

AGENDA FOR
BOARD OF SCHOOL TRUSTEES
REGULAR MEETING

Elkhart Community Schools
Elkhart, Indiana

June 8, 2021

CALENDAR

June	8	6:00 p.m.	Public Work Session, J.C. Rice Educational Services Center
June	8	7:00 p.m.	Regular Board Meeting, J.C. Rice Educational Services Center
June	22	6:00 p.m.	Public Work Session, J.C. Rice Educational Services Center
June	22	7:00 p.m.	Regular Board Meeting, J.C. Rice Educational Services Center
July	13	6:00 p.m.	Public Work Session, J.C. Rice Educational Services Center
July	13	7:00 p.m.	Regular Board Meeting, J.C. Rice Educational Services Center

A. CALL TO ORDER

B. THE ELKHART PROMISE

C. INVITATION TO SPEAK PROTOCOL

D. CONSENT ITEMS:

- Minutes – May 25, 2021 – Public Work Session
- Minutes – May 25, 2021 – Regular Board Meeting
- Claims
- Gift Acceptance
- Grants
- Fundraisers
- Overnight Trip Request
- Conference Leave Request
- Personnel Report

E. OLD BUSINESS

Administrative Regulation JFC-1 - Guidelines for a Safe Learning Community. The Administration presents proposed revisions to Administrative Regulation JFC-1 - Guidelines for a Safe Learning Community., as presented for initial consideration at the May 25th regular meeting.

Resolution – The Administration presents a proposed Resolution related to payment of stipend to district employees as a result of additional duties performed by school employees due to the state of national public health emergency for COVID-19, for continued review.

2021-2022 Cost Reductions - The Administration presents the 2021-2022 Cost Reductions for approval.

F. NEW BUSINESS

Permission to Advertise - The Business Office requests permission to publish a Request For Proposal.

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

G. INFORMATION AND PROPOSALS

From Audience

From Superintendent and Staff

From Board

H. ADJOURNMENT

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

Elkhart Community Schools
Elkhart, Indiana

May 25, 2021

J.C. Rice Educational Services Center, 2720 California Road, Elkhart – at
6:00 p.m.

Place/Time

Board Members
Present:

Roscoe L. Enfield, Jr.
Dacey S. Davis
Susan C. Daiber

Babette S. Boling
Kellie L. Mullins
Troy E. Scott
Douglas K. Weaver

Roll Call

ECS Staff
Present:

Mindy Higginson
Brad Sheppard

Steve Thalheimer
Doug Thorne
Beth Williams

The Board heard a presentation regarding and opportunity for required
public input on ESSER III use of funds prior to grant submission in late June.

Topics
Discussed

The Board discussed agenda items for the regular meeting.

The meeting adjourned at approximately 6:55 p.m.

Adjournment

APPROVED:

Signatures

Roscoe L. Enfield, Jr., President

Babette S. Boling, Member

Dacey S. Davis, Vice President

Kellie L. Mullins, Member

Susan C. Daiber, Secretary

Troy E. Scott, Member

Douglas K. Weaver, Member

MINUTES
OF THE REGULAR MEETING
OF THE BOARD OF SCHOOL TRUSTEES

Elkhart Community Schools
Elkhart, Indiana

May 25, 2021

<p>J.C. Rice Educational Services Center, 2720 California Road, Elkhart – at 7:05 p.m.</p>	<p>Place/Time</p>												
<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Board Members</td> <td style="width: 33%;">Roscoe L. Enfield, Jr.</td> <td style="width: 33%;">Babette S. Boling</td> </tr> <tr> <td>Present:</td> <td>Dacey S. Davis</td> <td>Kellie L. Mullins</td> </tr> <tr> <td></td> <td>Susan C. Daiber</td> <td>Troy E. Scott</td> </tr> <tr> <td></td> <td></td> <td>Douglas K. Weaver</td> </tr> </table>	Board Members	Roscoe L. Enfield, Jr.	Babette S. Boling	Present:	Dacey S. Davis	Kellie L. Mullins		Susan C. Daiber	Troy E. Scott			Douglas K. Weaver	<p>Roll Call</p>
Board Members	Roscoe L. Enfield, Jr.	Babette S. Boling											
Present:	Dacey S. Davis	Kellie L. Mullins											
	Susan C. Daiber	Troy E. Scott											
		Douglas K. Weaver											
<p>Board president, Rocky Enfield, called the regular meeting of the Board of School Trustees to order.</p>	<p>Call to Order</p>												
<p>Mr. Enfield recited the Elkhart Promise.</p>	<p>The Elkhart Promise</p>												
<p>A moment of silence was held in honor of Dave Miller, former Elkhart Mayor, who recently passed away.</p>	<p>Moment of Silence</p>												
<p>Mr. Enfield discussed the invitation to speak protocol.</p>	<p></p>												
<p>Ellen Coget, Kindergarten teacher at Hawthorne, was recognized for her 50 years of service at Elkhart Community Schools. Cheryl Waggoner, director of human resources, introduced Ms. Coget and commented on current events of 50 years ago. Eric Chandler, principal of Hawthorne, presented Ms. Coget with an award and thanked her for her continued dedication to the Kindergarten program at Hawthorne. Ms. Coget thanked everyone for the recognition and remarked she is ready for another group in the fall.</p>	<p>Special Presentation</p>												
<p>By unanimous action, the Board approved the following consent items:</p>	<p>Consent Items</p>												
<p style="padding-left: 40px;">Minutes – May 11, 2021 – Public Work Session</p> <p style="padding-left: 40px;">Minutes – May 11, 2021 – Regular Board Meeting</p>	<p>Minutes</p>												
<p style="padding-left: 40px;">Payment of claims totaling \$7,013,298.26 as shown on the May 25, 2021, claims listing. (Codified File 2021-152)</p>	<p>Payment of Claims</p>												

<p>The following donations were made to Elkhart Community Schools (ECS): \$2,000.00 from Radio Horizonte for EACC student scholarships; and \$1,939.61 for the butterfly garden behind Mary Beck’s library from Belmont Mennonite Church in remembrance of Elaine Hostetler, a member of their church and lifelong educator.</p>	<p>Gift Acceptance</p>
<p>Grants: A Kindergarten Celebration Virtually! Grant from Meijer for Eastwood in the amount of \$100.00; and a Donors Choose Wilson Reading Program grant from Donors Choose for Eastwood in the amount of \$817.18. (Codified File 2021-153)</p>	<p>Grants</p>
<p>Conference Leave Requests. (Codified File 2021-154)</p>	<p>Conference Leave Requests</p>
<p>Personnel Report</p>	<p>Personnel Report</p>
<p>Consent agreements regarding retention for four (4) certified staff members. (Codified file 2021-155)</p>	<p>Consent Agreements</p>
<p>Employment of the following nine (9) certified staff members for the 2021-2022 school year, effective 8/9/21: Laura Clements - grade 4 at Beck Grace Combes - art at Freshman Academy Joseph Fairbotham - academic dean at PACE Rachel Fisher - speech pathologist at Roosevelt Brittany Hedman - grade 6 at Osolo Nancy Howells - speech pathologist at Daly Angela Ness - counselor at EHS Laura Reverman - special education at Osolo Amy Seng - special education intern at TBD</p>	<p>Certified Employment</p>
<p>Retirement of certified staff member, Anita Gorden, FACS at EHS East, effective 6/3/21, with 18 years of service.</p>	<p>Certified Retirement</p>
<p>Resignation of the following twelve (12) certified staff members on dates indicated: Timothy Adams - counselor at PMMS, 6/10/21 Scott Allen - special education at Pinewood, 6/3/21 Jennifer Benak - grade 4 at Beck, 6/3/21 Jaime Borkholder - grade 6 at Hawthorne, 6/3/21 Sarah Bowerman - business at EHS-West, 6/3/21 Jennifer Brown - grade 1 at Feeser, 6/3/21 Christian Ciesielski - grade 6 at Pinewood, 5/18/21 Maria Hite - special education at Daly, 6/3/21 Deborah Gilles - special education at EHS-West, 6/3/21 Bridget Huffman DeFauw - special education at Riverview, 7/30/21 James Mackiewicz - math at EHS-East, 6/3/21 Katherine Wilhelm - grade 2 at Hawthorne, 6/3/21</p>	<p>Certified Resignations</p>

