hearing on Budget, Bus Replacement Plan, CPF Plan
September 23, 2020	Provide Notice of Public Hearing for proposed Capital Projects Plan and Bus Replacement Plan to Newspapers
October 1, 2020	Submit Budget Notice to Taxpayers through Gateway (DLGF) System (October 12 <sup>th</sup> is the last day to submit such notice)
October 1, 2020	Notice of Public Hearing published in newspapers (of proposed Capital Projects Plan and Bus Replacement Plan, must be at least 10 days before the Public Hearing)
October 13, 2020	Public Hearing – Budget, Bus Replacement Plan, CPF Plan (Last day for public hearing on Budget, Bus Replacement Plan, CPF Plan is October 22 <sup>nd</sup> )
October 27, 2020	Board Adoption (Last day for Budget, CPF, and Bus Replacement Plan adoption is November 1 <sup>st</sup> ) Resolution – Adopt 2021 Budget Resolution – Adopt 2021 School Bus Replacement Plan Resolution – Adopt 2021 CPF Plan Resolution – Tax Neutrality Resolution – Authority to Reduce Proposed Budget
October 30, 2020	Adopted, signed copies of Budget/Capital Projects Fund Plan to County Auditor: 2 sets, including 1 set Original Proofs of Publication

June 4, 2020

At the June 9, 2020 Board meeting I will recommend Board approval of the following bids.

- a) Food Service Department received 4 Food Bids from Gordon Food Service, Stanz Foodservice, Commercial Foods and 7-Up Snapple. The lowest, most responsive and responsible bidders are:

Gordon Food Service	\$ 271,267.88
Stanz Foodservice	\$ 663,526.36
Commercial Foods	\$ 369,051.04
7-Up Snapple	<u>\$ 4,126.62</u>
<b>Total</b>	<b>\$1,307,971.90</b>

- b) Food Service Department received 2 Commodities Bids from Gordon Food Service and Stanz Foodservice. The lowest most responsive and responsible bidders are:

Gordon Food Service	\$ 239,195.76
Stanz Foodservice	<u>\$ 810,627.89</u>
<b>Total</b>	<b>\$ 1,049,823.65</b>

- c) Food Service Department received 3 Fresh Produce Bids from Gordon Food Service, Shelton Farms and Piazza Produce. The lowest responsive and responsible bidders are:

Gordon Food Service	\$ 51,603.00
Shelton Farms	\$ 148,950.89
Piazza Produce	<u>\$ 198,021.21</u>
<b>Total</b>	<b>\$ 398,575.10</b>

- d) Food Service Department received 5 Supply Bids from Gordon Food Service, Stanz Foodservice, Wallace Packaging LLC, Daxwell and Commercial Foods. The lowest most responsive and responsible bidders are:

Gordon Food Service	\$135,513.22
Stanz Foodservice	\$ 65,841.04
Wallace Packing	\$143,335.00
Daxwell	\$ 17,724.96
Commercial Foods	<u>\$ 12,246.60</u>
<b>Total</b>	<b>\$ 374,660.82</b>

- e) Food Service Department received 4 Bakery Bids from Alpha Kreamo Bakers, Aunt Millies, Gordon Food Service and Stanz Foodservice. The lowest most responsive and responsible bidders are:

Gordon Food Service	\$ 14,975.88
Alpha Kreamo Bakers	\$ 28,386.93
Stanz Foodservice	<u>\$ 87,170.10</u>
<b>Total</b>	<b>\$130,523.91</b>

- f) Food Service Department received 3 Dairy Bids from Dean Foods, Prairie Farms and Stanz Foodservice. The lowest most responsive and responsible bidders are:

Dean Foods	\$ 433,758.90	<b>(FIRM)</b>
Stanz Foodservice	<u>\$ 11,586.00</u>	
<b>Total</b>	<b>\$ 445,344.90</b>	<b>(FIRM)</b>

**Grand Total of all Bids \$ 3,706,909.29**

A summary of the bids received in all of the bid categories, vender overview, costing breakdown, commodity and bid comparison is attached for your reference. If you would like to review the detailed bids for any (or all) bid categories prior to next Tuesday's Board meeting, these documents are available in my office. Please contact me at 262-5523 if you would like to make arrangements to review this information, or if you have any questions concerning the bids.

