



Charles L. Smith  
Fine Arts Academy  
STUDENT HANDBOOK

1359 East Columbus Street  
Martinsville, IN 46151  
765-342-8488

[msdofmartinsville.org/charles-l-smith-fine-arts-academy/](http://msdofmartinsville.org/charles-l-smith-fine-arts-academy/)

## **MSD OF MARTINSVILLE ELEMENTARY SCHOOLS**

### **Brooklyn STEM Academy: Principal-Jennifer Teare**

251 N. Church Street  
Brooklyn, IN 46111  
317-831-2150  
317-831-2226 (Fax)

### **Centerton Elementary: Principal-Stephanie Manley**

6075 High Street  
Martinsville, IN 46151  
317-831-3410  
317-831-3439 (Fax)

### **Green Township Elementary: Principal-Paul Spahr**

6275 Maple Grove Rd.  
Martinsville, IN 46151  
765-342-0505  
765-349-1173 (Fax)

### **Paragon Elementary: Principal-Ryan Cox**

520 W. Union St.  
Paragon, IN 46166  
765-537-2276  
765-537-2105 (Fax)

### **Poston Road Elementary: Principal-Jill Vican**

139 E. Poston Rd.  
Martinsville, IN 46151  
765-342-8408  
765-349-5240 (Fax)

### **Charles L. Smith Fine Arts Academy: Principal-Kyle Stout**

1359 E. Columbus St.  
Martinsville, IN 46151  
765-342-8488  
765-349-5255 (Fax)

### **South Elementary School of Communications: Principal-Melody Meyer**

500 E. Mahalasville Rd.  
Martinsville, IN 46151  
765-349-1486  
765-349-5247 (Fax)

## **SCHOOL BOARD MEMBERS**

Michelle Baugh - President of Board  
Debbie Lipps - Vice President of Board  
Dave Rinehart - Secretary of Board  
Steve Brock - Board Member  
Don Lipps - Board Member

## **SUPERINTENDENT**

Dr. Jay Arthur  
342-6641  
Ext. 1001

## **ASSISTANT SUPERINTENDENT**

Mr. Craig Buckler  
342-6641  
Ext. 1005

## **DIRECTORS**

<b>Sam Arnes</b>	Director of Maintenance	765-342-7896 Ext. 6101
<b>Kurt Bodell</b>	Director of Food Service	765-342-6641 Ext. 1007
<b>Tim Foley</b>	Director of Safety	765-342-6641 Ext. 1013
<b>Brian Friese</b>	Director of Technology	765-342-6641 Ext. 1006
<b>Tiffany Grant</b>	Co-director of Title I	765-342-5571 Ext. 4097
<b>Dennis Mills</b>	Director of Transportation	765-342-5597 Ext. 5401
<b>Jeremy Ogden</b>	Director of Business Affairs	765-342-6641 Ext. 1052
<b>Reneae Staley</b>	Director of Special Education	765-342-6641 Ext. 1047
<b>Julie Sullivan</b>	Co-director of Title I	765-349-1486 Ext. 1628

## **CENTRAL OFFICE STAFF**

(PHONE: 765-342-6641)

Courtney Vandeventer Supt. Admin. Asst. Ext. 1008	Nancy Brosman Asst. Supt. Admin. Asst. Ext. 1011	Whitney Kuszmaul Treasurer Ext. 1003
Amanda Linthicum ECA Treasurer Ext. 1010	Kathy Gilbreath Business Secretary Ext. 1004	Kim Applegate and Sandra Pasch Payroll Ext. 1002

**METROPOLITAN SCHOOL DISTRICT OF MARTINSVILLE**  
**SCHOOL CALENDAR FOR 2019-2020**

AUGUST	10-11	Teacher Work Days
	11	Elementary Open Houses 5-6 PM
	12	First Student Day
SEPTEMBER	7	Labor Day (No School)
OCTOBER	6	<del>eLearning Day (Students work @ home; Parent/Teacher Conf.)</del>
	9	End of 1 <sup>st</sup> Nine Weeks
	12-16	Fall Break
NOVEMBER	25-27	Thanksgiving Break
DECEMBER	18	End of 2 <sup>nd</sup> Nine Weeks
	21	Winter Break Begins
JANUARY	4	Teacher Work Day
	5	School Resumes
	18	MLK, Jr. Day (No School)
FEBRUARY	15	Presidents' Day-No School (snow make-up if needed)
MARCH	12	End of 3 <sup>rd</sup> Nine Weeks
	22-26	Spring Break
MAY	27	Last Day for Students End of 4 <sup>th</sup> Nine Weeks
	28	Teacher Work Day

## **CHARLES L. SMITH FINE ARTS ACADEMY STAFF**

Mr. Kyle Stout	Principal	<a href="mailto:kyle.stout@msdmartinsville.org">kyle.stout@msdmartinsville.org</a>
Mrs. Betsy Heck	Kindergarten Teacher	<a href="mailto:betsy.heck@msdmartinsville.org">betsy.heck@msdmartinsville.org</a>
Mrs. Sarah Burnett	Kindergarten Teacher	<a href="mailto:sarah.burnett@msdmartinsville.org">sarah.burnett@msdmartinsville.org</a>
Miss Delaney Hobbs	Kindergarten Teacher	<a href="mailto:delaney.hobbs@msdmartinsville.org">delaney.hobbs@msdmartinsville.org</a>
Miss Lesley White	First Grade Teacher	<a href="mailto:lesley.white@msdmartinsville.org">lesley.white@msdmartinsville.org</a>
Miss Megan Perrey	First Grade Teacher	<a href="mailto:megan.perrey@msdmartinsville.org">megan.perrey@msdmartinsville.org</a>
Ms. Stephanie Wessler	First Grade Teacher	<a href="mailto:stephanie.wessler@msdmartinsville.org">stephanie.wessler@msdmartinsville.org</a>
Mrs. Lisa Sonnega	Second Grade Teacher	<a href="mailto:lisa.sonnega@msdmartinsville.org">lisa.sonnega@msdmartinsville.org</a>
Mrs. Corey Flanary	Second Grade Teacher	<a href="mailto:corey.flanary@msdmartinsville.org">corey.flanary@msdmartinsville.org</a>
Mrs. Lynn Zook	Second Grade Teacher	<a href="mailto:lynn.zook@msdmartinsville.org">lynn.zook@msdmartinsville.org</a>
Miss Whitney Hill	Third Grade Teacher	<a href="mailto:whitney.hill@msdmartinsville.org">whitney.hill@msdmartinsville.org</a>
Mr. Grant Meyer	Third Grade Teacher	<a href="mailto:grant.meyer@msdmartinsville.org">grant.meyer@msdmartinsville.org</a>
Ms. Connie Markland	Third Grade Teacher	<a href="mailto:constance.markland@msdmartinsville.org">constance.markland@msdmartinsville.org</a>
Mrs. Rachel Crabb	Fourth Grade Teacher	<a href="mailto:rachel.crabb@msdmartinsville.org">rachel.crabb@msdmartinsville.org</a>
Mrs. Stephanie MacDonald	Fourth Grade Teacher	<a href="mailto:stephanie.macdonald@msdmartinsville.org">stephanie.macdonald@msdmartinsville.org</a>
Ms. Emily Adams	Fourth Grade Teacher	<a href="mailto:emily.adams@msdmartinsville.org">emily.adams@msdmartinsville.org</a>
Mrs. Stacy Gillett	Title I Teacher	<a href="mailto:stacy.gillett@msdmartinsville.org">stacy.gillett@msdmartinsville.org</a>
Mrs. Kristen Speedy	Title I PreK Teacher (Poston Road)	<a href="mailto:kristen.speedy@msdmartinsville.org">kristen.speedy@msdmartinsville.org</a>
Miss Kelly Hobbs	Special Education Teacher	<a href="mailto:kelly.hobbs@msdmartinsville.org">kelly.hobbs@msdmartinsville.org</a>
Mrs. Laurie Smiley	Developmental PreK Teacher	<a href="mailto:laurie.smiley@msdmartinsville.org">laurie.smiley@msdmartinsville.org</a>
Ms. Emma Buanno	Speech Therapist	<a href="mailto:emma.buanno@msdmartinsville.org">emma.buanno@msdmartinsville.org</a>
Ms. Sarah Spencer	Speech Therapist	<a href="mailto:sarah.spencer@msdmartinsville.org">sarah.spencer@msdmartinsville.org</a>
Ms. Rachel Fender	School Psychologist	<a href="mailto:rachel.fender@msdmartinsville.org">rachel.fender@msdmartinsville.org</a>
Mrs. Julie Botkin	Art Teacher	<a href="mailto:julie.botkin@msdmartinsville.org">julie.botkin@msdmartinsville.org</a>
Ms. Kari Palma	Music Teacher	<a href="mailto:kari.palma@msdmartinsville.org">kari.palma@msdmartinsville.org</a>
Mrs. Tammy Cheesman	PE Teacher	<a href="mailto:tammy.cheesman@msdmartinsville.org">tammy.cheesman@msdmartinsville.org</a>
Mrs. Emma Thornburg	Librarian	<a href="mailto:melanie.foley@msdmartinsville.org">melanie.foley@msdmartinsville.org</a>
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Mrs. Karen Fleener	Secretary	<a href="mailto:karen.fleener@msdmartinsville.org">karen.fleener@msdmartinsville.org</a>
Mrs. Lindsay Spina	Nurse	<a href="mailto:lindsay.spina@msdmartinsville.org">lindsay.spina@msdmartinsville.org</a>
Ms. Leah Beaver	Clinic Aide	<a href="mailto:leah.beaver@msdmartinsville.org">leah.beaver@msdmartinsville.org</a>
Miss Leigh Frantz	Counselor	<a href="mailto:leigh.frantz@msdmartinsville.org">leigh.frantz@msdmartinsville.org</a>
Mrs. Patti Ostler	Family Services Coordinator	<a href="mailto:patti.ostler@msdmartinsville.org">patti.ostler@msdmartinsville.org</a>
Miss Elise Headley	Adult & Child	<a href="mailto:elise.headley@msdmartinsville.org">elise.headley@msdmartinsville.org</a>
Ms. Sabrina Cook	Adult & Child	<a href="mailto:sabrina.cook@msdmartinsville.org">sabrina.cook@msdmartinsville.org</a>

## **CHARLES L. SMITH FINE ARTS ACADEMY STAFF, continued**

Mr. Michael Tinsley	Head Custodian	<a href="mailto:michael.tinsley@msdmartinsville.org">michael.tinsley@msdmartinsville.org</a>
Mr. Dean Katona	Custodian	<a href="mailto:jack.katona@msdmartinsville.org">jack.katona@msdmartinsville.org</a>
Ms. Barb Caraway	Custodian	<a href="mailto:barb.caraway@msdmartinsville.org">barb.caraway@msdmartinsville.org</a>
Ms. Wendy Littell	Cafeteria Manager	<a href="mailto:wendy.littell@msdmartinsville.org">wendy.littell@msdmartinsville.org</a>
Ms. Teresa Boler	Cafeteria Worker	
Mrs. Shelley Long	Cafeteria Worker	
Mrs. Kellie Mullins	Cafeteria Worker	
Mrs. Jody Murphy	Cafeteria Worker	
Ms. Erica Russell	Cafeteria Worker	
Mrs. Christy Blake	Lunch Aide	
Mrs. Monica Bolin	Lunch Aide	

## **MSD OF MARTINSVILLE MISSION STATEMENT**

Together we challenge and inspire our children through rich experiences, empowering them to achieve success while making positive contributions to our world.

## **CHARLES L. SMITH FINE ARTS ACADEMY MISSION STATEMENT**

Charles L. Smith Fine Arts Academy engages students academically and artistically using a multidisciplinary approach by inspiring all stakeholders to discover new opportunities through enhanced classroom education and exploration of the arts.

## **REPORTING STUDENT PROGRESS**

### **Report Cards**

Report cards are issued every nine weeks. Midterm reports will be posted to Family Access every 4 1/2 weeks, except in kindergarten. Attendance will be recorded on the report card. Report card envelopes must be signed and returned to the teacher.

### **Midterm Dates**

September 16, 2020  
November 18, 2020  
February 10, 2021  
April 28, 2021

### **Report Card Dates**

October 22, 2020  
January 7, 2021  
March 18, 2021  
May 27, 2021

## **SCHEDULES**

### **Office Hours**

8:00 a.m.- 4:15 p.m.

### **Arrival Times and Procedures**

Doors open at 8:25 a.m.  
School begins at 8:40 a.m.

### **Dismissal Times and Procedures**

3:30 p.m. Daycare, Buses, and Car Riders Begin Loading  
3:45 p.m. Walkers Released (After Buses and Cars Have Departed)

### **Lunch Schedule**

<b>Grade Level</b>	<b>Lunch</b>
Kindergarten	11:15 - 11:45
Grade 1	12:30 - 1:00
Grade 2	12:55 - 1:25
Grade 3	11:30 - 12:00
Grade 4	11:55 - 12:25

### **Special Schedules and Releases**

**Early Release Days:** Due to weather - automatically cancels all school-sponsored after-school activities

**Two Hour Delays:** Due to weather - no breakfast is served except for the YMCA program, students should arrive at 10:30 a.m., with tardy bell at 10:40 a.m.

## **SAFETY AND SECURITY**

### **Visiting the School**

Parents/Guardians are always welcome. Parents/Guardians are encouraged to attend special assemblies and activities. **ALL VISITORS MUST REPORT TO THE OFFICE TO CHECK IN AND OBTAIN A PASS BEFORE VISITING ANY PART OF THE SCHOOL.** Visitor name tags, provided at the office, are to be worn by all visitors in the building. As visitors leave the building, they must stop by the office and sign out. This is a required safety procedure.

1. Background checks must be completed **annually**. These are required to attend or help at parties, classroom visits, field trips, lunch visits, and/or any activity at school during the school day.
2. Conferences should be arranged in advance, and at a time when the teacher does not have children in the classroom, or is not on duty elsewhere.
3. From time to time, your child may bring home notes or newsletters from school. All of these are important to the student as well as to parents. Please be sure to read the newsletter carefully. Information can also be gathered from visiting the school website.

