



Fremont Community Schools

2026-2027

Corporation

Policy Handbook

ABOUT THIS HANDBOOK

This Handbook contains Fremont Community Schools Board Policies, Board-approved administrative procedures, reporting forms, and citations from selected Indiana laws.

Information and policies in this Handbook are subject to change at any time by the addition, deletion, or revision of policies. Such additions, deletions or revisions shall be discussed prior to Board approval and/or adoption. Students, teachers, building administrators, or district administration may suggest and/or make recommendations for additions, deletions, or revisions of this policy.

Other administrative procedures may be found in building level student/parent, athletic, transportation, food service buildings and maintenance handbooks.

All Fremont Community Schools employees will have access to the Policy Handbook at the start of each new school year via your building's shared drive folder. Questions about policy or other content should be directed to the Superintendent/Designee.

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MISSION STATEMENTS

CORPORATION

Fremont Community Schools is committed to engage all students in positive, challenging and enriched learning that will foster academic excellence and responsible citizenship in an increasingly global society.

HIGH SCHOOL

Fremont High School and its community will provide an educational, supportive, and safe environment empowering students to learn, develop skills, be responsible and have a positive attitude necessary for life.

MIDDLE SCHOOL

The faculty, staff, and administration of Fremont Middle School believe it is our mission to Promote Respect, Foster Pride and Inspire Excellence Everyone Every Day.

ELEMENTARY SCHOOL

We, the Fremont Elementary community, believe that each child will be provided with the opportunities to learn, meet with success, and become lifelong learners. We support each child's improvement across the curriculum in writing, reading, and math skills. Our focus is to assist students in becoming responsible and productive citizens in an ever-changing world.

THIS WE BELIEVE

The greatest resource of any civilization is its children. The progress of any civilization depends upon recognizing and meeting the needs of all children in the home, at school, the community, the state and the nation.

We believe that every individual has potentialities through which effective skills, desirable habits and socially constructive attitudes can be developed. It is the duty, therefore, of our public schools to encourage and direct the physical, mental, social and spiritual growth and development of each student along desirable lines, to the extent of his ability, so that he will become a happy, well-adjusted contributing member of society.

We believe each student should accept responsibilities, which include, but are not limited to the following: a love for this country, a sincere appreciation of the freedoms and privileges each person enjoys as an American citizen, an obedience to the laws, a respect and protection for our democracy and for all public and private property, a development of acceptable social behavior, and an appreciation for all individuals working for the welfare of children.

We believe that children need teachers who help them to learn, to develop, to change, and to grow, each according to their own natural abilities. Children need creative, innovative teachers who use vision and courage in planning improved opportunities for them, teachers who are sympathetic to the needs of children and are willing to provide for their individual differences and teachers who find ways of enriching their own personal lives.

We believe that children need parents who provide a decent home, stable family living with maximum physical care and protection; parents who live rich, full lives and share ideas, responsibilities, and friends with their children.

We believe children require superb leaders in the areas of civic affairs, moral behavior, and statesmanship. The leaders will actively seek and work for actions that are in the best interests of the children.

We believe that children need buildings, grounds and equipment for a variety of indoor and outdoor activities; facilities for work, rest and recreation; provisions for safety and hygiene, for well-lighted and easily maintained classrooms, and sufficient equipment for stimulating, busy and purposeful learning.

We believe that for each generation, life becomes more complex. Therefore, our obligations to children and to society demand continuous evaluation, and persistent effort to improve our ways of working with children in our school system.

PREFACE

Since the formation of the Metropolitan School District of Fremont, the Board of School Trustees has recognized there was a need for a policy handbook in which the policies of the Board are set forth for its own guidance, and for information to those who are concerned with the actions of the Board.

It was felt that many questions could be answered by referring to the policy handbook which would lessen the work of the Board at its regular meetings, and that in many questions of policy, administrators and others concerned with the management of schools would have a well-defined guide to use in carrying out the wishes of the Board.

Since this handbook is subject to revision, we can expect that new policies will be added to meet changing conditions. The Board may in the future feel it necessary to delete or amend some of the policies which have been included in this edition. In this manner the handbook can be kept current, and in turn it will reflect the policy and the thinking of the Board as it is constituted at any one time.

It is hoped that the book as it is now presented meets the approval of the Board and will become an instrument for administering schools in an easier and better way.

Members of the original (1959) ratifying Board of School Trustees:

Ivan Burlingame
Basil Fansler
Dale Gary
Clarence Huss
James C. Lantz
Max Mitchell
William Rosebrock

REORGANIZATION PLAN FOR THE METROPOLITAN SCHOOL DISTRICT OF FREMONT

WHEREAS, the Metropolitan School District of Fremont, Steuben County, Indiana, is a Metropolitan School District organized and existing pursuant to the provisions of Section 12 Chapter 226 of the Acts of 1949 of the General Assembly of the State of Indiana, as amended by Chapter 261 of the Acts of 1959, as adopted on the 13th day of April, 1964, and is located in the northern part of Steuben County, Indiana, and includes the territory which consists of Jamestown, Fremont, and Clear Lake Townships, and the towns of Fremont and Clear Lake in said county; and

WHEREAS, it is the sense of this Board that it is in the best interest of this School Corporation and of the Taxpayers thereof that this School Corporation reorganize as a Community School Corporation to be known as Fremont Community Schools.

