

# BOARD BYLAWS & POLICIES ADM-100



DAMAR CHARTER ACADEMY

## Introduction to Policy and Administrative Guidelines

The Board of Directors of Damar Charter Academy has adopted "policy governance" as its method of governing Damar Charter Academy. Under policy governance, the Board defines and requires educational outcomes, delegates to the Superintendent the authority, with certain boundaries or executive limitations, to accomplish those goals, and then monitors the Corporation's progress to ensure that the results are accomplished.

In this context, the purpose of these Policies and Guidelines is to provide directions regarding the details of Corporation operations. Policies are more general principles, while administrative guidelines contain specific details and procedures. They are effective as of the indicated policy governance review date, which is the date that they are approved by the Board of Directors, and remain in effect until canceled or revised. They should be applied consistently and interpreted in a manner which facilitates the accomplishment of the expected educational outcomes, within the bounds of the law and executive limitations, as established by the Board of Directors.

The Superintendent delegates to appropriate administrators the authority to make decisions consistent with these policies and guidelines.

Questions regarding the interpretation of these Policies and Administrative Guidelines, as well as recommendations for their improvement and clarification, should be referred to the Board's Executive/Governance Committee, the administrative division identified as having review responsibility.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

## BOARD BYLAWS & POLICIES ADM-101

### Development of Administrative Guidelines



DAMAR CHARTER ACADEMY

The School Board delegates to the Superintendent the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the Corporation will operate. These administrative guidelines shall be consistent with the policies adopted by the Board.

The Board itself will formulate and adopt administrative guidelines and rules only when required by law, and when the Superintendent recommends Board adoption.

The Superintendent shall also develop and disseminate such administrative and student handbooks as s/he may consider necessary for the effective administration of the schools and distribute them to employees and students and/or their parents.

As long as the provisions of these administrative guidelines and handbooks are consistent with Federal and State law and any existing Board policies, they will be considered to be an extension of the Board policy manual and binding upon all employees and students.

A copy of the Corporation's administrative guidelines manual and a copy of each handbook shall be made a part of the Board's reference materials maintained in the Corporation office.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

BOARD BYLAWS & POLICIES  
OPS-200

**Non-discrimination and  
Equal Employment Opportunity**



The Board does not discriminate on the basis of religion, race, color, national origin, sex, disability, age, sexual orientation, gender identity, marital status and United States Military Service Veterans or genetic information in its programs, activities, or employment.

Any sections of the Corporation's negotiated employment service contracts or agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above.

**References:** IC 20-28-10-12

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## OPS-201

### System of Accounting



It is the policy of the Board that Damar Services, Inc., on behalf of the Corporation, shall establish and fully and accurately implement a single, unified accounting system as prescribed by the State Board and the State Board of Accounts for the accounting of Corporation funds. Damar Services, Inc. shall also submit to the required financial examinations and audits of the established accounting system in accordance with all applicable state and federal laws.

The Corporation shall also cause a GAAP audit to be performed annually on its financial statement and position.

Treasurer shall be responsible for the proper accounting of all Corporation funds, and shall ensure that expenditures are budgeted under and charged against those accounts which most accurately describe the purpose for which such monies are to be or have been spent.

A report of the Corporation's revenues and expenditures shall be made to the Board at least quarterly by the Treasurer.

**References:** IC 5-11-1-9; IC 20-39-1-1

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES

## OPS-202

### Annual and Patriotic Observances



#### Holidays

In accordance with state law, the Corporation shall observe the following legal holidays:

New Year's Day  
Martin Luther King, Jr.'s Birthday  
Abraham Lincoln's Birthday  
George Washington's Birthday  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Columbus Day  
Election Day  
Veterans Day  
Thanksgiving Day  
Christmas Day  
Sunday, the first day of the week

#### The United States Flag

The United States flag that is at least that is four (4) feet by six (6) feet shall be displayed at the school on every day the school is in session. If the flag is not displayed outdoors for any reason, the flag shall be displayed in the school lobby and/or at other appropriate places during all school sessions.

The Principal shall establish rules and regulations for the proper care, custody and display of the flag.

**References:** IC 20-30-3-2; IC 20-30-3-4

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

BOARD BYLAWS & POLICIES  
OPS-203  
**School Day**



The Board authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State.

The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members; and shall prepare administrative guidelines for the proper and timely notification of concerned persons in the event of any emergency closing of the schools.

The Superintendent shall have the authority to determine which school-related activities may be conducted if the schools are closed for a period of time, and shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and the conduct of such activities.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## OPS-204

### Student Transportation



The Board believes that the transportation of passengers is of primary importance in the student transportation system. Dependable service is necessary to support the Corporation's instructional programs. Economy of operation must be maintained to avoid excessive burden to the Corporation budget.

It is the intent of the Board to authorize school transportation services as fairly as possible within the limits of practicality and budget resources. Therefore, it is this Board's policy that it is primarily the responsibility of each parent to provide student transportation to and from school each day.

The Corporation will remain sensitive to the transportation needs of each student. The Superintendent shall ensure that parents of students with special transportation needs have the opportunity to request assistance from the Corporation. The Superintendent shall have authority to arrange and/or provide student transportation to and/or from school within a 20-mile radius of the school campus as determined by the availability of funding and services.

The Corporation shall provide student and staff transportation for school field trips.

The Corporation shall cooperate with local government agencies to ensure the safety of students.

The Superintendent shall establish administrative guidelines ensure the Corporation's transportation program is conducted in accordance with Board policy, administrative guidelines, and applicable Federal and State law.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## OPS-205

### School Visitors



The Board welcomes and encourages visits to school by parents, volunteers and other members of the community. However, in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls. For these reasons, the following guidelines apply to all visitors:

- Anyone who is not a regular staff member or student of the school will be considered a "visitor".
- Any visitor to the school must report to the school office upon arrival at the school, present the appropriate identification, and sign-in before going any other place in the building or on campus.
- Parents or citizens who wish to observe a classroom while school is in session are expected to arrange such visits in advance with the teacher and/or inform the Principal.
- Teachers should not be expected to take class time to discuss individual matters with visitors.
- The Principal has final authority on permitting/approving school visitation.

The Superintendent or Principal has the authority to prohibit the entry of any person onto the campus or into the school or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the school. If such an individual refuses to leave the school grounds or creates a disturbance, the Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Superintendent shall promulgate such administrative guidelines as are necessary for the protection of students and employees of the school from disruption to the educational program or the efficient conduct of their assigned tasks.

Rules regarding entry of persons other than students and staff upon school grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to the school building.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## OPS-206

### Care of School Property



Basic to the philosophy of the Board is a respect for the rights of others. Students, to the best of their ability, are urged to exercise this respect in regard to the belongings of others, including school property. Every effort should be made to ensure that each student and parent realizes that vandalism to school property is costly to repair and is directly related to increased school taxes.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of school materials and equipment.

Students who cause damage to school property shall be subject to disciplinary measures and restitution for damages.

The Board authorizes the recovery of costs related to the loss, damage, or destruction of school equipment, apparatus, musical instruments, library materials, textbooks, and for damage to school buildings.

The Board reserves the right to file a civil action in a court of competent authority against any school visitor or against the parents/guardians of a student who willfully destroys Corporation property.

The Superintendent shall develop any necessary procedures to implement this policy, which include the requirement that incidents involving the destruction of property be reported to the proper authority as necessary or appropriate. The Superintendent may report to the juvenile authorities any student whose damage of school property has been serious or chronic in nature.

**References:** IC 20-33-5-11

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



BOARD BYLAWS & POLICIES  
STU-302  
**Missing and Absent Children**



The Board is committed to cooperating fully with local, State, and National efforts to decrease the number of missing children.

The Superintendent is instructed to promulgate administrative guidelines to accomplish the following:

1. Develop informational programs for students, parents, and community members relative to missing children issues and matters.
2. Inform the Indiana Clearinghouse for Information on Missing Children prior to admitting a student lacking records. Such a procedure may reduce the risk of removal of the student from the area.
3. Utilize materials from the Indiana Clearinghouse for Information on Missing Children as made available by the State Police.

**References:** IC 20-33-2-10

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES

## STU-303

### Student Attendance



The State of Indiana places education at the top of its priorities. A very high, positive correlation exists between formal learning and school attendance. Accordingly, it is incumbent upon this Corporation to use every reasonable measure to instill dutiful attendance habits in every student. This policy's purpose is to encourage academic effort by discouraging unacceptable absenteeism.

#### Absences Not Counted

The following events are exempt from being counted as absences in accordance with Indiana law:

1. Serving as a Paging for or as an honoree of the Indiana General Assembly;
2. Subpoenaed to appear in court as a witness in a judicial proceeding;
3. Serving on the precinct election board or as a helper to a political candidate or to a political party, on the date of each general, city or town, special, and primary election at which the student works;
4. Ordered to active duty with the Indiana National Guard (no more than ten (10) days per school year);
5. Serving with the Civil Air Patrol (up to five (5) days per school year).
6. School-sponsored, non-classroom activity that meets the following criteria:
  - a. Is consistent with and promotes the educational philosophy and goals of the school corporation and the state board.
  - b. Facilitates the attainment of specific educational objectives.
  - c. Is part of the goals and objectives of an approved course or curriculum.
  - d. Represents a unique educational opportunity.
  - e. Cannot reasonably occur without interrupting the school day.
  - f. Is approved in writing by the Principal.