<p>Leave for certified staff member, Nicole Gray – grade 2 at Daly, beginning 8/9/21 and ending 5/27/22.</p>	<p>Certified Leave</p>
<p>Employment of the following four (4) classified employees, effective on dates indicated: Thomas Bjornstad - bus helper at Transportation, 5/24/21 Erica Curtis - registered behavior technician at Eastwood, 5/24/21 Kerry Lawson - paraprofessional at Eastwood, 5/24/21 Wannetta Probst - paraprofessional at Beardsley, 5/17/21</p>	<p>Classified Employment</p>
<p>Resignation of the following nine (9) classified employees, effective on dates indicated: Sherman Bailey - custodian at ETI, 5/14/21 Maria Carrillo - secretary at Daly, 6/4/21 McKayla Fielstra - secretary at EHS-East, 5/21/21 Shelley Green - paraprofessional at Osolo, 6/3/21 Stacia Lanum - food service at Hawthorne, 6/3/21 Pamela Manley - food service at EHS-West, 5/17/41 Jennifer McKelvey-Galindo - secretary at Beardsley, 6/7/21 Retha Miller - bus driver at Transportation, 6/3/21 Shawna Williams - paraprofessional at Daly, 6/3/21</p>	<p>Classified Resignations</p>
<p>Retirement of the following two (2) classified employees, on dates indicated with years of service: Leigh Bell – assistant supervisor of Transportation, effective 5/21/21, with 21 years of service. Annie Wiley – bus driver at Transportation, effective 6/3/21, with 14 years of service.</p>	<p>Classified Retirement</p>
<p>Leave for classified employee, Maria Gonzalez, paraprofessional at Riverview, beginning 5/14/21 and ending 6/3/21.</p>	<p>Classified Leave</p>
<p>Revision of leave for classified employee, Brenda Goethals, food service at EHS West, beginning 5/10/21 and ending 5/11/21.</p>	<p>Revision</p>
<p>Reassignment of classified employee, Amy Seng, to a certified position.</p>	<p>Classified Reassignment</p>
<p>By unanimous action, the Board approved proposed new Board Policy 5461 – Transfer and Recognition of Credits, as presented at the May 11th regular meeting.</p>	<p>Board Policy 5461</p>
<p>The Board was presented proposed revisions to Administrative Regulation JFC-1 – Guidelines for a Safe Learning Community, for initial review. In response to Board inquiry, Doug Thorne, district counsel/chief of staff, stated suggestions would be reviewed prior to the next meeting.</p>	<p>Administrative Regulation JFC-1</p>

The Board reviewed a proposed new course offering for the 2021-2022 school year as presented by Brad Sheppard, assistant superintendent of instruction, entitled Robotics Design and Innovation. (Codified File 2021-156)

New Course

The Board received a financial report from Valerie Moore, supervisor of accounting, audits and investments, for the period January 1 – April 30, 2021. The Board found the report to be in order.

Financial Report

Ms. Moore provide the current insurance update reporting claims were lower in April than in March, and still keeping pace with last year.

Monthly Insurance Update

The Board was presented a proposed Resolution related to payment of a stipend to district employees as a result of additional duties performed by school employees due to the state of national public health emergency for COVID-19, for initial review. A lengthy discussion regarding who, how much, the qualifications, and timeline was held. Additional details will be presented at a future meeting.

Resolution

By a vote of 5 (Boling, Scott, Weaver, Daiber, Enfield) – 2 (Mullins, Davis), the Board postponed the vote on the 2021-2022 Cost Reductions as presented by Dr. Thalheimer, at a Special Board Meeting, on Tuesday, June 1st.

2021-2022 Cost Reductions

By unanimous action, the Board approved the 2021-2022 Bell Schedule. (Codified File 2021-157)

2021-2022 Bell Schedule

An audience member thanked the administration for the recently gifted blankets; expressed concern regarding elementary students and the newly approved bell schedule; and the recent issue regarding masks on the busses with the increased temperatures this week.

From the Audience

An audience member expressed concern regarding the bell schedule related to child care.

From the Audience

An audience member spoke regarding the possibility of closing a building and the potential repercussions of such action; and a request to reevaluate close contact tracing.

From the Audience

Board President, Rocky Enfield, invited everyone to participate in the Fish Fest being held in Elkhart on June 5th and 6th

From the Board

The meeting adjourned at approximately 8:30 p.m.

APPROVED:

Roscoe L. Enfield, Jr., President

Dacey S. Davis, Vice President

Susan C. Daiber, Secretary

Babette S. Boling, Member

Kellie L. Mullins, Member

Troy E. Scott, Member

Douglas K. Weaver, Member

Adjournment

Signatures



ELKHART HIGH SCHOOL
2608 CALIFORNIA ROAD • ELKHART, IN 46514
PHONE: 574-262-5600



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

DATE: May 25, 2021

TO: Dr. Steve Thalheimer
Board of School Trustees

FROM: Jacquie Rost, Athletic Director

RE: Donation Approval

We are in receipt of an extracurricular donation in the amount of \$500.00 for the Volleyball team. This donation will go towards the purchase of training equipment and other miscellaneous costs associated with this program.

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:

Naturescape Services
c/o Mike Knepper
PO Box 1671
Elkhart, IN 46515



ELKHART HIGH SCHOOL
2608 CALIFORNIA ROAD • ELKHART, IN 46514
PHONE: 574-262-5600



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

DATE: May 28, 2021

TO: Dr. Steve Thalheimer
Board of School Trustees

FROM: Jacquie Rost, Athletic Director

RE: Donation Approval

We are in receipt of an extracurricular donation in the amount of \$500.00 for the Volleyball team. This donation will go towards the purchase of training equipment and other miscellaneous costs associated with this program.

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:

Welter Foundation
C/O Jack and Angie Welter
21560 CR 10
Elkhart, IN 46514



INSTRUCTIONAL LEADERSHIP

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: BOARD OF SCHOOL TRUSTEES
DR. STEVE THALHEIMER

FROM: DR. BRADLEY SHEPPARD *Bradley Sheppard*

DATE: MAY 27, 2021

GIFT APPROVAL – MUSIC DEPARTMENT

Cherish Patterson has offered to donate one (1) German Cello, 4/4 size (no serial number) to the music department of the Elkhart Community Schools.

Quinlan & Fabish Music Company has examined the instrument and finds it to be in good condition. The fair market value of the instrument is \$1,000.00.

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

Cherish Patterson
1024 E Jackson Blvd
Elkhart IN 46516

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?
CTE Summer Bridge Program	Governor's Workforce Cabinet	EACC	Brandon Eakins	20,765	Brandon Eakins over sees grant and this is summer bridge programs to complete CTE dual credits and industry certifications. <i>The state did not provide much time from the release of the grant and timeline for submission.</i>	Stackable credentials	Personnel-\$17,775, Fringe benefits-\$2,990	6/1/2021

**ELKHART COMMUNITY SCHOOLS
OVERNIGHT TRIP REQUEST**

School: Elkhart High School

Class/Group: Girls Basketball

Number of Students: 25

Date/Time Departing: Dec 28th, 2021 9am

Date/Time Returning: Dec 29, 2021 11pm

Destination: Triton Central Holiday Tourney Fairland Ind
City State

Overnight Facility: Holiday Inn Express; Suites Shelbyville Indianapolis

Mode of Transportation: _____

Reason for Trip: Basketball Tournament JV/V

Names of Chaperones: Leslie Coakle, Will Coakle, Matt Kelson, Janice Fuller
Mike Spann,

Cost per Student: 0

Describe Plans for Raising Funds or Funding Source: FUNDRAISER

Plans to Defray Costs for Needy Students: _____

Are Needy Students Made Aware of Plans? _____

Signature of Teacher/Sponsor: Will Coakle

Signature of Principal: Frank Seeger Date: 5/27/21

Send to Assistant Superintendent for Instruction for approval and for submission to the Board of School Trustees.

Approval of Assistant Superintendent: B. Stappard Date: 6/4/21


Approved by Board: _____
(All overnight trips require prior approval by Board Policy IICA.)

ELKHART COMMUNITY SCHOOLS

Elkhart, Indiana

DATE: June 3, 2021

TO: Dr. Steve Thalheimer, Superintendent

FROM: Dr. Bradley Sheppard 

RE: **Conference Leave Requests
June 8, 2021 - Board of School Trustees Meeting**

The following requests for excused absences are recommended for approval:

2021 - 2022 CONFERENCES	EXPENSES	SUBSTITUTE
<p>TRAUMA INFORMED SCHOOLS CONFERENCE 2021</p> <p>This conference will give the SEL team the understanding, knowledge, and tools needed to successfully create a trauma-informed learning environment, whether it is in a single classroom, a whole school, or an entire district.</p> <p>This will provide me a greater understanding of how trauma impacts student learning and well-being. Specifically, the intersectionality of trauma and disability. As a trainer for behavior and de-escalation this will further my understanding and allow me to incorporate the trauma teachings from the conference into my own training.</p> <p>This conference will give us the understanding, knowledge, and tools we need to successfully create a trauma-informed learning environment for classrooms, whole schools and the entire district.</p> <p>This will continue to address the district folks on trauma for the SEL team.</p> <p>SEL Leadership Team will gain knowledge in leading the corporation in implementing SEL.</p> <p>I will use the knowledge that I learn about Trauma Informed Schools to inform the professional development that I create for the district.</p> <p>Our SEL Leadership Team will gain knowledge in leading our corporation in SEL implementation.</p> <p>This conference will provide the SEL Team with the necessary knowledge to incorporate Trauma Informed Care across all best educational practices systems. These systems include: PLC, Restorative Practices and MTSS. The conference will also result in local TIC trainers that can assist with scaling the practice to all departments in the district.</p>	\$14,223.00	\$0.00
<p>St. Louis, MO <i>*Attendance is subject to local health guidelines*</i></p>		
<p>October 17 - 20, 2021 (3 day's absence)</p>		
<p>NATALIE BICKEL - ESC (0-0)</p>	Title IV, FY20	N/A
<p>LINDSEY BRANDER - ESC (0-0)</p>	Title IV, FY20	N/A
<p>ERIC CHANDLER - PRIDE ACADEMY (0-0)</p>	Title IV, FY20	N/A
<p>GAIL DRAPER - ELKHART HIGH SCHOOL (0-0)</p>	Title IV, FY20	N/A
<p>TONY ENGLAND - ESC (0-0)</p>	Title IV, FY20	N/A
<p>MATT GARBER - HAWTHORNE (0-0)</p>	Title IV, FY20	N/A
<p>BRYAN HAMMONTREE - ELKHART ACADEMY (0-0)</p>	Title IV, FY20	N/A
<p>RHIANNON HARRISON - ESC (0-0)</p>	Title IV, FY20	N/A
<p>TODD KELLY - ESC (0-0)</p>	Title IV, FY20	N/A
<p>SARITA STEVENS - ESC (0-0)</p>	Title IV, FY20	N/A

	\$14,223.00	\$0.00
2021 YEAR-TO-DATE EDUCATION FUNDS	\$9,841.88	\$1,330.00
2021 YEAR-TO-DATE EDUCATION FUNDS	\$6,265.00	\$0.00
2020 YEAR-TO-DATE OTHER FUNDS	\$56,021.47	\$4,465.00
2020 YEAR-TO-DATE ADJUSTMENTS	\$0.00	\$0.00
2021 YEAR-TO-DATE OTHER FUNDS	\$29,480.64	\$190.00
2021 YEAR-TO-DATE ADJUSTMENTS	\$0.00	\$0.00
GRAND TOTAL	\$101,608.99	\$5,985.00

(Figures in parentheses are the number of conferences & the number of absence days previously approved for the current school year.)



HUMAN RESOURCES

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. STEVEN THALHEIMER
FROM: MS. CHERYL WAGGONER
DATE: JUNE 8, 2021

PERSONNEL RECOMMENDATIONS

CERTIFIED

- a. **New Certified Staff** – We recommend the following new certified staff for employment in the 2021-22 school year:

Taylor Bryant	Beck/Special Education
Shawna Dickerhoof	Beardsley/Special Education
Kristina Roberts	Exceptional Learners/Special Ed Intern
Ashley Schuman	Bristol/Special Education

- b. **Retirement** – We report the retirement of the following employee:

Edward Hibshman	Elkhart West/Science	37 Years of Service
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- c. **Leave** – We recommend a maternity leave for the following employee:

Darcy Burns	Freshman Academy/ENL
Begin: 8/9/21	End: 5/27/22

- d. **Resignations** – We report the resignation of the following employees:

Aden Bachtel	Woodland/Grade 2
Began: 8/13/19	Resign: 6/3/21
Denise Downing	Elkhart West/Special Education
Began: 10/7/19	Resign: 6/3/21
Katrina Gammage	Hawthorne/Grade 1
Began: 2/24/14	Resign: 6/3/21
Brittany Isaac	Daly/Grade 5
Began: 8/18/17	Resign: 6/3/21

Kimberly Wallace
Began: 11/25/19

Beardsley/Kindergarten
Resign: 6/3/21

Paige Walters
Began: 8/13/14

Beck/Speech Pathologist
Resign: 6/3/21

Courtney Wesdorp
Began: 8/17/00

Beardsley/Kindergarten
Resign: 6/3/21

CLASSIFIED

- a. **New Hires** – We recommend regular employment of the following classified employees:

Elizabeth Parsons
Began: 4/12/21

EACC/Secretary
PE: 6/7/21

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

Cesilia Celestino
Began: 8/13/19

Eastwood/Paraprofessional
Resign: 6/3/21

Cierra Johnson
Began: 9/15/20

Transportation/Bus Driver
Resign: 5/20/21

Lucas Shirey
Began: 9/2/14

Elkhart East/Custodian
Resign: 6/16/21

Sonia Thomas
Began: 8/12/19

EHS West/Food Service
Resign: 5/10/21

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

Rosemary Krull
Began: 8/23/90

Elkhart East/Secretary
Retire: 6/30/21
30 Years of Service

Rosie Washington
Begins: 3/31/08

Elkhart West/Hawthorne/Food Service
Retire: 6/3/21
13 Years of Service

- d. **Reassignment** – We recommend the approval of reassignment of the following classified employee to a certified position effective 2021-2022 school year:

Shawna Dickerhoof

Beardsley/Mild Interventions Internship



e. **Termination** - We report the termination of the following employees:

Irenna Coleman
Began: 10/16/18

Elkhart West/Food Service
End: 6/8/21
Policy: 3139.01S

Jacquelyn Zayas
Began: 10/27/20

Transportation/Bus Driver
End: 6/8/21
Policy: 3139.01S





HUMAN RESOURCES

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. STEVEN THALHEIMER
FROM: MS. CHERYL WAGGONER
DATE: JUNE 8, 2021

ADDENDUM TO PERSONNEL REPORT

CERTIFIED

- a. Administrative Appointment** – The administration recommends confirmation of the following administrative appointments effective August 2, 2021:

Carolyn Lesperance	Feeser/Principal
Timothy Pedley	Bristol/Principal
DeVetta Farrow	Hawthorne/Principal

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

Micah Lambert	Feeser/Principal
Began: 8/1/07	Resign: 6/16/21

Guidelines for a Safe Learning Community

Everyone in the school community plays a role in the creation of a safe place for learning.

The expectations for the community, in regards to a safe learning environment, are based on exhibiting PRIDE. PRIDE is an acronym for the work and life characteristics which are important to becoming a successful and productive member of society.

Section 1: General Responsibilities

Persistence:

- The school community will persevere through challenges and problem solving (Never give up).

Respectfulness:

- The school community will accept and demonstrate both respectful and helpful behavior to fellow students and all school staff.
- The school community will seek and accept the opinions of others (Treat others as you would like to be treated).

Initiative:

- The school community will encourage students to be a self-starter, critical thinker, able to prioritize, make decisions and complete required tasks with minimal assistance (Be a self-starter).

Dependability:

- The school community will be reliable and demonstrate responsibility, teamwork and community/job readiness (Do the right thing, even when no one is looking).

Efficiency:

- The school community will operate in an organized, timely manner and will encourage self-management (“Get the job done” quickly and accurately).

Section 2: School Responsibilities

Persistence:

- Elkhart Community Schools is committed to social, emotional, physical, and academic growth for all students.

Respectfulness:

- Elkhart Community Schools will demonstrate respect and mutual concern for all members of the school community.
- Elkhart Community Schools is dedicated to recognizing all members of the school community have dignity and any disciplinary action will be implemented with integrity.

Initiative:

- Elkhart Community Schools will provide each student with an opportunity to acquire meaningful knowledge and skills and help to fully develop their potential as an individual.

GUIDELINES FOR GOOD SCHOOL ORDER

Administrative Regulation

GUIDELINES FOR A SAFE LEARNING COMMUNITY

- Elkhart Community schools will research and implement best practices including a model of continuous improvement.

Dependability:

- Elkhart Community Schools will provide a safe and orderly school environment.
- Elkhart Community Schools will also provide procedures allowing for restorative practices, review of disciplinary actions, and student due process when taking disciplinary action.

Efficiency:

- Elkhart Community Schools will provide a variety of timely communication to all members of the school community.

Section 3: Student Responsibilities**Persistence:**

- Students will demonstrate perseverance through challenges and problem solving (Never give up).

Respectfulness:

- Students will demonstrate respectfulness by following reasonable directions of school employees.
- Students will demonstrate respectfulness by refraining from disruptive behavior interfering with a safe learning environment.
- Students will show respect for self and for others.
- Students will demonstrate respect and mutual concern for all members of the school community.
- Students will recognize all members of the school community have dignity.

Initiative:

- Students will be involved in the educational process to the fullest extent possible.
- Students will prioritize responsibilities, make decisions, and complete required tasks.
- Students will seek assistance, when needed, from appropriate staff.

Dependability:

- Students will accept responsibility for their own behavior.
- Students will engage in the discipline process and restorative practices.

Efficiency:

- Students will be organized, punctual and demonstrate self-management (“Get the job done” quickly and accurately).

Section 4: Parent/Guardian Responsibilities

Elkhart Community Schools rely on community partnerships, especially with parents and guardians. Parent awareness and support of these behavior expectations are necessary in establishing and maintaining a safe environment for learning; therefore, Elkhart Community Schools asks parents and guardians to provide support by utilizing these guidelines.

