

AGENDA FOR
BOARD OF SCHOOL TRUSTEES
REGULAR MEETING

Elkhart Community Schools
Elkhart, Indiana

October 22, 2024

CALENDAR

Oct	22	5:00 p.m.	Coffee Truck Ribbon Cutting
Oct	22	6:00 p.m.	Public Work Session, J.C. Rice Educational Services Center
Oct	22	7:00 p.m.	Regular Board Meeting, J.C. Rice Educational Services Center
Nov	12	6:00 p.m.	Public Work Session, J.C. Rice Educational Services Center
Nov	12	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. PUBLIC COMMENT
- E. 1028 PROJECTS AND ADDITIONAL APPROPRIATIONS HEARING
- F. EXCELLENCE OF ELKHART
- G. NOTRE DAME QUARKNET SUMMER RESEARCH UPDATE
- H. CONSENT ITEMS:

- Minutes – September 24, 2024 – Regular Board Meeting
- Claims
- Fundraisers
- Gift Acceptances
- Conference Leaves
- Grants
- Contracts
- Personnel Report

I. NEW BUSINESS

Common School Fund Loan Petition - The Business Office seeks confirmation of the submission of the Fall Common School Fund Loan Petition.

2025 Board Meeting Schedule - The administration presents the proposed Board Meeting Schedule for 2025 for initial consideration.

2024-2025 Student Parent Guide - The administration presents the proposed 2024-2025 Student Parent Guide for initial consideration and requests to waive second reading.

Board Policy 165 - Notification of Board Meetings - The administration presents proposed revisions to Board Policy 165 - Notification of Board Meetings for initial consideration.

Board Policy 164.1 - Regular Meetings; Board Policy 164.2 - Special Meetings; Board Policy 164.3 - Emergency Meetings; Board Policy 164.5 - Member Participation in Meetings Through Electronic Means of Communication; Board Policy 164.6 - Meetings During Declared Disaster Emergencies; Board Policy 165.3 - Notice of Emergency Meetings; and Board Policy 165.5 - Series of Meetings (Gatherings) - The administration recommends the rescission of the above referenced policies for initial consideration.

Board Policy 5460 - Graduation Requirements - The administration presents proposed revisions to Board Policy 5460 - Graduation Requirements for initial consideration.

2025 Budget Adoption - The Business Office recommends Board approval of the proposed 2025 Budget, 2025 Capital Projects Fund Plan, and 2025 School Bus Replacement Plan, and other required budget resolutions.

Resolution Confirming Approval of the First Amendment to Lease and Approving the Issuance of the Bonds and Related Matters

Resolution Approving the Additional Appropriations and Related Matters

Financial Report

Insurance Report

J. INFORMATION AND PROPOSALS

From Superintendent and Administrative Staff

From Board

K. ADJOURNMENT

MINUTES
OF THE REGULAR MEETING
OF THE BOARD OF SCHOOL TRUSTEES

Elkhart Community Schools
Elkhart, Indiana

October 8, 2024

J.C. Rice Educational Services Center, 2720 California Road, Elkhart, IN 46514 – at 7:00 p.m. Place/Time

Board Members Present:	Troy E. Scott Douglas K. Weaver Anne M. VonDerVellen	Jeffrey S. Bliler Mike Burnett Dacey S. Davis Kellie L. Mullins	Roll Call
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Board President Troy Scott called the regular meeting of the Board of School Trustees to order and informed the audience a new email was established for the public to share their concerns with Board Members. The new email is schoolboard@elkhart.k12.in.us. Call to Order

Board Vice President Doug Weaver recited the Elkhart Promise. The Elkhart Promise

One (1) audience member expressed concerns about student supervision. Public Comment

Mr. Scott opened and held a public hearing on the 2025 Budget, 2025 Capital Projects Plan and 2025 School Bus Replacement Plan as presented by Zac Quiett, Chief Financial Officer, during the September 24, 2024 Public Work Session. With no comments from the audience, the hearing was closed. Public Hearing

Erin Wagler, Director of Communication, shared some of the wonderful things happening in ECS during the Excellence of Elkhart highlighting Academics, Arts, and Athletics. Excellence of Elkhart

In the area of Academics, during Indiana’s College GO! Week, Elkhart Community Schools celebrated college awareness with a college fair for juniors and seniors, a college spirit wear week, and a college pennant scavenger hunt at Pierre Moran Middle School. Trivia contests added to the fun, helping students learn about colleges. The goal was to guide seniors through the admissions process and inspire younger students about future college possibilities.

The Elkhart Area Career Center “Culinary 1” students focused on making a delicious chicken broth, following the instructions closely,

as they worked together to create a delicious dish! The hands-on cooking activity was a great way for the students to improve their cooking skills and bond with each other while they prepared a meal!

ECS is excited to expand the district's collaboration with Five Star Life! Last week, a ribbon cutting was held for Five Star's new Innovative Learning program. This will allow fifth graders at six (6) elementary schools to regularly visit the Five Star campus where they will engage in important lessons in leadership, integrity, and other important life skills. Students participate in activities like equestrianism, rowing, archery, animal care, and many others. ECS is proud to be able to offer many students these unique opportunities.

In the area of Arts, Elkhart High School (EHS) choirs took to the auditorium stage to perform. Congratulations to the eleven (11) EHS vocalists, who will have the honor of representing EHS in the Indiana All-State Choir next year. ECS is proud of their student musicians who consistently reflect the excellence of EHS music programs!

At Woodland Elementary, students immersed themselves in the arts through music and painting. Kindergarteners had fun exploring tempo with movement and games, while third graders dove deeper into rhythms and patterns by writing, sorting, and creating their own rhythms. Additionally, all students expressed their creativity using paint in art class, showcasing their unique artistic talents. It's a vibrant celebration of creativity and learning!

WVPE is licensed by ECS, and one of their own was honored in August. Harvey "Ole Harv" Stauffer, the long-time host of *The Blues Revue* on 88.1 WVPE-FM, was inducted into the 2024 Indiana Public Broadcasting Stations, Inc. Hall of Fame. With over three decades in blues music broadcasting, his deep passion and extensive knowledge enriched the lives of listeners in northern Indiana and southern Michigan. Stauffer, who was also inducted into the Chicago Blues Hall of Fame, has made a lasting impact on public radio and the blues community.

Elkhart-based Conn Selmer, the world's premier manufacturer and distributor of musical instruments, recently celebrated the 150th anniversary of C.G. Conn's instrument-making legacy with the inaugural C.G. Conn Invitational. The event featured marching band performances from fourteen (14) area schools. The memorable occasion represented a unique partnership between Conn Selmer and ECS.

In the area of Athletics, congratulations to the EHS Boys Tennis team as they won their sectional championship! They compete tonight in regional competition at Northwood High School. Good luck, Lions!

ECS has some rising stars in their Lady Lions. Congratulations to the Junior Varsity Girls Volleyball team on sweeping the JV Elkhart Round Robin Tournament 4-0. The Varsity girls also defeated Goshen 3-0 and South Bend St. Joe 3-1. Keep up the great work!

Some upcoming events across Elkhart Schools include:

- October 11: Homecoming
- October 14: Freshman Division fall choral concert
- October 15-16: EHS String Festival
- October 24-28: Fall Break
- October 31: Track or Treat

For more information about Elkhart Schools, follow us on social media and the ECS website.

Ms. Lindsey Brander, Director of Student Services, provided the Board an update on the bullying prevention and investigation training put in place this year. Ms. Brander began the year with a bullying prevention coordinator meeting on August 14 with representation from all school buildings, grades K – 12, to review the implementation of Olweus for the 23-24 school year. Specifically, they discussed the positives of the implementation as well as the areas in need of improvement. The following aspects of the program were reviewed:

Bullying
Training
Update

- Quality Assurance Process audit on the implementation of Olweus by Clemson University and the shared drive holding all the Olweus and Bullying Prevention information and resources. They also discussed the Olweus kickoff events and new coordinators received specific training in Olweus. The upcoming Olweus orientation for new teachers was discussed as well.
- PRIDE Crosswalk which aligns the Olweus anti-bullying rules and Indiana Employability Skills within our PRIDE framework.
- Sample school class meeting schedule for Olweus where one letter of PRIDE is the theme each month and all Olweus lessons are focused to support that specific behavioral expectation.
- Class meeting rubric where teachers are self-evaluating the effectiveness of their Olweus class meetings.
- Class meeting logs where teachers log their meetings to ensure fidelity of the Olweus program.
- Bullying Investigation Protocol Training which was provided to all administrators in across five (5) meetings in August and

September. At the training, administrators were informed of board policy, the definition for bullying, investigation protocol expectations, timelines for an investigation, documentation expectations, interviewing basics, and the Title IX requirements if a protected class is involved.

In response to Superintendent inquiry, Ms. Brander explained that ECS is using a new platform, Vector, which provides comprehensive training on recognizing and preventing bullying. This system allows the administration to provide uniform training to all staff and track who has completed the training.

By unanimous action, the Board approved the following consent items: Consent Items

Minutes – September 24, 2024 – Work Session Minutes
 Minutes – September 24, 2024 – Regular Board Meeting

Payment of claims totaling \$9,452,954.66 as shown on the October 8, 2024, 2024, claims listing. (Codified File 2425-041) Payment of Claims

Proposed school fundraisers in accordance with Board policy. (Codified File 2425-42) Fundraisers

Submission of the following grant: American Electric & Power Grant hosted by American Electric & Power in the amount of \$35,000 to be used to provide experiential learning opportunities for students who may not be able to afford to go on the Marine Biology trips as well as additional funding of staff recognitions and Monograms Foods Loves Kids Foundation hosted by Monogram Foods in the amount of \$5,000 to be used to purchase more AAC devices and improve the courtyard for students at Hawthorne. (Codified File 2425-043) Grants

The following donations were made to Elkhart Community Schools (ECS): Tracheostomy care supplies, with an estimated value of \$500, from Jackie Bennett to the Elkhart Area Career Center (EACC) to be used in the Surgical Services program; \$250 from Sean and Lisa Jones to Hawthorne to be used toward the Title I Pre-K field trip to Knollbrook Farms; \$500 from SCG, Inc., care of Mr. Wade Seaburg, to EHS ElkLogics Robotics to be used to purchase supplies, equipment, and competition entry fees; \$400 from St. John’s Episcopal Church to Beardsley to be used to assist in supplying the food pantry to help with the tangible needs of students; \$500 from Trickl-Eez Irrigation Company to Hawthorne to be used toward the Title I Pre-K field trip to Knollbrook Farms; and miscellaneous surgical supplies, with an estimated value of \$15,000, from the Unity Physicians, Gift Acceptances

care of Jennifer Medich, to the EACC to be used in the Surgical Services program.

Conference leave requests in accordance with Board policy for staff members as recommended by the administration on the October 8, 2024 listing. (Codified File 2425-044)

Conference Leave Requests

Confirmed overnight trip request for the Air Force Junior Reserve Officers' Training Corps (AFJROTC) traveling to Edinburgh, Indiana on October 4 – 5, 2024 to participate in the Indiana All-Service Raider State Championships.

Overnight Trips

Personnel Report

Agreements related to the retention of three (3) certified staff (Codified File 2425-045)

Certified Agreements

Employment of the following one (1) certified staff effective on date indicated:

Certified Employment

Cortney Moreno – District Instructional Coach at ESC, 9/30/24

Transfer of the following one (1) certified staff effective on the date indicated:

Certified Transfers

Samantha Pairan – Kindergarten at Pinewood to Kindergarten at Daly, 9/26/24

Retirement of the following one (1) staff effective on the date indicated:

Certified Retirement

Kathy Stump – Special Education at Freshman Division, 12/20/24 with 39 Years of Service

Resignation of the following one (1) certified staff effective on date indicated:

Certified Resignation

Tanya Harmon – Grade 3 at Woodland, 9/27/24

Unpaid leave for the following one (1) certified staff effective on the dates indicated:

Certified Unpaid Leave

Rose Miller – Grade 2 to Feeser beginning 9/3/24 and ending 10/21/24

Employment of the following fifteen (15) classified employees effective on the dates indicated:

Classified Employment

Crystal Burnham – Paraprofessional at Beck, 11/25/24

Kathryn Clark – Technical Assistant at Beck, 11/25/24

Colleen Davidson-Nowlin - Registered Nurse at Eastwood, 11/14/24
 Cheyenne Fager-Daly - Food Service at Woodland, 11/13/24
 Tesla Hayes - Food Service at Elkhart High, 11/18/24
 Eric La Grand - Custodian at Elkhart High, 11/12/24
 Cynthia Kuechler - Paraprofessional at Pinewood, 11/25/24
 Simeon Lewis - Bus Driver at Transportation, 11/14/24
 Brandi Lynch - Food Service at Commissary, 11/25/24
 Roxanne Niemzyk - Food Service at Bristol, 11/13/24
 Fernanda Robles - Paraprofessional at Pride, 11/25/24
 Leyllian Sanchez Torres - Food Service at Elkhart High, 11/18/24
 Liangely Sanchez Torres - Food Service at Elkhart High, 11/18/24
 Brianna Stack - Registered Behavior Technician at Riverview, 11/18/24
 Christina Stebelton - Technical Assistant at Beck, 11/20/24

<p>Transfer of the following one (1) classified employee effective for the 2024-25 school year: Jason Pressler - Custodian at Freshman Division to Night Custodian Supervisor at North Side</p>	<p>Classified Transfer</p>
<p>Revision of the following one (1) classified employee reported on the September 24, 2024 Board Report: Meredith Slattery - Registered Behavior Technician at North Side to Registered Behavior Technician at Freshman Division</p>	<p>Classified Revision</p>
<p>Employment of the following three (3) substitute teachers for employment in the 2024-25 school year: Maegan Banicki - Substitute Teacher Lucy Circosta - Substitute Teacher Christian Shell - Substitute Teacher</p>	<p>Substitute Teachers</p>
<p>Employment of the following six (6) Claims/Coaches in the 2024-25 school year: Tammara Barnes - Substitute at Food Services Justin Fields - Bus Driver Trainee at Transportation Costas Hatzipavlidis - Coach at Elkhart High Tunisia Hunt - Substitute Driver at Transportation Tyllis Mason - Coach at Monger Becky Schindler - Substitute at Food Service</p>	<p>Claims/Coaches</p>
<p>Retirement of the following one (1) classified employee on date indicated:</p>	<p>Classified Retirement</p>

Sherrill Duzy – Head Custodian at Cleveland, 10/11/24
with 28 Years of Service

Resignation of the following five (5) classified employee on
dates indicated:

Classified
Resignations

Iris Curras-Velez – Secretary at Pride, 10/9/24
Cheyenne Fager-Daly – Food Service at Woodland,
9/23/24
Sara Lewter – Food Service at Elkhart High, 9/26/24
Karina Ortiz Prieto – Secretary at ESC, 10/10/24
Justin Stebbins – Mechanic at Transportation, 9/27/24

Unpaid leave for the following one (1) classified employee on
dates indicated:

Classified
Unpaid Leave

Theresa Lee – Food Service at Pinewood beginning
9/16/24 and ending 9/30/24

Extension of unpaid leave for the following two (2) classified
employees on dates indicated:

Classified
Extension of
Unpaid Leaves

Tina Helbling – Bus Driver at Transportation beginning
9/20/24 and ending 11/5/24
Erika Sullivan – Food Service at Elkhart High beginning
9/24/24 and ending 10/8/24

Termination of the following one (1) classified employee on
date indicated:

Classified
Termination

Jaclynn Fisher – Food Service at Bristol, 10/8/24 in
accordance with Board Policy 3039.01S

Employment of the following one (1) classified employee on
date indicated:

Employment

Lisa Pittenger – Technical Assistant at Bristol, 10/10/24

By unanimous action, the Board approved an alternative residential
services agreement for an Elkhart Community Schools' student.
(Codified File: 2425-046)

Residential
Services
Agreement

Superintendent Dr. Larry Huff shared that he attended the Read
United Kick-off celebrating volunteers who read in a K-2 classroom
thirty (30) minutes per week for four (4) weeks. It's a wonderful
program for ECS kids and it was great to see Elkhart represented well
at the event.

From the
Superintendent

Dr. Huff announced and encouraged parents to attend the upcoming
Middle School Transition Parent Meetings beginning on October 15 at
Pierre Moran, October 16 at Elkhart High School, and October 19 at
Beardsley Elementary School.

Dr. Huff reminded everyone the month of October is Outstanding Principals Month and thanked ECS's principals for making sure all kids have a great learning experience at ECS. It all starts and begins with leaders.

Dr. Huff commended all ECS athletic teams for their performance this fall including tennis, cross country, volleyball, golf, and football. He recognized Coach Curry and his staff for creating a great environment for students. In addition, Dr. Huff celebrated the football team's defense as they were ranked number one in the State of Indiana.

In closing, Dr. Huff reminded Board members and the community that the next Board meeting is scheduled for October 22, 2024.

Board Member Kellie Mullins congratulated Harvey adding he also was a headliner for an event in Mishawaka recently. She also reminded Board Members and the community to come prepared to support the Elkhart Lions on Friday as there will be 50/50 tickets.

From the
Board

Board Secretary Anne VonDerVellen highlighted that Elkhart is one (1) of seven (7) school districts in the State with an Early Childhood Education Career and Technical Pathway. This pathway allows students to gain a certified technical education designation enabling them to go straight into an early childcare position or to continue their education and obtain a degree in early childhood education. Mrs. VonDerVellen gave a huge shout out for providing new opportunities for ECS students.

Board Member Jeff Bliler sent condolences, thoughts and prayers to those impacted by Hurricane Helene and all who are about to be impacted by Hurricane Milton.