#### Absences Counted

It is the policy of the Board that any absence, tardiness or early departure from school caused by an event not covered under the criteria for exemption as described above shall be counted. This includes, but is not limited to the following:

1. Personal illness;
2. Chronic/Extended illness;
3. Maternity;
4. Death and/or funeral of member of the household and immediate family;
5. Death and/or funeral of extended family;
6. Religious instruction as approved by the Principal;
7. Medical, dental and clinical appointments;
8. Family emergency situations/ special circumstances
9. Family trips/vacations;

10. Visiting a college/university;
11. Deployment or return of military connected families;
12. Military examinations;
13. Non-school sponsored activities;
14. Subpoena to appear in court;
15. Runaway;
16. Truancy;
17. Absences pre-arranged with the Principal upon written request by a parent.

The Board recognizes the need for staff input and involvement regarding attendance rules and procedures, it therefore directs the Superintendent to establish, implement, and support guidelines and practices as are in accord with State laws, which are appropriate to the age of the students and which promote fair and consistent interpretation by the student, teachers, administrators, and parents of the Corporation.

All guidelines and procedures will:

1. Differentiate between excused and unexcused absences.
2. Require from the parent of each student who has been or will be absent, a written or verbal statement of the cause for such absence.
3. Reserve the right to verify parent statements.
4. Ensure that a school staff member has been designated and properly trained as the School Attendance Officer.
5. Ensure a careful monitoring system of student attendance that provides provisions for investigation of the cause and appropriate intervention of prolonged absences/tardiness, excessive excused absences/tardiness, and repeated unexplained absences/tardiness.
6. Provide provisions for make-up work that encourage student learning and achievement.
7. Allow for cooperation with parents in reasonable requests for student absences for dental and medical services, religious holidays or instruction, and family travel or other alternative educational experiences. Advance notification of such absences and parental effort to schedule such absence in free time or after school is expected.
8. Clarify student attendance issues and any provisions for students who have documented medical or health related reasons for frequent or extended absences.
9. Ensure that the matter of truancy is properly addressed by including a process which:
  - a. Identifies truancy as "when a student is absent from school without the permission of a parent/guardian."
  - b. Identifies the habitual truant as "a student who is chronically absent, by having unexcused absences from school for more than ten (10) days of school in one (1) school year";
  - c. Investigates the cause(s) of the student's truant behavior;
  - d. Considers, when appropriate, modification of the student's educational program to meet particular needs which may be causing the truancy;

- e. Ensures that truant students are responded to in accordance with the Corporation's policies and administrative guidelines on student discipline;
- f. Provides for the reporting to the Bureau of Motor Vehicles those students who have been suspended for the second time during a school year, expelled, or excluded for misconduct;
- g. Provides for the referral of middle and high school students to Marion Superior Court, Juvenile Division;
- h. Provides for the referral of parents of elementary students to Marion Superior Court for failure to ensure an education for their children.

Repeated infractions of the Board's policy on attendance may result in failure, the withdrawal from courses, or the suspension or expulsion of a student. The Board supports efforts to provide for alternative educational opportunities for truant students rather than heighten the effects of absence through suspension.

**References:** IC 20-33-2-4 to 17

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

## BOARD BYLAWS & POLICIES

### STU-304

## Absences for Religious Instruction



DAMAR CHARTER ACADEMY

The Board desires to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the Board will allow exceptions to the student's continuous attendance at school for religious instruction outside the school building by an authorized church or religious organization for no more than 120 minutes per week.

A student must be properly registered and a copy of such registration must be filed with the Principal.

The time for release for religious instruction or education shall be arranged by the Principal, who will also assure the appropriate continuance of the instructional program in the public school during such release times.

No solicitation for attendance at religious instruction shall be permitted on Corporation premises. No staff member shall encourage or discourage participation in any religious instructional program.

**References:** IC 20-33-2-19

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

## BOARD BYLAWS & POLICIES

### STU-305

## Late Arrival and Early Dismissal



DAMAR CHARTER ACADEMY

It is this the belief of the Board that it is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program provided by the Corporation. However, from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of Damar Charter Academy, the Board shall require that the school be notified in advance of such absences by the student's parent and/or guardian, who shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the Principal.

If one parent/guardian has been awarded custody of the student by the courts, the parent/guardian of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the noncustodial parent and/or guardian. The school shall evaluate and validate the information presented. Absent such notice, the school will presume that the student may be released into the care of either parent and/or guardian.

A parent and/or guardian or other adult authorized to pick up a student before or after regular dismissal time shall be required to show photo identification and shall be required to document the student's release by completing the appropriate sign out form in the school office.

No student who has a developmental, intellectual or medical disability, illness, or injury which might be incapacitating shall be released without an authorized adult person to accompany him/her.

No student shall be released to anyone or excused from school unless the parental authorization is on file in the school building.

**References:** TBD

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



## BOARD BYLAWS & POLICIES

### STU-306

## Student Withdrawal from School



DAMAR CHARTER ACADEMY

Although the State of Indiana requires school attendance of only those students between the ages of seven (7) and eighteen (18), the Board believes that it is in the best interests of both the students and the community that they complete the educational programs that will provide them with skills and greater opportunity for success beyond school.

Any student who is at least sixteen (16) years of age but is not yet eighteen (18) years of age, may withdraw from school prior to graduation if the withdrawal is due to:

1. Financial hardship and the student must be employed in order to support the family
2. The student's illness; or
3. An order of a court with jurisdiction over the student.

The Board directs that whenever a student wishes to withdraw, efforts should be made to determine the underlying reason for such action. Counseling services shall be made available to any student who wishes to withdraw. Information shall be given to help the student to define educational and life goals and help plan the realization of those goals. Students shall be informed about the tests for General Educational Development.

No student of compulsory school age will be permitted to withdraw without supporting justification and written consent of a parent/guardian and the Principal.

In accordance with Indiana law, the Board designates the Principal or a designee to conduct the exit interview of a student enrolled at the Corporation who wishes to withdraw from school.

At least five (5) days before holding an exit interview, the school shall give notice by certified mail and personal delivery to the student and the student's parent(s)/guardian(s). The student and a parent/guardian must attend the interview in person.

During the exit interview, the Principal or designee shall provide to the student and the student's parent/guardian a copy of statistics compiled by the department concerning the likely consequences of life without a high school diploma. The Principal shall advise the student and the student's parent/guardian that the student's withdrawal from school may prevent the student from receiving or result in the revocation of the student's employment certificate and driver's license or learner's permit.

The student's failure to attend an exit interview or return to school if the student does not meet the requirements to withdraw from the school will result in the revocation or denial of the student's driver's license or learner's permit and employment certificate. The Principal shall lawfully report by certified mail or personal delivery documentation of the student's withdrawal from school to the Bureau of Child Labor, the Bureau of Motor Vehicles and other agencies/entities as required by Indiana law.

The Superintendent or designee shall develop additional administrative guidelines as necessary to govern a student's withdrawal from school.

**References:** IC 9-24-2-1; IC 20-33-2-28.5

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES STU-307

## Student Privacy and Parental Access to Information



The Board respects the privacy rights of parents and their children. In accordance with the Protection of Pupil Rights Amendment (PPRA) and other applicable laws, no student shall be required as a part of the school program or the Corporation's curriculum, without prior written consent of the student (if an adult, or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or his/her parents;
2. Mental or psychological conditions that may embarrass the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or confidential relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or his/her parents;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall establish procedures whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the Principal.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the Principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing. Such materials shall be pre-approved by the Superintendent or designee.

The Superintendent is directed to provide notice directly to parents of students enrolled in the Corporation of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the Corporation, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described in 1 through 8 above are scheduled or expected to be scheduled.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

**References:** IC 20-30-5-17

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## STU-308

### Student Records



In order to provide appropriate educational services and programming, the Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the Corporation reasonably believes knows the identity of the student to whom the education record relates.

A social security number of a student contained in the records of the Corporation may be disclosed if the record is specifically required by a State or a Federal Statute or is ordered by a court under the rules of discovery.

Personally identifiable information concerning students shall be protected against theft, unauthorized access, alteration, disclosure, misuse, or invasion of privacy. Unless specifically authorized by the Superintendent or produced pursuant to a request under the Indiana Access to Public Records Act, personally identifiable information concerning students shall not be left unprotected, shared or transferred from Corporation records to any place not within the control of the Corporation. This includes any laptop computer or portable storage medium.

The Board is responsible for maintaining records of all students attending classes in this Corporation. In addition to records mandated by the Federal Government, the State of Indiana requires that the Corporation record or include in the official high school transcript for each high school student the following information:

1. Attendance records;
2. The students' latest ISTEP/GQE test results;
3. Any secondary level and postsecondary level certificates of achievement earned by the student;
4. Immunization information from the student's immunization record.