Sincerely,

Pam Melcher

June 9, 2020

In your Board packet you received a breakdown of the vendors who bid and a prepared bid award for each category.

Would you like me to address each bid separately or address all bids together? Are there any questions concerning any of the bids?

The Business office is recommending Board approval to award the following bids from August 3, 2020 through July 30, 2021 to the following companies:

**Food-** Gordon Food Service, Stanz Foodservice and Commercial Foods

**Commodity-** Gordon Food Service and Stanz Foodservice

**Fresh Produce-** Gordon Food Service, Shelton Farms and Piazza Produce

**Supplies-** Gordon Food Service, Stanz Foodservice, Wallace Packaging, Daxwell and Commercial Foods

**Bakery-** Alpha Kreamo Bakers, Gordon Food Service and Stanz Foodservice

**Dairy-** Dean Foods and Stanz Foodservice

Grand Total of all Bids **\$3,706,909.29**

Companies that received bid packets 2020-2021	Submitted Bid	Declined to Bid	No Response
<b>FOOD BID</b>			
Gordon Food Service	X		
Stanz Foodservice	X		
Commercial Foods	X		
Acosta			X
7-UP Snapple	X		
	4	0	1

Companies that received bid packets 2020-2021	Submitted Bid	Declined to Bid	No Response
<b>COMMODITY</b>			
Gordon Food Service	X		
Stanz Foodservice	X		
Acosta			X
	2	0	1

Companies that received bid packets 2020-2021	Submitted Bid	Declined to Bid	No Response
<b>PRODUCE</b>			
Gordon Food Service	X		
Stanz Foodservice			Quote Produce
Piazza Produce	X		
Caito Foods			X
Shelton Farms	X		
	3	0	2

Companies that received bid packets 2020-2021	Submitted Bid	Declined to Bid	No Response
<b>SUPPLY</b>			
Acosta			X
All American Poly Corp			X
Central Poly Corp.			X
Commercial Foods	X		
Daxwell	X		
DayMark Safety Systems			Incomplete
Gordon Food Service	X		
Par-Pak			X
Stanz Foodservice	X		
Wallace Packaging, LLC	X		
Webco Packaging			X
	5	0	6

Companies that received bid packets 2020-2021	Submitted Bid	Declined to Bid	No Response
<b>BAKERY BID</b>			
Alpha/Kreamo Bakery	X		
Aunt Millies	X		
Aunt Millies Bakehouse			X
Gordon Food Service	X		
Stanz Foodservice	X		
	4	0	1

Companies that received bid packets 2020-2021	Submitted Bid	Declined to Bid	No Response
<b>DAIRY BID</b>			
Dean Foods	X		
Prairie Farms Dairy	X		
Scholl Dairy			X
Gordon Foes Service			X
Stand Foodservice	X		
	3		2

6/3/2020

# MEMORANDUM

**Date:** June 9, 2020

**To:** Dr. Steven Thalheimer, Superintendent  
Board of School Trustees

**From:** Pam Melcher  
Food Service Director

**RE:** Recommendation of Food Bid

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On Wednesday, May 6, 2020 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mr. Tony Gianesi publicly opened and read aloud the bids for Food.

See attached tabulation:

The Food Service Department is recommending Board approval awarding **Food Bid** from **August 3, 2020 through July 30, 2021** to the following companies:

Gordon Food Service	\$ 271,267.88
Stanz Foodservice	\$ 663,526.36
Commercial Foods	\$ 369,051.04
7-Up/Snapple	\$ 4,126.62

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Total	\$1,307,971.90
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Revised June 4, 2020

# MEMORANDUM

**Date:** June 9, 2020

**To:** Dr. Steven Thalheimer, Superintendent  
Board of School Trustees

**From:** Pam Melcher  
Food Service Director

**RE:** Recommendation of Commodity Bid

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On Wednesday, May 6, 2020 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mr. Tony Gianesi publicly opened and read aloud the bids for Commodities.