Persistence:

GUIDELINES FOR GOOD SCHOOL ORDER

Administrative Regulation

GUIDELINES FOR A SAFE LEARNING COMMUNITY

- Engage in their student's education.

Respectfulness:

- Demonstrate respect and mutual concern for all members of the school community
- Recognize all members of the school community have dignity.

Initiative:

- Be involved in the educational process to the fullest extent possible.
- Seek assistance, when needed, from appropriate staff.

Dependability:

- Engage in the discipline process and restorative practices.
- Ensure their student has consistent and timely attendance.

Efficiency:

- Support and encourage organization and timeliness.
- Communicate with the school community in a timely manner.

Section 5: Implementation of Student Behavior Expectations

In order to create a safe learning community, each administrator, teacher, or any other school personnel is responsible for implementing the expectations for student behavior adopted by Elkhart Community Schools.

Behavior Expectations for Students—

Students will be expected to meet the behavior expectations listed below. A student who does not meet these expectations may be disciplined for the disruption of a safe learning community.

A. Respectfulness:

1. Insubordination. Students will be expected to obey or follow a reasonable order or instruction given by any Elkhart school staff member. Staff members shall mean teachers, administrators, custodians, bus drivers, paraprofessionals, all other employees and officials, and authorized volunteers. When a student refuses to do this, it will be considered an act of insubordination.
2. Student Identification. Students will clearly display a school identification card when this is required by a student's school.
3. Theft. Students will respect the property of others. Theft of school property or property belonging to another student or staff member or being in possession of stolen property does not meet this expectation.
4. Fighting or Acts of Violence. Students will respect the rights of other individuals. Fighting and/or committing any act which jeopardizes the health, safety, or welfare of other students, staff members, or visitors does not meet this expectation.
5. Vandalism. Students will respect the property of others. Students who fail to demonstrate respect by damaging any property belonging to other students, staff, or to the Elkhart Community Schools do not meet this expectation.
6. Disrespectful Language. Students will not use, display, or participate in any form of profanity, indecency, or obscenity.

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7. Threats and Intimidation. Students will not engage in conduct or use of language which reasonably threatens, intimidates, or indicates disrespect of another person.
8. Bullying Behavior. Students will show respect for others by not engaging in intentional behaviors involving unwanted negative actions towards another student which may be repeated over time and involve an imbalance of power.
9. Students will consume food or drink in designated areas in the building such as the cafeteria.
10. Students will use electronic devices (e.g. cellular phone, tablet computer, music device, digital camera, etc.) in a manner which does not constitute an interference with a school purpose, educational function, invasion of privacy, or act of academic dishonesty; or which is profane, indecent, or obscene.
11. Substance Abuse. Students will not possess 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; possess, use, or be under the influence of alcohol; or possess, use, be under the influence of, or transmit any controlled substance or substance represented as a controlled substance, or paraphernalia for the use of such substance.
12. Students will be respectful of the school learning environment. 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 does not meet this expectation.
13. Students will demonstrate respect by not knowingly possessing, handling, or transmitting a knife, gun, destructive device, or any other object which can reasonably be considered a weapon at school or a school function.
14. Students will demonstrate respect by not possessing and/or using matches, cigarette lighters, or any pyrotechnic device, including firecrackers, on school grounds without authorization from school officials.

B. Dependability:

1. Violations of the Board of School Trustees' Policy on Network and Internet Acceptable Use and Safety (7540.03). Students will display dependability through appropriate use of school corporation computers and networks.
2. Students exercise dependability by following directions during an emergency or an emergency drill.
3. Students exercise dependability by following cafeteria procedures and rules.
4. Students exercise dependability by only using the elevator with the specific and express permission of a staff member.
5. Students exercise dependability by only leaving a class station or other assigned area with the permission of a staff member.
6. Students will show dependability by only leaving school property at a time other than the end of the student's scheduled day, when specific permission is granted by the administration and the sign-out procedure is followed by the student.

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7. Students will display dependability by following school attendance and tardy policies.
8. Students will follow study hall, detention, and/or in-school suspension regulations.
9. Students will attend assigned detention including, but not limited to, after-school detention, lunch detention, weekend detention, etc.
10. Students will follow driving and parking regulations. Reckless driving is prohibited.
11. Students will follow bus regulations.
12. Students will comply with the school's release time regulations.
13. Students will satisfy and not violate any reasonable condition of probationary enrollment status for which proper notice has been given.
14. Students will follow building dress codes.

C. Initiative

1. Students will demonstrate initiative by bringing required materials and equipment to classes.
2. Students will demonstrate initiative by engaging in learning activities.

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

Section 6: Grounds for Suspensions and ExpulsionsA. Prohibited Behaviors 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 behavior 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.

1. Interference with a Safe Learning Environment. Using violence, force, 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.
2. Speech/Behaviors. Engaging in speech or behaviors including but not limited to disparaging of another's race, disability, religion, ethnic background, sexual orientation, gender, or gender identity, when it interferes with a safe learning environment.
3. Vandalism. Causing, or attempting to cause, damage to school or private property.
4. Theft. Stealing, or attempting to steal, school or private property, or being in possession of another person's property.
5. 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

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necessary to protect some other person does not, however, constitute a violation of this provision.

6. Bullying Behavior, Intimidation, or Harassment. **Intentionally engaging** Engaging in bullying behavior as defined in Board Policy 5517.01.
 - o 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.
 - o Engaging in sexual harassment of another person, which involves sexually-related verbal statements, gestures, or physical contact.
 - o 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.
 - o When reasonably foreseeable, bullying behavior through the use of social media constitutes a violation of Board Policy 5517.01.
7. 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.
8. Drug involvement.
 - o Knowingly possessing, using, providing, or transmitting to another person or being under the influence of any illicit substance, including but not limited to narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, substance containing phenylpropanolamine (PPA), steroid, stimulant, depressant, or intoxicant of any kind; or any paraphernalia for the use of such substance.
 - o 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.)
 - o 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.
9. Possession of Tobacco Products. Possession of product 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, as well as electronic, "vapor," or other substitute forms of cigarettes.
10. Possession of Alcohol. Possession of an alcoholic beverage or substance containing alcohol.
11. 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.

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GUIDELINES FOR A SAFE LEARNING COMMUNITY12. Electronic Devices.

- Knowingly using on school grounds during school hours an electronic device (e.g. cellular phone, tablet computer, music device, digital camera, electronic equipment, etc.) in a manner which constitutes an interference with a safe learning environment, 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 expectations may have the device confiscated by the school. Such devices 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.

13. 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, an interference with a safe learning environment, or an educational function.

14. Insubordination. Failing to follow reasonable directions of teachers or other school personnel.

15. 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.

16. 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

- the unlawful activity may be considered to be an interference with a safe learning environment or an educational function; or
- the student's removal is necessary to restore order or protect persons on school property.

17. Violation of school rules. Violating or repeatedly violating any rules which are reasonably necessary and are validly adopted.

18. 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.

19. Pyrotechnic Devices. Possessing and/or using, on school grounds without authorization by school officials, any pyrotechnic device, including firecrackers.

B. Prohibited Conduct Which Will Result in an Expulsion

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

1. 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:

- a) 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.
- b) 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.
- c) 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.

Section 7: Definitions

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- A. As used in these Guidelines for a Safe Learning Community, the term “conduct constituting an interference with school purposes” means actions taken by a student or students which cause a disruption to a safe learning community and prevents the school from providing students with the opportunity to improve their knowledge and learning; or which can reasonably be foreseen to cause, a substantial disruption or material interference which prevents the school from maintaining a safe learning community. Suspicion alone is not adequate proof the behavior occurred.
- B. As used in these Guidelines for a Safe Learning Community, 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.
- C. As used in these Guidelines for a Safe Learning Community, 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.
- D. As used in these Guidelines for a Safe Learning Community, the term “expulsion” means a disciplinary action whereby a student
1. is separated from school attendance for a period exceeding five (5) school days;
 2. 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
 3. 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 9(A) to (M) of these Guidelines for a Safe Learning Community, 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.

- E. As used in this administrative guideline, the term “school function” means any activity sanctioned or sponsored by the school.
- F. As used in these Guidelines for a Safe Learning Community, the term “school purposes” means the purposes for which the school operates, including:
1. promoting knowledge and learning;
 2. maintaining a safe, orderly and effective educational system; and
 3. taking any action under the authority conferred on the school corporation by any statute.
- G. As used in this Administrative Guideline, 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 excluded from school after being found ill, or when the student is excluded from school for failure to comply with the immunization

requirements.