### **AIPHONES Security System**

Any individual entering our school must enter through the main doors. There is a box mounted on the stone wall to the right of the main entrance. Please press the button and state your name and the nature of your business to gain entrance. Once inside, please follow the visitor procedure.



## **School Check In**

Schools use the School Check In system. You will be required to bring your state-issued ID with you to enter the school. Thank you for your understanding in our efforts to keep our students safe.

## **Tip Line**

A tip line is now available for anyone to submit a safety concern. To submit a tip, activate the icon located on the MSD of Martinsville web page. Submit a tip to help make your school safer!

## **Emergency Pick Up Procedures**

Students who are picked up during a crisis situation **must be signed out**. Only those persons authorized on the emergency card will be allowed to pick up your child and must have a state-issued ID.

## **Drills**

In case an emergency weather situation occurs while the children are at school, each teacher will provide proper instruction for each classroom. Emergency procedures are posted in each room. Practice drills are conducted regularly so that students will be familiar with procedures if needed. Each student is expected to follow instructions without delay or interference.

## **Fire Drill**

Fire drills are necessary for the safety of the children, teachers, and school staff. Teachers will explain which exit to use from their rooms. Children are instructed to walk, NOT RUN, and go quietly to the area designated by the teacher.

## **Tornado**

A tornado alarm will be sounded when an alert is in effect. A plan for taking shelter has been developed for our school. The teachers will direct children to the designated shelter areas.

## **Severe Weather and Cancellation of School**

When severe weather closes school before the day begins, local radio stations are the first to be contacted and serve as the best source of information. When possible, announcements are made before 6:30 a.m. and the Superintendent of Schools or designee may make a mass call to parents' primary phone numbers to inform parents of a school closing. Tune your radio to WCBK (102.3). Please do not call the school office for closing information.

The School Messenger phone system depends on phone numbers in the school's database to deliver phone messages to your home and/or cell phone. Current emergency information is critical for the school office and database. We need to be able to contact you in the case of an emergency, injury, or sickness. Should you move during the school year or your telephone number changes, it is essential that you notify the school office **immediately**.

### **Custody Orders/No Contact Orders**

It is your responsibility as a parent or guardian to provide the school with any updated information concerning custody of your child. We must have the necessary information or changes signed by the judge. We will keep that information on file. We cannot use information that concerns custody of a child from an attorney or another party.

If a situation changes we must receive in writing an agreement by both parties. We can accept that document unless it is in strict violation of the court order. Example: Father picks the child up on Mondays from school but needs to change it to Tuesday. We do not need a judge's signature for change as long as both parties have agreed to the change in writing. For example, if the mother says the father cannot have contact with the child and the court order designates joint custody, then we are obligated to follow the court order.

Both parents always have access to the child's teacher and any educational information unless the judge has stated otherwise. Our philosophy is to have both parents involved in their child's education. If a parent does not live nearby, the parent can provide the school with self-addressed stamped envelopes and we will mail the specific information the parent would like to receive.

Custody situations can become uncomfortable for children. Please help us avoid a situation for your child. Just remember to provide us with the most current documents and we will follow them. If parents make an agreeable change, please do not call in but provide a note signed by both parties. If you have given us a copy of your order, we still have it on file. A copy of a no contact order should also be on file in the school office.

### **Surveillance Cameras**

Surveillance cameras are used on school buses and in and around school buildings. It is the desire of the Board of School Trustees to provide a safe and secure environment for students on buses and in our schools. To this end, the Board of School Trustees authorizes the use of audio-video systems on buses and in schools.

All tapes created as a result of such monitoring are the property of the MSD of Martinsville and access is restricted. Tapes will be maintained for a reasonable period of time and then may be recorded over. Tapes may be viewed only at prescribed locations and upon authority granted by the Superintendent.

Information obtained as a result of such monitoring may be used to initiate and/or support disciplinary action and to improve safety.

## **COMMUNICATION**

Communication is an essential part of the education program. It is important that the teacher and parent be in close contact throughout the year. This is accomplished through the use of Character Lifelines, notes, e-mails, phone calls, and newsletters.

Anytime there is a question or concern, do not hesitate to call the school office or teacher's voice mail and he/she will get back to you as soon as possible. The staff makes every effort to return messages within 24 hours. If you do not receive communication back from a staff member within 48 hours, please contact the school principal.

### **Family Access**

Some questions and concerns may be handled through our Family Access Internet program, provided you have a computer with Internet capabilities. Parents must show their photo ID as proof of being the parent or guardian and complete a form to obtain a user-name and password. This permission form, for use, may be obtained at the MSD of Martinsville Administrative Office located at 389 E. Jackson in Martinsville.

Once you have a user-name and password, using your Internet browser, you will type in the MSD of Martinsville's web page. There is a link to Family Access. Once you have entered your user-name and password, you will be able to view your child's school information as it is contained in the corporation's database.

### **Information Cards**

Student information cards are sent home the first week of school. Returning the cards promptly is very important. A record of this information is kept in the school office in case you need to be contacted. Please make sure all telephone numbers and addresses are accurate and clearly written. Please notify the school office when your telephone number and/or address changes.

### **School Messenger**

Now more than ever, it is critical that educators have a direct line to families, students, and staff, so that important information can be communicated quickly and reliably. Teachers, schools, and the school district can send timely voice messages to parents and/or guardians through an automated system called School Messenger. Messages are scheduled for delivery to alert parents and students to absences, events, emergencies, and other important information. Again, the phone numbers called are from our school data system so it is critical that phone numbers are kept up to date in order to receive these timely messages.

### **Student Technology Acceptable Use Policy (A.U.P.) and Safety**

All students enrolled in MSD of Martinsville will be issued and permitted to use the technology resources of MSD of Martinsville once the Student Technology Acceptable Use Policy and Standards for Proper Care of the Chromebook/iPad is signed by a parent/guardian. The Student Technology Acceptable Use Policy and the safety and care guidelines are included at the end of the handbook.

### **Telephone Policy**

Please do not ask your child to make a call or expect them to be able to use the phone. The office phone WILL NOT be used by students except in cases of emergencies, and then only with permission of a staff member. The following DO NOT constitute an emergency:

1. Forgetting assignments

2. Forgetting books
3. Forgetting permission slips
4. Calls concerning after school activities, such as scouts and staying over with a friend
5. Cell phones and electronic devices are to be turned off during school time and kept in backpacks, not in pockets or desks. If a student has an emergency they will be allowed to go to the office for permission to make a call.

### **Dismissal Procedure**

Please send a note to your child's teacher if a parent or guardian changes the way their child is to leave school. Do not leave a message for a teacher or the office for a dismissal change in case the message does not get checked in time for dismissal. All dismissal changes should be completed by 3:00 p.m. All students will go home as normal unless the school staff is notified by a parent.

## **SPECIAL SERVICES**

If a student is having difficulty with schoolwork, being socially inappropriate, or has a disability, an RtI (Response to Instruction) conference may be convened. This conference may be requested by a parent or staff member and includes staff, parents, and support personnel. There may be occasions when the RtI team recommends testing to determine possible learning disabilities. If warranted, our Resource Teacher and/or Speech and Language Teacher is assigned to support the student.

### **Resource Teacher**

The Metropolitan School District of Martinsville provides a teacher to support the educational requirements of students who have been identified as having special needs. These students are assigned to regular classrooms and participate actively in the life of the school. The Resource Teacher will meet each student's needs as determined by the student's individual education program. Parent consent is required for testing and participation.

### **Speech and Hearing/Language Development**

A licensed Speech and Hearing Therapist checks students for hearing and speech concerns. Speech classes conducted during the school day address articulation, delayed language, voice, stuttering, and hearing loss. Parent consent is required for testing and participation.

### **School Psychologist**

A licensed school psychologist is assigned to the building to provide psychological evaluations of the children who are referred because of possible learning and behavioral disabilities. This testing is done only with the consent of the parents or guardians. MSD of Martinsville Schools include School Psychologists on their building-level problem-solving teams. School psychologists serve students by providing collaborative feedback to teaching teams, designing behavior plans, assisting teachers and students with interventions (social/emotional and academic), and facilitating small groups. A school psychologist working as a member of the problem-solving team may meet with a student individually to assist the student with

social/emotional, academic, or behavioral challenges. Should a student need to meet with a school psychologist for more intensive interventions, written parent permission will be obtained.

### **Family Services Coordinator/Elementary Counselor**

The Family Services Coordinator acts as a liaison between the home and the school in whatever capacity is needed to ensure a child's maximum school success. This includes:

1. Home visits
2. Parent Workshops
3. Transportation to conferences and medical appointments
4. Help with school problems
5. Help with behavior problems
6. Referrals to community resources

### **Title I**

Title I provides extra help and instruction to K-4 students to strengthen reading and math skills. Title I placement is determined by test scores and classroom progress. The Title I lessons coordinate with the classroom curriculum. Students are referred for placement, and parent consent is required.

### **Enrichment for High Ability and High Achievement**

The Metropolitan School District of Martinsville Enrichment Program is geared at providing special curricular challenges and activities for the high ability and high achieving students at all of the district's elementary schools. Students are identified by using state-mandated, standardized assessments. All students are provided individualized instruction to meet their specific needs.

### **Religious Education**

Students in grades three and four are released from class on a voluntary basis for religious education classes. The students attend a non-denominational religious class in a church or portable classroom located off school grounds. A parent or guardian must give permission for a student to participate in this program.

### **YMCA Before and After School Child Care**

The YMCA offers child care for Brooklyn, Centerton, Green Township, Poston Road, Smith, and South Elementary students before school and after school. Please contact the YMCA at 765-342-6688 if you are interested in enrolling your child.

## **STUDENT WELLNESS**

### **Reporting Your Child's Absence**

1. Call the school office as soon as possible in the morning on the day of your child's absence. If you do not call the school by 9:30 a.m. and report the absence, the School Messenger service, someone from the school, or the attendance officer may be calling your home.

2. If you find that your child is still ill the next day, another phone call from you to the school is necessary. At this time, arrangements may be made to send home make up work for your child so that he/she does not fall behind in the classroom. Schoolwork will be sent with a sibling, neighbor, or you may pick the work up at the end of the day.
3. Upon returning from home to school, a note should be sent to the teacher explaining the absence. A doctor visit should be documented with a statement from the doctor so that it can be entered in the school data system.
4. If a child is sent home with a fever of 100 degrees or over, they are not to return to school until fever free for 24 hours without fever medication.

### **Reporting Your Child's Appointment or Absence Ahead of Time**

1. Call the school office or send a note on the day before or the day of the appointment. This helps teachers plan for tests, homework, etc. The note should contain the date, the time, and the reason for the appointment/absence.
2. If your child has a slip from his or her dentist/doctor's office, please have your child drop it off at the office when your child returns to school.
3. We ask that you not keep a child out of school for the entire day for a doctor or dental appointment.
4. Please keep these appointments to a minimum. The best time to schedule appointments is toward the end of the day.

### **Tardies**

1. Call the school as soon as possible, informing us that your child is going to be late.
2. Bring your child in as soon as possible, as teachers start their lessons as early as 8:40 a.m.
3. Sign your child in at the office, with an explanation for the tardy.

\*\*A number of unexcused or questionable absences and tardies for any child are reported to our district attendance officer. Daily records are kept on all students and weekly reports are made.

### **Guidelines for Absences and Tardies**

#### **Morning Attendance**

Student attendance hours are 8:40 a.m. to 3:40 p.m. If a student arrives after 8:40 a.m., leaves early, or is signed out for a portion of the instructional day that is less than 1/2 day, a tardy will be marked. If a student arrives at 12:10 p.m. or leaves at 12:10 p.m., he/she will be marked with a 1/2 day absence.

#### **Afternoon Attendance**

Student attendance hours are 8:40 a.m. to 3:40 p.m. If a student arrives after 12:10 p.m., the student will be marked as a 1/2 day absence and an afternoon tardy. If a student arrives at 12:10 p.m. or leaves at 12:10 p.m., he/she will be marked with a 1/2 day absence. If a student leaves early (12:10 p.m.-3:40 p.m.), or is signed out for a portion of the instructional day that is less than 1/2 day, a tardy will be marked.

### **Age of Attendance**

Children who are five (5) years of age on or before October 1 are eligible for kindergarten. Children who are six (6) years of age on or before August 1 are eligible for first grade. Once enrolled, students are responsible to all compulsory attendance laws of the State of Indiana.

### **Bus Regulations**

Students are assigned to ride school buses that will pick them up and drop them off in close proximity of their homes. Buses will not cross transportation zones. Students are not allowed to ride a bus other than their assigned bus unless a written request is received from the parent or guardian stating their permission to do so. The bus driver has guidelines and will review them with children. No live animals or glass containers are allowed on the bus. If a student is not following the bus guidelines, the student will receive a bus referral that could result in a warning, discipline consequence, or suspension/removal from the bus.

### **Head Lice Policy**

It is the policy of the MSD of Martinsville Board of School Trustees that if a case of head lice is reported and found, that person will be excluded from school for treatment. That child's siblings and classmates will also be checked. If other persons are found to have lice, they will also be excluded from school for treatment and their siblings and classmates checked.

Full school screening will be conducted as felt necessary by the principal and school nurse. Spot screening will also be conducted as necessary.

Excluded students will be admitted after evidence of treatment. This evidence includes clean hair and scalp and removal of all live lice.

### **Bed Bug Policy**

It is the policy of the MSD of Martinsville Board of School Trustees that if a bed bug is found on a student's clothing or other belongings, the child's parent or guardian should be notified. The student will not be sent home. However, the child will be offered a fresh change of clothes, shoes, and backpack on a daily basis until the problem is resolved. The infested clothing, shoes, and backpack should be heat treated in the school's dryer and rotated to the student daily. The school health professional should manage the case including re-inspecting belongings, desk, classroom, etc. until the problem is resolved.

### **Immunizations**

It is mandatory that your child has an adequate certification of immunizations on file in the school office. Please keep your child's immunization record up-to-date. Failure to do so may lead to suspension or expulsion from school.