Board Vice President Doug Weaver recognized the Elkhart Lions Football team and their win over Penn on Friday night.

The meeting adjourned at approximately 7:35 p.m.

Adjournment

APPROVED:

Signatures

Troy E. Scott, President

Douglas K. Weaver, Vice President

Anne M. VonDerVellen, Secretary

Jeffrey S. Bliler, Member

Mike Burnett, Member

Dacey S. Davis, Member

Kellie L. Mullins, Member



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS BE

DATE: OCTOBER 11, 2024

RE: DONATION APPROVAL - EACC

Wieland Designs recently donated \$500.00 to the Bruce Poarch Automotive Heritage Scholarship. This scholarship will be awarded each year to a senior who is enrolled in our Automotive Technology program

This donation will be very helpful and will benefit students to further their education in the Automotive field.

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:

Wieland Designs
901 E Madison Ste A
Goshen, IN 46528-3500



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS *BE*

DATE: OCTOBER 11, 2024

RE: DONATION APPROVAL - EACC

Martins Bros. Contracting, Inc. recently donated \$500.00 to the Bruce Poarch Automotive Heritage Scholarship. This scholarship will be awarded each year to a senior who is enrolled in our Automotive Technology program

This donation will be very helpful and will benefit students to further their education in the Automotive field.

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:

Martins Bros. Contracting, Inc.
26262 County Road 40
Goshen, IN 46526



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS *BE*

DATE: OCTOBER 11, 2024

RE: DONATION APPROVAL - EACC

Gurley Leep recently donated \$1,000.00 to the Bruce Poarch Automotive Heritage Scholarship. This scholarship will be awarded each year to a senior who is enrolled in our Automotive Technology program

This donation will be very helpful and will benefit students to further their education in the Automotive field.

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:

Gurley Leep
5201 Grape Rd
Mishawaka, IN 46545



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS BE 

DATE: OCTOBER 11, 2024

RE: DONATION APPROVAL - EACC

We have received a \$1,000.00 donation from the Community Foundation of Elkhart County on behalf of The Scott and Vonnie Trumble Charitable NE fund. This donation is for the Bruce Poarch Automotive Heritage Scholarship. This scholarship will be awarded each year to a senior who is enrolled in our Automotive Technology program

This donation will be very helpful and will benefit students to further their education in the Automotive field.

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

Mrs. Yvonne E. Trumble
50755 Fox Trail
Granger, IN 46530

Community Foundation of Elkhart County
240 East Jackson Blvd. Ste 104
Elkhart, IN 46516



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS BE

DATE: OCTOBER 2, 2024

RE: DONATION APPROVAL - EACC

Whiteford Kenworth has donated \$500.00 (Silver Level) for our Sponsorship program. The purpose of this program is an effort to assure students enrolled in EACC educational programming will not have an obligation to pay for college credit and/or industry certification. Proceeds from sponsorships will also be used by the EACC to support student organizations and associated activities.

Silver Level sponsorship recognition includes:

- EACC bi-monthly newsletter-distributed to over 3,000 community partners
- EACC National Technical Honors Society and Awards Recognition flyers- distributed to over 1,000 guests for two events in the spring

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:

Whiteford Kenworth
Attn: Brittany Jenkins
137 S. Olive St.
South Bend, IN 46619



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

To: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS *BE*

DATE: OCTOBER 2, 2024

RE: DONATION APPROVAL - EACC

Foundations of Early Childhood Excellence has donated \$1,000.00 (Gold Level) for our Sponsorship program. The purpose of this program is an effort to assure students enrolled in EACC educational programming will not have an obligation to pay for college credit and/or industry certification. Proceeds from sponsorships will also be used by the EACC to support student organizations and associated activities.

Gold Level sponsorship recognition includes:

- EACC bi-monthly newsletter-distributed to over 3,000 community partners
- EACC National Technical Honors Society and Awards Recognition flyers- distributed to over 1,000 guests for two events in the spring
- EACC Course Description Guides – over 1,000 hard copies are distributed annually to be utilized by families and counselors to inform placement decisions

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:

Foundations of Early Childhood Excellence
Attn: Tricia Pendleton
1501 W Cleveland Rd.
South Bend, IN 46628



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS *BE*

DATE: OCTOBER 2, 2024

RE: DONATION APPROVAL - EACC

Growing Kids has donated \$1,000.00 (Gold Level) for our Sponsorship program. The purpose of this program is an effort to assure students enrolled in EACC educational programming will not have an obligation to pay for college credit and/or industry certification. Proceeds from sponsorships will also be used by the EACC to support student organizations and associated activities.

Gold Level sponsorship recognition includes:

- EACC bi-monthly newsletter-distributed to over 3,000 community partners
- EACC National Technical Honors Society and Awards Recognition flyers- distributed to over 1,000 guests for two events in the spring
- EACC Course Description Guides – over 1,000 hard copies are distributed annually to be utilized by families and counselors to inform placement decisions

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:

Growing Kids
Attn: Paula Wood
56533 Magnetic Dr
Mishawaka, IN 46545



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

TO: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS BE

DATE: OCTOBER 2, 2024

RE: DONATION APPROVAL - EACC

Monteith's Best-One Tire & Service has donated \$5,000.00 (Platinum Level) for our Sponsorship program. The purpose of this program is an effort to assure students enrolled in EACC educational programming will not have an obligation to pay for college credit and/or industry certification. Proceeds from sponsorships will also be used by the EACC to support student organizations and associated activities.

Platinum Level sponsorship recognition includes:

- EACC bi-monthly newsletter-distributed to over 3,000 community partners
- EACC National Technical Honors Society and Awards Recognition flyers- distributed to over 1,000 guests for two events in the spring
- EACC Course Description Guides - over 1,000 hard copies are distributed annually to be utilized by families and counselors to inform placement decisions
- All EACC Open House materials - over 19,000 flyers and posters distributed to families and posted throughout all sending schools in the region

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:

Monteith's Best-One Tire & Service
Attn: Esther Espitia
2503 Cassopolis St.
Elkhart, IN 46514



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

To: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS BE

DATE: OCTOBER 2, 2024

RE: DONATION APPROVAL - EACC

MacAllister Machinery has donated \$10,000.00 (Diamond Level) for our Sponsorship program. The purpose of this program is an effort to assure students enrolled in EACC educational programming will not have an obligation to pay for college credit and/or industry certification. Proceeds from sponsorships will also be used by the EACC to support student organizations and associated activities.

Diamond Level sponsorship recognition includes:

- EACC bi-monthly newsletter-distributed to over 3,000 community partners
- EACC National Technical Honors Society and Awards Recognition flyers- distributed to over 1,000 guests for two events in the spring
- EACC Course Description Guides - over 1,000 hard copies are distributed annually to be utilized by families and counselors to inform placement decisions
- All EACC Open House materials - over 19,000 flyers and posters distributed to families and posted throughout all sending schools in the region
- Annual interior signage placement in 1 or 6 EACC facility locations, on a first come basis
- Company logo placement on EACC website and interior digital signage
- Company logo included on annual student t-shirt

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:

MacAllister Machinery
Attn: Joshua Taylor
25734 IN 2
South Bend, IN 46619




PIERRE MORAN MIDDLE SCHOOL
200 WEST LUSHER AVENUE • ELKHART, IN 46517
PHONE: 574-295-4805



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

Date: October 4th, 2024

To: Board of School Trustees 

From: Jeff Hemmerlein, PMMS Principal

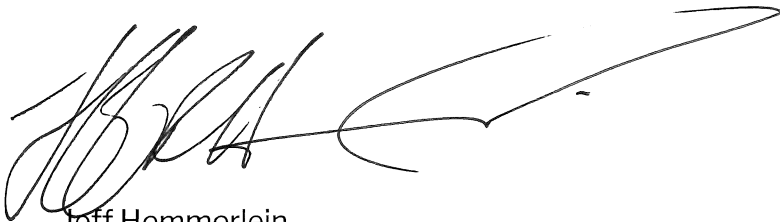
RE: Donation Approval

We have received an extracurricular donation in the amount of \$500.00 for Pierre Moran Middle School's Bring Change to Mind group. This donation will go towards the cost of supplies for this event.

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

Elkhart Education Foundation
200 W Lusher Ave
Elkhart, IN 46517

Sincerely,



Jeff Hemmerlein
Pierre Moran Middle School Principal



ELKHART AREA CAREER CENTER

ELKHART
COMMUNITY SCHOOLS

INTERNAL MEMO

To: DR. HUFF
BOARD OF SCHOOL TRUSTEES

FROM: BRANDON EAKINS BE

DATE: OCTOBER 2, 2024

RE: DONATION APPROVAL - EACC

MacAllister Machinery has donated \$10,000.00 (Diamond Level) for our Sponsorship program. The purpose of this program is an effort to assure students enrolled in EACC educational programming will not have an obligation to pay for college credit and/or industry certification. Proceeds from sponsorships will also be used by the EACC to support student organizations and associated activities.

Diamond Level sponsorship recognition includes:

- EACC bi-monthly newsletter-distributed to over 3,000 community partners
- EACC National Technical Honors Society and Awards Recognition flyers- distributed to over 1,000 guests for two events in the spring
- EACC Course Description Guides - over 1,000 hard copies are distributed annually to be utilized by families and counselors to inform placement decisions
- All EACC Open House materials - over 19,000 flyers and posters distributed to families and posted throughout all sending schools in the region
- Annual interior signage placement in 1 or 6 EACC facility locations, on a first come basis
- Company logo placement on EACC website and interior digital signage
- Company logo included on annual student t-shirt

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:

MacAllister Machinery
Attn: Joshua Taylor
25734 IN 2
South Bend, IN 46619




PIERRE MORAN MIDDLE SCHOOL
200 WEST LUSHER AVENUE • ELKHART, IN 46517
PHONE: 574-295-4805



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

Date: October 4th, 2024

To: Board of School Trustees 

From: Jeff Hemmerlein, PMMS Principal

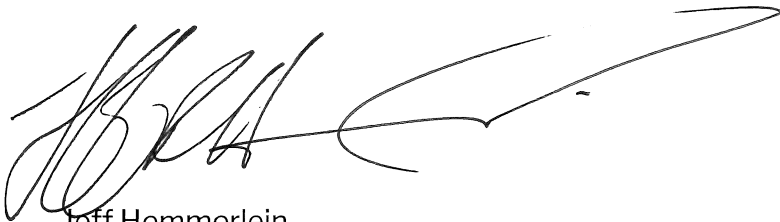
RE: Donation Approval

We have received an extracurricular donation in the amount of \$500.00 for Pierre Moran Middle School's Bring Change to Mind group. This donation will go towards the cost of supplies for this event.

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

Elkhart Education Foundation
200 W Lusher Ave
Elkhart, IN 46517

Sincerely,



Jeff Hemmerlein
Pierre Moran Middle School Principal



PIERRE MORAN MIDDLE SCHOOL
200 WEST LUSHER AVENUE • ELKHART, IN 46517
PHONE: 574-295-4805



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

Date: September 30th, 2024
To: Board of School Trustees
From: Jeff Hemmerlein, PMMS Principal
RE: Donation Approval

We have received an extracurricular donation in the amount of \$250.00 for Pierre Moran Middle School's Bring Change to Mind group. This donation will go towards the cost of supplies for this event.

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

MORryde International, INC
1966 Sterling Ave
P.O. Box 579
Elkhart, IN 46515-0579

Sincerely,

Jeff Hemmerlein
Pierre Moran Middle School Principal



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: October 4, 2024

TO: Dr. Larry Huff
Board of School Trustees

FROM: Cary Anderson (Principal)
Nick Seidl (Teacher/Sponsor)

RE: Donation Approval

Elkhart High School received a donation of \$500.00 from Ranger Distribution, Inc. The donation is in support of the ElkLogics Robotics extra-curricular activity and will be used to purchase supplies, equipment, and competition entry fees.

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:

Ranger Distribution, Inc.
C/O Mr. Brent Driver
21496 Buckingham Rd.
Elkhart, IN 46516



WEST SIDE MIDDLE SCHOOL
101 SOUTH NAPPANEE STREET • ELKHART, IN 46514
PHONE: 574-295-4815

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

Date: 10/11/2024

To: Dr. Larry Huff
Board of School Trustees

From: Rebecca Yoder, WSMS Orchestra Director *Ry*
Kerry Leader, WSMS Principal *KL*

Re: Donation approval- West Side Middle School Orchestra

A donation in the amount of \$500.00 has been given to the West Side Middle School Orchestra. These funds will be used to assist the program in providing quality equipment, music and materials as their program grows.

We are requesting approval from the Board of Trustees to accept this donation, and that an appropriate letter of acknowledgement and appreciation be sent to:

Chris's Machine Repair LLC
Attn: Chris Prue
30761 Charla Ln
Osceola, IN 46561



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: October 4, 2024

TO: Dr. Larry Huff
Board of School Trustees

FROM: Cary Anderson (Principal)
Nick Seidl (Teacher/Sponsor)

RE: Donation Approval

Elkhart High School received a donation of \$500.00 from Ranger Distribution, Inc. The donation is in support of the ElkLogics Robotics extra-curricular activity and will be used to purchase supplies, equipment, and competition entry fees.

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:

Ranger Distribution, Inc.
C/O Mr. Brent Driver
21496 Buckingham Rd.
Elkhart, IN 46516



PIERRE MORAN MIDDLE SCHOOL
200 WEST LUSHER AVENUE • ELKHART, IN 46517
PHONE: 574-295-4805



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

To: Bring Change to Mind Corporation,

Thank you for your donation to Pierre Moran Middle School's Bring Change to Mind group. Your \$200.00 donation will go towards helping with the supplies and needs of our Bring Change to Mind group. Your help is greatly appreciated and helps to make Pierre Moran Middle School a great place for our students.

Rio's Rainbow
PO Box 130
Elkhart, IN 46515

Sincerely,

Jeff Hemmerlein
Pierre Moran Middle School Principal
9/27/2024



HUMAN RESOURCES

ELKHART
COMMUNITY SCHOOLS

TO: DR. LARRY HUFF
FROM: MS. MAGGIE LOZANO
DATE: OCTOBER 22, 2024

PERSONNEL RECOMMENDATIONS

CERTIFIED

- a. **New Certified Staff** – We recommend employment of two (2) new certified staff for the 2024-25 school year.
- b. **Separation** – We report the separation of two (2) employees.

CLASSIFIED

- a. **New Classified Staff** – We recommend the employment of thirteen (13) new classified staff pending successful completion of the probationary period.
- b. **Classified Staff Transfers** – We recommend the transfer of three (3) classified staff for the 2024-25 school year.
- c. **Substitute Teachers** – We recommend the employment of twelve (12) substitute teachers for the 2024-25 school year.
- d. **Claims/Coaches** – We recommend the employment of five (5) employees for the 2024-25 school year.
- e. **Separation** – We report the separation of seven (7) employees.

ELKHART COMMUNITY SCHOOLS
Elkhart, Indiana

Regular Board of School Trustees' Meetings - 2025

Regular meetings will be held at 7:00 p.m. in the J. C. Rice Educational Services Center
2720 California Road, Elkhart, Indiana unless otherwise noted.

A public work session is held at 6:00 p.m. preceding each regular meeting in the J. C. Rice
Educational Services Center, 2720 California Road, Elkhart, Indiana unless otherwise noted.

January	14	2025	July	8	2025
January	28	2025	July	22	2025
February	11	2025	August	12	2025
February	25	2025	August	26	2025
March	11	2025	September	9	2025
March	25	2025	September	23	2025
April	8	2025	October	14	2025
April	22	2025	October	28	2025
May	13	2025	November	11	2025
May	27	2025	November	25	2025
June	10	2025	December	9	2025
June	24	2025	December	16	2025 8:00 a.m.

Any changes to the regular meeting schedule will be determined by Board action and special notice of any variance in date, time, or location will be posted and mailed to persons who have requested the same.

The bi-annual Board retreats/public work sessions are scheduled for January and June with the location to be determined.

The Board's meeting site is accessible to all persons. Any person requiring accommodation or assistance should contact the Administrative Assistant to the Board of School Trustees with the School Corporation's administrative office, located at 2720 California Road, Elkhart, Indiana 46514, at 574-262-5506.



ELKHART
COMMUNITY SCHOOLS

2024-2025
STUDENT-PARENT
GUIDE

Elkhart Community Schools
Educational Service Center
2720 California Road
Elkhart, Indiana 46514
Phone: 574-262-5500

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Dear Students and Parents:

Elkhart Community Schools is committed to the Elkhart Promise of knowing every student by name, challenging them with high quality staff, and working in partnership with the community to make students career, college, and life ready. Nowhere is this relationship more critical than with parents and guardians as our primary partners. To keep our promise to the community, we must establish rules, regulations, and guidelines to allow for the safe, efficient operation of the school corporation. This Student-Parent Guide is our best effort to summarize the things we are required to tell you as well as those things which we believe will allow your student(s) to be highly successful in school. As we work together to provide outstanding experiences for all students and to encourage good, productive communications, I urge you to contact your student's teachers and building principal; we welcome your questions and comments.

Thank you for helping to make Elkhart Community Schools a wonderful place for all students to learn and grow!