Section 8: 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:

- A. A principal, including any principal's designee, may take any action concerning their school or any school activity within their 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.
- B. 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.
- C. The superintendent and principal may adopt procedures establishing lines of responsibility in compliance with Elkhart Community Schools' discipline policies and administrative guidelines.
- D. 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 9: Behavior Interventions and Strategies

In order to create a safe learning community, each administrator, teacher, or any other school personnel is responsible for addressing incidents where students are not meeting the expectations for behavior adopted by Elkhart Community Schools. School personnel may use any or all of the following interventions or strategies progressively, in addition to any research based interventions, to address behavior of students under their supervision, subject to the limitations which exist under law:

- A. Utilizing restorative practices with the assistance of the community partners such as but not limited to the Center for Community Justice (CCJ), other entities supporting restorative practices, or an ECS employee who has completed training in restorative practices;
- B. counseling with a student or group of students;
- C. conferences with parent(s)/guardian(s);
- D. participating in a relevant educational opportunity related to the behavior;
- E. rearranging class schedules;
- F. requiring a student to remain at school after regular school hours to participate in an educational opportunity related to the behavior or for counseling;
- G. restricting extracurricular activities;
- H. rescinding the privilege of riding the school bus;
- I. recommendation or referral by the principal of a special course of study, an alternative educational program, or an alternative school;
- J. assignment of not more than one hundred twenty (120) hours of service with a non-profit organization, as outlined by statute;

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K. referring students to law enforcement personnel in cases related to violations of the law;

L. denial of attendance at extra-curricular activities;

M. complying with state laws which prevent issuance of or invalidation of driver's licenses or learner's permits;

N. Dismissal from Class or Activity – Teacher

1. 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.

2. 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.

O. 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.

P. 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 request a student, who is at least sixteen (16) years of age and who wishes to return to the traditional school setting after expulsion, to attend an alternative educational program or school.

Q. Expulsion Based Upon Legal Settlement

1. 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.

2. The Assistant Superintendent of Student Services/designee shall have the authority to recommend expulsion to the Superintendent for this reason.

Section 10: Student Due Process Procedures

A. Procedure for Dismissal from Class or Activity

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

1. Inform the student of the reason(s) for his or her dismissal. (In the rare event a student's continued presence creates a danger to persons or property or an ongoing disruption of a safe learning environment the student may be immediately dismissed from class without being informed of the reason(s) for

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dismissal.)

2. Verbally notify the office that the student is being dismissed from the educational function, the reason(s) for the dismissal and whether the student may return to the classroom or activity.
3. Instruct the student to leave the classroom or activity and report to the office. If necessary, the student shall be escorted to the office.
4. The office should notify the teacher in the event the student has not reported to the office in a timely manner.
5. Complete and send a referral form to the office reporting the reason(s) for the student's dismissal.
6. 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.
 - a) A contract shall be developed during this conference and should contain the following:
 - a goal related to the behavior causing the dismissal.
 - a strategy to address the behavior.
 - consequences and rewards relevant to the behavior, and
 - monitoring procedures.
 - b) 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.
 - c) The administrator shall have the discretion to assign the student to another appropriate class or placement within the school pending the conference.

B. 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:

1. The principal (or designee) shall meet with the student during this meeting, the student is entitled to the following:
 - a) a written or oral statement of the charges;
 - b) a summary of the evidence against the student, if the student denies the charges; and
 - c) an opportunity to explain his or her conduct.
2. 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

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- the suspension. The notification will describe the student's misconduct, and the action taken by the principal.
3. In the rare event 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.
 4. 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.

C. 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:

1. 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."
2. 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 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.
3. The superintendent (or designee) shall either decide to conduct the expulsion meeting or appoint one of the following persons to conduct the expulsion meeting:
 - a) Legal counsel; or
 - b) 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.
4. 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.
5. 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.
6. The superintendent or person appointed to conduct the expulsion meeting may issue subpoenas, compel the attendance of witnesses, and administer oaths to

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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.

7. 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.
8. If the Expulsion Examiner does not receive a request for an expulsion meeting within five (5) 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.
9. 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

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the following school year must be reviewed before the beginning of the school year.

D. 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:

1. Continue to participate in the general education curriculum, although in another setting.
2. 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:

1. 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.
2. 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
 - a) caused by, or had a direct and substantial relationship to the student's disability; or
 - b) the direct result of the school's failure to implement the student's IEP.
3. If the conduct was a manifestation of the student's disability, the CCC must either:
 - a) conduct a functional behavioral assessment (FBA), unless an FBA was conducted prior to the behavior resulting in disciplinary action, and implement a behavioral intervention plan (BIP) for the student; or
 - b) 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

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- a BIP or an interim alternative education setting (IAES) is required due to weapons, drugs, or serious bodily injury.
4. 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.
 5. 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:
 - a) carries a weapon to school or possesses a weapon;
 - b) knowingly possesses or uses illegal drugs or sells or solicits the sales of a controlled substance; or
 - c) 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 8, 2021

GUIDELINES FOR GOOD SCHOOL ORDERSection 1. General ResponsibilitiesA. 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.~~

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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:

- a. 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.
- b. 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.
- c. 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.
- d. The superintendent and principal may adopt procedures establishing lines of responsibility in compliance with Elkhart Community Schools' discipline policies and administrative regulations.
- e. 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.

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

~~A. Definitions~~

- ~~○ 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.~~
- ~~○ 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.~~
- ~~○ 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.~~
- ~~○ 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.~~~~
- ~~○ As used in this Administrative Regulation, the term “school function” means any activity sanctioned or sponsored by the school.~~
- ~~○ As used in these Guidelines for Good School Order, the term “school purposes” means the purposes for which the school operates, including

 - ~~○ promoting knowledge and learning;~~
 - ~~○ maintaining an orderly and effective educational system; and~~
 - ~~○ taking any action under the authority conferred on the school corporation by any statute.~~~~
- ~~○ 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~~

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~~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:~~

- ~~a. counseling with a student or group of students;~~
- ~~b. conferences with parent(s)/guardian(s);~~
- ~~c. assigning additional academic work;~~
- ~~d. rearranging class schedules;~~
- ~~e. requiring a student to remain at school after regular school hours to do additional academic work or for counseling;~~
- ~~f. restricting extracurricular activities;~~
- ~~g. rescinding the privilege of riding the school bus;~~
- ~~h. assignment by the principal of a special course of study, an alternative educational program, or an alternative school;~~
- ~~i. assignment of not more than one hundred twenty (120) hours of service with a non-profit organization, as outlined by statute;~~
- ~~j. referring students to law enforcement personnel in cases related to violations of the law;~~
- ~~k. denial of attendance at extra-curricular activities;~~
- ~~l. complying with state laws which prevent issuance of or invalidation of driver's licenses or learner's permits;~~

m. Dismissal from Class or Activity—Teacher

- ~~i. 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.~~
- ~~ii. 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~~

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and who wishes to reenroll after expulsion, to attend an alternative school or educational program or evening classes.

C. Grounds for Suspensions and Expulsions1. 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.

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,

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~~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~~

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~~(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.~~

~~1) 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.~~

~~o. 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.~~

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~~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:~~

~~i. a goal related to the behavior causing the dismissal,~~

~~ii. a strategy to address the behavior,~~

~~iii. consequences and rewards relevant to the behavior, and~~

~~iv. monitoring procedures.~~

~~o. 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~~

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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-ex³.~~

~~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 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~~

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- ~~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.~~

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~~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;~~

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RESOLUTION OF THE BOARD OF SCHOOL TRUSTEES
ELKHART COMMUNITY SCHOOLS

On March 11, 2021, the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund under the American Rescue Plan (ARP) Act of 2021, Public Law 117-2, and

The provisions of ARP ESSER authorize school corporations to utilize funds received under this law for the following:

Address learning loss through the implementation of evidence-based interventions and ensure those interventions respond to students' social, emotional, and academic needs;

To effectively maintain the health and safety of students, educators, and other staff;

Activities necessary to maintain the operation of and continuity of services including continuing to employ existing staff; and

For allowable expenditures incurred by schools on or after March 13, 2020, the date the President declared the national emergency due to COVID-19; such as:

Developing and implementing procedures and systems to improve the preparedness and response efforts;

Planning for or implementing activities during long-term closures, including providing meals to eligible students and providing technology for online learning;

Providing information and assistance to parents and families on how they can effectively support students; and

Tracking student attendance and improving student engagement in distance education.

The Budget approved by the Board of School Trustees on October 27, 2020 did not account for the additional costs incurred by the school corporation as result of the state and national public health emergency due to the COVID-19 pandemic.

As a result of the state and national public health emergency due to the COVID-19 pandemic, Elkhart Community Schools' certificated teachers undertook additional responsibilities, including but not limited to the following: providing fully virtual instruction to students; providing instruction in a blended/hybrid model where students received in person instruction, and on alternating days, received virtual instruction; and providing instruction to students receiving instruction in both the hybrid and virtual models. In addition to the foregoing, certificated teachers were required to alternate between instructional modalities based upon both community and building level spread of infection under the terms of Elkhart Community Schools' reopening plan.