### **Insurance**

At the beginning of each school year an application for low-cost medical insurance will be provided for your student. The school does not carry medical insurance on the students. Hopefully, nothing will happen to your child that requires medical expenses, but we cannot

guarantee this. If you do not have a family plan that covers medical expenses for your child, you may wish to consider this low-cost insurance or check with our Family Service Coordinator to see if you qualify for Hoosier Healthwise insurance, provided by the state.

### **Meningococcal Disease**

Meningococcal disease is a dangerous disease that can strike children and youth. The disease can progress rapidly and, within hours of the first symptoms, may result in death or permanent disability including loss of hearing, brain damage, and limb amputations.

Symptoms of meningococcal disease often resemble the flu and can include a fever, headache, nausea, and stiff neck, making the disease difficult to diagnose. The bacteria that cause meningococcal disease are transmitted through air droplets and by direct contact with an infected person. Fortunately, there is an immunization available and the U.S. Center for Disease Control and Prevention recommends routine meningococcal immunizations at 11 to 12 years old. For teenagers, immunization is recommended at high school entry and incoming college freshman.

Please talk with your child's healthcare provider about meningococcal disease and vaccination.

### **Medication**

All medications must be brought to the office as soon as the child arrives at school. All medications must be in the original container clearly identifying the medication and dosage instructions. All prescription medicine must be accompanied by a physician's prescription, a copy of the original prescription, or the pharmacy label. A note dated and signed by the parent, giving the child's name, dosage amounts, specific dosage times, and other necessary information must accompany all medications. If the medication is to be terminated prior to the date on the prescription, the written and dated consent or withdrawal of consent of the parent is required. With written parental permission students may bring medication home. Students with chronic diseases or medical conditions that may require emergency administration of medication (epipens, inhalers) may have medications with them after meeting the following conditions:

1. The student's parent has filed an authorization with the student's principal for the student to possess and self administer the medication.
2. A physician states in writing that:
  - a. The student has an acute or chronic disease or medical condition for which the physician has prescribed the medication;
  - b. The student has been instructed on how to properly use the medication; and
  - c. The nature of the disease or medical condition requires emergency administration of the medication.

*The authorization and statement described above must be filed each year with the student's principal.*

### **Nutrition/Food Service**

We are proud to have a self-operated school kitchen in all of our elementary schools that offer breakfast and lunch as part of the USDA National School Lunch Program. All students reporting



at our normal start time will have the opportunity to participate in free breakfast. Students will be assigned a lunchroom time where they will have the option to purchase lunch from our school kitchen or carry in a lunch from home. Our current meal prices are as follows:

	Breakfast	Lunch
All Elementary Schools	Paid – No Charge Reduced – No Charge	Paid – \$2.70 Reduced – \$.40
Ala Carte items including milk, chips and whole grain cookies - \$.60 each		

Each student will be assigned an individual PIN or given a lunch ID card to access their meal account when they proceed through the line. Parents are encouraged to deposit funds in their student’s individual meal account in advance. These funds can be sent to school in an envelope with the student’s name and the amount of the deposit written on the outside of the envelope. In addition, payment can be made using Skyward Family Access. Funds are kept in individual meal accounts for each student and are only accessible by the student they are deposited for. Also, all payments and purchases can be monitored by logging on to Family Access. Parents will be notified via School Messenger when the account becomes low.

We understand that unforeseen circumstances may cause an account to go temporarily in the “red”. Should this occur, a student will be allowed to charge five menu lunches before they are given an alternate meal. Students will not be allowed to charge ala carte items, including milk. Our full Pre-paid Meal Account Procedure/Charge Policy can be found at [www.artiescafe.org](http://www.artiescafe.org) or by contacting the Food Service Office.

If you feel your family will qualify for free/reduced priced meal benefits you are encouraged to complete a meal/textbook assistance form. Meal/Textbook Assistance forms can be completed during back to school registration in Family Access (Returning Student Verification Packet-RSVP) and paper forms are available throughout the school year in the office. Should you have any questions regarding your application, or your meal account, you may reach the Food Service Department at 765-349-4452.

Menus are available on the Food Service website at [artiescafe.org](http://artiescafe.org) at the beginning of each month. Students may bring their lunch but we discourage “fast foods” and soda.

The Food Service Department also has packages for classroom birthday celebrations. Contact your school’s cafeteria manager or check the website for details.

Visitors and guests are welcome to eat lunch with their children. However, we discourage lunch guests during the first month of school to allow our students to become familiar with cafeteria procedures. Any adult who is on the child’s emergency card or has parent/guardian permission will be allowed to eat lunch with that child and one friend pending a criminal background check. Lunch visitors must check in at the office and be prepared to show a picture ID in the office before waiting in the cafeteria until students arrive for lunch. Guests will leave upon dismissal of

students from the cafeteria. Visitors are not permitted at recess. Visitors who would like to purchase a school lunch must call the office prior to 9:00 a.m. to place an order. The cost of an adult lunch is \$3.50 and adults may not use funds in the student's meal account to purchase their meal at any time. Visitors may bring outside food for his/her child or children only (to avoid issues with allergies that may not be known to guests), but again "fast food" and soda is discouraged.

### **Physical Education**

Students must have proper footwear to participate in P.E. Students may wear their tennis shoes to school or bring them to school and change when they go to P.E. (socks must be worn). Platform and sandal-type tennis shoes, dress shoes, baggy pants, and dresses are not appropriate items to wear for P.E. If, for any reason, it is necessary to restrict your child's participation in the P.E. program, you must send a written explanation to school stating the specific health problem. This will enable the P.E. teacher to adapt activities to fit your child's needs and capabilities. If the health problem lasts more than one P.E. day a physician's statement is required.

### **Dress to Learn**

It is the responsibility of the students to maintain a healthy and respectful-looking appearance while attending school and school activities. Specific regulations of the dress policy:

1. Clothing and/or accessories which are indecent or displaying/infering offensive or lewd words, sayings, and/or pictures is considered a violation. Clothing and/or accessories may not display any forms or references to alcohol, tobacco products, and/or illegal substances.
2. Short shorts, halter tops, net shirts, tank tops with spaghetti straps and midriff tops are not permissible.
3. Shoes should be appropriate for safety and comfort. Flip flops and shoes with wheels are not permitted at any time. Students must wear tennis shoes to Physical Education. High heels and sandals without backs are not permitted.
4. Hats and sunglasses are not to be worn in the school building except on designated days.
5. The wearing or displaying of any gang-related article of dress or adornment is not allowed at school or any school activity.
6. Any attire that disrupts the educational process or puts a student at risk, such as clothing that does not fit appropriately, or leaves underwear exposed, is not permitted.

## **POLICIES AND PROCEDURES**

### **Book Rental Fees**

Book rental fees are due on the first day of school. The fee can be paid by check at the school office or through Family Access. Textbooks are issued to students on a rental basis. Children using rental books should exercise great care so the least possible damage and loss occurs. Your child is held responsible for unnecessary marking, damage, and loss of rental books. When a book becomes torn or is in need of repair, the teacher should be notified.

## **Valuables**

Students should not bring valuables or large sums of money to school. No toys, trading cards, or electronic devices should be brought to school unless specified by the teacher for a class assignment or project. When students bring items to school that are dangerous or disruptive they may be confiscated. Confiscated items will be disposed of after thirty days. It is the responsibility of the parent/guardian to claim the confiscated items.

## **Birthday Parties and Treats**

We enjoy celebrating birthdays at school. If you wish to celebrate your child's birthday at school, please contact your child's teacher and schedule a time. Birthday treats must be commercially prepared. The school prefers that you do not send in drinks. Party invitations should not be distributed at school unless all students in the class receive an invitation. The school is not permitted to disclose other student's addresses or phone numbers. **Balloons and flowers cannot be delivered to the schools.**

## **K-4 Homework Policy**

Policy 2330.01

The responsibility of the school district to educate the student is carried out by the teachers through effective classroom instruction and the careful delegation of independent study. It is important for the student to practice and reinforce the concepts related to the subject area in school. In an effort to promote consistency in homework practices and time expectations at the K-4 grade levels across the MSD of Martinsville, the following recommendations for homework are:

- Grade K: generally about 15 minutes of homework practice an evening, this typically includes 10 minutes of reading daily (student reading, or parent reading to student) and 5 minutes of word or fact practice.
- Grade 1: generally about 20 minutes of homework practice an evening, this typically includes 15 minutes of independent reading daily (student reading, or parent reading to student) and 5 minutes of word or fact practice.
- Grade 2: generally about 25 minutes of homework practice an evening, this typically includes 15 minutes of independent reading daily, and 10 minutes of word or fact practice.
- Grade 3: generally about 30 minutes of homework practice an evening, this typically includes 20 minutes of independent reading daily, and 10 minutes of word or fact practice.
- Grade 4: generally about 35 minutes of homework practice an evening, this typically includes 25 minutes of independent reading daily, and 10 minutes of word or fact practice.

\*Homework will not be graded

## **Promotion and Retention**

Recommendation for promotion and retention of the student is the responsibility of the classroom teacher and the building principal. Communication about the student's progress should be communicated to the parents throughout the year. All retentions must be approved by the classroom teacher, the building principal, and the student's parents.

## **Activities**

If your child is to participate in after school activities, and will not walk home or go on the bus as usual, please send a note to the teacher. The note should include where your child is going after school so that your child knows what he/she is expected to do. If your child rides a bus, a note must be sent to the bus driver stating your child's expected plans. If the teacher does not receive a written note giving permission for a change of plans, your child will be sent home on the bus or walk as usual.

Field trips are designed to support the curriculum. Each child must have a signed permission slip from his/her parent or guardian. Children are expected to follow general rules as outlined by the teacher. Inappropriate behavior can result in exclusion from field trips.

## **ILEARN**

### **What is ILEARN?**

ILEARN measures student achievement and growth according to Indiana Academic Standards. ILEARN is the summative accountability assessment for Indiana students in grades 3-8 and assesses:

- English/Language Arts (Grades 3-8)
- Math (Grades 3-8)
- Science (Grades 4 and 6)
- Social Studies (Grade 5)

### **ILEARN & IREAD-3 Testing Dates:**

ILEARN  
IREAD-3

April 19-May 14, 2021  
May 10-21, 2021

## **Citizenship**

It is each student's responsibility to display qualities of good citizenship. Your best conduct is expected in the halls, in the cafeteria, on the playground, in the classroom, or outside school grounds. The M.S.D. of Martinsville Schools want students to become good citizens. Staff members will give special emphasis to honesty, morality, and courtesy. Obedience to law, respect of our country's flag, appreciation of the constitution of the United States, respect for parents and home, and recognition of the dignity and necessity of honest labor are characteristics desired and expected of all students. The United States flag shall be displayed in each classroom of every school in the district. Students will recite the pledge and there will be a moment of silence in each classroom each day.

## **Curriculum**

The MSD of Martinsville Elementary Schools' curriculum focuses on Indiana State Standards, benchmark, and grade-level expectations. It is clearly defined what every student should know and should be able to do. The teachers incorporate different strategies and learning styles to enable our students to meet the minimum state standards. We go beyond the state requirements. Our goal is to produce bright, high-achieving students whose self-esteem and confidence are built upon authentic academic success. Our goal as a staff is to reach and

exceed every student's potential. It is the responsibility of the student to take advantage of the learning opportunities provided to them. The extent to which our students succeed is directly related to the extent of their parent's support. The parent's active participation in the education of the child is welcomed and strongly encouraged.

### **Discipline**

Some behavior is more serious than other behavior and requires a different approach. Severe discipline concerns such as those listed below will be handled on an individual basis.

- Repeated disruption of instruction
- Fighting
- Stealing
- Repeated disrespect for others and/or property
- Profanity
- Threatening comments or behavior
- Bullying

Bullying is not permitted. Bullying is defined as "overt, repeated acts or gestures, including verbal or written communications transmitted; physical act 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."

When students choose an inappropriate behavior we will remind them of the rules and discuss why their behavior is inappropriate. If the inappropriate behavior continues we may ask the student to complete a behavior plan.

Discipline procedures that may be used to improve discipline problems include but are not limited to:

- Parent involvement
- Withdrawing privileges
- Detention
- Behavior contracts
- Activity restriction
- Removal from class
- In-school suspension
- Out-of-school suspension

### **Zero Tolerance**

The Metropolitan School District of Martinsville has a Zero Tolerance Policy concerning students bringing weapons of any kind to school. Weapons would include guns, knives, or other instruments used to inflict harm. Any student possessing a weapon may face the consequences of being excluded from school for the remainder of the school year.

### **Sexual and Racial Harassment Policy**

The MSD of Martinsville has adopted a sexual harassment policy and a racial harassment policy. It is the policy of the M.S.D. of Martinsville Schools to maintain a learning and working

environment that is free from sexual harassment. It shall be a violation of this policy for any employee of M.S.D. of Martinsville to harass any student, teacher, other school employee or visitor through conduct or communication of a sexual nature. It shall also be a violation of this policy for a student to harass any student, teacher, other school employee or visitor through conduct or communication of a sexual nature. The use of the term "employee" also includes non-employees and volunteers who work subject to the control of school authorities. A complete copy of the sexual harassment and racial harassment policies are located in each school office.

### **Ideas For Helping Your Child**

Parents can do their part to improve homework when they:

1. Cooperate with the school to make homework effective.
2. Provide your children with suitable study conditions (desk or table, lights, books, and supplies).
3. Reserve a time for homework and turn off the television.
4. Encourage your children but avoid undue pressure.
5. Show interest in what your children are doing but do not do the work for them.
6. Understand the school expects homework to be completed and returned.

Children will improve their study habits by observing the following:

1. Be sure you understand each assignment.
2. Form the habit of using a certain time and place for study.
3. Study conditions should include good lighting, ventilation, and quiet.
4. Have necessary materials at hand.
5. Try to develop the skill of working independently.
6. Spend enough, but not too much time on each subject.