See attached tabulation:

The Food Service Department is recommending Board approval awarding **Commodity Bid** from **August 3, 2020 through July 30, 2021** to the following company:

Gordon Food Service	\$ 239,195.76
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Stanz Foodservice	\$ 810,627.89
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Total	\$1,049,823.65
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Revised June 4, 2020

# MEMORANDUM

**Date:** June 9, 2020

**To:** Dr. Steven Thalheimer, Superintendent  
Board of School Trustees

**From:** Pam Melcher  
Food Service Director

**RE:** Recommendation of Fresh Produce Bid

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On Wednesday, May 6, 2030 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mr. Tony Gianesi publicly opened and read aloud the bids for Fresh Produce.

See attached tabulation:

The Food Service Department is recommending Board approval awarding **Fresh Produce Bid** from **August 3, 2020 through July 30, 2021** to the following companies:

Gordon Food Service	\$ 51,603.00
Shelton Farms	\$148,950.89
Piazza Produce	\$198,021.21
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Total	\$ 398,575.10

Revised June 4, 2020

# MEMORANDUM

**Date:** June 9, 2020

**To:** Dr. Steven Thalheimer, Superintendent  
Board of School Trustees

**From:** Pam Melcher  
Food Service Director

**RE:** Recommendation of Supply Bid

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On Wednesday, May 6, 2020 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mr. Tony Giansi publicly opened and read aloud the bids for Supplies.

See attached tabulation:

The Food Service Department is recommending Board approval awarding **Supply Bid** from **August 3, 2020 through July 30, 2021** to the following companies:

Gordon Food Service	\$ 135,513.22
Stanz Foodservice	\$ 65,841.04
Wallace Packaging, LLC	\$ 143,335.00
Daxwell	\$ 17,724.96
Commercial Foods	\$ 12,246.60

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Total	\$ 374,660.82
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Revised June 4, 2020

# MEMORANDUM

**Date:** June 9, 2020

**To:** Dr. Steven Thalheimer, Superintendent  
Board of School Trustees

**From:** Pam Melcher  
Food Service Director

**RE:** Recommendation of Bakery Bid

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On Wednesday, May 6, 2020 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mr. Tony Gianesi publicly opened and read aloud the bids for Bakery Supplies.

See attached tabulation:

The Food Service Department is recommending Board approval awarding **Bakery Bid** from **August 3, 2020 through July 30, 2021** to the following companies:

Gordon Food Service	\$ 14,975.88
Alpha, Kreamo Bakers	\$ 28,386.93
Stanz Food Service	\$ 87,170.10

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Totals	\$ 130,523.91
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# MEMORANDUM

**Date:** June 9, 2020

**To:** Dr. Steven Thalheimer, Superintendent  
Board of School Trustees

**From:** Pam Melcher  
Food Service Director

**RE:** Recommendation of Dairy Bid

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On Wednesday, May 6, 2020 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mr. Tony Gianesi publicly opened and read aloud the bids for Dairy Supplies.

See attached tabulation:

The Food Service Department is recommending Board approval awarding **Dairy Bid** from **August 3, 2020 through July 30, 2021** to the following company:

Dean Foods	\$ 433,758.90
Stanz Foodservice	\$ 11,586.00

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Total	\$ 445,344.90(FIRM)
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Revised June 4, 2020