As a result of the state and national public health emergency due to the COVID-19 pandemic, Elkhart Community Schools' support staff undertook additional responsibilities, including but not

limited to the following: learning and executing enhanced cleaning and disinfecting procedures so as to provide a safe learning and work environment for both students and employees; deploying new technologies for both students and employees allowing both instruction and work to occur remotely for both students and employees, including students who did not have reliable access to the internet; providing and establishing a safe means to allow meals to be provided to students; configuring classrooms and workspaces throughout the district to allow for social distancing; monitoring student attendance when students are receiving instruction in one of three different delivery models; supporting the physical and mental health of students; tracking and performing contact tracing for both students and employees who contracted COVID-19 or were a close contact to an individual infected with COVID-19; providing personal protective equipment to both students and employees; along with monitoring and supporting student instruction through various modalities.

As a result of the state and national public health emergency due to the COVID-19 pandemic, Elkhart Community Schools' administrators undertook additional responsibilities, including but not limited to the following: developing new instructional delivery methods to be deployed during the COVID-19 pandemic; monitoring changes occurring as a result of orders issued by federal, state and local governmental authorities; and revising both instructional delivery methods, along with work expectations for employees based upon the forgoing: developing new cleaning and disinfecting procedures which would allow for a safe learning and work environment for students and employees; making decisions on a daily basis regarding the operational status of individual schools, and the district based upon spread of the COVID-19 virus, in classrooms, buildings and the community at large; developing plans to address the limited access some students had to the internet so students could continue to receive instruction without regard to the individual student's access to the internet; developing and updating on a regular basis a reentry plan for students; and developing a plan which would allow students to continue to be fed throughout the duration of the public health emergency.

The descriptions of additional duties performed by employees of Elkhart Community Schools set forth above are not an exclusive listing of duties, and duties listed for one classification of employees does not mean those duties were not also performed by employees in another classification.

The duties described above would not have been required of employees were it not for the state and national public health emergency due to the COVID-19 virus.

The Board of School Trustees has determined, having performed the duties described above, employees of Elkhart Community Schools merit additional compensation to be paid in the form of a stipend.

The Board of School Trustees has further determined there are not sufficient funds available through traditional funding sources to pay these stipends to employees.

The Board of School Trustees intends to pay stipends to employees of Elkhart Community Schools who performed any of the foregoing responsibilities during the period between March 13, 2020 and June 3, 2021 from funds received from the State of Indiana through the following enacted laws:

Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and American Rescue Plan (ARP) Act of 2021.

Stipends of up to One Thousand Five Hundred (\$1,500.00) dollars shall be paid to all Elkhart Community Schools' employees who are in an active pay status as of June 3, 2021. Said payments will be contingent upon the approval by the Indiana Department of Education of the grant application submitted by Elkhart Community Schools for the purpose of expending funds under the ARP. Elkhart Community Schools' employees will be required to provide evidence in a form satisfactory to Elkhart Community Schools of having performed services subsequent to March 13, 2020 and June 3, 2021 meeting the eligibility requirements listed above. Said forms shall be submitted by Elkhart Community Schools' employees to the Chief Financial Officer on or before June 30, 2021 in order to be eligible for a payment to be made on or before July 31, 2021.

NOW THEREFORE, BE IT RESOLVED, by the Board of School Trustees of Elkhart Community Schools as follows:

Each eligible employee of Elkhart Community Schools, having satisfied the terms of this Resolution provided herein above, shall be eligible to receive a stipend in the sum of One Thousand Five Hundred (\$1,500.00) dollars to be paid on or before July 31, 2021.

Should authorities of either the State of Indiana or the United States determine Elkhart Community Schools does not possess the legal authority to pay these stipends from the funds described above, the Board of School Trustees may rescind this resolution without liability to any employee, dependent, heir, or other such individual or entity.

PASSED AND ADOPTED this _____ day of June, 2021.

Roscoe L. Enfield, Jr., President

Dacey S. Davis, Vice President

Susan C. Daiber, Secretary

Babette S. Boling, Member

Kellie L. Mullins, Member

Troy E. Scott, Member

Doug K. Weaver, Member

ATTEST:

Susan C. Daiber, Secretary



BUSINESS OFFICE

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

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

FROM: KEVIN SCOTT

DATE: JUNE 8, 2021

SUBJECT: PERMISSION TO ADVERTISE

The Board of School Trustees is asked to grant permission to publish a Request For Proposal. The purpose of this is to solicit and select a project partner that meets EDGAR procurement standards (2 CFR 200.318) as we look at projects at multiple building sites.

The work will focus on improving indoor air quality and ventilation in the classrooms and improving the overall building learning environment in two buildings, Daly Elementary and West Side Middle School. This will be accomplished by replacing antiquated HVAC equipment which will improve control of temperature, humidity and fresh air content as well as increase air turnover in these buildings.

**Request For Proposal
for a
2021 Guaranteed Energy Savings Contract Project**

by
Elkhart Community Schools

June 9, 2021

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GUARANTEED ENERGY SAVINGS CONTRACT

TIMELINE

(Elkhart Community Schools)

<u>Date</u>	<u>Action Item</u>
June 8, 2021	Board approves Request for Proposals (RFP) for a Guaranteed Savings Contract.
June 9, 2021	RFP is advertised in two local papers.
June 23, 2021	RFP is advertised a second time in two local papers.
June 28, 2021	Mandatory meeting of all respondents (meet at the administration building at 9:00 am local time)
July 20, 2021	Proposals are received at Administration Building (1pm local time).
July 27, 2021	Board approves the selection of Qualified Provider recommended by Administration.
August, 2021	Project implementation begins

**Request For Proposal
for a
Guaranteed Savings Contract**

Notice is hereby given that Elkhart Community Schools (the "School Corporation") shall receive proposals for a Guaranteed Savings Contract with respect to renovating, improving, and upgrading any or all of the facilities operated by the School Corporation. All such proposals shall be received until 1:00 p.m. on July 6, 2021 at the Office of the Administration located at 2720 California Rd. Elkhart, IN 46514. Each proposal must be in accordance with IC36-1-12.5 as amended and the Request for Proposal (the "RFP"), and must be submitted by a person or entity satisfying the definition of a qualified provider under IC36-1-12.5, as amended (each, a "Qualified Provider"). For a copy of the RFP and or more information contact Kevin Scott, CFO at (574) 262-5553. All proposals must contain the content and in the format described within the RFP.

A mandatory meeting for all Qualified Providers has been scheduled for 10:00 am on June 11, 2021 at the Administration Office. This is a mandatory requirement for anyone interested in being considered by the School Corporation as the successful Qualified Provider. Failure to attend this meeting shall result in a disqualification of the offeror's proposal.

The School Corporation reserves the right to terminate for any reason and for no reason at all any of the projects prior to Guaranteed Savings Contract being executed by the School Corporation, to reject for any reason and for no reason at all any and all proposals and to be the sole judge of the value and merit of the proposals offered. The School Corporation further reserves the right to waive any and all informalities or any defects in any of the proposals offered.

Section I. Overview

Elkhart Community Schools (the "School Corporation") requests proposals for the implementation of conservation measures with respect to renovating, improving and upgrading the facilities operated by the School Corporation on a performance contracting basis. The School Corporation's objectives in issuing this Request for Proposal is to provide a competitive means in which to select a single Qualified Provider (state certified guaranteed energy savings company) to perform the implementation of a guaranteed savings contract (the "GSC"). The GSC shall follow IC 36-1-12.5 and the RFP guidelines. Modifications to the proposal including pricing for the purpose of selecting the provider will not be accepted after the proposal due date. The school reserves the right to negotiate modifications to any component of the proposal after the Provider has been selected. Qualified Providers must submit an electronic copy along with five (5) copies of their proposals. The cost of preparing a response to this request, including site visits and engineering analysis will not be reimbursed by the school corporation.

Proposals must be submitted in the format outlined in this section. For each proposal a checklist will be used in reviewing the proposal to determine if it is complete prior to actual evaluation. The School Corporation reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially unresponsive to the requests for information contained herein.

The School Corporation reserves the right to terminate for any reason and for no reason at all any of the projects prior to Guaranteed Savings Contract being executed by the School Corporation, to reject for any reason and for no reason at all any and all proposals and to be the sole judge of the value and merit of the proposals offered. The School Corporation further reserves the right to waive any and all informalities or any defects in any of the proposals offered.

Please note that all projects will be funded by federal ESSER dollars and response must conform to all federal requirements.

Section II. PROPOSAL CONTENT & FORMAT

I. Table of Contents

- A. Responses shall include a table of contents properly indicating the section and page numbers of the requested information.

II. Executive Summary

- A. Responses shall include a concise abstract stating the respondent's overview of the project.

III. Company Qualifications

A. Company Profile

This section should include the following information on the Qualified Provider.