Superintendent Larry Huff

School Calendar for 2024-2025

School begins for students
School ends for students

August 15, 2024
May 29, 2025

No School for Students:

Labor Day	September 2
eLearning Day (<i>for all students</i>)	September 19
Elementary/Secondary Parent Teacher Conferences in evening hours only (<i>full day for all students</i>)	October 21 & 22
Elementary/Secondary Parent Teacher Conferences in morning hours only (<i>eLearning day for all students</i>)	October 23
Fall Recess	October 24-28
Thanksgiving Recess	November 27-29
Winter Recess	December 23 - January 3
Martin Luther King Jr. Day	January 20
Presidents Day Recess	February 14-17
eLearning Day (<i>for all students</i>)	March 5
Spring Recess	April 7-11
Memorial Day	May 26



ELKHART
COMMUNITY SCHOOLS

School Admissions

A record of immunizations and a legal birth document are required of all students for entry and must be provided by the parent or legal guardian within 20 days of entry. Failure to provide a record of immunizations will be cause for removal from school. Failure to provide a legal birth document will result in notification to the Indiana clearinghouse for information on missing children. All students must have documentation of required immunizations. A list of required immunizations is available from your school nurse, Student Services, or the Elkhart Community Schools website. Only when a doctor certifies that a required immunization may be detrimental to the child's health, or when the parent indicates in writing a religious objection to such immunization, will the requirement be waived. If a parent is unable to secure immunizations, local service providers are available to provide the immunizations. For this service, the parent needs to contact the school nurse.

Each child of legal settlement shall be eligible for kindergarten providing s/he has attained the age of five (5) on or before August 1st; however, students who have been identified by Elkhart Community Schools as high ability may be enrolled prior to their 5th birthday. Children who transfer into the School Corporation who have attended private or public kindergarten in another locality shall be eligible for kindergarten. See Board Policy 5112 for additional information.

School Attendance Areas

The boundaries for each school district are detailed in Administrative Regulation JC and are available for view in any administrative office in the school district.

Although realtors may know the school district in which a piece of property is located, it is best to call the Educational Services Center at (574) 262-5540 to confirm the information.

Any student interested in a transfer from one school to another within the Elkhart Community Schools must file a transfer request with the Student Services Department. Questions may be directed to (574) 262-5540.

All children are required to attend the school in the attendance area of their legal residence unless they have been approved for a transfer by the Student Services Department or are otherwise entitled to transfer.

Rights

The right to attend any public meetings of the school district

Parents are invited to attend any public meetings of the school district or the school in which their child is enrolled. School Board meetings are held regularly on the second and fourth Tuesday of each month at 7 p.m. in the J.C. Rice Educational Services Center or in designated school buildings.

The right to make suggestions or to ask questions about the school's curriculum

Parents may make suggestions and inquiries concerning curriculum. They may review any instructional materials being used by their children by setting up an appointment with the building principal or the child's teacher. In addition, citizens who find materials being used which are objectionable may use the process provided in Administrative Regulation INB to question the use of certain materials. Questions may be directed to (574) 262-5559.

The right to request consideration for special services

Parents suspecting their child may have a disability which would qualify him/her for special education services under the Individuals with Disabilities Education Act (IDEA) or Indiana's Article Seven should contact the building principal regarding their concern. If special education is to be considered, parents must provide written consent for individual evaluation. Decisions regarding identification of a student as a child with a disability and eligibility for special education services are made by a case conference committee, which includes the parents.

A student who does not qualify as a student with a disability under IDEA/Article Seven may be eligible for services under Section 504 of the Vocational Rehabilitation Act of 1973 if he/she has a disability which substantially limits one or more of life's major activities. Parents suspecting that their child may have a disability which would qualify him/her for services under Section 504 should contact the building principal or the coordinator of Section 504 services (262-5861) regarding their concern. Elkhart Community Schools does not discriminate in admission or access to its programs and activities on the basis of disability.

Parents may also request consideration for High Ability, Limited English Proficiency, and or Behavior Support services.

The right to request exemption from immunizations or attendance in health classes

When the parent indicates a religious objection, a school child shall not be required to be immunized or to receive medical instruction or instruction in hygiene. Such a request for exemption must be in writing and filed with the building principal.

The right to review their child's record

Parents have a right to review the school record of their child. A request needs to be made to the building principal who will schedule an appropriate time and place to meet.

The right to approve their child's participation in field trips

Parents will be asked to provide written consent for their child's participation in educational field trips which may be scheduled away from the school or its nearby surroundings.

The right to contest an expulsion

Parents will be notified by mail of a student's pending expulsion. The parent and student have a right to an expulsion conference, if requested, and to appeal in accordance with Student Due Process procedures. Those procedures are thoroughly outlined in the Rules for a Safe Learning Community and Good School Order, copies of which are provided to all students.

Responsibilities

Parental Responsibilities

It is critical that parents require their child to attend school each day. It is very important for parents to attend parent-teacher conferences to discuss concerns and, at any time, speak with teachers, counselors, administrators, and other school personnel about their child's progress in school. The parent is to report to the school office upon entering the school.

To the greatest extent possible, parents should assess their child's progress on Power School and attend to concerns related to lack of progress.

Indiana Code 20-33-8-26 indicates that a person having care of a dependent student may be required to participate in any action taken in connection with that student's behavior.

It is very important for parents to, at all times, keep the school informed as to how they can be reached in case of an emergency. Please promptly notify the school office of any change in address, phone number, emergency phone number, child custody, or legal residence.

Parents should talk with their children about school and homework every day. Providing a quiet space for children to study (limit distractions like television, computers, phones, video games, etc.), reading with children, and encouraging children to do their best helps to promote educational success.

A child's welfare and custodial care are the parent's responsibility. In addition to school services provided for a child's academic and emotional needs, there are agencies in the community prepared to assist families who are having financial difficulties or problems with the emotional well-being of their child. For information and help, contact the Student Services Department, phone (574) 262-5540.

Financial Responsibility

Parents are legally and financially responsible for their children's deliberate destruction or damage of school property and property of others. This includes, but is not limited to, all books, materials, and technology used by their child.

Compulsory Attendance

Indiana's compulsory attendance law requires children from the age of 7 to 18 to attend school. If a parent chooses to enroll their child in school when he or she is younger than 7 years of age, the student is then included in the compulsory attendance requirement.

Certain absences may be excused in accordance with Board Policy [5200 - Attendance](#). Parents or guardians are responsible for reporting absences within 48 hours of the onset of the student's absence. Family vacations need to be scheduled when school is not in session. Should a student be absent from school five (5) days in a ten (10) week period without an excuse, parents will be required to attend a conference regarding the development of truancy prevention measures.

Elkhart Community Schools participates in the Countywide Attendance Program which includes five levels of sanctions which may end in reporting the student to the Department of Child Services and Juvenile Probation, and the prosecution of either the parent(s)/guardians(s) or student by the Elkhart County

Prosecutor's office. It is the intent of the school corporation to allow students to improve their attendance at the initial levels so more serious sanctions are unnecessary. "Absences of Concern" include all truanancies, unverified absences, unexcused absences, and absences which continue to concern the principal/designee.

Driver's License and Learner's Permit Ineligibility

A student who accumulates more than ten unexcused absences during the school year shall be considered a habitual truant. The Elkhart Community Schools is required to report the names of habitual truants to the Bureau of Motor Vehicles. The Bureau of Motor Vehicles may not issue a driver's license or learner's permit a habitual truant, and may invalidate a student's driving privileges.

Use of District Computers and Networks

A child's use of school computers, networks, and the Internet is governed by Board Policy [7540 - Computer Technology and Networks](#). Parents will be asked to provide a written consent form for this use each time their child enters a new school. The school will continue to honor that consent while their child attends that school, unless the parent chooses to withdraw it, or it is revoked by the school.

Problem Solving

We want a student's and parent's experience with the school to be positive; however, teachers and administrators recognize the fact that sometimes things go wrong. Should there be a concern or problem, please contact the child's teacher or principal at the earliest possible moment.

The free flow of information between the school and home, teacher and parent, is vitally important to a cooperative relationship which can aid in providing the best possible school experience for students.

Steps toward the solution of school problems

The Board of School Trustees has established various due process procedures to deal with problems, concerns related to textbooks and instructional materials, student discipline, and concerns related to a classroom or school incident. School personnel attempt to solve a problem within the school. Provisions are made for the parent or student to carry the concern all the way to the Board of School Trustees, if no satisfactory resolution is reached with the teacher, principal, director, or superintendent.

Parents are encouraged to solve problems as they arise and keep working to resolve them until satisfied everything possible has been done. Be sure of the facts. Although it may be difficult not to take sides, try to see the whole picture. In the event a problem appears to be at an impasse, parents are encouraged to contact the District Counsel/Chief of Staff (262-5517), who will assist in bringing the concern to the attention of the right person.

Encourage children to solve their problems

Parents need to talk with their student and make suggestions, but let the student work out a solution if possible. Suggest alternatives which the child can do without parental assistance in an effort to resolve the problem. Any action a child takes needs to be in compliance with the Rules for a Safe Learning Community and Good School Order. Parents need to encourage their child to talk with their teacher when other children are not present.

Drug Free/Smoke Free Schools

In accordance with the Drug-Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensation, possession or use of illicit drugs, alcohol or other controlled substances, or any substance that is represented to be an illicit substance, in the workplace, on school premises, or as part of any school sponsored activities is strictly prohibited. **Smoking, including tobacco products as well as electronic, “vapor,” or other substitute forms of cigarettes, is prohibited in any Elkhart Community Schools’ building, vehicle, or on school property.**

Asbestos Hazard Emergency Response Act (AHERA)

Elkhart Community Schools complies with the provisions of AHERA. The Asbestos Management Plan may be reviewed by the public and school patrons. A copy of the plan and the asbestos abatement documentation are located in the office of the Manager of Building Services at the Plant Planning 1135 Kent Street in Elkhart, Indiana. Additional information may be obtained by contacting the Manager of Building Services for Elkhart Community Schools at (574) 262-5690.

Cellular Phones and All Other Electronic Devices

Students may use personal communication devices (PCDs) before and after school, during their lunch break if they do not create a distraction, and during after school activities (e.g., extra-curricular activities) at school-related functions. Technology including, but not limited to, PCDs intended and used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the classroom teacher and the building principal. More information can be found in Board Policy [5136 - Personal Communication Devices](#)

Important Notice to Students and Parents Regarding Cell Phone Content and Display

- The Child Abuse/Neglect Law requires school personnel to report to law enforcement or child protective services whenever there is reason to believe that any person/student is involved with “child exploitation” or “child pornography” as defined by Indiana Criminal Statutes.
- It is “child exploitation,” a Level 5 felony under I.C. 35-42-4-4(b), for any person/student (1) to exhibit, photograph or create a digitized image of any incident that includes “sexual conduct” by a child under the age of 18; or (2) to disseminate, exhibit to another person, or offer to so disseminate or exhibit, matter that depicts or describes “sexual conduct” by a child under the age of 18.
- It is “child pornography,” a Level 6 felony under I.C. 35-42-4-4(c), for any person/student to possess a photograph, motion picture, digitized image, or any pictorial representation that depicts or describes “sexual conduct” by a child who the person knows is less than 16 years of age or who appears less than age 16.
- “Sexual conduct” is a Level 5 felony as defined by I.C. 35-42-4-5 to include sexual intercourse, exhibition of the uncovered genitals intended to satisfy or arouse the sexual desires of any person, or any fondling or touching of a child by another person or of another person by a child intended to arouse or satisfy the sexual desires of the child or other person.
- The Indiana Sex Offender Registration Statute at I.C. 11-8-8-7 and the Sex Offender Registry Offense Statute at I.C. 35-42-4-11, as of May 2009, require persons convicted of or adjudicated as a juvenile delinquent for violating the Child Exploitation Statute at I.C. 35-42-4-4(b) to register as a sex offender.
- Because student cell phones have been found in a number of Indiana school districts to have contained evidence of “sexual conduct” as defined above, it is important for parents and students to be aware of the legal consequences should this occur in our school system.

Board Policy 7540.03 – Network and Internet Acceptable Use and Safety

The Superintendent's implementation of guidelines and procedures describing responsible and acceptable use of technology, networks, and information shall include, but not be limited to the following notifications to Users. It is the School Board's expectation that the Superintendent will tailor the format of the information to be appropriate to its intended audience, such as: Employees, Students, or Families.

- A. Philosophy and Purpose
- B. A description of *Scope* from Policy 7540
- C. A statement regarding the *Limited Educational Purpose* of the corporation's technology systems from Policy 7540
- D. Notification that the *Use of System is a Privilege* from Policy 7540
- E. A description of expectations and limitations regarding *Technology Privacy* from Policy 7540.01
- F. The following notice regarding technology protection measures

The Corporation has implemented the use of technology protection measures which are specific technologies that will protect against (e.g. filter or block) access to visual displays/depictions that are obscene, child pornography, and materials that are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Corporation or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The technology protection measures may not be disabled at any time that students may be using the Network, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Corporation utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. Nevertheless, parents/guardians are advised that a determined user may be able to gain access to services on the Internet that the Corporation has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access

through the Internet to information and communications that they and/or their parents/guardians may find inappropriate, offensive, objectionable or controversial. Parents/Guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/Guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet. The Board supports and respects each family's right to decide whether to apply for independent student access to the Internet.

G. The following notice regarding instruction to be provided students regarding technology safety:

Pursuant to Federal law, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified below. Furthermore, staff members will monitor the online activities of students while in school. This monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

1. safety and security while using email, chat rooms, social media, and other forms of direct electronic communications;
2. the dangers inherent with the online disclosure of personally identifiable information;
3. the consequences of unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by students online; and
4. unauthorized disclosure, use, and dissemination of personal information regarding minors.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Internet. Students (and their parents if they are minors) are required to sign an agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

H. Guidance for Responsible Use of Technology, including the following:

The Board believes that technology users have the same responsibilities while using Board technology that are expected in any other school activity. Responsible use of technology is legal, ethical, academically honest, respectful of the rights of others, and consistent with the Board's mission.

While online, students should not reveal personal information such as name, age, gender, home address or telephone number, and are encouraged not to respond to unsolicited online contacts and to report to a teacher or supervisor any online contacts which are frightening, threatening, or otherwise inappropriate. Students shall not be required to divulge personal information for access to a non-corporation managed technology.

The Board prohibits the sending, receiving, viewing, or downloading of materials that are harmful to minors on computers and other technology related devices owned or leased by the Corporation or connected to the Corporation's computer network.

Users will become familiar with and follow all laws, including copyright laws and fair use guidelines.

Users accessing information or communicating using Board technology shall be responsible for knowing what information is confidential under law or Board policy, and that the transmission of confidential information in error may result in discipline to the user transmitting the confidential information.

I. A list of Unacceptable Uses, including, but not limited to the following:

1. Users will not use the school corporation system to access, review, upload, download, store, print, post, or distribute;
 - a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that

are inappropriate to the educational setting or disruptive to the educational process or information or materials that could cause damage or danger of disruption;

- d materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute bullying, harassment, or discrimination, unless used as primary source material for the study of a subject under the direct supervision of a teacher;
2. Users will not use external proxy servers or other means of bypassing the corporation's Internet content filter to gain access to these materials.
- J. Users will not use the school corporation system to knowingly or recklessly post false or defamatory information about a person or organization, nor to bully or harass another person, nor to engage in personal attacks, including prejudicial or discriminatory attacks.
 - K. Users will not use the school corporation system to engage in any illegal act or violate any local, state or federal statute or law.
 - L. Users will not use the school corporation system to vandalize, damage or disable the property of another person or organization; will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means; will not tamper with, modify or change the school corporation system software, hardware or wiring or take any action to violate the school corporation system's security; and will not use the school corporation system in such a way as to disrupt the use of the system by other users.
 - M. Users will not use the school corporation system to gain unauthorized access to information resources nor to access another person's materials, information or files without the implied or direct permission of that person.
 - N. Users will not use the school corporation system to post private information about another person or to post personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords.

- O. Users will not attempt to gain unauthorized access to the school corporation system or any other system through the school corporation system, nor attempt to log in through another person's account, nor use computer accounts, access codes or network identification other than those assigned to the user.
- P. Users will not use the school corporation system to violate copyright laws, or usage licensing agreements, nor otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
- Q. Users will not use the school corporation system for the conduct of a business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school corporation. Users will not use the school corporation system to offer or provide goods or services or for product advertisement. Users will not use the school corporation system to purchase goods or services for personal use without authorization from the appropriate school corporation official.
- R. Users will not use the school corporation system to access any material or resource which results in the school corporation receiving an unauthorized billing. Any financial obligation incurred by a User through the Internet is the sole responsibility of the staff member, the student, or the student's parents.
- S. Users will not use excessive data storage or network bandwidth for non-school related purposes. This includes unauthorized file downloads, Internet radio or video, peer-to-peer file sharing, chat rooms, games, instant messenger services, or the transfer of unusually large or numerous files or e-mail messages.
- T. Users may access the school corporation's wireless network using personal property if such access is approved by the appropriate Corporation official subject to the terms and provisions of that network. However, Users may not use personal property to gain access to the school corporation's wired network without proper authorization from a corporation official.

The aforementioned principles and guidelines are extended to networks and information technology resources outside of the school corporation which are

accessed through the corporation network via the Internet. Networks or information technology resource providers outside of the corporation may, in turn, impose additional conditions of appropriate use which the user is responsible to observe when using those resources.

A student or employee engaging in the foregoing unacceptable uses of the Internet when off school corporation premises also may be in violation of this policy as well as other school corporation policies. Examples of such violations include, but are not limited to, situations where the school corporation system is compromised, if a school corporation employee or student is negatively impacted, or if the educational setting or educational process is disrupted. (First Amendment Rights do apply in these situations, however.) If the school corporation receives a report of an unacceptable use originating from a non-school computer or resource, the school corporation may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct including, but not limited to, suspension or cancellation of the use or access to the school corporation computer system and the Internet and discipline under other appropriate school corporation policies, including suspension, expulsion, exclusion, or termination of employment.