# **Metropolitan School District of Martinsville**

## **Administrative Guidelines, Bylaws, and Policies**

### **5136 – Personal Communication Devices**

Students may use personal communication devices (PCDs) before and after school, during their lunch break, in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, during after school activities (e.g., extracurricular activities), or at school-related functions. Use of PCDs, except those approved by a teacher or administrator, at any other time, is prohibited and they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight.

For purposes of this policy, “personal communication device” includes computers, tablets (e.g., iPads and similar devices), electronic readers (“e-readers”; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), and/or other web-enabled devices of any type. Students may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school. Students may use PCDs while riding to and from school on a school bus or other Board-provided vehicles or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.

Also, during after school activities, PCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight when directed by the administrator or sponsor. Under certain circumstances, a student may keep his/her PCD “on” with prior approval from the building principal.

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using PCDs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member, or other person. Using a PCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a PCD to violate the privacy rights of another person may have their PCD confiscated and held until a parent/guardian picks it up, and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity the confiscated PCD may be turned over to law enforcement.

The use of PCDs in gymnasiums, locker rooms, shower facilities, rest/bathrooms, and/or swimming pools is prohibited.

Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.

Students may not use a PCD 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 5517.01 – Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law. Students are also prohibited from using a PCD to capture, record, 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 PCDs to receive such information.

Possession of a PCD by a student at school during school hours and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The building principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned over to law enforcement. A confiscated device 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 or turned over to law enforcement. School officials will not search or otherwise tamper with PCDs in Corporation custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD in violation of this policy is required to report the violation to the building principal.

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



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

## **5500A - Student Conduct in School**

### **ARTICLE I - Philosophy**

The entire foundation and success of public school education depends on the basic concepts of self-discipline, a self-discipline that will allow all individuals to exist in a world of change and with the individual rights afforded them by our Federal and State Constitution. Certain standards of student conduct are necessary to assure that students seeking to express their own individual rights do not at the same time infringe upon the rights of others. The responsibility for the development and maintenance of self-discipline falls to the cooperative efforts of students, parents, teachers, administrators, and community.

A portion of the responsibility for the development and enforcement of regulations for the protection of the rights of individuals is delegated by the Board of School Trustees to responsible officials within the School District. The purpose of discipline controls is to help create an atmosphere that promotes the best possible learning environment for all those involved in the educational process.

An environment that provides equal opportunity for all and permits the teaching-learning process to proceed in an orderly manner is the objective of all school personnel. School staff members will make every effort individually, collectively, and cooperatively, with appropriate available community resources to help each student gain acceptable self-discipline standards.

However, in the absence of self-discipline, the Superintendent, principal and administrative personnel, or any teacher of the School District are authorized to take certain actions reasonable, desirable, or necessary to help any student to further school purposes, or to prevent an interference with the educational process. School officials are charged with a moral and "parental" duty to inculcate proper values.

Some behavior is much more serious than other behavior and requires different approaches and clearly-defined actions. Reprimand, corporal punishment, probation, referral to special personnel in the schools (counselor, assistant principal, principal), parent conference; suspension, referral to special central office personnel (pupil personnel or psychological), and expulsion are devices available to school personnel in dealing with pupils involved in school discipline problems. Any or all of the techniques will be used; however, certain acts of misconduct will subject the students to suspension or expulsion from school.

Regardless of an individual's behavior or the discipline imposed, no student should be subject to ridicule or undue embarrassment as a result of the discipline process. For that reason, communication to other staff, other students, or to persons outside of the School District which identifies the student and which is not reasonably necessary to further a legitimate school purpose is discouraged.

## **ARTICLE II - When Applicable**

Pursuant to Indiana Code, all rules of conduct shall be applicable when a student is:

- A. on school grounds immediately before, during, and immediately after school hours, and at any other time when the school is being used by a school group;
- B. off school grounds at a school activity, function, or event; or
- C. traveling to or from school or a school activity, function, or event; or
- D. during summer school.

## **ARTICLE III - Student Conduct Rules**

Pursuant to the appropriate sections of the laws of the State of Indiana, the Board of School Trustees hereby prohibits the following conduct when that conduct interferes with a legitimate school purpose or impedes an education function, and directs that such conduct can result in the suspension or expulsion of a student. Examples of student misconduct and/or substantial disobedience for which a student may be suspended or expelled include, but are not limited to:

- A. Using violence, force, noise coercion, threat, intimidation, fear, passive resistance, or other comparable conduct constituting an interference with school purposes, or urging other students to engage in such conduct. The following enumeration is illustrative of the type of conduct prohibited by this subdivision:
  - 1. Occupying any school building, school grounds or part thereof with intent to deprive others of its use.
  - 2. Blocking the entrance or exits of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of the building, corridor or room,
  - 3. Setting fire to or substantially damaging any school building or property.
  - 4. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school or educational function, or of any lawful meeting or assembly on school property.
  - 5. Intentionally making noise or acting in any manner so as to interfere seriously with the ability of any teacher or any of the other school personnel to conduct the educational function under his supervision.

- B. Causing or attempting to cause damage to school property, stealing or attempting to steal school property.
- C. Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
- D. Intentionally causing or attempting to cause physical injury or intentionally behaving in such a way as could reasonably cause physical injury to any person.
- E. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from the student.
- F. Failing to report the actions or plans of another person to a teacher or administrator where those actions or plans, if carried out, could result in harm to another person or persons or damage property when the student has information about such actions or plans.
- G. Knowingly possessing, handling or transmitting a knife or any other object that can reasonably be considered a weapon, is represented to be a weapon, or looks like a weapon.
- H. Knowingly possessing, using, transmitting, or being under the influence of any controlled substance, prescription drug, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant or depressant of any kind, or any paraphernalia used in connection with the listed substances. Also prohibited is the consumption of any of the stated substances immediately before attending school or a school function or event.

Exception to Rule H: A student with a chronic disease or medical condition may possess and self-administer prescribed medication for the disease or condition if the student's parents have filed a written authorization with the building principal. The written authorization must be filed annually. The written authorization must be done by a physician and must include the following information:

1. That the student has an acute or chronic disease or medical condition for which the physician had prescribed medication.
2. The nature of the disease or medical condition requires emergency administration of the prescribed medication.

3. The student has been instructed in how to self-administer the prescribed medication.
  4. The student is authorized to possess and self-administer the prescribed medication.
- I. Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind.
  - J. Possessing, using, transmitting, or being affected by caffeine-based substances, substances containing phenylpropanolamine (PPA), or stimulants of any kind, be they available with or without a prescription.
  - K. Engaging in the unlawful selling of a controlled substance or engaging in a criminal law violation that constitutes a danger to other students or constitutes an interference with school purposes or an educational function.

Regarding Items H, I, J, and K, any student found to have violated the provisions of this article by delivering or selling a substance to another person shall be expelled from school for a period of one (1) year unless extenuating circumstances are found. Any student engaged in the delivery, sale, or possession of a prohibited substance should be reported to law enforcement officials. A student expelled for this infraction will be notified of the trespass laws of the State of Indiana and informed that they will be prosecuted in the event they enter school grounds before, during, or after school hours for the full period of the expulsion. School grounds is defined as property belonging to the School District. If extreme extenuating circumstances are shown, then the student may request the drug-abuse class set forth below. Any student who is found to have violated this article by being in possession of or under the influence, or having recently consumed a prohibited substance shall be expelled for a period of one (1) year, unless extenuating circumstances are presented. The student may request to enroll in a special drug-abuse course of study or student assistance program (if available), as an alternative to expulsion. This course will be provided as an alternative to expulsion only in the event the student is a first offender with regard to a drug and/or alcohol offense. In order to qualify for the drug-abuse course of study, the student must also exhibit a sincere desire for help, and

must be recommended by his counselor, assistant principal, or principal for that course of study.

- L. Failing in a substantial number of instances to comply with directions of teachers or other school personnel during any period of time when the student is properly under their supervision, where the failure constitutes an interference with school purposes or an educational function.
- M. In addition to the grounds for expulsion or suspension as set forth above, a student may be expelled or suspended 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. This includes any unlawful activity meeting the above criteria that takes place during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.
- N. Engaging in an activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function. Falsely, and knowing the accusation is false, accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.
- O. Violating or repeatedly violating any rules that are reasonably necessary in carrying out school purposes or an educational function and are validly adopted under the appropriate sections of the Indiana Code.
- P. Possession or use of any tobacco or tobacco product by a student.
- Q. Whether by alarm, telephone, written communication, or any other form of communication, falsely reporting a fire, bomb threat, or any other form of disaster.
- R. Willfully absent or truant from school without the knowledge or consent of the parent or school, or absence from school when there is an attempt to evade the School Attendance Law.
- S. Violation of students' driving and riding policy as established by the Board of School Trustees.
- T. Engaging in any activity on a school bus that endangers the safety and well-being of others.

- U. Using obscene, profane, indecent, or other inappropriate modes of expression.
- V. Cheating on any test, quiz, homework assignment, or plagiarism on any project or research paper; or any other instance of dishonesty, as the same would apply to the student's academic pursuits; or assisting another cheat or plagiarize.
- W. Displaying affection for another person in an inappropriate manner
- X. Violation of a student dress code, which has been duly adopted by the principal of a school and published to the student body.
- Y. Repeated instances of being tardy to school or to any class or the failure to report to any class or any other place as scheduled or as directed by a teacher, aide, or administrator.
- Z. Repeated instances of belligerence and/or disrespectful behavior directed at an employee of this District, including contract bus drivers serving this District.
- AA. Repeated instances of failure to minimally take part in the education process. By way of example, and not by way of limitation:
  - 1. sleeping in class;
  - 2. failure to complete assignments; or
  - 3. failure to do homework.
- BB. Any act or communication which causes another person to engage in a fight, or which could reasonably cause another person to engage in a fight.
- CC. Knowingly or intentionally touching another person in a rude, insolent, or angry manner.
- DD. No student shall possess, handle, or transmit any firearm or a destructible device on school property. The following devices are considered to be a firearm under this rule:
  - 1. Any weapon which will, or is designed to, or may readily be converted to expel a projectile by the action of any explosive.

2. The frame or receiver of any weapon described above.
3. Any firearm muffler or firearm silencer.
4. Any destructive device which is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce, mine, or any similar device.
5. Any weapon which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half (1/2) inch in diameter.
6. Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two (2) immediately preceding examples, and from which a destructive device may be readily assembled.
7. An antique firearm.
8. A rifle or a shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes.

For the purposes of this rule, a destructive device is:

- a. An explosive, incendiary, or overpressure device that is configured as a bomb, a grenade, a rocket with a propellant charge of more than four (4) ounces, a missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce, a mine, a Molotov cocktail, or a device that is substantially similar to an item described above;
- b. A type of weapon that may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel that has a bore diameter of more than one-half (1/2) inch, or
- c. A combination of parts designed or intended for use in the conversion of a device into a destructive device. A destructive device is not a device that

although originally designed for use as a weapon is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or a similar device.

The penalty for possession of a firearm or a destructive device: suspension up to ten (10) days and expulsion from school for at least one (1) calendar year with the return of the student to be at the beginning of the first semester after the one (1) year period. The Superintendent may reduce the length of the expulsion if the circumstances warrant such reduction. The Superintendent shall immediately notify the appropriate law enforcement agency when a student is expelled under this rule.

- EE. No student shall possess, handle, or transmit any deadly weapon on school property. The following devices are considered to be deadly weapons as defined in I.C. 35-41-1-8.
1. Weapon, laser, or electronic stun weapon, equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
  2. An animal readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime.

The penalty for possession of a deadly weapon: up to ten (10) days suspension and expulsion from school for a period of up to one (1) calendar year. The Superintendent shall immediately notify the appropriate law enforcement agency when a student is expelled under this rule.

#### **ARTICLE IV - Discipline Procedure for Students with Disabilities\***

Students with disabilities are subject to the discipline rules adopted by the Board of School Trustees and, therefore, may be suspended or expelled for any violation(s) of such rules. In accordance with I. C. 20-8.1-5.1 and 511 IAC 7-15, administrators may take the following discipline actions:

##### Suspension

A suspension is defined as a unilateral, temporary cessation of educational or related services. A short-term removal of a student pursuant to the student's individualized education program is not a suspension. Students with disabilities may be suspended up to five (5) consecutive school days, but no more than ten (10) cumulative school days in a school year.

Before a student with disabilities can be suspended, the student must be afforded a meeting with the principal, wherein the student is entitled to: (1) a written or oral statement of the



charges against the student; (2) if the student denies the charge, a summary of the evidence against the student; and (3) an opportunity to explain the student's conduct.

This meeting shall precede the suspension of the student unless the nature of the misconduct requires immediate removal of the student. Notice of the suspension shall be given to the parent on the same day the decision to suspend is made.

### Expulsion

An expulsion is defined as separation from school attendance or a related service for more than five (5) consecutive school days.

Before a student with disabilities can be expelled from school, the student and the student's expulsion examiner must meet. However, prior to any expulsion meeting, the case conference committee must meet to: 1) conduct a functional behavioral assessment and develop a behavioral intervention plan (or review the plan if already in place and modify if necessary to address the behavior problem); and 2) review the student's behavior and determine whether the behavior is caused by, or is a manifestation of, the student's disability. If the committee determines there is such a causal relationship between the student's behavior and the student's disability, the student may not be expelled. If, however, the committee determines there is no causal relationship between the student's behavior and the student's disability, the parent may:

1. request the appointment of an independent hearing officer to contest the committee's determination;
2. request an expulsion meeting; or
3. waive the right to an expulsion meeting.

In the event of the expulsion of a student with disabilities, the student shall continue to receive a free appropriate public education. The case conference committee shall determine the educational services that will be provided during the expulsion period and where the services will be provided.

These procedures are limited to students with disabilities as identified under 511 IAC 7-3.

## **5517 - Anti-Harassment**

### **General Policy Statement**

It is the policy of the Board of School Trustees to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment, occurring in the Corporation's educational opportunities, programs, and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs, and activities, affecting the Corporation environment (hereinafter referred to collectively as "unlawful harassment"). This commitment applies to all Corporation operations, educational opportunities, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment occurring in the Corporation's educational opportunities, programs, and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs, and activities, affecting the Corporation environment. This policy

applies to unlawful conduct occurring on school property, or at another location if such conduct affects the Corporation environment.