The Board also authorizes the collection of other student information including, but not limited to:

1. Observations and ratings of individual students by professional staff members acting within their sphere of competency;
2. Samples of student work;
3. Information obtained from professionally acceptable standard instruments of measurement such as interest inventories and aptitude tests, vocational preference inventories, achievement tests, and standardized intelligence tests;
4. Verified reports of serious or recurrent behavior patterns;
5. Rank in class and academic honors earned;
6. Psychological tests;
7. Custodial arrangements.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" includes any student who is eighteen (18) years of age or older, or who is enrolled in a postsecondary institution regardless of his/her age.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stated otherwise by court order. In the case of an eligible student, that is a student who is (eighteen (18) years of age or older), parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under Section 152 of the Internal Revenue Code.

A "school official" is a person designated by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); school psychologist, a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Corporation employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers). "Designated school personnel" could include, but not be limited to agents of an insurance carrier providing a defense to the Corporation or its employees or agents.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student **achieve one** (1) or more of the educational goals of the Corporation" or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the Corporation or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

1. Forward student records including disciplinary records with respect to suspensions and expulsions upon request to a private or public school or school corporation in which a student of this Corporation seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - a. A reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  - b. The parent or eligible student, upon request, receives a copy of the record; and
  - c. The parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;



2. Provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
3. Request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information to a third party;
4. Report a crime committed by a child with a disability to appropriate authorities and to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
5. Disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Corporation for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative(s) of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the Corporation will enter into a written agreement with the recipient organization that specifies the purpose of the study. While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

6. Request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information; and
7. Disclose or report educational records to a State or local juvenile agency when the disclosure or reporting relates to the ability of the juvenile justice system to serve, before adjudication, the student whose records are being released; and the juvenile justice agency receiving the information certifies, in writing, that the agency or individual receiving the information has agreed not to disclose it to a third party, other than another juvenile justice agency, without the consent of the child's parent, guardian or custodian.

A disclosure or reporting of educational records concerning a child who has been adjudicated as a delinquent child shall be treated as related to the ability of the juvenile justice system to serve the child before adjudication if the agency provides documentation to the Corporation that the agency seeks the information in order to identify and intervene with the child as a juvenile at risk of delinquency rather than to obtain information solely related to the supervision of the child as an adjudicated delinquent child.

The juvenile court may grant a school access to all or a portion of the juvenile court records of a child who is a student at the school if the Superintendent submits a written request establishing that the juvenile court records are necessary for the school to serve the educational needs of the child whose records are requested or to protect the safety or health of a student, an employee, or a volunteer at the school.

The school shall keep the records confidential. However, the confidentiality order does not prohibit the school from forwarding the juvenile records to another school or a person if a parent, guardian, or custodian of the child consents to the release of the juvenile court records to the person.

The Corporation will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than thirty (30) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is

copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Corporation shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Corporation's policy and administrative guidelines and/or those specified in the law.

### **Directory Information**

Each year the Superintendent shall provide public notice to students and their parents of its intent to make available, upon request, certain information known as "directory information". The Board designates as student "directory information": a student's name; address; telephone number; photograph; date and place of birth; major field of study; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; and awards received.

Directory information shall not be provided to any organization for profit-making purposes. The Superintendent may allow access to the school campus or give students' directory information to organizations that make students aware of educational or occupational options.

In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces". The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

The Corporation shall notify parents and students that they may request that the information not be released by the Corporation to the military recruiting representatives. This notification is to include the process necessary to request that the student not be identified to a military recruiter.

The parent or student must make the request in writing at the end of the student's sophomore year in high school. This is a one-time opt-out opportunity. If the student opts-out in his/her sophomore year and later changes his/her mind a revocation may be made.

Parents and eligible students may refuse to allow the Corporation to disclose any or all of such "directory information" upon written notification to the Corporation within thirty (30) days after receipt of the Superintendent's annual public notice.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of directory information, either parent may provide such consent unless specifically stated otherwise by court order.

The Corporation may disclose "directory information" on former students without consent of the parent(s)/eligible student, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.



### **Disclosure of Lists of Students for Political or Commercial Purposes**

It is the policy of the Board to not release the lists of students for commercial or political purposes. This policy shall be equally applied to similarly situated organizations and persons.

The Superintendent shall prepare procedures to ensure that students and parents are adequately informed each year regarding their rights to:

1. Inspect and review the student's education records;
2. Request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;
4. Challenge Board noncompliance with a parent's request to amend the records through a hearing;
5. File a complaint of Corporation noncompliance with the United States Department of Education; and
6. Obtain a copy of the Corporation's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

1. The proper storage and retention of records including a list of the type and location of record;
2. Informing Corporation employees of the Federal and State laws concerning student records.

### **Violation of this policy**

As provided for by State law, an employee or agent of the Board who intentionally, knowingly, or recklessly discloses or fails to protect information classified as confidential by this policy may be disciplined or terminated.

Additionally, State law provides that a person who recklessly, knowingly, or intentionally destroys or damages any public record commits a Class D felony unless the destruction is pursuant to a record retention scheduled adopted by the County Public Records Commission.

**References:** IC 20-33-7; 20 USC 1232g; 34 CFR Part 99

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

BOARD BYLAWS & POLICIES  
STU-309  
**Educational Surrogate Parents**



The Board establishes the following policy to assure procedural safeguards of students with disabilities with regard to the involvement of their parents.

This policy affects students with disabilities of the Corporation whose parents are unknown, or cannot be identified, or whose parents are unavailable or cannot be located. (A student's parents are considered to be "unavailable" if they cannot be located after a "reasonable effort" on the part of the Corporation). It also affects students with disabilities who are wards of the State and whose parent or guardian has not retained the right to make educational decisions for the student.

Upon determination that a student is in need of a surrogate parent, the Superintendent and/or judge shall appoint a surrogate parent.

**References:** 20 U.S.C. 1415(b)(1)(B); 511 IAC 7-32-32; 511 IAC 7-39

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## STU-310

### Free and Reduced-Price Meals



The Board recognizes the importance of good nutrition to each student's educational performance, and shall provide needy children with lunch at a reduced rate or at no charge to the student.

Children eligible for free or reduced-price meals shall be determined by the criteria established by the Federal government's Child Nutrition Program.

The Board designates the Superintendent to determine the eligibility of students for free and reduced-price meals in accordance with the criteria issued annually by the Federal government through the State Department of Education.

Damar Charter Academy shall annually notify all families of the availability, eligibility requirements, and application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the school and shall seek out and apply for such Federal, State, and local funds as may be applied to the Corporation's program of free and reduced-price meals.

The Superintendent shall establish whatever administrative guidelines are necessary to ensure the program is conducted in accordance with guidelines established by the Indiana Department of Education.

**References:** 42 U.S.C. 1751 et seq.; 42 U.S.C. 1771 et seq.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## STU-311

### Counseling and Crisis Intervention



The Board acknowledges that opportunities for counseling, guidance, and life skill development are available through teachers, social workers, school administrators and other appropriate staff members. However, the Board requires that a planned program of formal guidance and counseling be an integral part of the educational program of the Corporation.

The program should:

1. Address each student's individual developmental and behavioral obstacles;
2. Assist him/her in achieving educational goals;
3. Help direct students in identifying options and making choices in vocational and academic course areas;
4. Assist students in job/career awareness and planning;
5. Help integrate all the student's experiences so that s/he can better relate school activity to life outside the school;
6. Help students learn to make their own decisions and solve problems independently;
7. Help students proceed through post-secondary planning and applications;
8. Maintain student personnel records;
9. Have available a list of community resources.

The Superintendent is directed to implement the counseling and guidance program that carries out these purposes and:

1. Involves appropriate staff members at every level;
2. Honors the individuality and privacy of each student;
3. Integrates with the total educational program;
4. Coordinates with available resources of the community;
5. Cooperates with parents and recognizes their concern and ideas for the development of their children;
6. Provides means for the sharing of information among appropriate staff members as may be in the best interests of the student;
7. Provides an appropriate amount of time and effort shall be given to providing guidance and counseling services to those students sixteen (16) to nineteen (19) years of age who do not intend to enroll in an institution of higher education after graduating from high school or who require or desire employment in connection with their continued education;
8. Establishes a referral system which utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the effectiveness of such referrals.

The Superintendent shall promulgate procedures for responding to mental, emotional or psychological crisis and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

**References:** IC 20-28-10-17

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES

## STU-312

### Special Education



The Board shall provide for a comprehensive, free and appropriate public education to all eligible students with disabilities, unless they have completed the twelfth (12<sup>th</sup>) grade and been issued a diploma or have reached their twenty-second (22<sup>nd</sup>) birthday.

The Board shall provide such supplemental aids and related services as may be necessary for a student with a disability to receive such an education in the least restrictive environment, as appropriate.

The Board directs the Superintendent to plan, implement, and coordinate a special education program in accordance with Federal and State law and as consistent with the goals of the Corporation.

The Superintendent shall prepare whatever administrative guidelines are necessary to ensure effective implementation of the special education program.