## PRODUCT PRICE COMPARISON

Product	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Bean & Beef Burrito	\$50.16	\$50.16	\$50.16	\$51.65	\$52.54
Hot Dog	\$26.84	\$28.41	\$26.95	\$28.00	\$27.94
Pork Tenderloin	\$17.80	\$20.83	\$17.07	\$17.07	\$56.39
Chicken Sandwich	\$41.40	\$59.23	\$59.24	\$62.79	\$61.09
Galaxy Pizza	\$33.85	\$33.18	\$34.78	\$37.96	\$38.29
Spicy Chicken Sandwich	\$45.30	\$65.36	\$65.37	\$69.89	\$67.19
Bosco Sticks	\$28.10	\$28.14	\$32.64	\$28.55	\$29.55
Corn Dog	\$27.31	\$27.31	\$27.59	\$22.33	\$18.66
Big Daddy Cheese Pizza	\$48.23	\$47.60	\$48.86	\$54.18	\$52.04
Popcorn Chicken	\$31.60	\$40.60	\$44.00	\$44.74	\$47.04
BBQ Pork	\$32.00	\$31.80	\$31.80	\$31.80	\$32.00
Pot Roast	\$36.35	\$36.50	\$39.69	NO Bid	\$47.99
Yogurt bulk	\$21.45	\$22.45	\$20.27	\$22.89	\$22.89
Applesauce cup	\$15.62	\$20.41	\$21.84	\$22.25	\$20.49
Egg & Bacon Pizza	\$47.44	\$45.65	\$48.27	\$59.89	\$49.61
Pancake	\$16.18	\$16.18	\$16.99	\$18.71	\$21.31
Sausage links	\$36.03	\$38.45	\$39.19	\$38.31	\$44.41
Blueberry Pancakes	\$28.71	\$25.90	\$25.90	\$27.41	\$26.25
French Toast	\$40.71	\$50.70	\$52.81	NO Bid	\$49.54
String Cheese	\$14.88	\$15.50	\$15.57	\$15.99	\$16.48
Scrambled Eggs	\$18.91	\$21.23	\$22.97	\$26.93	\$27.25
Sliced Tomatoes	\$18.00	\$16.90	\$16.90	\$14.90	\$14.75
Whole Tomatoes	\$19.95	\$10.50	\$17.33	\$11.95	\$16.95
Green Pepper	\$21.13	\$26.08	\$15.75	MKT	\$13.95
Celery Stix	\$7.95	\$7.90	\$20.09	\$19.45	\$21.94
Snack carrots	\$18.34	\$18.51	\$19.71	\$18.99	\$18.50
Shredded lettuce	\$15.40	\$14.95	\$14.95	\$14.85	\$14.85
Romaine ribbons	\$17.87	\$16.95	\$16.95	\$16.75	\$19.96
Romaine cut	\$23.96	\$34.90	\$34.90	\$15.90	\$15.90
Broccoli Bite Size IW	\$36.00	\$32.95	\$34.00	\$37.50	\$37.50
Broccoli & cauliflower	\$16.24	\$13.75	\$16.61	NO Bid	\$17.75
Cantalope	\$36.60	\$37.21	\$37.21	\$13.90	\$27.80
Lunch bunch grapes	\$15.74	\$15.65	\$34.15	\$45.95	\$31.95
Strawberries	\$15.85	\$14.20	\$14.00	\$15.95	\$16.95
Orange Section	\$63.00	\$59.90	NO Bid	\$29.90	\$35.90
Pineapple Chunks	\$42.51	\$44.03	\$44.07	\$16.90	\$16.90
<b>Total</b>	<b>\$1,027.41</b>	<b>\$1,089.97</b>	<b>\$1,078.58</b>	<b>\$954.23</b>	<b>\$1,130.50</b>

**Elkhart Community Schools  
Food Service  
Bid Comparison**

**Totals:**

2017-2018	\$3,523,909.19	<b>Increase:</b>	<b>\$282,596.57</b>
2018-2019	\$3,624,697.63	<b>Increase:</b>	<b>\$100,788.44</b>
2019-2020	\$3,312,423.72	<b>Savings:</b>	<b>\$312,273.91</b>
<b>2020-2021</b>	<b>\$3,706,909.29</b>	<b>Increase:</b>	<b>\$394,485.57</b>

**Commodity Comparison**

Company	Year	Pounds	Money Saved
<b>K12 Foodservice</b>			
	2016-2017	110,544.00	\$217,573.00
	2017-2018	148,823.00	\$206,602.00
	2018-2019	154,308.00	\$226,284.00
	2019-2020	120,403.00	\$178,662.00
<b>Processor Link</b>			
	2016-2017	131,284.44	\$91,020.22
	2017-2018	174,303.72	\$137,627.89
	2018-2019	158,731.88	\$132,092.99
	2019-2020	126,601.40	\$107,033.78
<b>USDA/Brown Box</b>			
	<b>Total Entitlement</b>	<b>Entitlement Used</b>	<b>Remaining Balance</b>
		<b>Including bonus buys</b>	
	2016-2017	\$479,630.26	<b>(\$9,592.51)</b>
	2017-2018	\$519,419.10	<b>(\$10,388.31)</b>
	2018-2019	\$525,162.90	<b>(\$39,720.57)</b>
	2019-2020	\$523,818.36	\$32,421.01

Revised 6/4/2020