The Board will vigorously enforce its prohibition against unlawful harassment (see definition on page 33), that is based on race, color, national origin, sex (including transgender status, sexual orientation, and/or gender identity), religion, disability, military status, ancestry, or genetic information, which are classes protected by Federal and/or State civil rights laws (hereinafter referred to as "Protected Classes"), and encourages those within the Corporation community as well as third parties who feel aggrieved to seek assistance to rectify such problems occurring in the Corporation's educational opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs and activities, affecting the Corporation environment.

All Corporation employees, including administrators, professional staff, and support staff shall report any incident of alleged unlawful harassment (see definition on page 33) that the employee observes or which is reported to the employee.

The Corporation will investigate all allegations of unlawful harassment (see definition on page 33) and, in those cases where unlawful harassment is substantiated, will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects.

Individuals who are found to have engaged in unlawful harassment (see definition on page 33) will be subject to appropriate disciplinary action up to and including termination of employment or expulsion from school.

Furthermore, Corporation employees who fail to report any incident of alleged unlawful harassment (see definition on page 33) that the employee observes or which is reported to the employee also are subject to appropriate disciplinary action up to and including termination of employment.

For purposes of this policy, "Corporation community" means students, administrators, teachers, and staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

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

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

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment (see definition on page 33) or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment (see definition on page 33).
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment (see definition on page 33), when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

## **Definitions**

### **Bullying**

Bullying rises to the level of unlawful harassment (see definition on page 33) when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students with the intent to harass, ridicule, humiliate, intimidate, or harm that/those student(s), and that bullying is based upon sex, race, color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. sexual violence;
- I. theft;
- J. sexual, religious, or racial harassment;

- K. public humiliation; or
- L. destruction of property.

In the bullying context, "harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- C. has the effect of substantially disrupting the orderly operation of a school.

#### Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, "sexual harassment" is defined as: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

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

- A. unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. sexual violence, including physical and/or sexual assault;
- C. threats or insinuations that a person's academic grade, promotion, classroom work or assignments, academic status, participation in athletics

or extra-curricular programs or events, or other conditions of education may be adversely affected by not submitting to sexual advances;

- D. unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendos; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;
- E. sexually suggestive objects, pictures, videotapes, audio recordings, or literature, placed in the educational environment, which may embarrass or offend individuals;
- F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
- G. a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
- H. remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
- I. inappropriate boundary invasions by a Corporation employee or other adult member of the Corporation community into a student's personal space and personal life;
- J. verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature;
- K. in the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

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

**NOTE:** Sexual conduct/relationships with students by a Corporation employee or any other adult member of the School Corporation community is prohibited, and any teacher, administrator, coach, other school authority, or staff member who engages in certain sexual conduct with a student may be disciplined up to and including termination and also may be guilty of the criminal charge of "sexual battery" as set forth in I.C. 35-42-4-8. In the case of a

child under fourteen (14) years of age, the person also may be guilty of "child molesting" under I.C. 35-42-4-3. In the case of a child between the ages of fourteen (14) and sixteen (16), the person also may be guilty of "sexual misconduct with a minor" under I.C. 35-42-4-9. The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any employee accused of sexual relations with a student may be placed on leave until school administrative proceedings are completed. Proven sexual relationships with a student regardless of the age of the student will initiate the termination process for the employee.

#### Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

#### Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involving religious slurs.

#### National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

#### Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may include but is not limited to conduct directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

## **Reports and Complaints of Harassing Conduct**

Students, members of the Corporation community, and third parties are encouraged to promptly report incidents of unlawful harassment (see definition on page 33) to an administrator, supervisor, or other Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. All Corporation-level employees, including administrators, professional staff, and support staff shall report any incident of alleged unlawful harassment (see definition on page 33) that the employee observes or which is reported to the employee. Any administrator or other Corporation-level official who receives such a complaint shall file it with the Corporation's Anti-Harassment Compliance Officer at his/her first convenience. Corporation employees who fail to comply with the reporting responsibility shall be subject to discipline, up to and including termination.

Members of the Corporation community or third parties who believe they have been subjected to unlawful harassment (see definition on page 33) by another member of the Corporation community or a third party are entitled to utilize the Board's complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's participation in educational or extracurricular programs unless the complaining individual makes the complaint maliciously or with knowledge that it is false. Individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of a reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying, the principal or his/her designee believes that the reported misconduct may have created a hostile work or learning environment and may have constituted unlawful harassment (see definition on page 33) based on "Protected Classes" (see definition on page 33), the principal or his/her designee will report the act of bullying and/or harassment to one (1) of the Compliance Officers who shall investigate the allegation in accordance with this policy.

## **Anti-Harassment Compliance Officers**

The following individuals serve as "Anti-Harassment Compliance Officers" for the Corporation. They are hereinafter referred to as the "Compliance Officers".

Assistant Superintendent  
389 E. Jackson Street  
Martinsville, IN 46151  
765-342-6641

Director of Special Education  
389 E. Jackson Street  
Martinsville, IN 46151  
765-342-6641

The Compliance Officers will be available during regular school/work hours to discuss concerns related to "unlawful harassment" (see definition on page 33), to assist students, other members of the Corporation community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student.

Any Corporation employee who directly observes unlawful harassment (see definition on page 33) of a student is obligated, in accordance with this policy, to report such observations to one (1) of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age of eighteen (18) within two (2) business days to advise him/her/them of the Corporation intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or his/her designee to conduct an investigation following all the procedures outlined in this policy for a formal complaint. Additionally, if the alleged harasser is a student, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age of eighteen (18), within two (2) business days to advise him/her/them of the Corporation's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint. However, all complaints of harassment involving a Corporation employee or any other adult member of the Corporation community against a student will be formally investigated.

The Compliance Officers are assigned to accept complaints of unlawful harassment (see definition on page 33) directly from any member of the Corporation community or a visitor to the Corporation, or to receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the Corporation community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. However, if the alleged harasser is the Superintendent, the recommendations shall be submitted to the Board President.

All Corporation employees must report incidents of unlawful harassment (see definition on page 33) that they observe or that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

### **Investigation and Complaint Procedure (see Form 5517 F1)**

Any employee or other member of the Corporation community or third party (e.g., visitor to the Corporation) who believes that s/he has been subjected to unlawful harassment (see definition on page 33) may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of unlawful harassment (see definition on page 33) and a process for rendering a decision regarding



whether the claim of unlawful harassment (see definition on page 33) was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment (see definition on page 33), timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within twenty (20) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights (OCR), or the Indiana Civil Rights Commission (ICRC), or to file a concurrent criminal complaint with the law enforcement agency having jurisdiction.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior and/or unlawful harassment (see definition on page 33), and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against in the Corporation's educational opportunities, programs, and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs, and activities, affecting the Corporation environment. This informal procedure is not required as a precursor to the filing of a formal complaint and/or filing a concurrent criminal complaint, and will be utilized only where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Students who believe that they have been unlawfully harassed (see definition on page 33) or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint procedure.

However, all complaints of unlawful harassment (see definition on page 33) involving a Corporation employee, any adult member of the Corporation community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed (see definition on page 33) and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer(s) is/are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An

individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed (see definition on page 33) may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one (1) of the Compliance Officers; and/or 3) to the Superintendent or other Corporation-level employee.

All informal complaints must be reported to one (1) of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own or appoint another individual to facilitate an informal resolution.

The Corporation's informal complaint procedure is designed to provide employees, other members of the Corporation community, or third parties who believe they are being subjected to unlawful harassment (see definition on page 33) with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends school.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, one (1) of the Compliance Officers or a designee will exercise his/her authority to attempt to resolve all informal complaints within twenty (20) business days of receiving the informal complaint.

Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint, may file a complaint with the United States Department of Education, Office for Civil Rights (OCR), or the Indiana Civil Rights Commission (ICRC), and/or may file a concurrent criminal complaint with the law enforcement agency having jurisdiction. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

One of the Compliance Officers or a designee will retain all materials generated as part of the informal complaint process in accordance with the Board's records retention policy (see Policy 8310, Policy 8320 and Policy 8330).

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one (1) of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process as described below shall be implemented.

The formal complaint process is not intended to interfere with the rights of an employee, other member of the Corporation community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights (OCR), or the Indiana Civil Rights Commission (ICRC), and/or to file a concurrent criminal complaint with the law enforcement agency having jurisdiction.

An individual who believes she/he has been subjected to offensive conduct/unlawful harassment/retaliation, hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing with a teacher, principal, the Compliance Officer, Superintendent, or other Corporation-level employee. Due to the sensitivity surrounding complaints of unlawful harassment (see definition on page 33) and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, Superintendent, or other Corporation-level employee, either orally or in writing, about any complaint of harassment or retaliation, the employee to whom the student reports the complaint must report such information to the Compliance Officer or designee within two (2) business days. Throughout the course of the process as described herein, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints of unlawful harassment (see definition on page 33) or retaliation must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment

or retaliation, including, but not limited to a change of building, class assignment, or class schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions s/he deems appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/unlawful harassment/retaliation.

A principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Contemporaneously, one of the Compliance Officers or a designee will inform the individual alleged to have engaged in the unlawful harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and a copy of the Board's anti-harassment policy shall be provided to the Respondent. The Respondent also must be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, one (1) of the Compliance Officers or a designee will attempt to complete an investigation into the allegations of harassment or retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

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

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment (see definition on page 33) or retaliation. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In

determining if discriminatory harassment or retaliation occurred, a preponderance of the evidence standard will be used (i.e., it is more likely than not that unlawful harassment or retaliation occurred). The Superintendent may consult with the Board's legal counsel before finalizing the report to the Superintendent.

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

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

A Complainant or respondent who is dissatisfied with the decision of the Superintendent may appeal through a signed written request to the Board of Trustees within five (5) business days of his/her receipt of the Superintendent's final decision.

If the Superintendent is the Respondent, the appeal process will skip the review by the Superintendent and move directly to the Board. In such circumstances, the Compliance Officer, or the designee, shall prepare and deliver a written report to the Board that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment (see definition on page 33) or retaliation.

The Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of a written request to appeal. At this meeting, the parties have the right to present evidence, including testimony and/or exhibits, to the Board in support of their position. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

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

The Complainant and the Respondent may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be

impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the Indiana Civil Rights Commission, or the filing of a concurrent criminal complaint.

Use of the complaint procedures is not a prerequisite to the pursuit of other remedies. Furthermore, the complaint must be investigated even if a separate investigation is being conducted by another agency, including but not limited to the local police department.

### **Privacy/Confidentiality**

The Corporation will employ all reasonable efforts to protect the privacy of the Complainant, the Respondent(s) (that is the individual(s) against whom the complaint is filed), and the witnesses to the extent possible, consistent with the Corporation's legal obligations to investigate, to take appropriate action, and comply with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed.

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

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the Corporation community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

In accordance with the Board's records retention policy and student records policy, the Compliance Officer will maintain all records created as a part of an investigation of a complaint of unlawful harassment/retaliation occurring in the Corporation's employment opportunities, programs, and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's employment opportunities, programs and activities, affecting the Corporation environment. (See Policy 8310 – Public Records and/or Policy 8330 – Student Records)

### **Remediation**

In cases where the complaint investigation results in a finding that the allegation of unlawful harassment/retaliation is substantiated, action must be taken by the Compliance Officer to remedy the past effects of such unlawful harassment/retaliation on a student. This may include but is not limited to providing a contact person to monitor the student, providing tutoring to the student, allowing the student to retake tests or assignments, and counseling.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment (see definition on page 33)/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s), if any. Any discipline of students with disabilities will be in accordance with the Individuals with Disabilities Education Act ("IDEA") and the Federal and State regulations implementing the IDEA.

When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s), if any, and with Federal and State laws and regulations.

All sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects. Prior sanctions imposed on the Respondent(s) for similar past conduct shall be considered in determining the appropriateness of the sanction(s) imposed for the present conduct.

### **Retaliation**

Any act of retaliation against a person who has made a report, filed a complaint alleging unlawful harassment, or participated as a witness in a harassment investigation is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten, or interfere with any individual because the person opposed any act or practice of unlawful harassment (see definition on page 33), or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing pertaining to unlawful harassment, or because that individual exercised, enjoyed, aided, or encouraged any other person in the exercise or enjoyment of any right granted or protected by Federal or State laws.

Individuals found to have engaged in retaliation shall be subject to disciplinary action, up to and including termination of employment or expulsion from school.

### **Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Child Services, Office of Child Protective Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant or the alleged victim, a report of such knowledge must be made in accordance with State law and Board Policy.

If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined under State law, such knowledge should be reported to local law enforcement.

Any reports made to Child Protective Services or to local law enforcement shall not terminate the Compliance Officer's or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies.

### **Education and Training**

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Compliance Officers will oversee training of Corporation employees and students so that they understand their rights and responsibilities under Federal and State law and are informed of the Board's policies and practices with respect to fully implementing and complying with the requirements of Federal and State law. All training regarding the Board's policy and administrative guidelines and harassment in general, will be age and content appropriate.

### **Notice**

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

I.C. 35-42-4-3, 35-42-4-8, 35-42-4-9

20 U.S.C. 1400 et seq., the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

20 U.S.C. 1681 et seq., Title IX of the Education Amendments Act of 1972

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

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

42 U.S.C. 1983

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

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

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

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

29 C.F.R. Part 1635

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## **CRIMINAL GANGS AND CRIMINAL GANG ACTIVITY IN SCHOOLS** **(ISBA Sample Policy based upon IDOE Model Policy)**

The Board of School Trustees of the MSD of Martinsville School Corporation prohibits gang activity and similar destructive or illegal group behavior on school property, on school buses, and/or at school-sponsored functions and prohibits reprisal or retaliation against individuals who report gang activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or other people with reliable information about an act of gang activity and similar destructive or illegal group behavior.