**References:** 20 USC. 1401 et seq.; 511 IAC 7

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## STU-313

### Student Employment



The Board believes that attendance at school should occupy a student's full attention and should take precedence over non-school-related employment.

If a student must work while attending school, s/he should receive counseling and assistance in seeking appropriate job opportunities and in correlating work schedules with school studies and activities.

School corporations may deny a work permit to a student whose academic performance does not meet the school corporation's standards or whose attendance is not in good standing. They also have the right to revoke a work permit previously issued to a student if the school determines that there has been a significant decrease in the student's grade point average or attendance after s/he begins to work. When it appears that a job is detrimental to a student's academic status, it is the responsibility of the school to advise the parents and the employer to ensure that the student's education remains the primary focus.

If the student fails to attend an exit interview or fails to return to school if his/her request to withdraw in accordance with the Corporation's Student Withdrawal Policy is denied, then the work permit and driver's license shall be revoked or the application shall be denied.

Should the work permit be revoked at the end of the school year, the student may be allowed to work during the summer while school is not in session. However, such student will lose the work permit at the start of the new school year until s/he meets the attendance and grade standards established by the school for receiving the work permit.

The Superintendent shall prepare guidelines which will ensure that student employment complies with Indiana laws.

**References:** IC 20-33-3; IC 20-33-2-28.5

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## STU-314

### Dress and Grooming



The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style, individual preference and in some cases individual ability. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the Corporation.

Accordingly, the Superintendent shall establish such dress and grooming guidelines as are necessary to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such guidelines shall prohibit student dress or grooming practices which:

1. Present a hazard to the health or safety of the student himself/herself or to others in the school;
2. Interfere with school work, create disorder, or disrupt the educational program;
3. Cause excessive wear or damage to school property;
4. Prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

Such guidelines shall establish the dress requirements for members of the athletic teams and other school groups when representing the Corporation at a public event.

The Superintendent shall develop administrative guidelines to implement this policy which:

1. Designate the Principal as the arbiter of student dress and grooming in the school building;
2. Invite the participation of employees, parents and/or students in the preparation of a dress code, which may specify prescribed dress and grooming practices;
3. Instruct staff members to demonstrate, by example and precept, personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;
4. Ensure that all administrative guidelines impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.

Students who violate the foregoing rules may not be admitted to participate in school activities and may be subject to additional consequences and disciplinary action.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## DIS-400

### Corporal Punishment



While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

School staff shall not resort to physical force or violence to influence behavior. If all other means fail, the administration may always resort to removal of the student from the classroom or school through suspension or expulsion procedures.

Professional staff as well as support staff, within the scope of their employment and training, may use and apply reasonable force and restraint to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.

If any employee threatens to inflict, inflicts, or causes to inflict unnecessary, unreasonable, or inappropriate force upon a student, s/he may be subject to disciplinary action by this Board and possibly criminal assault charges or be reported to authorities for child abuse. This prohibition applies as well to volunteers and those with whom Damar Charter Academy contracts for services.

Corporal punishment shall not be permitted.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



## BOARD BYLAWS & POLICIES DIS-401

# Use of Seclusion, Time-Out and Restraint With Students



It is the policy of the Board to limit or prohibit the use of seclusion; time-out; physical, mechanical or chemical restraint; or corporal punishment in the education and discipline of students to circumstances in which the strategy can be used safely in a manner that is in the best interests of the student and as defined in this policy.

### **Use of Seclusion**

The use of seclusion on a student shall not be permitted at any time or under any circumstances.

### **Use of Time-Out**

The use of time-out on a student shall not be permitted except when the conditions described in this policy exist. The use of time-out on a student with disabilities shall also be subject to any conditions in the student's IEP and any BIP established for the student in addition to the conditions established in this policy.

Time-out may be implemented on several levels, ranging from the student taking time-out at his or her desk (non-exclusionary time-out) to removing the student to a separate area (exclusionary time-out). A student placed in time-out shall be subject to continuous visual monitoring and communication by a staff member.

A room or enclosure used for time-out of a student may be used for other purposes. However, it shall have the same ceiling height, lighting, ventilation, and temperature as the surrounding room or rooms. The room or enclosure shall be large enough to accommodate the student being isolated and any other person necessary to accompany that student. The room or enclosure shall not be locked or use any device that requires a key or other device or special knowledge such as a combination lock to exit from the enclosure or room. The enclosure or room shall comply with all applicable health, fire and emergency safety requirements, and the student placed in time-out shall be included in any evacuation or safety plan or drill for the facility. The enclosure or room shall not be named, labeled or referred to by a staff member so as to label or stigmatize a student placed in the enclosure or room.

An enclosure or room used for time-out must be constructed of materials or objects that cannot injure or be used by a student to injure herself/himself or others. It must be designed so that a student cannot climb up the walls and shall allow continuous visual monitoring and communication with the student by a staff member. The staff member's duties shall be assigned so that the staff member can supervise the student and see and hear the student at all times. An enclosure or room shall still be considered to be used for time-out if more than one student is placed in the room under circumstances that would otherwise qualify as time-out, and if more than one student is placed in the room or enclosure, the staff member shall insure that the students do not have the potential to injure one another.

A student shall not be subject to exclusionary time-out for more than one (1) minute per developmental age. If a student with a disability is placed in time-out pursuant to a BIP or IEP, the location and time limitations identified in the BIP or IEP shall be determined and applied by the staff member immediately following placement of the student with a disability in time-out.

### **Use of Mechanical Restraint**

The use of mechanical restraint on a student shall not be permitted at any time or under any circumstances.

### **Use of Physical Restraint**

A student shall not be subjected to physical restraint except as specifically authorized in this policy. Physical restraint of any kind shall not be used in any instance in which the sole justification is to punish the student for a violation of a directive from a staff member, violation of student conduct rule, the student's use of vulgar or profane language, a



verbal threat, or a display of disrespect for another person. A verbal threat shall not be considered as sufficient justification for the use of physical restraint unless a student has or has immediate access to the means of acting on the threat.

Physical restraint shall not be implemented with the intention of using physical pain to achieve control of a student's behavior or punish misconduct, and a physical restraint of any kind shall never be applied in a manner that restricts a student's blood flow or respiration. Failure of a student to complain or object to a physical restraint or the successful use of a physical restraint with another student shall not justify the use of a restraint.

Physical restraint shall not be used if there is a medical contraindication to its use identified for the student, and shall only be applied and supervised by a staff member who has been trained in the safe application and supervision of the specific means of restraint applied. Application of physical restraint to a student with a disability shall take into consideration the IEP and any BIP established for the student.

Physical restraint may be used on a student if an emergency requires the use of the restraint. As used here, "emergency" means circumstances in which a staff member reasonably believes that application of a restraint on the student is necessary in response to a physical risk of harm to the student or others.

Physical restraint may be used to conduct a medical exam or treatment on a student that is necessary to diagnose or treat a suspected condition that if not diagnosed and treated could interfere with the student's ability to receive the benefit of the student's program of instruction or IEP.

In determining whether a student who is being physically restrained should be moved from the area where the need was first noted or the restraint was first applied, the supervising staff member shall consider the potential for injury to the student, the educational and emotional well-being of the restrained student and other students who would observe the application of the restraint, and any requirements of a BIP or IEP established for a student with a disability.

If physical restraint is utilized in compliance with this policy on a student whose primary mode of communication is sign language, the student shall be permitted to have his/her hands free of restraint for brief periods unless the supervising staff member determines that such freedom is likely to result in harm to the student or others.

A physical restraint shall be used no longer than necessary to contain the behavior of the student so that the student is no longer an immediate threat of causing physical injury to himself/herself or others or causing severe property damage. The use of force in the application of the restraint shall not exceed the force that is reasonably necessary in the circumstances justifying the use of the restraint.

A student shall be released from physical restraint immediately upon a determination by the supervising staff member administering or overseeing the use of restraint that the circumstances permitting the use of restraint in this policy no longer exist.

If physical restraint is used on a student, the use of the restraint shall be noted in writing in the student's cumulative record and a confidential file maintained for the student not later than one (1) working day after the restraint is used. The confidential file on the student shall include a notation that confirms the facts necessary to determine if this policy was fully implemented. A copy of the report shall be provided to the Superintendent, the student's individualized education program team, and the parent/guardian of the student.

### **Use of Chemical or Drug Restraint**

The administration of drugs for the purpose of responding to acute or episodic aggressive or destructive behavior by a student shall not be permitted at any time under any circumstance. This limitation does not apply to the administration of drugs prescribed by a physician to treat the symptoms of mental, physical, emotional or behavioral disorders that assist a student with a disability in gaining self-control over impulses.

The administration of drugs prescribed by a physician for the student shall be in accordance with the terms of the prescription established by the physician, the written consent of the parent/guardian, this Board's policy on Medication Administration, and the rules of the Indiana State Board of Education. (511 IAC 7-36-9) However, a parent/guardian shall not be required to obtain a prescription for medication for a student as a condition for attending school, receiving an educational evaluation under 511 IAC 7-40, or receiving special education or related services.