If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school corporation official. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. A student may also in certain rare instances access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher.

- A. Information regarding the consequences associated with *Violation of this Policy* from Policy 7540
- B. Disclosure regarding *Limitations on School Corporation Liability* from Policy 7540
- C. A “*Responsible and Acceptable Use of Technology*” signature form for students and parents, including, but not limited to the following:

As a condition of using the Elkhart Community Schools’ computer system and network, I understand and agree to the following:

- A. I [My child] will comply with Board Policy 7540.03 which governs responsible and acceptable use of the technology, networks, and information of the Elkhart Community Schools.
- B. I hereby knowingly and voluntarily agree that Elkhart Community Schools shall have the right to review any material stored on any system provided by the school corporation to edit or remove any material.
- C. In consideration for [my child] using the Internet and having access to public networks, I hereby release Elkhart Community Schools, its officers, employees,

and agents from any and all claims and damages arising from misuse, or inability to use Internet, loss of personal information or data, or information retrieved through the use of the corporation's technical resources.

- D. I understand that any violation of Board Policy 7540.03 is unethical and may constitute a violation of law. Should any violation of the policy and/or criminal code be committed, I understand and agree that my [child's] access privileges are subject to revocation, school disciplinary action up to and including expulsion may be taken, and/or appropriate legal action may be taken.

[Student Name] / [Student Signature] / [Date]

I understand that any violation of Board Policy 7540.03 is unethical and may constitute a violation of law. Should any violation of the policy and/or criminal code be committed, I understand and agree that my [child's] access privileges are subject to revocation, school disciplinary action up to and including expulsion may be taken, and/or appropriate legal action may be taken.

As the parent or guardian of this student, I agree that my child will abide by Board Policy 7540.03 relating to acceptable use of the school corporation computer system and the Internet. I understand that this access is designed for educational purposes. However, I also recognize it is impossible for the school corporation to restrict access to all controversial materials and I will not hold the school corporation or its employees or agents responsible for materials acquired on the Internet.

I further agree that I will assume full responsibility for any and all costs, financial and otherwise, that may be incurred by the student while using Elkhart Community Schools-provided access to the Internet when such costs have not been authorized or approved by the school corporation.

I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

[Parent Name] / [Parent Signature] / [Date]
March 8, 2022

Board Policy 5517.01 – Bullying Prevention

The Bully Prevention Policy of the Elkhart Community Schools establishes its efforts to create a safe environment in the school District.

The Board prohibits acts of bullying of a student. The Board has determined a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, like other disruptive or violent behaviors, disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Since students learn by example, school administrators, faculty, staff and volunteers should be expected and commended for demonstrating appropriate behavior; treating

others with civility and respect; and refusing to tolerate harassment, intimidation, or similar bullying behaviors.

Definition

A. Bullying

1. As defined by the Board, bullying means intentional behaviors involving unwanted and unwelcome actions which are severe, persistent, or pervasive.
2. Bullying includes unwanted acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors which are committed by a student or group of students against another student which have an effect of harassing, ridiculing, humiliating, intimidating or harming the targeted student and creating for the targeted student, an objectively hostile school environment which:
 - a. places the targeted student in reasonable fear of harm to the targeted student's person or property;
 - b. has a substantially detrimental effect on the targeted student's physical or mental health;
 - c. has the effect of substantially interfering with the targeted student's academic performance; or
 - d. has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.
3. The term bullying may not be interpreted to impose any burden or sanction on, or include in the definition of the term, the following:
 - a. participating in a religious event;
 - b. acting in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial danger;
 - c. participating in an activity consisting of the exercise of a student's rights protected under the First Amendment to the United States Constitution or Article I, Section 31 of the Constitution of the State of Indiana, or both;
 - d. participating in an activity conducted by a nonprofit or governmental entity that provides recreation, education,

training, or other care under the supervision of one or more adults;

- e. participating in an activity undertaken at the prior written direction of the student's parent; or
- f. engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

Procedures

- A. Elkhart Community Schools has adopted rules which address bullying behavior and includes provisions concerning education, parental involvement, and intervention. These discipline rules shall apply regardless of the location in which the bullying occurred (i.e., the bully and the targeted student are students at a school within the school corporation); the bullying has created, for the targeted student, an objectively hostile school environment; and disciplinary action is reasonably necessary to avoid substantial interferences with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.
- B. The principal at each school shall implement procedures which are consistent with the Rules for a Safe Learning Community and Good School Order and ensure both appropriate consequences and remedial measures be provided for students who commit one (1) or more acts of bullying. Appropriate consequences and remedial measures are those which vary according to the severity of the offenses, and consider both the developmental ages of the student offenders as well as the students' histories of inappropriate behaviors, per the code of student conduct.
- C. The principal at each school shall be responsible for designating a member of his/her staff to receive all complaints alleging violations of this policy.
- D. All school employees who have contact with students are required to verbally report alleged violations of this policy to the principal or the principal's designee in an expedited manner after an incident was witnessed or reliable information regarding the occurrence of an incident was received. A written report (e.g., anonymous report, email, memo, etc.) of the incident shall also be prepared by the school within one (1) school day of receiving the verbal report.
- E. Students, parents, and visitors of a school are encouraged to report alleged policy violations to the principal (or principal's designee) in an expedited manner. A written report shall be prepared by the school following receipt of this information. Such a report may be made using Sprigeo.

Students, parents, and visitors may also make anonymous reports through an anonymous reporting system. Formal action for violations of the code of student conduct may not be taken solely on the basis of an anonymous report.

- F. The principal or designee shall conduct a thorough and complete investigation for each report of an alleged incident of bullying behavior received using the Bullying Investigation guidelines. The investigation shall be initiated by the principal or the principal's designee within one (1) school day of the submission of the written incident report. The parents of the alleged perpetrator and the targeted student(s) shall be notified of the reported bullying incidents within five (5) business days of remedial action that has been taken. The principal may appoint additional personnel to assist in the investigation. The investigation shall be completed and the written findings submitted to the principal as soon as possible, but not later than five (5) school days from the date of the written report of the alleged incident of harassment, intimidation, or bullying behavior. During the investigation, the school's priority will be the safety of the victim. The investigation may include a determination of the severity of the bullying incident(s) and whether the transfer of the alleged perpetrator or victim to another school within the school corporation is warranted. The principal shall submit a report of confirmed incidents of bullying behavior to the Superintendent or designee within ten (10) school days of the completion of the investigation. This time line may be extended for reasonable cause as determined by the School District. The Superintendent or his/her designee shall report the results of each investigation confirming incidents of bullying behavior to the Board on a quarterly basis during regularly scheduled board meetings.
- G. Each school shall record the frequency of confirmed incidents of bullying behavior in the following categories: verbal bullying, physical bullying, social/relational bullying, and electronic or written communication bullying. Each school shall report this information to the Superintendent, who will report it to the Board and Indiana Department of Education. Information shall be submitted to the Indiana Department of Education by July 1 of each year.
- H. The principal shall provide information about the investigation, in accordance with Federal and State law and regulation, to the parents of the student(s) who was bullied as well as the parents of the student(s) with the bullying behavior. The information provided to parents includes the nature of the investigation, whether the corporation found evidence of bullying behavior, and whether consequences were imposed or services provided to address the bullying incident if the evidence of bullying behavior was substantiated. This information is to be provided in an expedited manner following completion of the investigation.

- I. Any school employee who observes bullying behavior or receives a report of behavior which violates the terms of this policy and fails to report this information may be subjected to disciplinary action.

Any school employee responsible for conducting an investigation under this policy and fails to investigate the reported behavior which violates this policy may be subject to disciplinary action.

- J. Elkhart Community Schools has defined a range of ways in which school staff and the principal or the principal's designee shall respond once an incident of bullying behavior is confirmed. Some acts, which violate the terms of this policy, may be isolated incidents requiring the school officials to respond appropriately to the individuals committing the acts. Other acts may be so serious they require a response either at the school corporation level or by local law enforcement officials.
- K. The principal shall proceed in accordance with the Rules for a Safe Learning Community and Good School Order, as appropriate, based on the investigation findings. As appropriate to the investigation findings, the principal shall ensure the Rules for a Safe Learning Community and Good School Order have been implemented, and provide intervention and/or relevant support services (i.e., refer to counseling, establish training programs to reduce bullying behavior and enhance school climate, enlist parent cooperation, and involvement or take other appropriate action). Intervention and support implemented by the principal or his/her designee should include follow up services to both the targeted student and the student with bullying behavior.
- L. Elkhart Community Schools may take disciplinary action for the false reporting of alleged bullying incidents.
- M. The Superintendent shall annually disseminate this policy to all parents who have children enrolled in a school within the School Corporation. The Superintendent shall post a link to the policy which is prominently displayed on the home page of the School Corporation's website. The Superintendent shall ensure notice of the corporation's policy appears in the student handbooks and all other publications of the School Corporation which set forth the comprehensive rules, procedures, and standards for schools within the School Corporation.
- N. Each school shall provide researched based bullying prevention instruction to all students in grades 1-12 within the school no later than October 15th of each school year. It is expected this instruction will be part of a more comprehensive bully prevention effort communicated to the students throughout the school year, and the age appropriate, research based instruction for all students in grades 1-12.

- O. Each school shall provide annual training on this policy and bullying prevention and intervention instruction to corporation and school employees, volunteers, and contracted service providers who have direct and on-going contact with students.

- P. The Board understands the characteristics and resultant needs of each school will continue to evolve, and the existing base of knowledge regarding bullying prevention and intervention will continue to grow. Research on bullying prevention practices will continue to emerge, and the data on the nature of bullying behaviors will continuously change. It is essential for school administrators and officials to regularly review available bullying prevention and intervention data. Additionally, school administrators are expected to collect and analyze in-house data regarding bullying incident investigations, incident frequency, and the effects of the corporation's efforts to address bullying behaviors. Through data-driven practice, administrators will be best qualified to determine the need for changes to policies and procedures and to institute improvements to prevention and intervention programs and approaches.

August 22, 2023

Student Insurance

There is no provision for the Elkhart Community Schools to carry general medical insurance on its students at taxpayers' expense.

Student accident insurance may be purchased by parents through a private company. Information about specific coverage and benefits can be found on the district website at <https://www.elkhart.k12.in.us/families/forms>.

The Elkhart High School Athletic Departments do not provide insurance for student athletes; however, there is inexpensive insurance through Student Athletic Protection, Inc. which is available through an outside carrier for those families who may be interested. Hoosier Healthwise is another option for families interested in less expensive insurance coverage for their student athlete. Information about these programs can be obtained in the Athletic Director's office at Elkhart High School and Freshman Division.

Health Related Information

Doctor or Dentist Visits

Parents are encouraged to schedule doctor and dentist appointments which do not conflict with school hours. However, if it is absolutely necessary to schedule such a visit during school hours, students will be excused. Parents should follow school procedures when making such appointments.

Medication in School

Administration of medication prescribed by a licensed physician and supplied by a parent must be arranged with the school by filling out the required form. Nonprescription medication will be administered only if there is written permission of the student's parent or legal guardian and if it is sent in the original container. Additional information regarding medication can be found in Board Policy 5330.

Emergency Medical Care

Nurses are on duty in all schools on a regularly scheduled basis. Parents need to be sure that phone numbers where they can be reached in case of emergency are on file in the school office.

Health Screening

Public Schools in Indiana are required to conduct health screenings (e.g. vision, hearing, etc.). Parents who have questions or objections regarding this should contact the school nurse.

Homelessness/Domestic Violence Assistance

Elkhart Community Schools is committed to all students, including students who are homeless by the standards set forth by McKinney-Vento Homeless Children and Youth. It is important to understand that parents and their children have rights when a child qualifies as a homeless student. Additional information can be found in the following links: [ECS McKinney-Vento District Plan](#), [IDOE McKinney-Vento Law](#), and [United States Department of Education Homeless Education Law](#).

McKinney-Vento Liaison for Elkhart Community Schools:

Natalie Bickel

Supervisor of Student Services

email: nbickel@elkhart.k12.in.us

phone: 574-262-5540

The following organizations can assist parents/children facing homelessness or domestic violence:

- YWCA Safe Haven: 574-294-1811
- Bashor Emergency Shelter for youth: 574-875-5117
- Faith Mission: 574-293-3406
- Interfaith–Goshen: 574-534-2300
- Victim Assistance: 574-523-2237
- Hannah's House, for pregnant females: 574-254-5309

School Food and Beverage Guidelines

As of July 1, 2014, all food items sold during a school day (midnight before to 30 minutes after the end of the official school day) are required to meet Smart Snack compliant standards. This includes a la carte items in the cafeteria, school store, snack cart, vending machines, culinary education programs, and all other programs selling food during the school day.

The Board of School Trustees of Elkhart Community Schools has adopted a Student Wellness policy regarding food and beverages at school as developed by the Elkhart Community Schools Wellness Committee. The guidelines do not apply to school breakfasts and school lunches but do apply to all other food and beverages at school. Copies of the guidelines are available at the Food Services Department at Kent Street and in school offices.

1:1 Initiative (Student iPads)

As a part of the 1:1 initiative, Elkhart Community Schools purchases an iPad for each student to use; the district retains ownership of these devices. Students/Parents can review the [iPad Agreement](#) which provides a list of basic responsibilities and requirements to use and care for student iPads.

Summer School

Fees for summer school are established annually by the School Board.

Assessments

ILEARN (Grades 3-8)

Beginning in 2018-19, the State of Indiana transitioned from ISTEP+ to ILEARN, the summative accountability assessment to measure student achievement and growth according to Indiana Academic Standards. ILEARN assesses English/Language Arts and Mathematics in grades 3-8, Social Studies in grade 5,

Science in grades 4, 6 and High School Biology. ILEARN is an online, computer adaptive test for English/Language Arts and Mathematics which adapts to each student's mastery of the content throughout the assessment(s). Every time a student answers a question, his or her response helps determine the next question presented. The difficulty of the test adjusts to each student's skills, providing a better measure of what each student knows and can do. This adaptation allows each student to receive an individualized assessment providing more precise data about student achievement. Students will participate in ILEARN during a single test window in late spring of each year.

ILEARN Checkpoints (Pilot)

ILEARN will undergo a through-year redesign beginning with the 2025-26 school year. During the 2024-25 school year, Elkhart Community Schools is piloting the three checkpoints included in the ILEARN through-year assessment for English/Language Arts and Mathematics.

IREAD-3 (Grade 3)

The Indiana Reading Evaluation and Determination (IREAD) is a reading assessment developed in accordance with state legislation. IREAD is designed to measure foundational reading skills based on Indiana Academic Standards through grade three. Beginning in the 2024-25 school year, all grade two students will participate in the spring administration. Indiana legislation updated guidance schools must use when making decisions about grade-level promotion, instructional plans, and Good Cause Exemption eligibility for individual students. The intent is to ensure each student receives the appropriate reading remediation based on IREAD test data and their individual learning needs. To ensure students have a solid foundation in reading before being promoted to fourth grade, SEA 1 requires third-grade students to be retained if they do not pass IREAD after multiple test administration opportunities. Retention exemptions exist in the form of Good Cause Exemptions.

SAT School Day

Beginning in the 2021-22 school year, the SAT became Indiana's statewide accountability test for all Grade 11 students in the spring. SAT results can be used to fulfill Requirement Three in a student's chosen Graduation Pathway. Other options to fulfill this requirement remain valid for students who do not fulfill it with their SAT results. No specific score on the SAT is required to graduate high school with an Indiana diploma unless the student elects to pursue the SAT for graduation pathways.

I AM (Alternate Assessment)

I AM is the summative accountability assessment for students in grades 3-8 with significant cognitive disabilities. A Case Conference Committee may determine Indiana's Alternate Measure (I AM) is the most appropriate assessment utilizing the criteria for determining eligibility to participate. I AM measures student achievement and growth according to Indiana's Alternate Academic Standards or Content Connectors; it assesses English/Language Arts and Mathematics (grades 3-8 and 10), Social Studies (grade 5), and Science (grades 4, 6, and High School Biology). Students will participate in I AM during a single test window in late spring each year.

WIDA (Grades K-12)

Assessing students' English proficiency in the four language domains (listening, speaking, reading, and writing) is a critical, required component of the English Learner programming. Per the Every Student Succeeds Act (ESSA), states are required to adopt standardized entrance criteria to determine if a student is classified as an English Language Learner (ELL). As a WIDA state, Indiana has

adopted the WIDA Screener to be utilized as its placement assessment to determine if a student is classified as an ELL.

Additionally, all identified ELLs are required to be assessed annually for their English proficiency. WIDA ACCESS and Alternate ACCESS (for ELLs with significant disabilities) are utilized as its annual assessment. These assessments are required to be utilized by K-12 schools in Indiana. Guidance on WIDA placement and annual assessments is issued by the IDOE Office of Student Assessment and can be found on IDOE's WIDA webpage.

Dyslexia Screening

Beginning the 2019-20 school year, public and charter schools must screen all students in grades K-2, and struggling readers in grades 3-12, for characteristics of dyslexia. Six areas of reading will be assessed: phonemic/phonological awareness, alphabet knowledge, sound symbol relationships (phonics), decoding, rapid naming, and encoding (spelling).

NWEA (Grades K-2)

In addition to assessments required by the state, Elkhart Community Schools also administers formative assessments to students in order to better inform teachers about student academic needs. Students in Grades K-2 take the NWEA Measures of Academic Progress (MAP) assessments three times each year (Fall, Winter, and Spring) to inform instruction and measure student growth.