The following definitions apply to this policy:

Criminal Gang means a group with at least three (3) members that specifically:

1. Either:
  - a. promotes, sponsors, or assists in; or
  - b. participates in; or
2. requires as a condition of membership or continued membership;

the commission of a felony or an act that would be a felony if committed by an adult or the offense of battery. Gang Activity means a student who knowingly or intentionally actively participates in a criminal gang, or a student who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal gang. Per state law, a school employee shall report any incidents of suspected criminal gang activity, criminal gang intimidation, or criminal gang recruitment to the principal and the school safety specialist. The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services. Appropriate consequences and remedial actions are those that take into consideration the severity of the offenses and consider both the developmental ages of the student offenders and the students' histories of inappropriate behaviors, per the code of conduct.

Any corporation and school employee who promptly reports an incident of suspected gang activity and who makes this report in compliance with the school corporation procedures is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The principal or designee shall conduct a thorough and complete investigation for each report of suspected gang activity. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident. The principal may appoint additional personnel and request the assistance of law enforcement to assist in the investigation. The investigation shall be completed and the written findings submitted to the principal as soon as possible, but not later than five school days from the date of the report of the alleged incident of criminal gang activity.

The principal shall take any appropriate disciplinary actions based upon the findings of the investigation, in accordance with the code of conduct. The superintendent of the school corporation is authorized to define the range of ways in which school staff and the principal or the principal's designee shall respond once an incident of criminal gang activity is confirmed, according to the code of conduct. Consequences for a student who engages in gang activity may range from positive behavioral interventions up to and including suspension or expulsion.

The principal shall provide the parents of the students who were investigated with information about the investigation. The information to be provided to parents includes the nature of the investigation, whether the corporation found evidence of criminal gang activity, and whether consequences were imposed or services provided to address the activity. This information is to be provided in an expedited manner.

As appropriate to the investigation findings, the principal also shall provide intervention and/or relevant support services. The principal shall inform the parents of all students involved in alleged incidents and discuss the availability of counseling and other intervention services.

Support services may include one or more of the following:

1. Gang awareness education that shows promise of effectiveness based on research. The gang awareness education information should be revised and updated regularly to reflect current trends in gang and gang-like activity.
2. Culturally and/or linguistically appropriate services/supports for parents and families.
3. Counseling coupled with mentoring for students and their families.
4. Community and faith-based organizations and civic groups.
5. Viable, sustainable, after-school programs developed in collaboration with other stakeholders.
6. Job training and employment opportunities as both a deterrent to gang involvement and an incentive to leave gang involvement.
7. School sanctioned/facilitated extra-curricular activities.

The principal shall submit the report to the superintendent of the school corporation within ten (10) school days of the completion of the investigation. The superintendent or his/her designee shall report the results of each investigation to the school board on a quarterly basis during regularly scheduled board meetings.

Each school within the school corporation shall record the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender. Each school shall report this information to the school corporation superintendent who shall submit a written report to the Indiana Department of Education by June 2 of each year.

This policy shall be annually disseminated to all parents who have children enrolled in a school within the school corporation. Notice of this policy must be published in student handbooks and all other publications of the school corporation that set forth the rules and procedures for schools within the school corporation.

School officials are encouraged to collaborate with stakeholders to provide gang prevention and intervention services and programs, including but not limited to:

1. Provide training for staff and teachers on gang prevention and intervention resources within a jurisdiction on a periodic basis. The gang awareness information should be revised and updated regularly to reflect current trends in gang activity.
2. Create formalized collaboration plans between local school administration and community-based prevention and intervention providers (possibly using the existing County Safe School Commissions as points of contact). The formalized collaborations should make effective, coordinated, and maximized use of federal funding a priority.
3. Coordinate resources and funding opportunities to support gang prevention and intervention activities.
4. Consider integrating the Gang Resistance Education and Training (G.R.E.A.T.) Program into curricula.

LEGAL REFERENCE:

IC 20-26-18

IC 20-33-9-10.5

IC 35-45-9-1

### **8330 - STUDENT RECORDS**

In order to provide appropriate educational services and programming, the School 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 students' personally identifiable information.

Student "personally identifiable information" ("PII") 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 whom the School District 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 District 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.

PII 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, PII concerning students shall not be left unprotected, shared, or transferred from District records to any place not within the control of the District. This includes any laptop computer or portable storage medium.

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

- A. attendance records
- B. the students' latest ILEARN/GQE test results
- C. any secondary level and postsecondary level certificates of achievement earned by the student
- D. immunization information from the student's immunization record
- E. any dual credit courses taken that are included in the core transfer library under I.C. 21-42-5-4
- F. a functional and practicable workplace Spanish designation on the student's transcript if the student has taken Spanish language courses that meet the requirements of I.C. 20-32-4-12(b)

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

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency;
- B. samples of student work;
- C. information obtained from professionally acceptable standard instruments of measurement such as:
  - 1. interest inventories and aptitude tests,
  - 2. vocational preference inventories,
  - 3. achievement tests,

- 4. standardized intelligence tests.
- D. verified reports of serious or recurrent behavior patterns;
- E. rank in class and academic honors earned;
- F. psychological tests;
- G. 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 employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), school psychologist, therapist, or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for purposes of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. school psychologists, whether employed by a special education cooperative, interlocal, joint services organization, or an outside contractor, for purposes of the referral, evaluation, and identification of students suspected to have a disability;

- C. contractors, consultants, volunteers, or other parties to whom the Board has outsourced a service or function otherwise performed by Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, 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) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties. "Designated school personnel" may include but is not limited to employees or agents of an insurance carrier providing a defense to the District 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 District" or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the District or to perform a service or benefit for the student or the student's family or to provide a defense to the District with respect to any of these tasks. 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 a legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records including disciplinary records with respect to suspensions and expulsions upon request to a private or public school or school District in which a student of this District seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - 1. 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 – Form 8330 F9 - 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);

2. the parent or eligible student, upon request, receives a copy of the record; and
  3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school corporation in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request.
  - C. 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;
  - D. request each person or party requesting access to a student's record to abide by the Federal and State regulations concerning the disclosure of information to a third party;
  - E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
  - F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District 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 District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state-supported education program, or to enforce or comply with federal requirements related to those education programs. A written agreement between the parties is required under this exception (see Form 8330 F16).

The District will verify that the authorized representative complies with FERPA regulations.

- H. 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 other 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 District 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 District will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) 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 District 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 District'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 the District's 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; date and place of birth; e-mail address; photograph; 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; or awards received.

The Board designates school-assigned email accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational

purposes. School assigned email accounts shall not be released as directory information beyond this limited purpose and to any person or entity but the specific online educational service provider. Directory information shall not be provided to any organization for profit-making purposes. The Superintendent may allow access to a school campus or give students' directory information to organizations that make students aware of educational or occupational options.

In accordance with Federal law, the Board shall comply with FERPA when releasing students' information to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information.

Parents and eligible students may refuse to allow the District to disclose any or all of such "directory information" upon written notification to the District within ten (10) 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 District 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 not to release the lists of students for commercial or political purposes. This policy shall be equally applied to similarly situated organizations and persons. (I.C. 5-14-3-3(f))

### **Inspection of Information Collection Instrument**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least ten (10) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within ten (10) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazine, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

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

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of District noncompliance with the United States Department of Education;
- F. obtain a copy of the District's policy and administrative guidelines on student records.

The Superintendent also shall develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing District employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this District specifically as a consequence of permitting access or furnishing students' records in accordance with this policy and administrative guidelines.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation, or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the time frame for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

### **Address Confidentiality Program**

If a parent (or adult student) presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Address Confidentiality Program administered by the State Attorney General, the District shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential address when releasing student records. Because student records are available to non-custodial parents, designated school officials who have a legitimate educational interest in the information, and other individuals or organizations as permitted by law (including the public in some situations), the District shall list only the address designated by the Attorney General's Office to serve as the student's address in any student records or files, including electronic records and files. Further, the District shall use the student's designated address for any and all communications and correspondence between the Board or District employees and the parent(s) of the student (or adult student). The student's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose. The intentional disclosure of the student's actual/confidential residential address is prohibited. Any violations could result in disciplinary action.

### **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 Level 6 felony unless the destruction is pursuant to a record retention schedule adopted by the County Public Records Commission.

I.C. 5-14-3-3(f)

I.C. 5-14-3-4(a)(3) and (12)

I.C. 5-14-3-4(c)

I.C. 5-14-3-10

I.C. 5-15-6-8

I.C. 20-32-4-12

I.C. 20-33-2-13

I.C. 20-33-7-1 et seq.

I.C. 31-39-2-13.8

511 I.A.C. 7-38-1 et seq.

26 U.S.C. 152

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g

Individuals with Disabilities Education Act of 2004, 20 U.S.C. 1400 et seq.

20 U.S.C. 7165(b)

20 U.S.C. 7908

34 C.F.R. Part 99

34 C.F.R. Part 300

Revised 4/15/10

Revised 12/18/14

Revised 2/18/16

Revised 11/16/17

Revised 1/18/18

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### **8432 - PEST CONTROL AND USE OF PESTICIDES**

The Corporation is committed to providing a safe environment for students. It seeks to prevent children from being exposed to pests and pesticides. While pesticides protect children from pests that may be found in the school and its surrounding grounds, under some circumstances they may pose a hazard to children. Therefore, pest control practices may involve a variety of chemical and non-chemical methods that are designed to control pests effectively while minimizing potential pesticide exposure.

The Corporation will:

- A. annually inform parents and staff members of the Corporation's pest control policy at the time of student registration by a separate memorandum or as a provision in the staff and/or student handbook;
- B. provide the name and phone number of the person to contact for information regarding pest control;
- C. maintain a registry of parents, guardians, and staff members who want to receive advance notice of all pesticide use, and provide

such notice at the start of each school year and during the school year when a student enrolls in or transfers into a school;

The Corporation's notice at the start of each school year shall invite parents, guardians, and staff members to be added to the pesticide notification list, and the Corporation shall permit a person to be added to the registry at any time upon their request.

- D. provide notice of planned pesticide applications to parents and employees who have requested advance notice;
- E. maintain written/printed/electronic records for two (2) years of any pesticide applications, and make these records available to anyone for inspection and copying upon request.

The Corporation will provide notice to those in the registry at least forty-eight (48) hours prior to the date and time the pesticide application is to occur unless an emergency is declared. The notice will include the date and time of the pesticide application, the general area where the pesticide is to be applied, and the telephone number to contact for more information.

In case of emergency pesticide applications, because of immediate threat to the public health, the school shall give written notice as soon as possible.

The Corporation may provide for training of school employees to become certified pest control applicators. Financial support for such training may be provided by the Corporation subject to budgetary constraints of the Corporation.

The Superintendent shall prepare administrative guidelines for the implementation of this policy.

I.C. 15-16-5  
357 IAC 1-16  
ISBA, IAPSS, IASBO, Memorandum Dtd. 6/13/2000  
Revised 10/23/14  
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## **MSD of MARTINSVILLE PESTICIDE NOTIFICATION REGISTRY**

To: Parents, Guardians, and School Staff  
From: MSD of Martinsville  
Subject: Pesticide Application Registry Notice  
Date: 2020-2021 School Year

The MSD of Martinsville School Corporation practices integrated pest management, a program which combines preventive techniques, non-chemical pest control methods, and the appropriate use of pesticides with a preference for products that are the least harmful to human health and the environment. Applications of pesticides are made only when deemed necessary to control a pest problem and after trying other means to control the problem. The term "pesticide" includes insecticides, herbicides, rodenticides, and fungicides.

We are establishing a registry of persons who wish to be notified 48 hours prior to pesticide applications. To be included in this registry, please complete the attached form and return it to your child's school.

Please include me in the notification registry. I understand that if there is an immediate threat to health or property that requires treatment before notification can be sent out, I will receive notification as soon as it is practical.

Parent/Guardian/Staff Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student's Name: \_\_\_\_\_

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

Email address: \_\_\_\_\_ Phone number: \_\_\_\_\_

**AHERA ANNUAL NOTICE (APRIL 2020)**  
**M.S.D. OF MARTINSVILLE**

This information is being published to comply with the requirements of 40 CFR 763 Subpart E Asbestos Containing Materials in Schools. This regulation, commonly known as the "AHERA" rule, requires local education agencies, such as this one, to perform certain tasks regarding the presence and control of asbestos containing materials in the buildings under the jurisdiction of the local education agency.

These include but are not limited to:

1. Developing an asbestos management plan which is designed to outline procedures and guidelines for the initial inspection, triennial re-inspection, and 6-month Periodic Surveillance of asbestos-containing materials that are present in the buildings.
2. Provide awareness training and additional training to selected school employees.
3. Periodically notify all workers and occupants, or their local guardians, parent teacher organizations, and collective bargaining organizations of the availability of asbestos management plans, the location of same and the times that the plans may be reviewed.

This notification is to advise all patrons, occupants, or their legal guardians, collective bargaining organizations, and parent-teacher organizations, that the asbestos management plans required under this act are available for review upon request. The plans can be viewed by any person during normal business hours of the school. Interested parties wishing to inquire about the plans should contact the individual school office. Master copies of the plans for all buildings under the jurisdiction of this local education agency are available in the Maintenance Building, which is located at 840 South Ohio Street, Martinsville, Indiana 46151; telephone number (765) 342-7896. Inquiries regarding any facet of the regulation or the management plans should be directed to Mr. Sam Arnes at the above telephone number during regular business hours.

The M.S.D. of Martinsville school facilities and buildings which contain asbestos-containing materials (ACMs) and must comply with the 40 CFR 763 Subpart E (AHERA) regulations include:

Martinsville High School; John R. Wooden Middle School, Bell Intermediate Academy; Poston Road, Centerton, Central Education Center, Brooklyn STEM Academy, Paragon, Green Township, and South Elementary Schools; Smith Fine Arts Academy; Cross School; Transportation Facility; Maintenance Building

Listed is a brief description of asbestos projects currently ongoing and completed at our facilities this past school year, as well as activities currently scheduled for the 2020/2021 school year. Detailed reports of each activity will become a part of each school's asbestos management plan and may be reviewed online.