### **Mandatory Training for Staff**

No employee of the Corporation, or person in a Corporation facility shall be permitted to use time-out or physical restraint until the person has received sufficient training in the use of the strategy or procedure to allow the person to utilize the measure safely and in compliance with any IEP or BIP established for a student with a disability.

The Superintendent shall require that staff members responsible for implementing this policy receive training that includes:

- A. Positive methods to modify the environment of students to promote adaptive behavior and reduce the occurrence of inappropriate behavior;
- B. Methods to teach skills to students with disabilities so that the students can replace inappropriate behavior with adaptive behavior;
- C. Methods to enhance the independence and quality of life for students with disabilities;
- D. The use of least intrusive methods to respond to and discourage inappropriate behavior of students while reinforcing positive behavior of students, and;
- E. A process for designing interventions based upon the student's needs that are focused on promoting appropriate changes in behavior as well as enhancing the overall quality of life for the student.

The Superintendent shall also require that appropriate training is provided for the immediate supervisors of Corporation employees who are authorized to supervise the use of time-out, physical, mechanical, or chemical restraint to provide that those measures are only implemented as permitted in this policy.

### **Report of Violations and Corrective Plan Requirement**

The Principal of a school where a violation of this policy occurs shall report the violation in writing to the Superintendent not later than twenty-four (24) hours after the violation occurs, or as soon thereafter as the violation is discovered. The Superintendent shall take corrective action as necessary to address the circumstance that led to the violation.

### **Disciplinary Action for a Violation of This Policy**

In addition to any penalty prescribed by law, the Superintendent is directed by this policy to see that a Board employee who intentionally, knowingly or recklessly violates this policy is subject to correction or disciplinary action as necessary to prevent a reoccurrence of the violation. A Board employee engages in conduct "intentionally" if, when s/he engages in the conduct, it is his/her conscious objective to do so. A Board employee engages in conduct "knowingly" if, when s/he engages in the conduct, s/he is aware of a high probability of a violation of this policy. A Board employee engages in conduct "recklessly" if s/he engages in conduct in violation of this policy in a plain, conscious, and unjustifiable disregard of harm that might result to a student and the disregard involves a substantial deviation from acceptable standards of conduct established by this policy.

Discipline of a staff member for violation of this policy shall take into account the degree to which the violation risked serious bodily injury to a student and the staff member's history of compliance with this policy and other Board policies.

## **Retaliation for Fully Implementing or Reporting Violations**

No Corporation employee shall be permitted to retaliate against a person for reporting or objecting to actions in violation of this policy or providing information regarding a violation of this policy.

### **Definition of Terms**

The following definitions apply in this policy regardless of the term(s) used to describe the conduct when it occurs.

Behavioral Intervention Plan (BIP)	Has the meaning given it in the rules of the Indiana State Board of Education. (511 IAC 7-32-10)
Case Conference Committee	Has the meaning given it in the rules of the Indiana State Board of Education. (511 IAC 7-32-12)
Emergency	A situation in which immediate intervention is necessary to protect the physical safety of a student or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage.
Individualized Education Program (IEP)	Has the meaning given to it in the rules of the Indiana State Board of Education. (511 IAC 7-32-48)
Seclusion	Isolated time-out or the confinement of a student outside the presence of other students or staff in a time-out room or other enclosure.
Time-Out	Removal of a student from all sources of positive reinforcement (events or situations that the student experiences as rewarding, such as attention from peers or the teacher, participation in an interesting activity), as a consequence of a specified undesired behavior.
Mechanical Restraint	The use of devices including, without limitation, mittens, straps, belts, or restraint chairs to limit a student's movement or hold a student immobile.
Physical Restraint	The use of physical contact by a person to limit a student's movement or hold a student immobile.
Physician	A person holding an unlimited license to practice medicine in Indiana, and includes an M.D. (medical doctor) and a D.O. (osteopathic physician).
Serious Bodily Injury	Injury to a person that creates a substantial risk of death or that causes permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss or impairment of the function of a

bodily member or organ.

Verbal or Mental Abuse

Actions or utterances that are intended to cause and actually cause severe emotional distress to a student.

**Administrative Guidelines and Forms**

The Superintendent is authorized to issue administrative guidelines, directives and forms as needed to fully implement this policy and document compliance.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

BOARD BYLAWS & POLICIES  
DIS-402  
**Due Process Rights**



The Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Corporation's disciplinary procedures.

The Superintendent shall establish administrative guidelines to ensure that all members of the staff follow due process procedures when dealing with students. In addition, a statement of due process rights is to be placed in all student and parent handbooks in a manner that will facilitate understanding by students and their parents.

**References:** IC-20-33-8-19

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



BOARD BYLAWS & POLICIES  
DIS-403  
**Tobacco**



The Board recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

For purposes of this policy, use of tobacco shall mean all uses of tobacco, including cigar, cigarette, pipe, snuff, or any other matter or substance that contains tobacco.

In order to protect students who choose to use tobacco from an environment that might be harmful to them, the Board prohibits the use and/or possession of tobacco by students in school buildings, on school grounds, on school buses, or participating in any school-sponsored event.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## DIS-404

### Drug Prevention



The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the entire school community.

As the educational institution of this community, the Corporation should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

1. All dangerous controlled substances as so designated and prohibited by Indiana statute;
2. All chemicals which release toxic vapors;
3. All alcoholic beverages;
4. Tobacco and tobacco products;
5. Any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
6. Anabolic steroids;
7. Any "look-alike" substances;
8. Any other illegal substance so designated and prohibited by law.

The Board prohibits the use, possession, concealment, or distribution of any drug and any drug-related paraphernalia at any time on Corporation property or at any school-related event. It further establishes a drug-free zone within 1000 feet of any facility used by the Corporation for educational purposes.

The Superintendent is authorized to establish administrative guidelines that require students to immediately report knowledge of drug use by students and staff to the Principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.

The Superintendent will refer any student who violates this policy to the student's parents or guardians.

The Superintendent may report any student who violates this policy to the criminal justice or juvenile delinquency system and to the law enforcement agency having jurisdiction over the property where the offense occurs. The student also may be subject to disciplinary action, up to and including expulsion.

The Superintendent is authorized to establish administrative guidelines that require staff members to immediately report knowledge of drug use by students and staff to the Principal. Failure to report such knowledge may subject the staff member to disciplinary action, up to and including termination.

The Superintendent may report any staff member who violates this policy to the criminal justice system and to the law enforcement agency having jurisdiction over the property where the offense occurs. The staff member also may be subject to disciplinary action, up to and including termination.

**References:** IC 20-33-9-5; IC 20-33-9-6

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES DIS-405



DAMAR CHARTER ACADEMY

## Intimidation and Threatening Behavior

The Board believes that students, staff members, parents and other visitors of the Corporation should be able to function in an environment free of threatening or intimidating speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning his/her physical well-being is strictly forbidden and a violation of Board policy. Any student, staff member, parent or other visitor, or agent of this Board who is found to have threatened or to have engaged in behavior perceived by the staff to be intimidating toward a student, staff member or visitor member of the staff will be subject to discipline and reported to the principal. The principal shall immediately make an oral report to the local law enforcement agency and notify the Superintendent.

The law provides that any person who reports a threat or act of intimidation, a battery, or an act of harassment against a school employee, or who participates in any judicial proceeding or other proceeding resulting from such report, is immune from any civil or criminal liability that might otherwise be imposed because of such actions, provided that the individual is acting in good faith.

The Superintendent shall implement guidelines whereby students and staff members understand this policy and appropriate procedures are established for prompt and effective action on any reported incidents.

**References:** IC 20-33-9-1 et seq.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



## BOARD BYLAWS & POLICIES DIS-406



DAMAR CHARTER ACADEMY

### Bullying and Other Aggressive Behaviors

The Board is committed to providing a safe, positive, productive, and nurturing educational environment for all students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Bullying behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse as provided herein. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation.

This policy applies when a student is on school grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group; off school grounds at a school activity, function, or event; traveling to or from school or a school activity, function, or event; or, using property or equipment provided by the school.

Bullying as defined in State law means overt, repeated acts or gestures, including verbal or written communications transmitted, physical acts committed, or any other behaviors committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student. This type of behavior is a form of harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

For purposes of this policy, hazing shall be defined as performing any act or coercing another, including the victim, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators and other employees of the Corporation shall be alert particularly to possible situations, circumstances, or events which might include bullying and/or hazing. If such behaviors are discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be instructed to end the behavior immediately. All bullying and/or hazing incidents shall be reported immediately to the Principal. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.

Any student who believes s/he has been or is currently the victim of bullying or related aggressive behaviors – or parent/guardian who believes a student has been or is currently the victim of such activity – should immediately report the situation to the Principal or the Superintendent. The student or parent/guardian may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the Principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying behavior directed toward a student. Reports may be made to those identified above.

All complaints about bullying behavior that may violate this policy shall be promptly investigated.

If the investigation finds an instance of bullying behavior has occurred, it will result in prompt and appropriate disciplinary action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and making intentionally false reports may result in disciplinary action as indicated above.