Students can qualify for high ability in two ways:

- those with exceptional cognitive **potential**
- those with outstanding **achievement** in mathematics/reading

Normative data from the winter NWEA assessment is utilized to identify students demonstrating high academic achievement. Students in grades K-2 who score at or above the 95th percentile on the NWEA will be identified as eligible for services in mathematics, reading, or both, based on their performance.

In addition, students in grades K, 2, and 5 who have not yet fully qualified for high ability services in both reading and math will undergo a cognitive potential screening. This screening aims to identify students with cognitive potential who may have been overlooked during achievement testing. We assess cognitive potential using the Cognitive Abilities Test (CogAT), a nationally normed aptitude assessment.

Students in grades K and 2 will take the CogAT screener, and those scoring at or above the 77th percentile will proceed to the full CogAT. For students in grade 5, a score at or above the 77th percentile on the NWEA qualifies them for the full CogAT. A score at or above the 95th percentile on the quantitative, verbal, quantitative/nonverbal, or full CogAT in grades K, 2, and 5 qualifies a student for high ability services in mathematics, English language arts, or general intellectual ability.

For students who fall within two points of the cut-off score, or within the standard error of measure (SEM) on either test, a third qualifying assessment will be administered. The Scales for Identifying Gifted Students (SIGS) Inventory will be used to collect data from both parents and teachers. A score above the 95th percentile on the SIGS qualifies the student for high ability services.

Transportation

Free bus transportation is provided to 1) elementary students (grades K-6) who reside outside a one-mile radius from the school to which they are assigned, 2) middle school and high school students who reside outside a two-mile radius from the school to which they are assigned, and 3) students assigned to special programs not available in their attendance area of legal residence. When rivers or other natural barriers cause students to travel well beyond the normal radius distance, or when extremely hazardous conditions exist, transportation may be provided.

Riding a bus is a privilege and must be regarded as such. Rules of school bus conduct and safety have been established for the protection of the student, other students, and the school system.

Copies of school bus rules are provided to students who ride school buses. Parents and students should familiarize themselves with these rules. Students who do not follow these rules, or who refuse to follow the directions of the bus driver, may lose their riding privileges.

The bus driver is in charge of the school bus at all times. In cases requiring serious disciplinary action (removal from the bus for an extended period of time), a review is held which includes the student and/or parent(s), the bus driver, the building administrator, and/or a supervisor from the transportation department. When a student loses his or her riding privileges, a letter indicating such is given to the student to be given to the parents.

Students are required to attend school. It is the responsibility of the student and/or parent to assure the student gets to school.

Student Meals Application for Assistance

Elkhart Community Schools (ECS) serves nutritious meals throughout the school year. This includes breakfast and lunch in all schools.

Children from all ECS households will be provided meals at no charge for the 2024-2025 school year. This is the result of the district enrolling in and qualifying for the Community Eligibility Program (CEP).

Although meals are being provided at no charge, it is still important for families to complete an alternate application for assistance. This application allows the district and families to qualify for other public assistance programs. An electronic application was sent to families in August 2024 and will be sent again in April 2025 so that families may apply for additional assistance if they have not done so already.

We MAY share eligibility information with education, health, and nutrition programs to help them evaluate, fund, or determine benefits for their programs, auditors for their program reviews, and law enforcement officials to help them look into misuse of program rules.

This institute is an equal opportunity provider.

If there is a question or concern regarding the Food Service Program, call 262-5551 for assistance.

Board Policy 5771 – Search and Seizure

The Board recognizes its obligation to balance the privacy rights of its students with its responsibility to provide student, faculty, and authorized visitors with a safe, hygienic, and alcohol/drug-free learning environment.

In balancing these competing interests, the Board directs the Superintendent to utilize the following principles:

A. School Property

School facilities such as lockers and desks are school property provided for student use subject to the right of the Superintendent and his/her designee to enter the facility as needed and inspect all items in the facility searched. Students shall not have an expectation of privacy in any facility provided by the school and shall not be permitted to deny entry to a Corporation administrator by the use of a lock or other device.

B. Student Person and Possession

Prior to a search of a student's person and personal items in the student's immediate possession, consent of the student shall be sought by an administrator. If the student does not consent, such a search shall be permitted based only upon the administrator's own reasonable suspicion to believe the search will produce evidence of a violation of a law, school rule, or a condition that endangers the safety or health of the student or others. Searches of the person of a student shall be conducted and witnessed by a person of the same gender as the student and shall be conducted in a private place. The administrator responsible for conducting a search of a student's person shall, as soon as reasonably possible, attempt to notify the student's parent or guardian of the search by telephone, on the same day as the search. A parent or guardian of a student who has been subjected to a search shall be mailed written notification of the search within twenty-four (24) hours.

Searches, pursuant to this policy, shall also be permitted in all situations in which the student is under the jurisdiction of the Board as defined by I.C. 20-33-8-14.

Permission for a student to bring a vehicle on school property shall be conditioned upon consent of the search of the vehicle and all containers inside the vehicle by a school administrator with reasonable suspicion to believe the search will produce evidence of a violation of law, a school rule, or a condition that endangers the safety or health of the student driver or others. The student shall have no expectation of privacy in any vehicle or in the contents of any vehicle operated or parked on school property.

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

C. **Breath Test Instruments**

Administrators are authorized to arrange for the use of breath-test instruments for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

D. **Use of Dogs**

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

E. **Use of Metal Detectors for a Reasonable Suspicion Search**

When the school administration has reasonable suspicion to believe weapons are in the possession of an identified student, the administration is authorized to use a mobile metal detector to search the student. Any search of a student's person as a result of the activation of the detector will be conducted in private and in accordance with the policy on personal searches. Only school personnel who have been trained in the usage of metal detectors, law enforcement officers assigned to the school corporation, or school resource officers shall operate the metal detectors under the direction of the administration.

F. **Use of Metal Detectors for Random Checks**

In view of the escalating school violence, the potential presence of weapons in our schools, and the school corporation's duty to maintain a safe learning environment, the Board of School Trustees authorizes the use of metal detectors to check a student or student's personal effects. Only school personnel who have been trained in the usage of metal detectors, law enforcement officers assigned to the school corporation, or school resource officers shall operate the metal detectors under the direction of the administration.

School officials or law enforcement officers may conduct

metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner. Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

Notice of the Board policy and procedures on the use of metal detectors will be sent to parents and students and posted on the websites of the school corporation and of each middle and high school.

The Superintendent shall develop procedures for implementing this policy. The metal detector checks will be done only in accordance with the provisions of the Board policy and procedures by school personnel or law enforcement officers under the supervision of the school administrator.

Anything found in the course of a search or check pursuant to this policy which constitutes evidence of a violation of a law or a school rule or which endangers the safety or health of any person shall be seized and utilized as evidence if appropriate. Seized items of value shall be returned to the owner if the items may be lawfully possessed by the owner. Seized items that may not lawfully be possessed by the owner shall be turned over to law enforcement.

The building administrator shall promptly record in writing the following information for each search pursuant to this policy:

- A. the information upon which the search was based
- B. the time, date, location, students, or places searched, and persons present
- C. a description of any item seized and its disposition
- D. the time and date of notice to the parent or guardian in the case of the search of the person of a student

The Superintendent shall prepare administrative guidelines to implement this policy.

I.C. 20-33-8-32

U.S. Constitution, 4th Amendment

September 11, 2018

Patron Involvement

There are many ways parents and students may become involved in the Elkhart Community Schools.

School Board

Public control of education is one of the cornerstones of American free society; the people exercise their control through the Board of School Trustees. The

Elkhart Community Schools school board is composed of seven members with overlapping terms of four years each.

The Board encourages and welcomes citizen involvement and participation in the governance of the school system. Patrons may speak to the Board at any public meeting. Public participation may take place following the Board's initial announcement of any agenda item which does not require a vote; and if a vote is required, participation takes place following a motion but prior to the Board's vote on the agenda item. Following the conclusion of all scheduled agenda items, any member of the public may bring up a concern or discuss any other topic not on the formal Board agenda.

Instructional Cycle Committee

In lieu of the traditional textbook adoption committee, the district will annually establish a standing Instructional Cycle Committee for each discipline. The committees will address six ongoing phases on behalf of all schools in the district: (1) Organize the standards and the big ideas by quarter, (2) Define assessments that will be used to measure progress, (3) Identify the resources for district-wide procurement (including equipment, supplies, and digital/print curriculum), (4) Assure implementation district wide, (5) Verify the fidelity of implementation, and (6) Evaluate the effectiveness of the plan. This cycle will advance iteratively and continuously repeat the six phases.

Each committee will meet each quarter. The composition of the committee will include one representative from each school K-12, administrators, and parents appointed to the Committee by a variety of methods. Any parent interested in serving on an instructional cycle committee should contact the Instructional Leadership Department.

Literacy Committee

The district will annually establish a standing Literacy Committee that includes representatives from every school and every discipline. This committee will meet every quarter to (1) Establish a leadership team for this priority, (2) Foster a culture of readers, pre-K through adulthood, (3) Promulgate strategies for literacy across curriculum, and (4) Create a platform from which an interdisciplinary unit can be created.

This committee will meet each quarter. The composition of the committee will include at least one representative from each school K-12 and one representative from each subject area. Administrators and parents are welcomed to serve. Any parent interested in serving on the Literacy Committee should contact the Instructional Leadership Department.

Superintendent's Student Advisory Council

The purpose of the council shall be: 1) to provide young citizens an opportunity to experience first-hand the governmental operation of the community educational process, 2) to afford the Board of School Trustees the opportunity to gain first-hand reactions from students regarding the decisions that affect students in their educational development, and 3) to keep the Superintendent in closer contact with the students, to communicate what the school system is doing to meet the educational needs of the students, and to seek student concerns about the educational process of the Elkhart Community Schools.

Volunteers

Parents and citizens with expertise or skills in any area may offer to help the

schools as resource people. They are very much needed to supplement the classroom activities offered by each school. Anyone interested in helping is encouraged to contact his or her child's school. All volunteers must pass a criminal history background check. More information can be found on the district website at <https://www.elkhart.k12.in.us/community/header-volunteer>.

Other Committees

Other committees which involve patrons include: Music Parents Associations, Career Center Advisory Councils, High Ability Broad Based Planning Committee, Title I Parent Advisory Councils, and Principals Parent Advisory Councils.

Parent, Student, Patron Opinion

Any parent, student or other member of the community may call or write to any principal, teacher or administrator to express an opinion about any school program or problem.

Parent-Teacher Conferences

Parent-Teacher conferences are scheduled at all schools so parents can discuss the progress of their child with their child's classroom teacher(s). The times of the parent conferences are announced by the individual schools. Throughout the school year, parents are encouraged to call their child's school to arrange for a meeting with their child's teacher to review their child's schoolwork. Continuous communication between the teacher and parents is vital.

Weather Delays and Closings

Elkhart Community Schools takes the decision to close school very seriously. When facing the possibility of a weather-related closure, our administrators not only rely on the expertise of local meteorologists and government officials, but also go out into the weather ourselves and consult with other area school administrators. ECS administrators and transportation staff drive around Elkhart and Bristol very early in the morning when weather conditions are questionable, evaluating road conditions for students who ride buses and monitoring weather conditions with consideration for our students who walk. We strive to make a final determination on school delays and closings by 5:30 a.m., but we continuously monitor weather conditions and may make a determination to close later if needed.

If You Have a Question

Where a citizen or school patron has a question including the operation or programs of the schools, he or she should contact the office or person most directly responsible for the area in which the problem exists. Where the question involves an individual student or class, the classroom teacher and/or the principal are the proper people to contact.

In instances where the person feels that after contacting the proper and responsible office or individual, his or her question has not been fully answered or given proper consideration, the problem may be directed to the Office of Superintendent of Schools, phone 262-5516.

Summary of Policies on Education Records

The Family Educational Rights and Privacy Act of 1974 as amended provides certain safeguards to the privacy of parents and students. During a student's

school career, the school system collects and records data concerning each student. The school system recognizes the collection, maintenance, and limited dissemination of such data is essential in school operations, but also preserving the rights of privacy of the student and parents, providing access to the data by the student and parents, and the student's or parent's right to correct data is equally essential.

Who may see a student's record?

The parent, guardian, or student of age 18 or older, has the right to examine the student's record and to have it explained. An appointment must be made to see the student's record.

The administrators, secretaries, counselors, teachers, and other school officials who have responsibility for supervising, instructing, or helping a student shall have access to that student's permanent and personal records.

A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; or a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist).

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Any record which is the property of the individual teacher, administrator, or counselor, and has not been shared, is an unofficial record and is open to anyone only as that individual permits.

Recourse in Case of Error

If a parent, guardian, or student age 18 or older has reason to believe that some portion of the record is in error or violates the student's rights in any way, he or she should discuss the matter with the principal of the school in which the record resides. If the matter is not resolved, a request for modification or deletion may be made in writing. Forms for such a request will be provided. A ruling will be made and returned in writing with instruction on how to further appeal for correction, if desired.

Directory Information

"Directory Information" means a student's name, address, telephone listing, if published, date and place of birth, gender, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photographs and images obtained by the district for other than safety and security purposes, team photographs, video of student activities or programs, and the most recent previous educational agency or institution attended by the student.

Release of Student Records

Directory Information may be released without prior consent of the parents. A parent or eligible student who does not want directory information to be released may restrict the release of such information by providing the principal a written statement requesting such restriction. A parent or eligible student must make this request, in writing, within two (2) weeks of the student's first day of school attendance during each school year. (See form on page 34)

From time-to-time schools in the district may release to news media the names of students involved in current school activities. Cast members in plays, team members in sports, and other teams and students achieving academic and other honors, are examples of the information that could be released.

A student's official record will be transferred from one school to another within the Elkhart Community Schools. The parent, guardian, and/or student may review the record transferred at that time or at any time, for that matter.

A student's record will be transferred to a school outside the Elkhart Community Schools, to a college, a prospective employer, or anyone only upon the written request of the parent, guardian, or student, if age 18 or older. That written request needs to specify which records are to be sent and whether the requesting party desires to review the record before it is sent. These records will be forwarded following receipt of the request without further notice to the requesting party.

If a student's record is subpoenaed by a court, the parent, guardian or student, if age 18 or older, will be informed of the subpoena before the record is provided in compliance with the order.

The foregoing is a brief summary of the significant details on education records adopted by the Board of School Trustees. The Indiana Legislature adopted a law, Access to Public Records, which went into effect on January 1, 1984. A Board resolution to affect the law was adopted in December of 1983. Copies of the complete policy 8330 and regulation (JO) and the resolution are available in each school and the J.C. Rice Educational Services Center.

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"Directory Information" means a student's name, address, telephone listing, if published, date and place of birth, gender, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photographs and images obtained by the district for other than safety and security purposes, team photographs, video of student activities or programs, and the most recent previous educational agency or institution attended by the student.

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A student's record will be transferred to a school outside the Elkhart Community

Schools, to a college, a prospective employer, or anyone only upon the written request of the parent, guardian, or student, if age 18 or older. That written request needs to specify which records are to be sent and whether the requesting party desires to review the record before it is sent. These records will be forwarded following receipt of the request without further notice to the requesting party.

If a student's record is subpoenaed by a court, the parent, guardian or student, if age 18 or older, will be informed of the subpoena before the record is provided in compliance with the order.

Military Recruiters

Federal law authorizes military recruiters to access student directory information unless the student or the parent requests that such information not be released. In order to comply with the requirements of this Indiana statute, a high school student and/or the student's parent must submit a signed, written request to their high school no later than the end of the student's sophomore year requesting that the student's directory information not be provided to military recruiters. (See form on page 51)

How long will a record be kept?

Student Permanent Records are a lasting collection of key school performance measures. All other records will be destroyed not less than five years after a student leaves a school.

Can you have copies?

Graduates or students may have copies of their transcript or education records. There is a charge for these copies, except for the first two transcripts requested at the high school.

Statement of Non-Discrimination

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

Equal Opportunity and Diversity

Elkhart Community Schools is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, transgender status, national origin, sexual orientation, gender identity, age, military status, ancestry, genetic information, disability or any other characteristic protected by law. Inquiries regarding students with disabilities (related to Section 504 and ADA) may be made by contacting the Director of Exceptional Learners, whose office address is Elkhart Community Schools, 2720 California Road, Elkhart, Indiana, 46514, and whose telephone number is 262-5861. The best qualified persons who are available at the salary levels established for school employment are employed. Academic and athletic programs are available to all students without discrimination. A Diversity in Employment Policy has been adopted by the School Board which is designed to achieve the goal of equal employment

opportunity for all individuals. Inquiries regarding equal opportunity or diversity may be directed to the Equal Opportunity Officer by calling 262-5517.

The following person(s) have been designated to handle inquiries regarding the non-discrimination policies:

Title IX—Sex

District Counsel/Chief of Staff

2720 California Rd.

Elkhart, IN 46514

(574) 262-5517

Title IX—Sex

Director of Exceptional Learners

2720 California Road

Elkhart, IN 46514

(574) 262-5861

Title VI—Race, Color, National Origin and Limited English Proficiency

District Counsel/Chief of Staff

2720 California Rd.

Elkhart, IN 46514

(574) 262-5517

Title VII—Civil Rights Act

District Counsel/Chief of Staff

2720 California Rd.

Elkhart, IN 46514

(574) 262-5517

Section 504 and Americans with Disabilities Act—Handicap/Disability

Director of Exceptional Learners

2720 California Rd.

Elkhart, IN 46514

(574) 262-5861

Title IX of the Education Amendments of 1972

It is the policy of the Elkhart Community Schools not to discriminate on the basis of sex in educational programs or activities which it operates, and the Elkhart Community Schools is required by Title IX not to discriminate in such a manner. The District Counsel/Chief of Staff has been designated as the official responsible for Title IX compliance. Inquiries concerning the application of said Title IX and the implementing of regulations may be made by contacting the District Counsel/Chief of Staff

2266 - NON-DISCRIMINATION AND ANTI-HARASSMENT ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES

TITLE IX

A. RESTATEMENT OF POLICY PROHIBITING DISCRIMINATION AND HARASSMENT ON THE BASIS OF SEX

The Board of School Trustees of Elkhart Community Schools noting the adverse effects discrimination and harassment can have on student

academic progress, social relationship, and/or personal sense of self-worth; along with workplace satisfaction and effective performance of defined employment responsibilities does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationships, and/or personal sense of self-worth.