- The next required triennial re-inspection will be completed in June 2020
- The required six-month periodic surveillance was conducted in January 2020.
- The required six-month periodic surveillances are scheduled for June and December each year.
- Projects in 2020 included: John R. Wooden Middle School

The dugouts, concession stands, outbuildings, press boxes, and ticket booths are asbestos free and require no surveillance or re-inspections.

Hammons Alternative School, North Elementary School and the Administration Building are no longer owned by M.S.D of Martinsville

## **EXHIBIT A**

In accordance with the US EPA's AHERA Standard (ref: 40 CFR 763.80), all information concerning asbestos-containing materials in the schools of the M.S.D. of Martinsville is available for review and copying by students, staff and guardians during normal business hours.

## **STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY (A.U.P)**

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides Technology Resources (as defined in Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, District Technology Resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The District 's computer network and Internet system do not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of District Technology Resources by principles consistent with applicable local, State, and Federal laws, the District 's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy, its related administrative guidelines, and the Student Code of Conduct govern students' use of District Technology Resources and students' personal communication devices when they are connected to the District computer network, Internet connection, and/ or online educational services/ apps, or when used while the student is on District-owned property or at a District-sponsored activity (see Policy 5 136).

Users are prohibited from engaging in actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like) when using District Technology Resources. Because its Technology Resources are not unlimited, the Board also has instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using District Technology Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District 's computer network and/ or Internet connection).

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

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using the District Technology Resources if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Superintendent or Director of e-Learning may temporarily or permanently unblock access to websites or online education services/apps containing appropriate material, if access to such sites has been blocked inappropriately by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Pursuant to Federal law, students shall receive education about the following:

Safety and security while using email, chat rooms, social media, and other forms of direct electronic communications;

The dangers inherent with the online disclosure of personally identifiable information;

The consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online;

Unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor the online activities of students while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs.

Building principals are responsible for providing training so that Ed-Tech users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of District Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media and in chat rooms, and cyberbullying awareness and response. Users of District Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

1. Students will be assigned a school email account that they are required to utilize for all school-related electronic communications, including those to staff members, peers, and individuals and/or organizations outside the District with whom they are communicating for school-related projects and assignments.
2. Further, as directed and authorized by their teachers, they shall use their school-assigned email account when signing up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

Students are responsible for good behavior when using District Technology Resources- i.e., behavior comparable to that expected of students when they are in classrooms, in school hallways, on other school premises, and at school sponsored events. Communications on Education Technology are often public in nature. General school rules for behavior and communication apply. The District does not approve any use of its Technology Resources that

is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Technology Resources that are not authorized by this Policy and its accompanying guidelines.

The Board designates the Superintendent and Director of e-Learning as the administrator(s) responsible for initiating, implementing, and enforcing this Policy and its accompanying guidelines as they apply to students' use of District Technology Resources.

Students are encouraged to use the District's INTERNET/NETWORK for educational purposes. Use of such resources is a privilege, not a right. Students must conduct themselves in a responsible, efficient, ethical, and legal manner. Unauthorized or inappropriate use, including any violation of these guidelines, may result in cancellation of the privilege, disciplinary action consistent with the Student Handbook, and/or civil or criminal liability. Prior to accessing the Internet at school, students must sign the Student Network and Internet Acceptable Use and Safety Agreement. Parent permission is required for minors. Smooth operation of the District's Network relies upon users adhering to the following guidelines.

The guidelines outlined below are provided so that users are aware of their responsibilities.

- A. Students are responsible for their behavior and communication on the Internet.
- B. Students may only access the Internet by using an assigned account. Use of another person's account/address/password is prohibited. Students may not allow other users to utilize their passwords.
- C. Students may not intentionally seek information on, obtain copies of, or modify files, data or passwords belonging to other users, or misrepresent other users on the network.
- D. Students may not use the Internet to engage in "hacking" or other unlawful activities.
- E. Transmission of any material in violation of any State or Federal law or regulation, or Board policy is prohibited.
- F. Any use of the Internet for commercial purposes, advertising, or political lobbying is prohibited.

Students are expected to abide by the following generally accepted rules of network etiquette:

- A. Be polite, courteous, and respectful in your messages to others. Use language appropriate to school situations in any communications made through the District's computers/network. Do not use obscene, profane, vulgar, sexually explicit, defamatory, or abusive language in your messages.

- B. Never reveal names, addresses, phone numbers, or passwords of yourself or other students, family members, teachers, administrators, or other staff members while communicating on the Internet.
- C. Do not transmit pictures or other information that could be used to establish your identity without prior approval of a teacher.
- D. Never agree to get together with someone you "meet" online without prior parent approval.
- E. Diligently delete old mail on a regular basis from the personal mail directory to avoid excessive use of the electronic mail disk space.
- F. Use of Internet to access, process, distribute, display, or print child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors is prohibited. As such, the following material is prohibited material that appeals to a prurient interest in nudity, sex, and excretion; material that depicts, describes, or represents in a patently offensive way with respect to what is suitable for minors an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and material that lacks serious literary, artistic, political or scientific value as to minors. Offensive messages and pictures, inappropriate text files, or files dangerous to the integrity of the District's computers/network (e.g., viruses) are also prohibited.
- G. Malicious use of the District's computers/network to develop programs that harass other users or infiltrate a computer or computer system and/or damage the software components of a computer or computing system is prohibited. Students may not use the District's computers/network in such a way that would disrupt their use by others. Students must avoid intentionally wasting limited resources.
- H. All communications and information accessible via the Internet should be assumed to be private property (i.e. copyrighted and/or trademarked). All copyright issues regarding software, information, and attributions of authorship must be respected.
- I. Downloading of information onto the District's hard drives is prohibited. If a student transfers files from information services and electronic bulletin board services, the student must check the file with a virus-detection program before opening the file for use. If a student transfers a file or software program that infects the Network with a virus and causes damage, the student will be liable for any and all repair costs to make the Network once again fully operational.
- J. Students must secure prior approval from a teacher or the principal before joining a Listserv (electronic mailing lists) and should not post personal messages on bulletin boards or "Listservs."

- K. Students are prohibited from accessing or participating in online "chat rooms" or other forms of direct electronic communication without prior approval from a teacher or the principal. All such authorized communications must comply with these guidelines.
- L. Privacy in communication over the Internet and the Network is not guaranteed. To ensure compliance with these guidelines, the District reserves the right to monitor, review, and inspect any directories, files, and/or messages residing on or sent using the District's computers/network. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.
- M. Use of the Internet and any information procured from the Internet is at the student's own risk. The District is not responsible for any damage a user suffers, including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions. The District is not responsible for the accuracy or quality of information obtained through its services. Information (including text, graphics, audio, video, etc.) from Internet sources used in student papers, reports, and projects should be cited the same as references to printed materials.
- N. Disclosure, use, and/or dissemination of personal identification information of minors via the Internet is prohibited, except as expressly authorized by the minor student's parent/guardian on the "Student Network and Internet Acceptable Use and Safety Agreement Form."
- O. Proprietary rights in the design of web sites hosted on the District's servers remains at all times with the District.

### **CHROMEBOOK/iPAD AGREEMENT**

This agreement is made effective upon receipt of a School Provided Chromebook/iPAD, between The Metropolitan School District of Martinsville ("MSD Martinsville"), the student receiving a Chromebook ("Student"), and his/her parent(s) or legal guardian ("Parent"). The Student and Parent(s), in consideration of being provided with a Chromebook/iPAD, software, and related materials for use while a student at MSD Martinsville, hereby agree as follows:

1. Equipment:
  - a. Ownership: MSD Martinsville retains sole right of possession of the Technology Device and grants permission to the Student to use the Chromebook/iPAD according to the guidelines set forth in this document. Moreover, MSD Martinsville administrative staff retains the right to collect and/or inspect the Chromebook/iPAD at any time, including via electronic remote access; and to alter, add, or delete installed software or hardware.
  - b. Equipment Provided: Efforts are made to keep all Technology Device configurations the same within each school. All systems will have wireless network capability. MSD Martinsville will retain records of the serial numbers of provided equipment.

- c. Substitution of Equipment: In the event the Chromebook/iPAD is inoperable, if MSD Martinsville has a spare device for use while the Chromebook/iPAD is repaired or replaced, this agreement remains in effect for such a substitute.
- d. Responsibility for Electronic Data: It is the sole responsibility of the Student to backup data/student work as necessary following classroom instruction utilizing cloud storage. MSD Martinsville does not provide a means for backup and MSD Martinsville does not accept responsibility for any lost files or software.
- e. Responsibility for Installed Software: The Student may not install or uninstall any software or Apps to the Chromebook/iPAD without prior approval from the Technology Staff. Operating System and Application updates will be run from a central location.

2. Damage or Loss of Equipment:

- a. Responsibility for Damage: The Student is responsible for maintaining a 100% working Technology Device at all times. The Student shall use reasonable care to ensure that the Chromebook/iPAD is not damaged. Refer to the Standards for Proper Care document (posted online and available upon request), which is fully incorporated herein, for a description of expected care. In the event of damage (other than normal and reasonable wear and tear, as solely determined by MSD Martinsville), the Student and Parent will be billed, and shall promptly pay, up to full cost of repair or replacement of the damaged device.
- b. \*MSD Martinsville may charge the Student and Parent the full cost for repair or replacement when damage occurs due to negligence. Examples of gross negligence include, but are not limited to:
  - i. Leaving equipment unattended and unlocked. This includes damage or loss resulting from an unattended and unlocked Chromebook/iPAD while at school.
  - ii. Lending equipment to others other than one's parents/guardians
  - iii. Using equipment in an unsafe environment.
  - iv. Using the equipment in an unsafe manner.
  - v. Removing, altering, or puncturing or changing the physical structure of the Chromebook/iPAD or removing any identification labels. The device's warranty will be void and student will be charged full amount of device.
  - vi. (See the Standards for Proper Care document for more information on proper use).

- c. Responsibility for Loss: In the event the Technology Device is lost or stolen, the Student and Parent will be billed the full cost of replacement.
- d. Actions Required in the Event of Damage or Loss: The Student and/or Parent(s) must promptly report any damage or loss to the Student's teacher or the designated building administrator. If the Chromebook/iPAD is stolen or vandalized while not at MSD Martinsville or at an MSD Martinsville-sponsored event, the Parent may file a police report. MSD Martinsville also may file a police report in the event that a Chromebook/iPAD is stolen or vandalized at any time or in any manner.
- e. Technical Support and Repair: MSD Martinsville will provide technical support, maintenance, and repair. Any attempt to repair outside of MSD Martinsville may result in the Student and Parent being charged the full replacement cost.

3. Legal and Ethical Use Policies:

- a. Monitoring: MSD Martinsville will monitor Chromebook/iPAD use by using a variety of methods including electronic remote access – to ensure compliance with MSD Martinsville's Legal and Ethical Use Policies. The Student and Parent(s) shall have no reasonable expectation of privacy while using the Chromebook/iPAD.
- b. Legal and Ethical Use: All aspects of MSD of Martinsville's Network Acceptable Use Policy remain in effect. MSD Martinsville will provide content filtering within the MSD Martinsville network. However, MSD Martinsville does not have full control of the information on the Internet or incoming email from a non-MSD Martinsville email provider.
- c. Probationary Student Privileges: This probationary period and consequence will be determined by building administration based upon the student and incident.
- d. Peer to Peer File-sharing (P2P)/FTP Programs: The installation and/or use of any Internet-based peer to peer/FTP file-sharing tools are explicitly prohibited. File-sharing programs and protocols such as BitTorrent, Limewire, Kazaa, Acquisition, and others may not be used to facilitate the illegal sharing of copyrighted material (music, video, and images). Individuals with legitimate, school-related needs to use these tools may seek prior approval from the Technology Department.
- e. Allowable Customizations: The Student may be permitted to alter or customize the user interface of their assigned Technology Device to their own working styles including, but not limited to legally obtained music. However, MSD Martinsville reserves the right to ensure all customizations follow the Acceptable Use Guidelines and may periodically conduct maintenance that may configure the Chromebook/iPAD back to the originally installed state.



4. Returning your Technology Device if leaving the school and/or District
  - a. Students leaving the school and/or District must return District-owned Chromebook/iPAD to the library, media center, or the proper place for returns on or before his/her last day at school.
  - b. Any Technology Device not returned will be considered stolen property and law enforcement agencies will be notified. Additionally, MSD Martinsville may charge Student/Parent(s) for the replacement value of the Technology Device.

### **Student Technology Device Program Acknowledgement Form**

Please have student review and sign below.

The following items reiterate some of the most important points covered in the Technology Use Agreement and the Standards for Proper Care addenda.

- I understand MSD Martinsville retains ownership and the sole right of possession of the Technology Device and has granted the student permission to use the device. The administration has the right to collect and/or inspect the device at any time.
- I understand that I am responsible for backing up my own files and that important files should always be stored in at least two locations (such as on the Chromebook/iPAD, cloud storage, flash drive).
- I acknowledge financial responsibility for the replacement cost of the Technology Device should it become lost, damaged, or stolen.
- I acknowledge financial responsibility for the full cost of the Technology Device if damage occurs due to my “negligence.”
- I will not install or use peer to peer/ftp file-sharing programs to download music, video, or other media.
- I will not duplicate nor distribute copyrighted materials other than a back-up copy of those items I legally own or have permission to use.
- I will transport the Chromebook/iPAD in a safe and secure manner.
- I will read and follow general maintenance alerts from school technology personnel.
- I will promptly report any problems with my Chromebook/iPAD to a teacher, administrator, or member of the tech support staff in a timely manner.
- I will not attempt to remove/alter or change the physical structure of the Chromebook/iPAD or remove any identification labels.

I have read the Chromebook/iPAD Use Agreement, Acceptable Use Policy, and the Standards for Proper Chromebook/iPAD Care Addendum (available online) and agree with their stated conditions.