The Superintendent is directed to develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.

The Superintendent shall incorporate this policy it into student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES

## DIS-407

### Fireworks and Weapons



The School Board prohibits students from possessing, storing, making, or using weapons of any kind and in any setting that is under the control and supervision of the Corporation for the purpose of school activities approved and authorized by the Corporation including, but not limited to, property leased, owned, or contracted for by the Corporation, a school-sponsored event, or in a Corporation owned, leased or used vehicle without the permission of the Superintendent.

The possession of a weapon in or on school property, in or on property that is being used by a school for a school function, or on a school bus is unlawful and is prohibited by Board policy. Possession includes storing the weapon in a personal vehicle while on school property. This prohibition applies to all students, including those who have a personal protection permit to carry a handgun.

The term "weapon" means any object that, in the manner in which it is used, intended to be used, or represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health or safety of persons.

A weapon includes, but is not limited to:

1. A firearm, as defined in Section 921 of Title 18 of the United States Code;
2. A destructive device, as defined in IC 35-47.5-2-4;
3. A deadly weapon, as defined in IC 35-41-1-8;
4. A knife, as defined in IC 35-47-5-2.5.

This policy also includes fireworks, firecrackers or any type of device for producing a reaction (as of light, noise, or smoke) by combustion or flammable composition; and also encompasses such actions as possession of look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

This prohibition does not apply to weapons under the control of law enforcement personnel. Similarly, items pre-approved by the building principal as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy. (Working firearms and any ammunition will never be approved as part of a presentation.

The Superintendent is authorized to establish administrative guidelines that require students to immediately report knowledge of fireworks, weapons and threats of violence by students and staff to the principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system.

The Superintendent will report any student who violates this policy to the student's parents or guardians and to the law enforcement agency having jurisdiction over the property where the offense occurs. The student also may be subject to disciplinary action, up to and including expulsion.

Staff members must report knowledge of fireworks, dangerous weapons and/or threats of violence by students, staff members, or visitors to the principal.

The Superintendent will report a staff member who violates this policy to law enforcement officials. The staff member also will be subject to disciplinary action, up to and including termination, for violation of this policy.

**References:** IC 20-33-8-16; IC 35-47-1-5; IC 35-47.5-2-4; IC 35-41-1-8; IC 35-47-5-2.5; USC. Sec. 921, Title 18

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## DIS-408

### Suspension and Expulsion



The Board recognizes that removal from the educational programs of the Corporation, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in this Corporation and one that cannot be imposed without due process since removal may deprive a child of the right to an education.

While the Corporation is dedicated to serving students with challenging behaviors by providing intensive behavior supports, there may be incidents where suspension or expulsion is deemed necessary.

No student is to be suspended and/or expelled from an activity, program, or a school unless his/her behavior represents misconduct or substantial disobedience while the student is on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group; off school grounds at a school activity, function, or event; or traveling to or from school or a school activity, function, or event.

In addition to the grounds specified above, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function, or the student's removal is necessary to restore order or protect persons on school property, including any unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

A Student Code of Conduct, approved by the Board, shall specify the procedures to be followed by school officials when administering this policy. In addition to the procedural safeguards and definitions set out in this policy and the student/parent handbook, the procedures set forth in Policy DIS-409 Suspension and Expulsion of Students with Disabilities shall apply to students identified as disabled under IDEA.

For purposes of this policy and the Superintendent's administrative guidelines, the following definitions shall apply:

1. "Suspension" shall be the temporary removal of a student by the school principal from the Corporation's program for a period not to exceed ten (10) school days. A student may be suspended for a longer period of time if pending expulsion.
2. "Expulsion" shall be the removal of a student from the Corporation for a period not to exceed the number of school days remaining in the school year in which the incident took effect, if the incident occurs during the first semester. If the incident occurs in the second semester, the Superintendent may expel the student for the remainder of the current school year, summer school, and the first semester of the next school year in accordance with the provisions of IC 20-33-8-26.

Any student who brings a firearm, as defined in IC 35-47-1-5, or a destructive device, as defined in IC 35-47.5-2-4 to school or onto school property or at a school-related activity or is in possession of a firearm shall be expelled for at least one (1) calendar year unless the Superintendent reduces the punishment for reasons justified by the particular circumstances of the incident.

If the student brings a deadly weapon as defined in IC 35-41-1-8 onto Corporation property or is found to possess a deadly weapon on Corporation property or at a school-related activity, s/he may be expelled for a period of not more than one (1) calendar year.

The Superintendent shall notify the law enforcement agency designated by the Prosecuting Attorney immediately when a student possesses a firearm, destructive device, or deadly weapon on school property or at a school-related activity.

The Superintendent shall ensure that a copy of this policy is sent to the State Department of Education as well as a description of the circumstances surrounding any expulsions for the above-stated firearms or weapons offense together with the name of the school, the number of students so expelled, and the types of firearms or weapons that were brought on Corporation property.

The Board has voted to hear expulsion appeals.

The Superintendent shall develop administrative guidelines which provide appropriate procedures for implementing this policy and comply with applicable statutes. (See *Administrative Guidelines - Suspension and Expulsion*)

The Superintendent shall report all expulsions and second (out-of-school) suspensions to the Bureau of Motor Vehicles in accordance with law and the Bureau's guidelines.

**References:** IC 20-33-8-16

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

BOARD BYLAWS & POLICIES  
DIS-409

**Suspension and Expulsion  
of Students with Disabilities**



DAMAR CHARTER ACADEMY

In matters relating to the disciplining students with of disabilities, the Board shall abide by Federal and State laws regarding suspension and expulsion.

The Superintendent shall establish administrative guidelines and ensure they are properly used when disciplining any student with a disability.

**References:** IC 20-33-8-34; 20 U.S.C. 1401 et seq.; 20 U.S.C. 1415

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES

## HEA-500

### Student Health Services



In compliance with State law, the Board may require students to submit to periodic health examinations to:

1. Protect the school community from the spread of communicable disease;
2. Determine that each student's participation in health, safety, and physical education courses meets his/her individual needs;
3. Determine that the learning potential of each child is not lessened by a remediable physical condition;
4. Determine if participation in physical education classes would be harmful to the individual.

The Corporation shall specify the need for services which may include, but not be limited to:

1. Student physical examinations;
2. Athlete physical examinations;
3. Dental examinations;
4. Vision screening;
5. Audiometric screening;
6. Scoliosis screening.

It is the Superintendent's responsibility to ensure that any health services program include instruction to staff members on the observance of students for conditions that indicate physical defect or disability.

**References:** IC 20-34-3 et seq.; 511 IAC 4-1.5

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## HEA-501

### Immunization



The Board requires that all students of the Corporation to be properly immunized against:

- Diphtheria
- Pertussis (whooping cough)
- Tetanus
- Measles
- Mumps
- Rubella (German measles)
- Poliomyelitis

Every child who enters Kindergarten or Grade 1 shall be immunized against hepatitis B, and chicken pox. Every child who enters Grades 9 and 12 shall be immunized against hepatitis B. From time to time other communicable diseases may be designated by the State Board of Health.

The Superintendent shall require parents to furnish to the Corporation, no later than the first day of school after enrollment, a written statement of the child's immunization accompanied by a physician's certificate or other documentation. Students whose parents do not provide the required documentation by the opening day of school may be admitted to school provided the documentation is received within twenty (20) days and is in accord with the Superintendent's administrative guidelines on immunization. If the student cannot be verified as immunized through appropriate documentation at the close of the twenty (20) day period, the Superintendent shall commence expulsion proceedings, unless the parents have filed a religious objection or submitted a physician's statement that the needed immunizations are contra-indicated.

Information concerning meningococcal disease (meningitis) and its vaccine shall be provided to students and parents at the beginning of the school year by the Superintendent. The information must include information concerning the causes, symptoms and spread of meningococcal diseases and places where parents may obtain additional information and vaccinations for their children. The Superintendent shall consult with the State Department of Education and the State Board of Health to develop necessary information and needed materials.

Exemptions to the immunization requirements shall be granted, in accordance with State law, only for medical, religious, or other reasons allowed by the State.

**References:** IC 20-30-5-18, IC 20-34-3-2

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## HEA-502

### Medication Administration



The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student of the Corporation during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or the child's health condition and requires medication to benefit from his/her educational program.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, herbal substance and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization or intravenous or intramuscular injection.

Before any prescribed medication or treatment may be administered to any student during school hours, the Board shall require the written prescription or statement (Form DCA-015) from the child's physician or pharmacy label accompanied by the written authorization of the parent and a (Form DCA-009). This document shall be kept on file in the office of the school nurse, and made available to the persons authorized to administer medication or treatment. The prescription must be in its original container, labeled with the student's name and the exact dosage. At no time is the school to administer a dosage other than that authorized by the physician's prescription. School personnel will not administer medication: (i.e., herbal substances/supplements) not approved by the Food and Drug Administration.