1. Company name
2. Address
3. Telephone number
4. Fax number
5. Contact person(s) for this project
6. Email address
7. Number of years Company has operated in Indiana
8. Lead Personnel
 - a. List the Lead Personnel employed by the Qualified Provider involved in this project. Include a resume on each person listing name, title, education, experience, work history, and responsibilities on this project. Identify specifically the type of work performed by each person and for how long. Include the name of the engineer(s) or engineering firm providing the design engineering for the project including their PE numbers as well as the PE numbers of all full time employees of the Qualified Provider who are professional engineers registered in the State of Indiana and who will be working on this project.
 - b. List key team members and contractors that will be part of your design and installation team.
9. References
 - a. List **all** Guaranteed Energy Savings Contracts (GESCs) performed with Indiana Schools. Include project name, School Corporation contact and completion date for all contracts. Omitting any past projects may result in disqualification.
10. Energy Savings Results

Elkhart Community Schools

- a. Each Provider (the company submitting the proposal) must have completed (with at least one year of reported guaranteed savings results) a minimum of five (5) GESC's with Indiana schools to be considered for this project. Provide the following reference information for at least five (5) completed projects.
 - ◆ Project name
 - ◆ School Corporation contact
 - ◆ Description of work
 - ◆ Installed cost
 - ◆ Guaranteed annual savings
 - ◆ Actual annual project savings
 - ◆ Completion date
- b. Provide a spreadsheet listing each job where the provider has at least one year of reported guaranteed savings. Provide school name, project cost, date guarantee started, guaranteed annual savings, most recent actual savings.
- c. Provide at least one copy of an annual saving report submitted to the state for one of the jobs listed above. (Locate report in Appendix of proposal)
- d. Shortfalls
 - ◆ The Provider must include a summary of the reported annual savings for all completed projects. Any projects that did not meet the annual energy guarantee must be listed with an explanation for the shortfall.

11. Certifications & Registrations

- a. Include a copy of the certification from the Indiana Department of Public Works that proves the Provider is a Certified Professional Services company.
- b. Include a copy of the certification from the Indiana Department of Public Works that proves the Provider is a Certified Contractor.
- c. Include the names and PE numbers for all full time employees who are professional engineers registered in the State of Indiana.

IV. **Technical Approach**

Section IV should contain the following information about the respondent's technical approach to meet the School Corporation's energy efficiency, operating cost reduction and comfort objectives.

1. **Needs & Solutions:** Include a "Needs & Solutions" section explaining facility needs and solutions the Provider recommends for all proposed improvements.
2. **Scope of Work:** Proposals may include the following improvements and other improvements that the Provider may choose to offer. Improvements should be listed for the following schools where the Provider identifies needs and appropriate solutions.
 - a. All facilities below:

Elkhart Community Schools

- ◆ Elkhart High School
 - ◆ Central Freshman Center
 - ◆ Educational Services Center
 - ◆ Elkhart Area Career Center
 - ◆ North Side Middle School
 - ◆ Pierre Moran Middle School
 - ◆ West Side Middle School
 - ◆ Daly Elementary School
- b. Solutions
- ◆ HVAC upgrades and replacements
 - ◆ Control upgrades and replacements
 - ◆ Electrical upgrades and replacements
 - ◆ Plumbing upgrades and replacements
 - ◆ Building envelope repair that improves energy efficiency including roofs and windows
 - ◆ Other energy related improvements recommended by Provider
 - ◆ Other work causally connected to the energy related solutions proposed by the Provider as required to properly implement the proposed energy related solutions
3. **Documentation:** For any work where the provider will be providing pricing, provide the following documentation for the scope of work being proposed.
- a. Detailed Drawings
 - b. Separate from the drawings please provide in the proposal an Equipment/Material Table providing: type, model, manufacturer size, and quantity for all equipment provided.
4. **Engineering Approach:** Describe your firm's approach to the technical design of this project.
5. **Energy Engineering:** Provide a detailed explanation of how the Provider intends to calculate energy savings and what types of guarantees will be offered (utility bill analysis, actual measurements and stipulated savings and the cost of each option). Show examples of the actual energy savings calculations and an executed energy savings contract from one of the provider's recent project.
6. **Contractor Selection:** Described the process that the Provider utilizes to obtain their contractors and what criteria will be used to make the contractor selections.
7. **Equipment Selection:** Described the process that the Provider utilizes to obtain the equipment to be used on the project and specifically what criteria will be used to make equipment selections.
8. **Installation Approach:** Describe how the Provider intends to implement the installation phase of the project in terms of approach, priorities, philosophies, timelines, change-orders and commissioning
9. **Commissioning:** Described in detail the commissioning processes that the Provider intends to utilize to commission the building for the learning environment and energy efficiency. Provide actual documents for past projects where this same approach was utilized.
10. **Performance Assurance:** Described in detail the performance assurance processes that the Provider intends to utilize to insure the building operates at peak performance both at the completion of the installation phase and throughout the contract term. Provide actual guaranteed savings reports from past projects where this same approach was utilized showing how both energy and operational savings were calculated.

11. **Additional Information:** Supply additional information about the Provider's technical approach to the project may be included in the proposal.

V. Financial Aspects

Section V should contain the financial components of the proposed work as identified below.

1. **Pricing:** Describe in detail the process that the Provider intends to utilize to obtain the best prices for the School Corporation both initially and if additional work is required. Explain why this is the best approach.
 - a. Include the firm cost and guaranteed energy savings amount for the complete renovation of the boiler plant at Mary Daly Elementary School including the guaranteed savings associated with this replacement. Work to be completed by the start of heating season.
 - b. Provide any additional solutions and corresponding costs for proposed renovations or replacement of equipment and systems at the schools listed in Section IV.2.A.
2. **Energy Savings:** Explain how the Provider intends to maximize energy savings and the advantage to the Provider's approach. Include in this proposal the provider's actual Guarantee Energy Savings Contract for the priced improvement(s) along with all corresponding calculations as well as a completed, executed Guarantee Energy Savings Contract from a previous project completed by the provider (guarantees including calculations for this project and from a previous actual executed contract can be located in the appendix).
3. **Project Funding:** Project funding will be handled by the school.

Section III. EVALUATION CRITERIA

The School Corporation will likely reject any proposal that does not meet the minimum criteria described in this RFP and may at their discretion deduct points from the scoring rubric if the RFP format is not followed. For proposals meeting or exceeding the minimum criteria, the School Corporation will rate each proposal based on the weighted scoring criteria shown below. The School Corporation intends to award a contract to the Provider offering the best value proposal. The best value proposal will be the proposal with the highest score.

A. Ability of the team to successfully implement Program (40 points)

1. Reputation of the Provider for successfully implementing energy savings projects and providing proven energy savings with scopes of work similar to those being considered for this project
2. Reputation of team members and contractors that are part of the team
3. Background of the people responsible for implementing the proposed GESC. This includes in-house engineers, technicians, and team members responsible for the designing, installation, programming and commissioning of the project
4. References of the company and people responsible for implementing the project

B. Technical Approach (30 points)

1. Design and quality of the proposed solutions
2. Depth, breadth and detail of the engineering
3. Effectiveness of the proposed solutions related to energy savings, operational / maintenance improvement and learning environments

Preference will be given to proposals that include a detailed and sound technical approach to meeting the School Corporation's objectives.

C. Financial Consideration & Net Economic Impact (30 points)

1. Value offered by the Provider in terms of price and the scope of work
2. Pricing structure and process to be utilized to price any work negotiated after contractor selection
3. Energy savings approach and company's past performance related to guaranteed energy savings in Indiana schools

III. PERFORMANCE GUARANTEE AGREEMENT

Project: Guaranteed Energy Savings Contract
Elkhart Community Schools
Elkhart, Indiana

Qualified Provider:

Company Name: _____

Address: _____

City, State, Zip: _____

Representative: _____

Performance Guarantee Information:

Annual Guaranteed Operational Savings Amount = \$ _____

Annual Guaranteed Energy Savings Amount = \$ _____

Total Annual Guaranteed Amount = \$ _____

Program Term = 120 Months

The Guarantee:

(Guarantee Contract, calculations & contractual language is to be provided by each Qualified Provider based on performance guarantees included in their proposal.)

June 8, 2021

At the June 8, 2021 Board meeting I will recommend Board approval of the following bids.