As the parent/guardian of this student, I have read the Student Network and Internet Acceptable Use and Safety Policy and Guidelines located in the Student Handbook, and I have discussed them with my child. I understand that student access to the Internet is designed for educational purposes and that the MSD of Martinsville has taken available precautions to restrict and/or control student access to material on the Internet that is obscene, objectionable, inappropriate, and/or harmful to minors. While the MSD of Martinsville employs filtering and other safety mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness. Students accessing the Internet through the school's computers assume personal responsibility and liability, both civil and criminal, for unauthorized or inappropriate use of the Internet. Additionally, I accept the responsibility for communicating to my child guidance concerning his/her acceptable use of the Internet. All students enrolled in the MSD of Martinsville will be permitted to use the technology resources of the MSD of Martinsville. If a parent/guardian does not want their student to have access to any or all of these resources they must notify the building principal in writing. The parent/guardian and student signed AUP is filed for each student prior to accessing the Internet.

### **Acceptable Use Policy Addendum**

Taking effect starting July 1, 2019 MSD of Martinsville will no longer be offering the purchase of the "Technology Protection Plan". We will be offering the plan free of charge and will be automatically provided to all students with a 1:1 device.

The new pricing structure is as follows. Please keep in mind this only applies to devices that were not broken intentionally or due to negligence; this is outlined in the "Chromebook/iPad Agreement" found in your school's handbook. These Charges will reset each school year.

- First Breakage – Cost of repair/replacement is free of charge
- Second Breakage – Up to \$50.00 of the total cost of the repair or replacement
- Third Breakage – The total cost of repair or replacement

\*All unpaid device fees will be sent to collections and a \$5.00 charge will be added for processing.

### **MSD Martinsville Standards For Proper Device Care**

This document is an important addendum to the Student Device Program Acknowledgement Form. Read it carefully prior to signing. You are expected to follow all the specific guidelines listed in this document and take any additional common sense precautions to protect your assigned Device. Loss or damage resulting in failure to abide by the details below may result in full-financial responsibility.

Following the standards below will lead to a Device that will run smoothly and serve as a

reliable, useful, and enjoyable 21st Century Learning tool.

### Responsibilities

- Treat this equipment with as much care as if it were your own property.
- Keep the Device in your classroom or with you-at all times.
- At NO time does your Device leave school grounds.
- Avoid use in situations that are conducive to loss or damage. Do not let anyone use the Device other than your teacher or MSD of Martinsville personnel.
- Adhere to MSD Martinsville's Device Use Policy at all times and in all locations. When in doubt about acceptable use, ask school personnel.
- Back up your student-created documents using cloud storage. You are encouraged to save your files in more than one location. MSD Martinsville is not responsible for any lost files.
- Read and follow general maintenance alerts from school technology personnel.
- Promptly report any problems to your current teacher so a technical damage report can be made.
- Do not force anything that does not fit (e.g., connections, popped-off keys). Seek help instead.
- When in doubt, ask for help.

### General Care

- Do not attempt to remove or change the physical structure of the Device including the keys, screen, or plastic casing. Doing so will void the warranty and result in loss of privilege of using a school-issued Device.
- Do not remove or interfere with the serial number or any identification label placed on the Device.
- Do not do anything to the Device that will permanently alter it in any way, including writing on it for identification purposes, etc.
- Keep the equipment clean.
- Be careful when holding or carrying the Device so as not to damage the screen or other components.

### Screen Care

- The Device screen can be easily damaged if proper care is not taken. Broken screens are NOT covered by warranty and are very expensive to replace. Screens are

particularly sensitive to damage from excessive pressure.

- Do not clean the Device screen with anything other than approved screen cleaners.
- Clean the screen with a soft, dry, anti-static cloth or with a screen cleaner designed specifically for LCD-type screens only.

#### Battery Life and Charging

- Make sure your Device is attached to its designated charger in your team-time room each day before you leave school.
- When not in use, place the Device in sleep mode in order to save battery life.

#### Personal Health and Safety

- Avoid extended use of the Device resting directly on your lap. The bottom of the Device can generate significant heat and therefore cause temporary or permanent injury. Use a barrier—such as a book or devices made specifically for this purpose—when working on your lap. Also, avoid lap-based computing while connected to the power adapter as this will significantly increase heat production.
- Avoid lengthy use involving repetitive tasks (such as typing and use of the track pad). Take frequent breaks as well as alter your physical position (typing while standing, sitting, leaning, etc.) to minimize discomfort.
- Read the safety warnings included in the Device user guide posted online.

### **MSD of Martinsville Google Suite for Education Online Resource Opt Out Form**

Dear Parents/Guardians,

In order for schools within the MSD of Martinsville School District to continue to be able to provide your student(s) with the most effective web-based tools and applications for learning, our district utilizes several computer software applications and web-based services, operated not by this district, but by third parties that use information from Google Suite for Education and related apps. As with any educational undertaking, a strong partnership with families is essential to a successful experience. In order for our students to use these programs and services, certain personal identifying information -- generally the student's name and email address -- must be provided to the web site operator.

Under federal law entitled the Children's Online Privacy Protection Act (COPPA) these websites must provide parental notification and obtain parental consent before collecting personal information from children under the age of 13. The law permits school districts such as ours to consent to the collection of personal information on behalf of all of its students, thereby eliminating the need for individual parental consent given directly to the web site operator.

Using these online tools, students collaboratively create, edit, and share files and websites for school-related projects and communicate via email with other students and teachers. These

services are entirely online and available 24/7 from any Internet-connected computer. Examples of student use include showcasing class projects, building an electronic portfolio of school learning experiences, and working in small groups on presentations to share with others.

Below are some links to the sites that govern the district's privacy measures as they pertain to your child's information:

#### Child Internet Protection Act (CIPA)

The school is required by CIPA to have technology measures and policies in place that protect students from harmful materials including those that are obscene and pornographic. -- CIPA: <http://fcc.gov/cgb/consumerfacts/cipa.html>

#### Children's Online Privacy Protection Act (COPPA)

COPPA applies to commercial companies and limits their ability to collect personal information from children under 13. By default, advertising is turned off for MSD of Martinsville School District's presence in Google Suite for Education. No personal student information is collected for commercial purposes. The school's use of student information is solely for education purposes. -- COPPA: <http://www.ftc.gov/privacy/coppafaqs.shtm>

#### Family Educational Rights and Privacy Act (FERPA)

FERPA protects the privacy of student education records and gives parents the right to review student records. Under FERPA, schools may disclose directory information but parents may request the school not disclose this information. Parents are provided the opportunity annually to opt out of disclosing their student's directory information on the District's Enrollment Form. -- FERPA: <http://www.ed.gov/policy/gen/guid/fpco/ferpa>

#### Guidelines for the responsible use of Google Suite for Education and other online resources by students:

1. Prohibited Conduct: Please refer to the MSD of Martinsville Acceptable Use Policy for your Student/s
2. Access Restriction: Access to and use of student email is considered a privilege accorded at the discretion of the MSD of Martinsville School District. The District maintains the right to immediately withdraw the access and use of these services including email when there is reason to believe that violations of law or District policies have occurred. In such cases, the alleged violation will be referred to a building or District Administrator for further investigation and disciplinary action.
3. Security: The School District cannot and does not guarantee the security of electronic files located on Google systems. Although Google does have a powerful content filter in place for email, the District cannot assure that users will not be exposed to unsolicited information.
4. Privacy: The general right of privacy will be extended to the extent possible in the electronic environment. MSD of Martinsville School District and all electronic users should treat electronically stored information in individuals' files as confidential and

private. However, users of student email are strictly prohibited from accessing files and information other than their own. The District reserves the right to access the Google systems, including current and archival files of user accounts when there is reasonable suspicion that unacceptable use has occurred.

I confirm that I have read and understand the following: If you DO NOT want your student to access Google Suite or any other third-party online resources that utilize information from Google Suite for Education (name and email address), please complete, sign, and return this form to your child's school. If, at any time during the school year, you would like to rescind your decision and change your permission, you must let the school know in writing.

I DO NOT want my student to be allowed access to apps that use information provided from Google Suite for Education.

Student Name (Print): \_\_\_\_\_

Grade: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please complete ONE form for EACH student in K-12th grade you would like to OPT OUT of Google Apps or other online resource. Please return to your child's school with all other registration material.

## **POLICY 8500.01**

### **PRE-PAID MEAL ACCOUNT PROCEDURE**

The MSD of Martinsville Food Service Department is a self-supported entity operating under USDA regulations to provide daily cost-effective meals to students and staff. Students and adults are expected to pay cash daily or in advance for all food purchases. It is the responsibility of the family to keep their student's individual meal account up to date. The Food Service Department recognizes that occasionally students may forget their lunch money. Since the District is dedicated to providing students with a positive learning environment, we have developed the following procedures to accommodate students who forget their lunch money, but also promote responsible student behavior and minimize the fiscal burden to all families. We understand that charging can be embarrassing and encourage parents/guardians to use Family Access or contact Food Services to monitor meal account activities.

### **Pre-Paid Meal Account Withdrawals/Refunds**

Cash refunds cannot be given. A primary parent/guardian must submit a claim in writing for a refund for unused monies in their child's account within 90 days of a student's withdrawal from school. Any unclaimed funds less than \$10 will be received into the Food Service Operating Fund. Forms are available on our website at [artiescafe.org](http://artiescafe.org). An inactive lunch account that has

an account balance not in excess of -\$20.00 may be offset by the positive balances when the account is dormant in excess of 90 days. In addition, provided that a parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.

### **Emergency Lunch Charge**

Pre-K – 4th Grade Students:

- Each student will be allowed to accumulate up to five lunch charges.
- After four lunch charges, the school principal and family service coordinator may be contacted. After a student has accumulated five charges an alternate lunch will be offered.
- After a student has received two consecutive alternate lunches Family Services will contact parent/guardian.
- Students with unpaid lunch charges will not be allowed to purchase ala carte.

All Students:

- No charging allowed for breakfast
- No charging allowed for ala carte items
- No charging allowed for adult meals or ala carte items
- No student will be allowed to purchase ala carte and proceed to charge a meal
- The Food Service Department will communicate account balances using automated calls and paper notices as determined by the Food Service Director

## **NEW POLICY/DISTRICT SPECIFIC POLICY**

### **MSD OF MARTINSVILLE**

**APPROVED SEPTEMBER 20, 2018**

#### **Use Of Metal Detectors**

The Board of Education is committed to protecting the health, safety, and welfare of all children, staff, and visitors of the school district. The Board authorizes the school district administration to use walk-through and/or hand-held metal detectors at any school district activity and in the school district's buildings on school property or at school-sponsored events if off school property.

The purpose of these searches are to maintain a safe educational environment for all students. No student or persons shall be selected for search based solely upon their gender, race, ethnicity, physical appearance, or any other federally protected status. These metal detectors

may be used for entrance into a school building on school property, or at any school district activity where the Superintendent or his/her designee believes a security threat may be present.

Persons entering a school building or attending a school activity may be subject to a periodic, random screening with a metal detector. The metal detector may be a walk-through, hand-held or other type of metal detection device. The building administration shall determine if the screening shall be daily, regular, or random upon evaluating the security threat posed by the situation at the time. The screenings may take place before entering a school building, gaining access to school property, being admitted to a school activity, boarding or unloading a school bus, and/or before gaining access to any other location and/or activity sponsored by this school district. Persons that do not consent to a metal detection screening may be denied admittance.

The Superintendent shall schedule training and re-training for all personnel using metal detectors, shall provide additional training for all personnel trained and authorized to use metal detectors in the event there is a security breach near or at the location of a metal detector, and shall coordinate all school district metal detector tests in accordance with the requirements as outlined in the manufacturer's specifications. The Superintendent shall maintain records for the purchase of metal detectors, training and re-training of personnel in the use of metal detectors and potential security breaches, and the testing of metal detectors.

The local police department will be immediately contacted in the event a person is found to have in their possession any item that poses a threat to the security of the person(s) or others.

All school district parent, pupil, and faculty handbooks will indicate: "The MSD of Martinsville may use metal detecting devices in all school buildings, on school property, and at all school activities."

### **Guidelines in Administering Hand Held Metal Detectors**

The MSD of Martinsville approves the use of two different types of searches using hand-held metal detectors: searches based upon reasonable suspicion and administrative searches.

Searches conducted by the school district based upon a reasonable suspicion will be performed by the school district administration. A search must be conducted by someone of the same gender. In the event the administrator in charge is not the same gender, the administrator will have the search conducted by another trained person under the administrator's supervision.

Administrative searches are random searches that will be performed by any of the following: school law enforcement officers, local law enforcement officers, school administrators, and/or trained school personnel. Administrative searches will be periodic random searches. No person or persons will be selected based solely on their gender, race, ethnicity, personal appearance, or any other federally protected class.

Searches may be conducted in classrooms, buses, for late arrivals to school, students leaving the building and later returning, at before or after-school sponsored events, or of lockers.



Staff who conduct administrative searches will keep detailed logs of dates, times, number of students searched, how the random pool of searched students was selected, and who conducted the searches.

The following protocols will be used for administrative searches:

1. Students should be asked to remove all metal objects from their pockets and clothing before a search is conducted. These objects along with the student's backpack, books or other personal possessions should be set aside and scanned separately by the person conducting the metal detector scan.
2. Students who are to be searched will be removed from their current location and taken in small groups to an empty classroom or other nonpublic area. If the detector alert is sounded, the persons conducting the search will move the student who has the alert sounded to a separate location for a more detailed search.
3. When the metal detector indicates a metal object is present, the person conducting the search must ask the student to remove the object. If the student does not, the student must be escorted to a private area where the student may be patted down only in the area where the metal detector indicated a metal object was present. A second scan of the person may be conducted to determine if any other metal objects are present.
4. If a personal item of a student is scanned and the metal detector indicates a metal object is present, the student should be asked to open their personal item or the student may be asked what the item is and to remove the item, or the person conducting the search may search the item to remove the metal object. Once the metal object is found, the search of the item should not continue.

For all searches, local law enforcement will immediately be called for any instance where a student is found in possession of a weapon. School discipline policies on possession of weapons will be enforced as well as any possible criminal violations which result from a law enforcement investigation.

For all searches staff are not allowed to deviate from these guidelines in conducting searches. The hand held wand should not be in contact with a student's physical person.

For all searches, staff will be trained annually in the use of metal detectors.