Before any non-prescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent (Form DCA-009). This document shall be kept in the office of the school nurse. All forms of medication shall be administered by the Corporation in accordance with the Superintendent's guidelines. The medication must be brought to school by a parent, be in its original sealed box or container, and labeled with the student's name. Opened medications shall not be accepted.

No student is allowed to possess or self-administer any kind of medication at any time; or provide or sell any type of prescribed or over-the-counter medication to another student.

The Board recognizes the need to administer medication to students while they attend school. Employees of the school district shall not administer drug dosages that exceed the limits set by the Physician's Desk Reference. In the event a student's attending physician prescribes a dosage larger than the standard set by this reference, the parents shall be allowed to come to school to administer the dosage. Parents may request other reasonable accommodations in this situation.

Violations of this policy will be considered violations of Policy DIS-404 Drug Prevention.

Medication provided to the Corporation for administration during school hours or at school functions may be released only to the student's parent or to an individual who is eighteen (18) years of age or older and who has been designated, in writing, by the student's parent to receive the medication.

The Superintendent shall create administrative guidelines, as needed, to ensure proper implementation of this policy.

**References:** IC 20-34-3-18

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES HEA-503

## Care of Students With Chronic Health Conditions



Students who have chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they may be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) so that they have the same access to an education as students without chronic health conditions. All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Board policies related to student health, privacy and records.

1. The coordinated school health practices for management of a chronic health condition shall provide for:
  - a. Coordination of health care management activities by school staff;
  - b. Identification of individuals with chronic health conditions;
  - c. Development of individual health care action plans;
  - d. Communication among school staff who interact with children with chronic health conditions;
  - e. Awareness and training of school staff regarding Board policy on acute and routine management of chronic health conditions, information on signs and treatment of chronic health conditions, medication and administration, and emergency protocols for dealing with reactions in "unusual" situations such as field trips.
2. School health practices shall provide students with chronic health conditions the opportunity for:
  - a. Full participation in physical activities when students are well;
  - b. Modified activities as indicated by the student's health care action plan, 504 plan, or Individualized Education Plan (IEP);
  - c. Access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity;
  - d. Communication regarding student health status between parents, physicians, teachers (particularly physical education teachers), and coaches.
3. Healthcare management activities may include:
  - a. Procedures to obtain, maintain, and utilize written health care action plans, signed by the child's parents and physician, for each student with a chronic health condition;
  - b. A standard emergency protocol in place for students experiencing a distress reaction if they do not have a written health care action plan on site;
  - c. Established communication strategies for students to use to tell an adult they may be having a health-related problem;
  - d. Procedures for students to have access to medications in accordance with Policy HEA 502 - Medication Administration;
  - e. Prevention strategies to avoid causal elements;

- f. Case management for students with frequent school absences, school health office visits, emergency department visits, or hospitalizations due to chronic health conditions;
  - g. Otherwise attending to the management and care of the student's chronic health condition in the classroom, in any area of the school or school grounds, or at any school related activity or event.
- 4. The appropriate staff will be trained about chronic health conditions and their control at a minimum annually in each school in which there is a student with a chronic health condition. This training shall include:
  - a. Education about chronic health conditions;
  - b. The management procedures that the student and/or school personnel will be responsible for during the school day;
  - c. The early warning signs of chronic health conditions;
  - d. What to do in case of a distress reaction;
  - e. Special planning needed for school functions such as parties, field trips, before and after-school activities, particularly those involving physical activity or exercise;
  - f. Reporting procedures for changes in the student's physical or emotional behavior and condition;
  - g. Access to appropriate consulting health professionals to address questions about chronic health conditions.
- 5. Designated staff who have responsibility for specialized services such as giving inhaler treatments or injections, or conducting glucose and/or ketone tests shall be provided training specific to the procedures, at least annually, by a licensed health professional.
- 6. The school nurse shall maintain a copy of the training program and the records of training completed by school employees.
- 7. Communication by school personnel with the student's parents/guardians and healthcare providers is to begin as soon as the student with a chronic health condition is identified. In the absence of school nursing services, the principal will contact the parents/guardians to discuss the need for written physician's instructions and a health care action plan for the student with a chronic health condition to be completed and provided to the school as soon as possible. The plan shall clearly state all accommodations and emergency care procedures for the student with a chronic health condition during school hours or at a school-related event or activity. Healthcare action plans shall be accessible to designated staff in case of a distress reaction, or suspected onset of medical distress.
- 8. Except in an emergency, the school shall allow the student to attend to the management and care of his/her chronic health condition, as provided in the individualized healthcare action plan.
- 9. The school shall provide an information sheet to the individual who is responsible for providing transportation for or supervising a student with a chronic health condition during an off-campus school related activity that:
  - a. Identifies the student with a chronic health condition;
  - b. Identifies potential emergencies that may occur as a result of the chronic health conditions and appropriate responses to an emergency;
  - c. Provides the telephone number of a contact in case an emergency occurs.

**Reviewed by:** Board of Directors



**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES HEA-504

## Care of Students With Diabetes



DAMAR CHARTER ACADEMY

1. A diabetes management and treatment plan shall be prepared and implemented for a Damar Charter Academy student with diabetes for use during school hours or at a school-related event or activity. The plan shall be developed by:
  - a. The licensed health care practitioner responsible for the student's diabetes treatment;
  - b. The student's parent/legal guardian; and
  - c. The student, when appropriate.
2. A diabetes management and treatment plan shall:
  - a. Identify the health care services or procedures the student should receive at school;
  - b. Evaluate the student's ability to manage and his/her level of understanding of the student's diabetes;
  - c. Be signed by the student's parent/legal guardian and the licensed health care practitioner responsible for the student's diabetes treatment.
3. The parent/legal guardian of a student with diabetes shall submit a copy of the student's diabetes management and treatment plan to the school nurse for review:
  - a. Before or at the beginning of a school year;
  - b. At the time the student enrolls, if the student is enrolled in school after the beginning of a school year or if a change in the plan occurs; or
  - c. As soon as practicable following a diagnosis of diabetes for the student.
4. An individualized health plan shall be developed for each student with diabetes while the student is at school or participating in a school activity. The school's nurse shall develop a student's individualized health plan in collaboration with:
  - a. The licensed health care practitioner responsible for the student's diabetes treatment to the extent practicable;
  - b. The school principal;
  - c. The student's parent/legal guardian;
  - d. The student, if appropriate; and
  - e. One (1) or more of the student's teachers.
5. A student's individualized health plan shall incorporate the components of the student's management and treatment plan.
6. The Damar Charter Academy Board of Directors is not liable for civil damages as a result of a student's self-administration of medication for an acute or chronic disease or medical condition except for an act or omission amounting to gross negligence or willful and wanton misconduct.

**References:** IC 20-34-5

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES HEA-505

## Control of Casual-Contact Communicable Diseases and Parasites



The Board recognizes the need and right of all children to receive free and appropriate education. The board further recognizes its responsibility to provide a healthy environment for all students and school staff members.

For purposes of this policy, "casual-contact, communicable disease" shall include diphtheria, scarlet fever and other strep infections, whooping cough, mumps, measles, rubella, shigella, and/or others designated by the Indiana Department of Public Health.

For the purposes of this policy, "communicable parasite" shall include fleas, lice and/or others designated by the Indiana Department of Public Health.

In order to protect the health and safety of the students, Corporation personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations that pertain to immunization and other means for controlling casual-contact communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a casual-contact communicable disease, is infected with a communicable parasite or is thought to be liable to transmit such a disease or parasite, the Principal will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed. A determination of whether an infected student be excluded from the classroom or school activities shall be made on a case-by-case basis under the direction of the Principal in accordance with the established protocols.

Personal information about any student who may be infected shall not be revealed to the general school or campus community, or to the public.

The Superintendent shall develop administrative guidelines for the control of communicable disease which shall include:

1. Instruction of professional staff in the detection of these common diseases and measures for their prevention and control;
2. Removal of students from Corporation property to the care of a responsible adult;
3. Preparation of standards for the readmission of students who have recovered from casual-contact, communicable diseases;
4. Filing of reports as required by statute and the State Department of Health.

**References:** IC 20-34-3-9

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## HEA-506

### Control of Noncasual-Contact Communicable Diseases



The Board seeks to provide a safe educational environment for both students and staff. It is the Board's intent to ensure that any student or member of the staff who contracts a communicable disease that is not communicated through casual contact will have his/her status in the Corporation examined by appropriately licensed medical personnel and that the rights of both the affected individual and those of other staff members and students will be acknowledged and respected.

For purposes of this policy, "noncasual-contact communicable disease" shall include:

1. AIDS - Acquired Immune Deficiency Syndrome;
2. ARC - AIDS Related Complex;
3. Persons infected with HIV - Human Immunodeficiency Virus;
4. Hepatitis B;
5. Other like diseases that may be specified by the State Board of Health.

In its effort to assist in the prevention and control of communicable diseases of any kind, the Board has established policies on Immunization, Dress and Grooming, and Control of Casual-Contact Communicable Diseases. The purpose of this policy is to protect the health and safety of the students, Corporation personnel, and the community at large, from the spread of the above-mentioned diseases.