All forms of discrimination, including sexual harassment, are prohibited pursuant to Board Policies 2260 and 3122ACS. This policy addresses only sexual harassment as defined by Title IX of the Education Amendments of 1972 ("Title IX") which prohibits sex (including pregnancy, sexual orientation, and gender identity) discrimination in an education program or activity receiving federal financial assistance.

B. TITLE IX SEXUAL HARASSMENT POLICY.

1. Application of This Policy.

While all forms of sex-based discrimination or harassment are prohibited by the Elkhart Community Schools ("ECS" or "District"), the purpose of this policy is to address, and only to address, *sexual harassment as defined in Title IX and this policy*, occurring within the educational programs and activities of ECS, and to provide a grievance process for investigating and reaching a final determination of responsibility for a formal complaint of sexual harassment. The "Title IX Grievance Process" is set out in section C below. While the District must respond to all "reports" it receives of sexual harassment, the Title IX Grievance Process is initiated only with the filing of a formal complaint.

The purpose of this Policy, as noted above, is to address, and only to address, sexual harassment as defined in Title IX occurring within the educational programs and activities of the district. For harassing conduct which does not meet the definition of sexual harassment under Title IX and this Policy, the District's response will be governed under other applicable laws and policies adopted by the Board of School Trustees, including but not limited to the following policies: 2260, 2260.01, 3122ACS, 3122.02ACS, and 3123ACS, along with the provisions of Administrative Regulations and Guidelines implementing the same.

This Policy shall apply to all students, employees, and any third party who contracts with the District to provide services to ECS students or employees, upon District property or during any school program or activity.

Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which student and employee respondents are entitled under this policy unless such right exists under law. Volunteers and visitors who engage in alleged sexual harassment will be directed to leave school property and/or be reported to law enforcement or the Indiana Department of Child Services as appropriate. A third party, under the supervision and control of the school system, will be subject to termination of

contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

This policy applies to all School Corporation operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school grounds immediately before, during, or immediately after school hours; in any school program or activity taking place in school facilities, on school transportation, or at other off-campus locations, such as school-sponsored field trips or a training program; or using property or equipment provided by the school, including school-owned computers and the school's computer network.

The Superintendent shall have overall responsibility for implementing this Policy, and shall appoint a District Title IX Coordinator position as described in section B-3, below.

The following person(s) is/are designated as the Corporation's Title IX Coordinator(s) and, as such, shall handle inquiries regarding the sexual harassment and address any complaint:

District Counsel/Chief of Staff
2720 California Road
Elkhart IN 46514
574-262-5517

Director of Exceptional Learners
2720 California Road
Elkhart IN 46514
574-262-5861

2. **Definitions.**

As used in this Policy and the Title IX Grievance Process, the terms below shall have the meaning ascribed.

- a. **“Actual knowledge”** occurs when ANY employee of one of the District's schools (other than a “respondent” or alleged harasser) receives a notice, report, or information or becomes aware of sexual harassment or allegations of sexual harassment.
- b. **“Complainant”** is an individual who is alleged to be the target or victim of conduct which could constitute sexual harassment, whether or not this person files a report or formal complaint.
- c. **“Days”** shall mean instructional days.
- d. **“Decision Maker”** means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as “initial decision-maker”) with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

- e. **“Determination of Responsibility”** is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal Complaint the Respondent did or did not engage in conduct constituting Sexual Harassment Under Title IX.
- f. **“Formal Complaint”** means a document filed by a complainant, the complainant’s parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a respondent, and requesting the district investigate the allegation of sexual harassment.
- g. **“Respondent”** is an individual who is reported to be the individual accused of conduct which could constitute sexual harassment.
- h. **“Sexual harassment”** prohibited under Title IX and by this policy is conduct on the basis of sex (including, without limitation, gender, sexual orientation, and/or gender identity), occurring in a school system education program or activity that satisfies one or more of the following:
 1. A school district employee conditioning the provision of an aid, benefit, or service of an education program or activity on an individual’s participation or refusal to participate in unwelcome sexual conduct;
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive it effectively denies a person equal access to the education program or activity; **OR**
 3. Sexual assault, dating violence, domestic violence, or stalking as defined in federal law.

The term "consent" as applicable to this procedure shall mean an individual voluntarily agreeing, by words or actions, to the proposal of another individual. An individual may be incapable of consent due to mental or physical incapacitation. The vast majority of Corporation students are incapable of giving consent to sexual contact because Indiana law generally establishes the age of consent as 16. Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

The context of behavior can make a difference between conduct falling within the technical definition of Sexual Harassment under Title IX, and conduct of a sexual nature which is offensive or hostile in itself, but does not arise to the level within that definition. **District policies prohibit both, but for purposes of its Title IX obligations the District must address reports or complaints of conduct which may constitute sexual harassment as defined above, under this specific, limited scope Policy and Title IX Grievance Process.** Except as used in other laws (e.g., Title VII) or policies (e.g., Board policies 2260 and 3122ACS) pertaining to harassment,

including of a sexual nature, other than Title IX sexual harassment, all references to “sexual harassment” in this policy mean sexual harassment meeting the above definition.

Conduct satisfying this definition is not sexual harassment for purposes of this policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser/respondent and the context in which the harassment occurred.

NOTE Regarding Concurrent Enrollment and Dual Enrollment, Extended Learning Opportunities, 3rd Party Distance Learning, and Other Alternative Instructional Programs: Under federal regulations, in order for the District to have jurisdiction over conduct that would otherwise meet the definition above of sexual harassment, ECS must have substantial control over both the respondent and the context in which the harassment occurred. In general, this will mean that unless such learning program is occurring upon ECS property, conduct otherwise meeting the definition of sexual harassment within that program, may not be subject to this policy.

- i. **“Supportive Measures”** are free, non-disciplinary, non-punitive, individualized services and shall be offered to the complainant, and may be offered to the respondent, as appropriate. These measures may include, but are not limited to, the following:
 1. Counseling;
 2. Course modifications;
 3. Schedule changes; and
 4. Increased monitoring or supervision.

Such measures shall be designed to restore or preserve equal access to ECS education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the ECS educational environment and/or deter sexual harassment. Supportive measures shall remain confidential with exclusive exceptions stated required in §B-5 below.

3. **Title IX Coordinator.**

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. The Title IX Coordinator shall receive general and specific reports of sexual harassment, and coordinate the District’s responses to both reports and formal complaints of sexual harassment so the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

- a. meeting with a complainant, and informing the parent/guardian once the Title IX Coordinator becomes

aware of allegations of conduct which could constitute sexual harassment as defined in this Policy;

- b. identification and implementation of supportive measures;
- c. signing or receiving formal complaints of sexual harassment;
- d. engaging with the parents/guardians of parties to any formal complaint of sexual harassment;
- e. coordinating with district and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure the District otherwise meets its obligations associated with reports and complaints of sexual harassment;
- f. coordinating with the Superintendent with respect to assignment of persons to fulfill the District's obligations, both general and case specific, relative to this Policy (e.g., investigator, decision-makers, etc.; this may involve the retention of third party personnel.);
- g. coordinating with district and school-level personnel to assure appropriate training and professional development of employees and others in accordance with Section B-4 of this Policy; and
- h. helping to assure appropriate systems are identified and maintained to centralize sexual harassment records and data.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason (see Section B-7, below), the Superintendent shall assure another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances "Title IX Coordinator" shall include the acting Title IX Coordinators.

The following person(s) is/are designated as the Corporation's Title IX Coordinator(s) and, as such, shall handle inquiries regarding the sexual harassment and address any complaint:

District Counsel/Chief of Staff
2720 California Road
Elkhart IN 46514
574-262-5517

Director of Exceptional Learners
2720 California Road
Elkhart IN 46514
574-262-5861

4. **Training.**

All ECS employees shall receive regular training relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must receive training on the definition of sexual harassment, this Policy, the scope of the District's education program or activity, and how to conduct an investigation (including the requirements of the reporting and the Title IX Grievance Process, including hearings, appeals, and information resolution processes). The training must also include avoiding prejudice of the facts, conflicts of interest, and bias.

Decision-makers must also receive training on issues of relevance of questions and evidence, including when questions about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment, and must be made available to the public as provided in Section B-8 of this Policy.

5. Confidentiality.

ECS will respect the confidentiality of the complainant and the respondent as much as possible; however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the District's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action. Examples of required disclosure include:

- a. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process;
- b. information to individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- c. mandatory reports of child abuse or neglect pursuant to Indiana Code and Board Policy 8462;
- d. information to the complainant's and the respondent's parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act ("FERPA"); and
- e. reports to the Indiana Department of Education as required under Indiana Code.

Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

6. **Retaliation Prohibited.**

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to **materially** false statements made in bad faith, or to submitting materially false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude a person made a **materially** false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District's general grievance process. The Corporation will make all possible efforts to prevent retaliation against individuals reporting discrimination or harassment or participating in related proceedings. The Corporation will respond promptly and appropriately to address continuing or new problems. Any person may report suspected retaliation to the District's Title IX coordinators.

7. **Conflict of Interest.**

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

8. **Dissemination and Notice.**

The District shall include in all student and employee handbooks, and shall make publicly available on the district's website the following information:

- a. The District's policy of non-discrimination on the basis of sex (included in Board Policies 2260 and 3122ACS);
- b. the title, name, office address, email address, and telephone number of the Title IX Coordinator (to be provided pursuant to Board Policies 3362 and 5517);
- c. the complaint process;
- d. how to file a complaint of sex discrimination or sexual harassment;
- e. how ECS will respond to such a complaint; and
- f. a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be provided to all persons seeking employment with the District, or seeking to enroll or participate in the District's educational programs or activities.

Additionally, ECS will make this Policy, as well as any materials used to train personnel as required under Section B-4 publicly available on the district's website.

9. **Records and Record-Keeping.**

- a. For each report or formal complaint of sexual harassment,

ECS, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:

1. Any actions, including any supportive measures;
2. The basis for the District's conclusion that its response was not deliberately indifferent; and
3. Documentation which:
 - a. If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the ECS education program or activity; or
 - b. If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.
- b. In addition, ECS shall maintain the following records for a minimum of seven (7) years:

Records for each formal complaint of sexual harassment, including:

1. Any determination regarding responsibility, including dismissals;
 2. Any disciplinary sanctions imposed on the respondent;
 3. Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
 4. Any appeal and the result there from;
 5. Any informal resolution process and the result there from;
 6. All materials used to train Title IX Coordinators, investigators, and decision-makers.
10. **Reports of Sexual Harassment, Formal Complaints and District Responses**

a. **Report of Sexual Harassment.**

NOTE: *A report does not initiate the formal Title IX Grievance Process. That process is begun only upon the filing of a formal complaint under the procedures set out in Sections B-10-c, and C-1, below.*

Any person may report sexual harassment, whether relating to her/himself or another person. **However, if any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator of the alleged**

sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Additionally, while the District strongly encourages reports of sexual harassment to be made directly to the Title IX Coordinator, the report may be made to **any** District staff member, including, for instance, a counselor, teacher, or principal.

If the Title IX Coordinator is the alleged respondent, the report or formal complaint may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

NOTE: For any allegation of sexual assault on a student under the age of 18, such conduct shall be reported immediately to the Child Protective Services or law enforcement pursuant to Board policy 8462.

b. **District Response to Report of Sexual Harassment.**

The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

As soon as reasonably possible after receiving a report of alleged sexual harassment from another ECS employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

1. discuss the availability of and offer supportive measures;
2. consider the complainant's wishes with respect to supportive measures;
3. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
4. explain to the complainant the process for filing a formal complaint.

c. **Formal Complaints.**

Pursuant to federal regulations, and this Policy, a formal complaint that contains an allegation of sexual harassment

and a request that the District investigate the allegations is required before ECS may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a person accused of sexual harassment. Once a formal complaint of sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Section C below. The process for filing a formal complaint is set forth in Section C-1. The process for filing a formal complaint is set forth in Section C-1. Even in instances where a Complainant chooses not to file a formal complaint, supportive measures may continue at the discretion of the Title IX Coordinator.

d. **Limitation on Disciplinary Action.**

In no case shall ECS impose disciplinary consequences or sanctions against a respondent who has been accused of conduct which may constitute sexual harassment, until the Title IX Grievance Process has been completed.

e. **Emergency Removal and Administrative Leave.**

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other ECS official charged with a specific function under this Policy or the Title IX Process: e.g., investigator, decision-maker, etc.) may request the Superintendent to direct an individualized safety and risk analysis be performed to determine whether a respondent student or employee is an immediate threat to the physical health or safety of any person. In the event the safety and risk analysis determines the respondent student does present an immediate threat to the physical health and safety of any person, the District may remove that student, provided such removal is in full compliance with the IDEA, a student's IEP, and or 504 plan if applicable. Such emergency removal shall not be disciplinary. However, the District must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Title IX Grievance Process.

The Title IX Coordinator shall keep the Superintendent informed of any employee respondents so he/she can make any necessary reports to the Indiana Department of Education. In appropriate cases, the Superintendent may place an employee respondent on non-disciplinary administrative leave pursuant to established Board Policy.

C. **TITLE IX GRIEVANCE PROCESS.**

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in §C-1, below. The provisions of Section A of the Policy are incorporated as part of the Title IX Grievance Process. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District's efforts to comply with its responsibilities related to the Title IX Grievance Process.

1. **Process for Filing a Formal Complaint of Sexual Harassment.**

The Title IX Grievance Process is initiated by way of a formal complaint (“complaint” or “formal complaint”) filed by the complainant, the complainant’s parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with the outside counsel as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant’s report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy.

Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by ECS or participating in or attempting to participate in the education program or activities of ECS at the time of filing. Additionally, although ECS will initiate the Title IX Grievance Process regardless of when the formal complaint is submitted, delays in reporting may significantly impair the ability of ECS officials to investigate and respond to the allegations. While there is no deadline by which a Complainant must file a formal complaint, the Corporation encourages Complainants to submit a formal complaint within ten (10) days of the incident(s). In instances where enough time has passed that the Corporation cannot gather evidence, the Corporation may not be able to investigate.

The Corporation will offer supportive measures to a Complainant who is the subject of an anonymous report. However, should a Complainant desire to initiate the grievance process, the Complainant cannot remain anonymous or prevent the Complainant’s identity from being disclosed to the Respondent.

At a minimum, a formal complaint must:

- a. contain the name and address of the complainant and the student’s parent or guardian if the complainant is a minor student;
- b. describe the alleged sexual harassment;
- c. request an investigation of the matter; and

- d. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

The complaint may be filed with the Title IX coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator.

2. **Initial Steps and Notice of Formal Complaint.**

The Title IX Coordinator will provide notice to the complainant and the complainant's parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent's parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:

- a. this Title IX Grievance Process, including any informal resolution process.
- b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; "sufficient details" shall include to the extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident.
- c. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.
- d. that each party may have an advisor of their choice, who may be, but is not required to be, an attorney.
- e. that each party is entitled to inspect and review evidence.
- f. a reference to any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- g. The Title IX Coordinator will contact the complainant to discuss and offer supportive measures.
- h. The Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.
- i. The Title IX Coordinator will examine the allegations in the formal complaint, to determine whether even if assumed true, the allegations are sufficient to sustain a finding of sexual harassment under this Policy. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the complainant to discuss the complaint and whether amendment is appropriate, in which case the process of Section C-3-d will apply.

- j. If the formal complaint fails to satisfy the definition of sexual harassment in this Policy, the complaint shall be dismissed as provided in Section C-7, below.
- k. If the complaint is not dismissed, then the Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different district or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision-maker). In all cases, the investigator and the initial decision-maker must be properly trained and otherwise qualified (see Section B-4“Training”, and Section B-7 “Conflict of Interest”).
- l. If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the School Board President who shall have authority to seek guidance from the District’s outside counsel, but shall not delay the District’s response to the report as outlined in this Policy.

3. **General Provisions and Additional Definitions Relative to Title IX Grievance Process.**

- a. **Copies and Notices.** Except as specifically stated elsewhere in this Policy, for any document, information, or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision-maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor’s parent/guardian. Copies should also be sent to a party’s advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party’s advisor. See Sections C-5-c, and C-5-d).
- b. **Risk Analysis and Emergency Removal.** At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized safety and risk analysis as described in Section B-10-e, following which a student may be removed.
- c. **Administrative Leave.** At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX

Coordinator, may place an employee on administrative leave pursuant to applicable Board Policy.

- d. **Additional Allegations.** If, in the course of an investigation, ECS decides to investigate allegations about the complainant or respondent that were not included in the previous notice, ECS shall simultaneously provide notice of the additional allegations to the parties whose identities are known.
- e. **No Interference with Legal Privileges.** At no point in process will the Title IX Coordinator, the investigator, any decision-maker, or any other person participating on behalf of ECS, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.
- f. **Consolidation of Complaints.** ECS may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.
- g. **Remedies: Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.**
 1. “Disciplinary sanctions” are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.
 2. “Disciplinary sanctions” against an **employee** respondent may include any available sanction available for the discipline of employees, up to and including dismissal, non-renewal or contract cancellation for any other violation of Board policy, applicable individual or collective bargaining contract, or state or federal laws or regulations.
 3. “Disciplinary sanctions” against a **student** may include any available discipline or sanction, up to and including expulsion, under the policies, rules, and procedures that establish the district’s comprehensive student code of conduct.