- a) Food Service Department received 5 Food Bids from Gordon Food Service, Stanz Foodservice, Commercial Foods, 7-Up Snapple and Vistar. The lowest, most responsive and responsible bidders are:

Gordon Food Service	\$ 487,148.23
Stanz Foodservice	\$ 428,649.14
Commercial Foods	\$ 423,627.87
7-Up Snapple	\$ 4,528.71
Vistar	<u>\$ 6,624.00</u>

Total \$1,350,577.95

- 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	\$ 485,190.33
Stanz Foodservice	<u>\$ 750,110.31</u>

Total \$ 1,235,300.64

- c) Food Service Department received 2 Fresh Produce Bids from Gordon Food Service and Piazza Produce. The lowest responsive and responsible bidders are:

Gordon Food Service	\$ 22,610.77
Piazza Produce	<u>\$ 422,892.02</u>

Total \$ 445,502.79

- d) Food Service Department received 6 Supply Bids from Gordon Food Service, Stanz Foodservice, Wallace Packaging LLC, Daxwell, Commercial Foods and Kem Shield. The lowest most responsive and responsible bidders are:

Gordon Food Service	\$242,794.75
Stanz Foodservice	\$ 39,119.92
Wallace Packing	\$ 91,325.00
Daxwell	\$ 77,504.50
Commercial Foods	<u>\$ 6,505.00</u>

Total \$ 457,249.17

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

Gordon Food Service	\$ 27,443.50
Alpha Kreamo Bakers	\$ 18,287.63
Stanz Foodservice	\$ 73,660.97
Aunt Millies	<u>\$ 12,457.20</u>

Total \$131,849.30

- 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	\$ 417,871.56	(FIRM)
Stanz Foodservice	<u>\$ 13,005.00</u>	

Total \$ 430,876.56 (FIRM)

Grand Total of all Bids \$ 4,051,356.41

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

Companies that received bid packets 2021-2022

	Submitted Bid	Declined to Bid	No Response
FOOD BID			
Gordon Food Service	X		
Stanz Foodservice	X		
Commercial Foods	X		
Vistar	X		
7-UP Snapple	X		
	5	0	0

	Submitted Bid	Declined to Bid	No Response
COMMODITY			
Gordon Food Service	X		
Stanz Foodservice	X		
	2	0	0

	Submitted Bid	Declined to Bid	No Response
PRODUCE			
Gordon Food Service	X (market price)		
Stanz Foodservice			Quote Produce
Piazza Produce	X		
Caito Foods			X
Shelton Farms			X
	3	0	2

	Submitted Bid	Declined to Bid	No Response
SUPPLY			
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
Kem Shield	X		
Vistar			X
	7	0	5

	Submitted Bid	Declined to Bid	No Response
BAKERY BID			
Alpha/Kreamo Bakery	X		
Aunt Millies	X		
Aunt Millies Bakehouse			X
Gordon Food Service	X		
Stanz Foodservice	X		
Bimbo Bakehouse			X
	4	0	2

	Submitted Bid	Declined to Bid	No Response
DAIRY BID			
Dean Foods	X		
Prairie Farms Dairy	X		
Scholl Dairy			X
Gordon Foods Service			X
Stand Foodservice	X		
Ripple Foods			X
	3		3

MEMORANDUM

Date: June 8, 2021

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

From: Pam Melcher
Food Service Director

RE: Recommendation of Food Bid

On Wednesday, May 5, 2021 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mrs. Nicole Scheetz 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 2, 2021 through July 29, 2022** to the following companies:

Gordon Food Service	\$ 487,148.23
Stanz Foodservice	\$ 428,649.14
Commercial Foods	\$ 423,627.87
7-Up/Snapple	\$ 4,528.71
Vistar	\$ 6,624.00

Total	\$1,350,577.95
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MEMORANDUM

Date: June 8, 2021

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

From: Pam Melcher
Food Service Director

RE: Recommendation of Commodity Bid

On Wednesday, May 5, 2021 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mrs. Nicole Scheetz 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	\$ 485,190.33
Stanz Foodservice	\$ 750,110.31

Total	\$1,235,300.64
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Revised June 3, 2021

MEMORANDUM

Date: June 8, 2021

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

From: Pam Melcher
Food Service Director

RE: Recommendation of Fresh Produce Bid

On Wednesday, May 5, 2021 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mrs. Nicole Scheetz 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 2, 2021 through July 29, 2022** to the following companies:

Gordon Food Service	\$ 22,610.77
Piazza Produce	\$ 422,892.02

Total	\$445,502.79
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Revised June 3, 2021

MEMORANDUM

Date: June 8, 2021

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

From: Pam Melcher
Food Service Director

RE: Recommendation of Supply Bid

On Wednesday, May 5, 2021 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mrs. Nicole Scheetz 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 2, 2021 through July 29, 2022** to the following companies:

Gordon Food Service	\$242,794.75
Stanz Foodservice	\$ 39,119.92
Wallace Packaging, LLC	\$ 91,325.00
Daxwell	\$ 77,504.50
Commercial Foods	\$ 6,505.00

Total	\$457,249.17
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Revised June 3, 2021

MEMORANDUM

Date: June 8, 2021

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

From: Pam Melcher
Food Service Director

RE: Recommendation of Bakery Bid

On Wednesday, May 5, 2021 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mrs. Nicole Scheetz 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 2, 2021 through July 29, 2022** to the following companies:

Gordon Food Service	\$ 27,443.50
Alpha, Kreamo Bakers	\$ 18,287.63
Stanz Food Service	\$ 73,660.97
Aunt Millies	\$ 12,457.20

Totals	\$ 131,849.30
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MEMORANDUM

Date: June 8, 2021

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

From: Pam Melcher
Food Service Director

RE: Recommendation of Dairy Bid

On Wednesday, May 5, 2021 at 10:30 a.m., E.D.T., Mrs. Pamela Melcher and Mrs. Nicole Scheetz 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 2, 2021 through July 29, 2022** to the following company:

Dean Foods	\$ 417,871.56
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Stanz Foodservice	\$ 13,005.00
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Total	\$ 430,876.56 (FIRM)
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Revised June 3, 2021

PRODUCT PRICE COMPARISON

Product	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022
Bean & Beef Burrito	\$50.16	\$50.16	\$51.65	\$52.54	\$56.52
Hot Dog	\$28.41	\$26.95	\$28.00	\$27.94	\$28.00
Pork Tenderloin	\$20.83	\$17.07	\$17.07	\$56.39	\$59.29
Chicken Sandwich	\$59.23	\$59.24	\$62.79	\$61.09	\$40.49
Galaxy Pizza	\$33.18	\$34.78	\$37.96	\$38.29	\$36.67
Spicy Chicken Sandwich	\$65.36	\$65.37	\$69.89	\$67.19	\$67.19
Bosco Sticks	\$28.14	\$32.64	\$28.55	\$29.55	\$31.14
Corn Dog	\$27.31	\$27.59	\$22.33	\$18.66	\$25.65
Big Daddy Cheese Pizza	\$47.60	\$48.86	\$54.18	\$52.04	\$49.76
Popcorn Chicken	\$40.60	\$44.00	\$44.74	\$47.04	\$47.04
BBQ Pork	\$31.80	\$31.80	\$31.80	\$32.00	\$33.00
Pot Roast	\$36.50	\$39.69	NO Bid	\$47.99	\$50.38
Yogurt bulk	\$22.45	\$20.27	\$22.89	\$22.89	\$25.36
Applesauce cup	\$20.41	\$21.84	\$22.25	\$20.49	\$21.35
Egg & Bacon Pizza	\$45.65	\$48.27	\$59.89	\$49.61	\$50.55
Pancake	\$16.18	\$16.99	\$18.71	\$21.31	\$21.33
Sausage links	\$38.45	\$39.19	\$38.31	\$44.41	\$45.04
Blueberry Pancakes	\$25.90	\$25.90	\$27.41	\$26.25	\$27.75
French Toast	\$50.70	\$52.81	NO Bid	\$49.54	\$51.65
String Cheese	\$15.50	\$15.57	\$15.99	\$16.48	\$17.60
Scrambled Eggs	\$21.23	\$22.97	\$26.93	\$27.25	\$28.43
Sliced Tomatoes	\$16.90	\$16.90	\$14.90	\$14.75	\$18.00
Whole Tomatoes	\$10.50	\$17.33	\$11.95	\$16.95	\$20.95
Green Pepper	\$26.08	\$15.75	MKT	\$13.95	\$9.95
Celery Stix	\$7.90	\$20.09	\$19.45	\$21.94	\$19.95
Snack carrots	\$18.51	\$19.71	\$18.99	\$18.50	\$24.95
Shredded lettuce	\$14.95	\$14.95	\$14.85	\$14.85	\$16.95
Romaine ribbons	\$16.95	\$16.95	\$16.75	\$19.96	\$20.57
Romaine cut	\$34.90	\$34.90	\$15.90	\$15.90	\$19.95
Broccoli Bite Size IW	\$32.95	\$34.00	\$37.50	\$37.50	\$35.50
Broccoli & cauliflower	\$13.75	\$16.61	NO Bid	\$17.75	\$18.27
Cantalope	\$37.21	\$37.21	\$13.90	\$27.80	\$22.00
Strawberries	\$14.20	\$14.00	\$15.95	\$16.95	\$25.95
Pineapple Chunks	\$44.03	\$44.07	\$16.90	\$16.90	\$25.50
Total	\$1,014.42	\$1,044.43	\$878.38	\$1,062.65	\$1,092.68