The Board seeks to keep students and staff members in school unless there is definitive evidence to warrant exclusion. If the Superintendent learns that a student or Corporation employee may be infected with a noncasual-contact communicable disease, the Superintendent shall consult with the infected person's physician and/or the Marion County Health Department to determine if the initial evidence warrants exclusion.

If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current school environment.

If the County Health Officer determines the evidence indicates the person should be excluded from the school environment, the person shall be temporarily excluded.

The Corporation shall provide an alternative education program for any student removed from the school setting as a consequence of the health officer's decision. Such a program shall be in accordance with this Board's policy and administrative guidelines on Homebound Instruction.

When the Superintendent learns that an affected student is eligible for services under the IDEA and the student's physician or the County Health Department Officer believes the student must be removed from school, the Superintendent will direct the Students' Case Conference Committee to design an appropriate out of school program for the student.

The rights of any affected student, as well as those of any affected staff member, shall be protected in accordance with Federal and State laws on privacy, and confidentiality. In addition, the exclusion of any staff member from the Corporation by the County Health Officer's decision will be done in accord with relevant sections of Indiana Statutes concerning sick leave.

Further, it is the Board's policy that all students and staff members should maintain normal contact with an affected student or staff member whose continued presence in the school setting has been determined by this process.



The Board directs the Superintendent to develop an educational program in accordance with Indiana Statute that will ensure proper instruction of students, professional staff, and/or support staff, on the principal means by which noncasual-contact communicable diseases are transmitted, as well as how they are not transmitted, and the more effective methods for restricting and/or preventing these diseases.

The Superintendent shall include in this, those educational materials which advocate prevention through abstinence.

**References:** IC 20-34-3-17; IC 20-34-3-9;

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## HEA-507

### Safety Standards



The Board believes that the students, staff members and visitors of this Corporation are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with Federal and State law, the Board will comply with all required safety and disaster protection guidelines.

The Board has entered into a contracted services agreement with Damar Services, Inc. ("Damar" or the "Agency") for the purposes of providing all staffing, facilities management, and safety and security services to the Corporation. The Superintendent shall ensure that the Agency provides for the reasonable and adequate protection to the lives, safety and health of school students, staff members and visitors of the Corporation.

The Superintendent shall be responsible for the maintenance of standards in school facilities to prevent accidents and to minimize their consequences. The Superintendent shall ensure that the Agency:

1. Conducts periodic audits of health and safety conditions within the grounds and facilities of the Corporation in accordance with federal and State OSHA standards, and report any violations to the Superintendent;
2. Formally addresses unsafe conditions, staff injuries and related issues that impact a safe environment;
3. Develops, implements and annually reviews comprehensive safety and emergency plans for the Corporation that address:
  - a. Unsafe conditions, staff injuries and related issues the impact a safe environment
  - b. Crime and violent activity
  - c. Emergency response preparedness
4. Ensures that designated staff members receive appropriate professional development, training and education to implement methods in support of school safety;
5. Establishes and directs the activities of an organized safety committee that acts as a resource for the Corporation on issues related to school safety, security and emergency response;
6. Provide a copy of the floor plans for each building that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the local law enforcement agency and the fire departments that have jurisdiction over the school.

The Superintendent or designee shall serve as a member of Agency committees charged with directing school safety initiatives and ensure that such entities seek input from representatives of local law enforcement, fire protection, medical services and emergency management agencies; and members of the Corporation administration and/or Board.

The Superintendent shall recommend the approval and adoption of the safety and security plans that impact the Corporation.

**References:** IC 20-34-3-19

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## HEA-508

### Emergency Evacuation



The Board recognizes that its responsibility for the safety of students extends to possible natural and man-made disasters and that such emergencies are best met by preparedness and planning.

The Board authorizes a system of emergency preparedness which shall ensure that:

1. The health and safety of students and staff are safeguarded;
2. Minimum disruption to the educational program occurs; and
3. Students are helped to learn increased self-reliance and supports to respond adequately to emergency situations.

All threats to the safety of Corporation facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

The Superintendent shall develop procedures for the handling of emergencies which include a plan for the prompt and safe evacuation of the schools.

**References:** IC 20-34-3-20

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES

## NET-600

### School Technology and Networks



The Board of Directors is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of school operations. It also recognizes that safeguards have to be established to ensure that the school's investment in both hardware and software is achieving the benefits of technology and inhibiting potentially negative side effects.

The Superintendent is directed to establish administrative guidelines not only for proper acquisition of technology but also to provide guidance to staff and students toward appropriate and ethical use of computers and other equipment as well as any networks that may be established. The responsibility for the educational value of Internet access is the joint responsibility of school staff, the students with access to the Internet, and their parents.

Such guidelines shall also ensure that parents are provided the option to request alternative activities not requiring Internet access.

Electronic and communication resources must be located on school affiliated servers. With approval from the Superintendent/designee, external resources can be used in cases where this would be more beneficial for the school.

The Superintendent shall establish appropriate procedures to inform both staff and students about disciplinary actions that will be taken if school technology and/or networks are abused in any way or used in an illegal or unethical manner.

This policy and the guidelines and agreements established by the Superintendent are to be made available for review by parents, members of the staff, and members of the community.

The provisions of this policy and associated guidelines and agreements are subordinate to local, State and Federal law.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A



# BOARD BYLAWS & POLICIES NET-601

## Student Use of School Computer Technology and Networks



DAMAR CHARTER ACADEMY

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in our society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse and unique resources available on the Internet. The Board is pleased to provide Internet services to its students. The school's Internet system has a limited educational purpose. The school's Internet system has not been established as a public access service or a public forum. The school has the right to place restrictions on its use to assure that use of the school's Internet system is in accord with its limited educational purpose. Student use of the school's computers, network and Internet services ("Network") will be governed by this policy and the related administrative guidelines, and the Student Code of Conduct. The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Network. Users have a limited privacy expectation in the content of their personal files and records of their online activity while on the Network.

The Board encourages students to utilize the Internet in order to promote educational excellence in our school by providing them with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The instructional use of the Internet will be guided by the Corporation's academic curriculum for students.

First, and foremost, the school may not be able to technologically limit access to services through the school's Internet connection to only those that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike other types of media, where educators and community members have the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, will open classrooms and students to electronic information resources which have not been screened by educators for use by students of various ages.

The school 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 school 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. The Superintendent or designee may temporarily or permanently unblock access to sites containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

The school 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



school 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.

The Superintendent shall prepare guidelines that address students' safety and security while using e-mail, chat rooms, instant messaging, and other forms of direct electronic communications, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking") and other unlawful activities by minors online.

The Principal is responsible for ensuring that school staff members 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. All Internet users (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Students and staff members are responsible for good behavior on the school's computers/network and the Internet just as they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The school does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines. Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the school's computers assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by this Board policy and its accompanying guidelines.

The Board designates the Superintendent as the administrator responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to students' use of the Network.

**References:** P.L. 106-554 (2000), Children's Internet Protection Act; 47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003); 20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003); 18 U.S.C. 2256; 18 U.S.C. 1460; 18 U.S.C. 2246; 20 U.S.C. 6777, 9134 (2003)

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A

# BOARD BYLAWS & POLICIES NET-602

## Wireless Communication Devices



DAMAR CHARTER ACADEMY

Students of the Corporation may possess wireless communication devices (WCDs) in school, on school property, during after school activities (e.g. extra-curricular activities) and at school-related functions, provided that during school hours and on school vehicles the WCDs are powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight.

A "wireless communication device" is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), BlackBerrys and other smartphones, Internet/Wi-Fi-enabled or broadband access devices, two-way radios or video broadcasting devices, laptops, and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information. Students may not use WCDs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school.

Also, during after school activities when directed by the administrator or sponsor, WCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight.

The requirement that WCDs must be powered completely off will not apply when the student is using the WCD for an educational or instructional purpose (e.g. taking notes, recording a class lecture, writing papers) with the teacher's permission and supervision, when the student's use is part of his/her Individual Education Plan (IEP) or Individual Learning Plan (ILP), or when the student obtains prior approval from the Principal.

Students are prohibited from using WCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the principal. Students who violate this provision and/or use a WCD violate the privacy rights of another person.

WCDs, including but not limited to those with cameras, may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower facilities, restrooms, classrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Principal has authority to make determinations as to other specific locations and situations where possession of a WCD is absolutely prohibited.

No expectation of confidentiality will exist in the use of WCDs on the Damar Services, Inc. campus or in school premises/property.

Students are prohibited from using a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy DIS-406 Bullying and Other Aggressive Behaviors.

Students are also prohibited from using a WCD to capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using their WCDs to receive such information.

Possession of a WCD by a student is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The Principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that may be imposed. Any WCD confiscated by Corporation staff will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian. WCDs in Corporation custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for a designated length of time or on a permanent basis.

Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, damage, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices.

Parents/Guardians should be advised that the best way to get in touch with their child during school hours is by calling the school office.

Students may use school phones to contact parents/guardians during school hours.

**Reviewed by:** Board of Directors

**Adopted:** 7/27/2011

**Revised:** N/A