4. “Remedial actions” as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant’s right to access the district’s program and activity.

4. **Time frame of Grievance Process.**

ECS shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within ninety (90) days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean a determination of responsibility cannot reasonably be made within that time frame.

a. **Summary of Grievance Process Timeline.**

1. Investigation 20 +/- days as the complexity of the case demands (Section C-5-a)
2. 10 days for parties reviewing evidence
3. 10 days after receiving investigative report for parties to respond to report
4. 10 days for decision-maker to allow initial questions
5. 10 days for responses to questions
6. 10 days for questions and responses to follow-up questions.
7. 10 days for determination of responsibility decision
8. 10 days for appeal (6 additional days for administrative steps)
9. 10 days for argument/statement challenging or supporting determination
10. 10 days for decision on appeal

b. **Delays and Extensions of Time.**

At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for

good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).

5. **Investigation.**

The Title IX Coordinator will coordinate the investigation. The investigator shall be appointed pursuant to Section C-2-e.

- a. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
 1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)
 2. Ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties.
 3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
 4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
 5. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties. The parties may be accompanied to any meeting or proceeding related to the investigation by an advisor of their choice, who may be, but is not required to be an attorney. Apart from a union representative

accompanying an employee who is a party, employees are discouraged from serving as advisors to students. Advisors may not present on behalf of the party the accompany and should request or wait for a break in the meeting if they wish to interact with the Title IX Coordinator or investigator. Advisors may confer quietly with Parties as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the party and their advisors should ask for a break or step out of the meeting. An advisor who disrupts the process will receive one warning, after which if continued disruption occurs, the advisor will be removed from the meeting/proceeding. In such an event, the parties will be given the opportunity to reschedule and be accompanied by another advisor.

6. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Section C-4, above.
 7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, provided the party agrees to not disclose the evidence as detailed below.
- b. Prior to completion of the investigative report, ECS, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties and any advisors must execute the provided non-disclosure agreement before they may receive the evidence for review. Following the execution of the non-disclosure agreement, the Title IX Coordinator will send to each party and party's advisor, if applicable, the evidence subject to inspection and review in an electronic format or hard copy and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. Failure to sign the non-disclosure agreement may result in the party and/or their advisor not receiving an electronic or hard copy of the evidence or investigation report.
 - c. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, guidelines, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall

include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.

- d. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator (if applicable), to each party and each party's advisor, if any. Each party will have ten (10) days from receipt to provide the Title IX Coordinator a written response to the investigative report.

5. **Determination of Responsibility and Initial Decision Maker.**

The determination of responsibility of the respondent shall be made by the initial decision-maker as appointed pursuant to Section C-2-e.

- a. Prior to making a determination of responsibility, the initial decision-maker will afford each party ten (10) days to submit written, relevant questions to the initial decision-maker that the party wants asked of any party or witness.
- b. The initial decision-maker may exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- c. The initial decision-maker will provide the questions to the party/witness, with copies to each party, and provide no less than ten (10) days for written responses, likewise to be provided to each party.
- d. The initial decision-maker will provide five (5) days each for supplementary, limited follow-up questions and five (5) days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
- e. The initial decision-maker may not make any credibility determinations based on the person's status as a complainant, respondent, or witness.
- f. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- g. The initial decision-maker may impose disciplinary sanctions and remedies as described in Section C-3-g, above.

- h. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision-maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
 - i. The initial decision-maker must issue a written determination/decision within ten (10) days after the close of the period for responses to the last round of follow-up questions. The written “Initial Determination of Responsibility” must include:
 - 1. Identification of the allegations potentially constituting sexual harassment;
 - 2. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - 3. Findings of fact supporting the determination;
 - 4. Conclusions regarding the application of the applicable ECS codes of conduct, policies, administrative regulations, or rules to the facts;
 - 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
 - 6. The District’s procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section C-8, below).
 - j. The decision-maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent, and the parties simultaneously. The disclosure of the Initial Determination of Responsibility or any of its contents may be considered a violation of the student or employee code of conduct.
7. **Dismissal of a Formal Complaint.**
- a. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - 1. Would not constitute sexual harassment, even if proved;
 - 2. Did not occur in the District’s education program or activity; or

3. Did not occur against a person in the United States.
- b. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 1. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 2. The respondent is no longer enrolled or employed by the District; or
 3. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- c. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.
- d. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct, or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

8. Appeals Process.

- a. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within ten (10) days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.
- b. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party’s written appeal:
 1. Procedural irregularity that affected the outcome of the matter;
 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for

or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Section C-9, below, appeals of disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline, or, to the extent applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

- c. Within three (3) days of receipt of the written appeal, the Superintendent shall appoint a decision-maker for appeal ("appeals decision-maker"), who must have adequate training as provided in Section B-4, be free from conflict of interest as provided in Section B-7, and may not be the same person as the initial decision-maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision-maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.
- d. Each party shall have ten (10) days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement ("appeal statement") in support of, or challenging, the determination of responsibility or dismissal.
- e. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision-maker. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's appeal statement.
- f. The appeals decision-maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.
- g. The appeals decision-maker shall provide a written appeals decision after considering the record and the parties' appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration

of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision-maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than ten (10) days after receiving the last of the parties' written statements per Section C-8-e.

9. **Finality of Determination of Responsibility.**

The determination regarding responsibility becomes final either on the date that ECS, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the District may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and district administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. ECS may also proceed against the respondent or complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract, or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District.

10. **Informal Resolution.**

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

- a. Provides written notice to the parties disclosing:
 1. The allegations of the formal complaint;
 2. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- b. Obtains the parties' voluntary written consent to the informal resolution process; and
- c. **In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.**

August 9, 2022

Board Policies and Administrative Regulations

Throughout this guide, reference is made to Board Policies and Administrative Regulations. These can be reviewed at any of the following locations:

- J. C. Rice Educational Services Center
- <https://go.boarddocs.com/in/elkh/Board.nsf/Public>
- Administrative offices of all Elkhart Community School buildings
- www.elkhart.k12.in.us

ALLEGED DISCRIMINATION/HARASSMENT/MISTREATMENT
COMPLAINT REPORT FORM

A. Name

B. Student, Employee, School Corporation Officer, or Patron?

C. Building

D. Specify type of discrimination alleged.

1. Title 9 - (sex)
2. Title 6 and 7 (race, color, national origin, limited English proficiency, or sex within the context of employment)
3. Section 504 and Americans with Disabilities Act - (handicap/disability)

E. Specific Facts of Complaint. (Who? What? Where? When?)

F. Specific Relief Desired. (What do you want done or corrected?)

(Date)

(Signature of Student/Employee)

Send by school mail or regular U.S. Mail to:

J.C. Rice Educational Services Center, 2720 California Rd, Elkhart, IN
46514

D.1. District Counsel/Chief of Staff

D.2. District Counsel/Chief of Staff

D.3. Director of Exceptional Learners

April 25, 2006

**Objection to Release of Directory Information
to the Public**

Regarding: _____
Student's Name (Please Print)

Do not release any directory information about my child. I understand this means exclusion from school documents that typically are made public, such as yearbooks, graduation programs, honor roll, and other recognition lists, sports activities, and theatrical programs. It also means exclusion of my student's name, address, and phone number from the school or PTA directory. It means that directory information about my child will not be released to school-related organizations, such as PTAs or to county agencies unless specifically permitted by federal or state law. In addition, my child will not be featured in any videotape, television, motion picture, audio recording, broadcast, or still photograph production produced by and available to the public from Elkhart Community Schools, or (to the extent that access is within Elkhart Community Schools' control during school hours) the media.

Parent Signature

Date

Denial of Access to Military Recruiters

I object to the release of the name, address, or telephone number of _____ to military recruiters during this school year. I understand that once either the student or a parent has signed this form, only a parent may change it. I also understand that if I want to change it, the parent must notify the principal in writing that the form is no longer in effect and that the student information may be released.

Signature of student or parent:

Name of signing student or parent:
(Please Print Name):

Date: _____

Book	Policy Manual
Section	0000 Bylaws
Title	PROPOSED REVISED - BOARD MEETINGS
Code	po0165
Status	First Reading
Adopted	November 22, 2016
Last Reviewed	October 22, 2024

0165 - ~~NOTIFICATION OF BOARD MEETINGS~~

~~The Board will give notice of regular, special, and emergency Board meetings to Board members, news media, and the general public in compliance with Indiana law on the organization and operation of the governing body of a school corporation and the Open Door Law.~~

~~As used in this bylaw, "legal holiday" means a day listed in I.C. 1-1-9-1.~~

~~Notice of any meeting of the Board shall also contain the following statement:~~

~~"The Board's meeting site is fully accessible to all persons. Any person requiring further accommodation should contact the Superintendent's Office at 574-262-5500."~~

~~Neola 2013~~

Meeting Defined

As used in these bylaws, 'meeting' means a gathering of a majority of School Board members for the purpose of taking 'official action' as defined at I.C. 5-14-1.5-2(d) on public business. The term 'meeting' does not include the following:

- A. A social or chance gathering not intended to avoid the principles of the Indiana Open Door law set forth in I.C. 5-14-1.5-1.
- B. An on-site inspection of a project, program, or facility of applicants for incentives or assistance from the Board.
- C. Traveling to and attending meetings of organizations devoted to the betterment of government.
- D. A caucus as defined at I.C. 5-14-1.5-2(h).
- E. A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.
- F. An orientation of members of the Board on their role and responsibilities as public officials, but not for any other official action.
- G. A gathering of Board members for the sole purpose of administering the oath of office specified in I.C. 20-26-4-2 to a Board member or members.
- H. Collective bargaining discussions that the Board engages in directly with the exclusive representative of a bargaining unit consisting of School Corporation employees. This exception from the definition of a 'meeting' of the Board applies only when the Board has not appointed an agent or agents to conduct collective bargaining on behalf of the Board. A committee appointed by the Board or the Board President to conduct collective bargaining shall not constitute a 'governing body' subject to the Open Door Law (I.C. 5-14-1.5-2((b)(3) and (c) (8)).

Regular Meetings

The Board shall hold a meeting on a date and at a time and place determined annually by a resolution of the Board.

In the event the date, time, or place of a meeting needs to be changed, which change is in the best interest of the Board and/or the Corporation, such change may be made by action of the Board, provided that the proper notice is given pursuant to Bylaw 0164 - Notice of Meetings.

Special Meetings

A "special meeting" of the Board is a meeting other than a regular meeting on a schedule of regular meetings established at the Board's annual organizational meeting. At a special meeting, the Board may take any action permitted at a regular meeting. Executive sessions are excluded from this definition.

Special meetings of the Board may be called by the President or the Superintendent provided there is compliance with the notice provision contained in Bylaw 0164 - Notice of Meetings.

Emergency Meetings

In the event of a local disaster emergency posing severe and imminent threat to the health, safety, or welfare of the Corporation, its employees, or students, any member of the Board, or the Superintendent may call an emergency session if it can be shown that delay would be detrimental to efforts to lessen or respond to the threat. No formal notice to Board members of any emergency meeting shall be required, but the press and public shall be notified.

The following provisions apply if:

- A. the Governor declares a disaster emergency under I.C. 10-14-3-12; or
- B. the executive (as defined in I.C. 36-1-2-5) of a political subdivision declares a local disaster emergency under I.C. 10-14-3-29.

Until the disaster emergency or local disaster emergency is terminated, Board members shall not be required to be physically present at a Board meeting if:

- A. meeting in person would present an imminent risk to the health or safety of the members of the public and the Board members who attend the meeting because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency; and
- B. one (1) or more schools within the Corporation are closed at the time of the meeting because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency.

During the disaster emergency or local disaster emergency, Board members may meet by any means of electronic communication, if the following are satisfied:

- A. At least a quorum of the Board members participate in the meeting by means of electronic communication or in person.
- B. The public is able to simultaneously attend and observe the meeting, unless held in executive session.

All votes taken in a meeting conducted with at least one Board member participating through an electronic means of communication during a declared disaster emergency or local disaster emergency shall be by roll call. The Board minutes prepared for meetings in which at least one Board member participates by an electronic means of communication during a declared disaster emergency or local disaster emergency must state the name of each Board member who:

- A. was physically present at the place where the meeting was conducted;
- B. participated in the meeting by using any electronic means of communication; and
- C. was absent.

The Board minutes also shall identify the electronic means of communication by which:

- A. Board members participated in the meeting; and
- B. the public attended and observed the meeting if it was not an executive session.

Location of Meetings

The Board's meetings normally shall be held at a location within the Corporation boundaries that may accommodate public attendance. In such meetings, some members may participate through electronic communication in accordance with this bylaw. The Board further authorizes the Superintendent or Board President acting in concert to determine that it is necessary or appropriate to hold a regular, special or emergency Board meeting by means of remote or virtual participation by all Board members and remote or virtual public access, considering whether and how public comment shall be allowed and in compliance with the Open Door Law, to the extent required by the Governor or the Public Access Counselor, or pursuant to provisions of this policy pertaining to meetings during declared disaster emergencies only in the event that circumstances justify such a meeting. Notice of such meetings shall be made as required by the Open Door Law or as modified by the Governor or the Public Access Counselor and include information regarding public access to the remote or virtual Board meeting (See Policy 0164 - Notices). Any meeting held under this provision may include voting by Board members (see Policy 0167.1 - Voting), and such votes shall not be invalid merely because of the remote or virtual nature of the meeting if a legal exception exists to requirements under the Open Door law regarding remote voting, for example, by Executive Order of the Governor or guidance provided by the Public Access Counselor or pursuant to provisions of this bylaw pertaining to meetings during declared disaster emergencies.

The Board President shall conduct the meeting so as to facilitate public understanding, including requiring Board members to identify themselves before speaking and limiting instances of multiple Board members speaking at the same time, to the extent possible.

Member Participation in Meetings Through Electronic Means of Communication

Subject to the limitations listed below, the Board shall permit Board members to participate in a meeting by an electronic means of communication if it allows all Board members participating in the meeting to simultaneously communicate with each other and allows the public to simultaneously attend and observe the meeting if it is not an executive session.

A Board member participating by an electronic means of communication shall be considered present for purposes of establishing a quorum but may participate in any final action taken at the meeting only if the Board member can be seen and heard. At least fifty percent (50%) of the Board members must be physically present at a meeting, except where a disaster emergency or local disaster emergency has been declared and under the circumstances indicated above.

A Board member may attend two (2) consecutive meetings (a set of meetings) by electronic communication, except where a disaster emergency or local disaster emergency has been declared and under the circumstances indicated above. A Board member shall physically attend at least one (1) meeting between sets of meetings that the Board member attends by electronic communication unless the Board member's absence is due to:

- A. military service;
- B. illness or other medical condition;
- C. death of a relative; or
- D. an emergency involving actual or threatened injury to persons or property

or except where a disaster emergency or local disaster emergency has been declared as indicated above.

A Board member may not attend more than fifty percent (50%) of any Board meetings in a calendar year by an electronic means of communication unless the Board member's electronic participation is due to:

- A. military service;
- B. illness or other medical condition;
- C. death of a relative; or
- D. an emergency involving actual or threatened injury to persons or property

or except where a disaster emergency or local disaster emergency has been declared and under the circumstances indicated above.

The limitations listed above shall apply separately to each category of Board meetings, including regular meetings, special meetings, emergency meetings, executive sessions, and work sessions. Thus, for example, the 50% limitation means that a Board member may not attend more than fifty percent (50%) of regular meetings, fifty percent (50%) of special meetings, fifty percent (50%) of emergency meetings, fifty percent (50%) of executive sessions, and 50% of work sessions in a calendar year by an electronic means of communication unless one of the listed exceptions applies.

All votes taken during a meeting conducted with at least one Board member participating through an electronic means of communication shall be by roll call. The Board minutes prepared for meetings in which at least one Board member participates by an electronic means of communication shall state the name of each Board member who:

- A. was physically present at the place where the meeting was conducted;
- B. participated in the meeting by using any electronic means of communication; and
- C. was absent.

The Board minutes also shall identify the electronic means of communication by which:

- A. Board members participated in the meeting; and
- B. the public attended and observed the meeting if it was not an executive session.

Board members may not participate in a Board meeting by electronic communication if the Board is attempting to take final action to:

- A. adopt a budget;
- B. make a reduction in personnel;
- C. initiate a referendum;
- D. establish or increase a fee;
- E. establish or increase a penalty;
- F. use the Board's power of eminent domain authority; or
- G. establish, raise, or renew a tax,

except where a disaster emergency or local disaster emergency has been declared and under the circumstances indicated above.

Subject to the limitations listed above, a Board member who plans to attend a meeting by any electronic means of communication shall notify the Board President and Superintendent no less than twelve (12) hours before the meeting so that arrangements can be made for the Board member's participation by electronic means. Such notice is not required where a disaster emergency or local disaster emergency has been declared, and under the circumstances indicated above, the entire Board is participating in the meeting by means of electronic communication.

A technological failure in an electronic means of communication that disrupts or prevents:

- A. the simultaneous communication between a Board member who is not physically present at the meeting and the Board; or
- B. a member of the public who is not present at the meeting from attending and observing the meeting

does not prevent the Board from conducting the meeting or affect the validity of an action taken by the Board at the meeting if the sum of the Board members physically present at the meeting and the Board members participating by electronic communication without technological failure satisfies the quorum and, if a final action is taken, the Board's voting requirements.

Series of Meetings (Gatherings)

Members of the Board may not participate in a series of meetings (gatherings), concerning the same subject matter, for the purpose of taking "official action" on public business, as defined by I.C. 5-14-1.5 2(d), if the series consists of at least two (2) gatherings and the series of gatherings meets all of the following criteria:

- A. one (1) of the gatherings is attended by at least three (3) Board members but less than a quorum, and the other gathering includes at least two (2) Board members;
- B. the sum of the number of different members attending any of the gatherings equals at least a quorum of the Board;
- C. all gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days; and

A Board member attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

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Book	Policy Manual
Section	0000 Bylaws
Title	Rescind REGULAR MEETINGS
Code	po0164.1
Status	First Reading
Adopted	November 22, 2016
Last Reviewed	October 22, 2024

~~0164.1~~ **REGULAR MEETINGS**

~~The Board shall hold a meeting on a date and at a time and place determined annually by a resolution of the Board.~~

~~In the event the date, time, or place of a meeting needs to be changed, which change is in the best interest of the Board and/or the Corporation, such change may be made by action of the Board, provided that the proper notice is given.~~

Neola 2013

Rescinded

Book	Policy Manual
Section	0000 Bylaws
Title	Rescind SPECIAL MEETINGS
Code	po0164.2
Status	First Reading
Adopted	November 22, 2016
Last Reviewed	October 22, 2024

~~0164.2~~ **SPECIAL MEETINGS**

~~Special meetings of the Board may be called by the President or the Superintendent provided there is compliance with the notice provision of these Bylaws.~~

~~Neola 2013~~

Rescinded

Book	Policy Manual
Section	0000 Bylaws
Title	Rescind EMERGENCY MEETINGS
Code	po0164.3
Status	First Reading
Adopted	November 22, 2016
Last Reviewed	October 2, 2024

~~0164.3~~ **EMERGENCY MEETINGS**

~~In the event of a severe and imminent threat to the health, safety, or welfare of the Corporation, its employees, or students, any member of the Board or the Superintendent may call an emergency session if it can be shown that delay would be detrimental to efforts to lessen or respond to the threat. Although no formal notice to Board members of any emergency meeting shall be required, an attempt shall be made to contact all Board members. The press and public shall be notified.~~

Neola 2013

Legal I.C. 20-26-4-3, 5-14-1.5

Rescinded

Book	Policy Manual
Section	0000 Bylaws
Title	Rescind MEMBER PARTICIPATION IN MEETINGS THROUGH ELECTRONIC MEANS OF COMMUNICATION
Code	po0164.5
Status	First Reading
Adopted	August 24, 2021
Last Reviewed	October 22, 2024

~~0164.5 MEMBER PARTICIPATION IN MEETINGS THROUGH ELECTRONIC MEANS OF COMMUNICATION~~

~~Subject to the limitations listed below, the School Board shall permit Board members to participate in a meeting by an electronic means of communication if it allows all Board members participating in the meeting to simultaneously communicate with each other and allows the public to simultaneously attend and observe the meeting if it is not an executive session.~~

~~A Board member participating by an electronic means of communication shall be considered present for purposes of establishing a quorum but may participate in any final action taken at the meeting only if the Board member can be seen and heard. At least fifty percent (50%) of the Board members must be physically present at a meeting.~~

~~A Board member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A Board member must physically attend at least one (1) meeting between sets of meetings the Board member attends by electronic communication unless the Board member's absence is due to:~~

- ~~A. military service;~~
- ~~B. illness or other medical condition;~~
- ~~C. death of a relative; or~~
- ~~D. an emergency involving actual or threatened injury to persons or property.~~

~~A Board member may not attend more than fifty percent (50%) of the Board meetings in a calendar year by an electronic means of communication unless the Board member's electronic participation is due to:~~

- ~~A. military service;~~
- ~~B. illness or other medical condition;~~
- ~~C. death of a relative; or~~
- ~~D. an emergency involving actual or threatened injury to persons or property.~~

~~All votes taken during a meeting conducted with at least one Board member participating through an electronic means of communication shall be by roll call. The Board minutes prepared for meetings in which at least one Board member participates by an electronic means of communication must state the name of each Board member who:~~

- ~~A. was physically present at the place where the meeting was conducted;~~
- ~~B. participated in the meeting by using any electronic means of communication; and~~
- ~~C. was absent.~~

~~The Board minutes also shall identify the electronic means of communication by which:~~

- A. Board members participated in the meeting; and
- B. the public attended and observed the meeting if it was not an executive session.

Board members may not participate in a Board meeting by electronic communication if the Board is attempting to take final action to:

- A. adopt a budget;
- B. make a reduction in personnel;
- C. initiate a referendum;
- D. establish or increase a fee;
- E. establish or increase a penalty;
- F. use the Board's power of eminent domain authority; or
- G. establish, raise, or renew a tax.

A technological failure in an electronic means of communication which disrupts or prevents:

- A. the simultaneous communication between a Board member who is not physically present at the meeting and the Board; or
- B. a member of the public who is not present at the meeting from attending and observing the meeting does not prevent the Board from conducting the meeting or affect the validity of an action taken by the Board at the meeting if the sum of the Board members physically present at the meeting and the Board members participating by electronic communication without technological failure satisfies the quorum and, if a final action is taken, the Board's voting requirements.

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Legal

I.C. 5-14-1.5-3.5

Book	Policy Manual
Section	0000 Bylaws
Title	Rescind MEETINGS DURING DECLARED DISASTER EMERGENCIES
Code	po0164.6
Status	First Reading
Adopted	August 24, 2021
Last Reviewed	October 22, 2024

~~0164.6~~ **MEETINGS DURING DECLARED DISASTER EMERGENCIES**

~~This Bylaw applies only if:~~

- ~~A. the Governor declares a disaster emergency under I.C. 10-14-3-12; or~~
- ~~B. the executive (as defined in I.C. 36-1-2-5) of a political subdivision declares a local disaster emergency under I.C. 10-14-3-29.~~

~~Until the disaster emergency or local disaster emergency is terminated, School Board members are not required to be physically present at a Board meeting. During the disaster emergency or local disaster emergency, Board members may meet by any means of electronic communication, if the following are satisfied:~~

- ~~A. At least a quorum of the Board members participate in the meeting by means of electronic communication or in person.~~
- ~~B. The public is able to simultaneously attend and observe the meeting, unless held in executive session.~~

~~All votes taken in a meeting conducted with at least one Board member participating through an electronic means of communication during a declared disaster emergency or local disaster emergency shall be by roll call. The Board minutes prepared for meetings in which at least one Board member participates by an electronic means of communication during a declared disaster emergency or local disaster emergency must state the name of each Board member who:~~

- ~~A. was physically present at the place where the meeting was conducted;~~
- ~~B. participated in the meeting by using any electronic means of communication; and~~
- ~~C. was absent.~~

~~The Board minutes also shall identify the electronic means of communication by which:~~

- ~~A. Board members participated in the meeting; and~~
- ~~B. the public attended and observed the meeting if it was not an executive session.~~

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Legal I.C. 5-14-1.5-3.7

Book	Policy Manual
Section	0000 Bylaws
Title	Rescind NOTICE OF EMERGENCY MEETINGS
Code	po0165.3
Status	First Reading
Adopted	November 22, 2016
Last Reviewed	October 22, 2024

~~0165.3 NOTICE OF EMERGENCY MEETINGS~~

~~The Board may meet to address an actual or threatened emergency involving injury to person or property or actual or threatened disruption of the operation of the School Corporation. The notice requirements of the Open Door Law do not apply to a Board meeting, convened to address an emergency, but news media which have requested notice of meetings must be given the same notice as is given to Board members without charge, and the public must be notified by posting a copy of the notice at the administrative offices of the School Corporation and on the School Corporation's Internet website.~~

~~Neola 2013~~

Rescinded

Book	Policy Manual
Section	0000 Bylaws
Title	Rescind SERIES OF MEETINGS (GATHERINGS)
Code	po0165.5
Status	First Reading
Adopted	November 22, 2016
Last Reviewed	October 22, 2024

~~0165.5 — SERIES OF MEETINGS (GATHERINGS)~~

~~Members of the Board may not participate in a series of meetings (gatherings) if the series consists of at least two (2) gatherings and the series of gatherings meets all of the following criteria:~~

- ~~A. one (1) of the gatherings is attended by at least three (3) Board members but less than a quorum and the other gathering includes at least two (2) Board members~~
- ~~B. the sum of the number of different members attending any of the gatherings at least equals a quorum of the Board~~
- ~~C. all gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days~~
- ~~D. the gatherings are held to take official action on public business~~

~~A Board member attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.~~

Neola 2013

Legal I.C. 5-14-1,5-3.1

Book	Policy Manual
Section	5000 Students
Title	PROPOSED REVISED - GRADUATION REQUIREMENTS
Code	po5460
Status	First Reading
Adopted	November 22, 2016
Last Revised	February 28, 2023
Last Reviewed	October 22, 2024

5460 - **GRADUATION REQUIREMENTS**

High School Graduation

In order to graduate from high school, a student shall:

A. Satisfy all three (3) of the following Graduation Requirements as established by the Indiana State Board of Education, which includes:

1. Earn credits necessary for a High School Diploma

- a. Core 40;
- b. Academic or Technical Honors; or
- c. General.

2. Learn and Demonstrate Employability Skills

- a. Project-Based Learning;
- b. Service-Based Learning; or
- c. Work-Based Learning.

3. Demonstrate Postsecondary-Ready Competencies

- a. Honors Diploma;
- b. SAT/ACT/ASVAB cut scores;
- c. Industry Recognized Certification;
- d. Federally Recognized Apprenticeship;
- e. CTE Concentrator;
- f. AP/Dual Credit; or
- g. Locally Created Pathway.

B. Be enrolled for at least seven (7) semesters in grades nine (9) through twelve (12).

C. The student who does not satisfy all three (3) of the Graduation Requirements may be eligible to graduate if the student does the following:

1. attempts to meet at least three (3) Postsecondary-Readiness Competencies;
2. maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance;
3. maintains at least a "C-" average in the courses comprising the credits specifically required by the Indiana State Board of Education; and
4. meet all State and local Graduation Requirements; and
5. show evidence of Postsecondary Planning.
 - a. the principal must approve the above-stated requirements have been met, and
 - b. the recommendation must be supported by documentation, including the completion of the Postsecondary-Readiness Competency Waiver.

D. Additional Requirements for Students with Disabilities

During the student's annual case review held when a student with a disability is enrolled in 8th grade, the case conference committee shall review and discuss with the student's parent (and the student, if appropriate):

1. The types of diplomas available for students to receive in the State of Indiana;
2. The course requirements for each type of diploma; and
3. Employment and career options for the student and the type of academic, technical, and vocational preparation necessary to achieve the employment or career.

The student's IEP must include the type of diploma the student will seek and courses which will allow the student to progress towards the diploma in a timely manner. The Corporation shall not require students with disabilities to complete locally required credits that exceed State credit requirements to receive a diploma unless otherwise required as part of the student's IEP.

Beginning in grade nine (9) and in addition to the annual case review, the student's teacher of record shall communicate at least once each grading period with the student's parent concerning the student's progress towards the selected diploma. If the parent requests a meeting with the teacher of record to discuss the student's progress, the teacher must meet with the parent in a timely manner. Such a meeting does not constitute a case conference committee meeting, and a request for such a meeting does not abrogate a parent's right to call for a meeting of the case conference committee at any time.

E. Otherwise, satisfy all State and local graduation requirements.

Early Graduation

For students fulfilling all graduation requirements as established in Section 1 of this policy in less than seven (7) semesters, a waiver may be requested. An application specifying the circumstances which make the waiver advisable will be submitted to the Superintendent of Schools for their review and approval.

A student qualifying for early graduation by the end of grade eleven (11) is eligible for a state early graduation scholarship subject to the provisions of Indiana statutes. Any student requesting an early graduation may obtain information regarding the scholarship from the guidance department.

Granting Diplomas

- A. Students enrolled in the Corporation shall have the opportunity to earn any type of State diploma approved by the Indiana State Board of Education.
- B. Transfers from Other Districts

Any student who completes his/her final semester of attendance and has earned at least six (6) credits from an Elkhart high school during this time may be granted a diploma from an Elkhart high school. That student must also complete all requirements for graduation from high school established by the State of Indiana as described in Section 1 of this policy. The Superintendent may waive the requirement that the student earns six (6) credits from an Elkhart high school if that student has completed all requirements for graduation from high school established by the State of Indiana as described in Section 1 of this policy.

C. Certificate of Completion

Upon the recommendation of the student's teacher of record, Elkhart high schools will grant a Certificate of Completion to a child with a disability (as defined in IC 20-35-1-2) who is not eligible to receive a diploma or a Course Completion, but who has completed the requirements of a Certificate of Completion through a four (4) year educational program as established through the student's IEP.

D. Indiana Alternate Diploma

Beginning with the Class of 2023, the Indiana Alternate Diploma is available to high school students with the most significant cognitive disabilities who participate in alternate assessments and satisfy graduation requirements (as defined in 511 IAC 6-7.1-10).

E. Credit for Courses Completed Before Students Enter Grade Nine (9)

Credit earned for high school equivalent courses taken before students enter grade nine (9) will be granted in a manner consistent with Indiana laws, the rules and regulations adopted by the Indiana State Board of Education, and the Elkhart Community Schools.

F. Credit for Courses Completed More Than One (1) Time

1. A student may repeat a high school course in which credit has been earned. Credit for a course required for graduation will only be granted one (1) time, and the highest grade earned will be used to calculate the student's GPA.
2. The student's transcript will show the course each time it was completed and the grade assigned for each completion.
3. Some courses may be taken for multiple credits with all credits contributing to the GPA (e.g. band, choir, etc.).

G. So as to provide additional opportunities to meet graduation requirements established by the Indiana State Board of Education, A student who participates in the AFJROTC program may earn ~~an additional~~ PE credit after completing a successful year of AFJROTC.

H. So as to provide additional opportunities to meet graduation requirements established by the Indiana State Board of Education, students will also be eligible for PE credit as a result of their participation in the following IHSAA sports or EHS sponsored programs, provided the student participated for the complete season (i.e. first practice to the final event), remained on the active roster for the entire season or duration of the activity, and at the conclusion of the season or activity, the coach, sponsor or director submits, to the counseling office, a list of eligible students. The sports/program are as follows: Baseball, Basketball, Cross Country, Football, Golf, Gymnastics, Soccer, Softball, Swimming & Diving, Tennis, Track & Field, Unified Flag Football, Unified Track & Field, Volleyball, Wrestling, Cheer - Fall or Winter, and Marching Band.

1. The student must participate regularly in physical activity, demonstrated by participation in a minimum of 90% of group activities (injury free) or 66% if a major injury occurs. Either the EHS athletic trainer or a physician must document the major injury which prevents active participation.
2. Disciplinary suspension from the activity may result in forfeiture of credit as determined by the coach, director, or sponsor and approved by an administrator.
3. Since credits will be earned based on mastery of physical education standards, coaches, directors, or sponsors may choose to work with the student beyond the season until the standards are met.
4. A student may not use the same activity as a substitution for both PE 1 and PE 2.

Legal

I.C. 20-26-5-37

I.C. 20-32-4-1 through 10

I.C. 20-35-4-11

511 IAC 6-7.1-4 through 7

ACCOUNT BALANCES/INVESTMENT DETAIL
September 2024

CASH:

Petty Cash	\$ 500.00
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BANK ACCOUNTS:

Everwise Credit Union	\$ 3,013,162.18
Lake City Bank – Accounts Payable	(2,196,476.33)
Lake City Bank – Payroll Account	(422,849.34)
Lake City Bank – Flex Account	83,784.14
Lake City Bank – Merchant Account	-
Lake City Bank – Prepaid Lunch	178,907.56
Lake City Bank – Deposit Account	29,928,388.83

INVESTMENTS:

Certificate of Deposit	-
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\$ 30,585,417.04

ESSER III - Utilization Review

YTD Expenditures as of September 2024	Total % of Allocation Expended	Account	Budget	% of Total Budget
5,645,451.84	105.72%	Instruction - Regular Programs	\$5,340,049.08	20.22%
606,952.33	99.60%	Instruction - Special Programs	\$609,361.00	2.31%
36,426.94	100.42%	Instruction - Adult/Continuing Ed Programs	\$36,274.00	0.14%
781,982.24	103.51%	Instruction - Summer School Programs	\$755,433.00	2.86%
646,446.86	108.06%	Instruction - Remediation Programs	\$598,217.00	2.27%
1,637,190.40	99.78%	Support Services Students	1,640,792.00	6.21%
4,768,318.41	103.41%	Support Services - Instruction	4,610,864.00	17.46%
160,663.56	100.00%	Support Services - General Admin	160,663.00	0.61%
514,259.93	100.00%	Operations and Maintainance	514,258.00	1.95%
463,361.48	100.06%	Student Transportation	463,084.00	1.75%
584,114.48	96.44%	Community Service Operations	605,664.00	2.29%
9,808,358.93	100.09%	Facilities Acquisition and Construction	\$9,799,781.29	37.11%
750,562.97	59.12%	Non-Programmed Charges/Transfer	\$1,269,650.00	4.81%
\$26,404,090.37	100.00%		\$26,404,090.37	100.00%

Expenditures for September 2024 consisted of instructional staff training, construction, and supplies for budgeted programming.

ESSER III - Expenditure to Budget as of 9/30/2024