IT IS HEREBY RESOLVED to reorganize and the following plan is hereby formulated;

- A. Pursuant to provisions of Chapter 202 Acts of 1959 as amended by Section 2, Chapter 336 of the Acts of 1965 by the addition of Section 6A, the Board of School Trustees of the Metropolitan School District of Fremont, Steuben County, Indiana, petition the General Education Commission of the Indiana State Board of Education for approval to be reorganized as Community School Corporation.
- B. Upon approval of reorganization, such School District and the Board of School Trustees shall have and exercise all of the powers, authorities, duties and obligations prescribed by Chapter 202 of the Acts of 1959, as Amended by Chapter 332 of the Acts of 1961, as Amended by Chapter 336 of the Acts of 1965, as the same may be here-after Amended and by any other Act of the Indiana General Assembly thereto pertaining.
- C. Said Community School Corporation shall be governed by the rights, powers and duties of a School Corporation and shall be vested in a Board of School Trustees consisting of seven (7) members. This represents no change from the previous Metropolitan School District of Fremont.

- D. For the purpose of selecting the members of such Board of School Trustees, the Community School District shall be and is divided into four (4) Board Member Districts as follows:
- (a) Board Member District No. 1; Shall consist of Jamestown Township, Steuben County, Indiana.
 - (b) Board Member District No. 2; Shall consist of Fremont Township, including the Town of Fremont, Steuben County, Indiana.
 - (c) Board Member District No. 3; Shall consist of Clear Lake Township, including the Town of Clear Lake, Steuben County, Indiana.
 - (d) Board Member District No. 4; Shall consist of Jamestown, Fremont, including the Town of Fremont and Clear Lake, Steuben County, Indiana.
 - (e) Two (2) members of said Community School Board shall be resident within each of Board Member District Numbers 1, 2, and 3 respectively, and one (1) member shall be resident in Board Member District No. 4. This represents no change in the present structure of the Board of Education.
- E. There shall be no change in the boundaries of the present school corporation.
- F. With the coming into existence of the Community School Corporation to be known as the Fremont Community Schools, and the transfer to the Community Board of School Trustees, of the powers, duties, property rights, assets, liabilities, contracts relating to both the rights and obligations thereof, and all else connected with the transfer of authority from the existing School Corporation to said Community School Corporation and the vesting thereof in said Community School Corporation as prescribed by Chapter 202 of the Acts of 1959 as amended, said Metropolitan School District of Fremont shall cease to exist and the powers and duties of said Board of School Trustees shall terminate.
- G. The time when said Community School Corporation to be known as Fremont Community Schools shall come into existence shall be 12:01 o'clock A.M. Eastern Standard Time on the 1st day of January 1976.

BOARD OF SCHOOL TRUSTEES

The Board of School Trustees of the Fremont Community Schools is composed of seven members. There are three board member districts and one at large. District #1 (Jamestown Township) two members; District #2 (Fremont Township and Town) two members; District #3 (Clear Lake Township and Town) two members; At Large (Total School District) one member. The two members from Jamestown Township and one member from Fremont Township and Town are elected the year of general presidential elections. The two members from Clear Lake Township and Town, one member from Fremont Township and Town, and the at Large member shall be elected the year of midterm general elections. All board members run on a nonpartisan ticket, are elected and serve a four-year term.

CURRENT BOARD MEMBERS AND THEIR TERM EXPIRATION:

District:	One (1)	Brandi Berkhalter	December 31, 2028
	One (1)	Nicholas Treat	December 31, 2028
	Two (2)	Zachary Burnau	December 31, 2028
	Two (2)	Benjamin Roederer	December 31, 2026
	Three (3)	Andrew Lies	December 31, 2026
	Three (3)	Andrea Vaughn	December 31, 2026
	At Large	Abby Probst	December 31, 2026

BOARD POLICIES

School Board policies are statements which describe in general terms the purposes, program and organization of a school system. These policies become a framework within which the Superintendent and his/her staff can carry out their assigned duties. Policies indicate what is wanted. They may tell why and how much. Board policies should not be confused with rules and regulations which could be defined as detailed descriptions of how policies are to be carried out. Furthermore, policy must be distinguished from the administrative procedure which might be explained as the steps the Superintendent and his/her staff take in carrying out Board policy. The following pages contain statements which represent the Board's interpretation of the popular will of the community in regard to its public schools.

ADMINISTRATIVE PROCEDURES

Some Board-approved administrative procedures are included herein. They shall be identified and kept separate from general statements of Board policy (*noted in italics*). Their inclusion should be viewed as a guide to how Board policies should be administered and not as complete or exhaustive rules that limit the discretion of administrators in fulfilling their duties.

CODE OF ETHICS

The following Code of Ethics, prepared by the Indiana School Boards Association, is accepted by the Fremont Community Schools Board of School Trustees as a guide to its members as they strive to render effective, efficient, and responsible service to the Fremont Community Schools.

A School Board Member should honor the high responsibility which his membership demands:

By thinking always in terms of "children first".

By understanding that the basic function of the School Board Members is "policymaking" and not "administrative", and by accepting the responsibility of learning to discriminate intelligently between these two functions.

By accepting the responsibility along with his fellow Board Members of seeing that the maximum of facilities and resources is provided for the proper functioning of schools.

By refusing to "play politics" in either the traditional partisan or in any petty sense.

By representing at all times the entire school community.

By accepting the responsibility of becoming well informed concerning the duties of Board Members and the proper functions of public schools.

By recognizing responsibility as a State official to seek the improvement of education throughout the State.

A School Board Member should respect his relationship with other members of the Board:

By recognizing that authority rests only with the Board in official meetings, and that the individual member has no legal status to bind the Board outside of such meetings.

By recognizing the integrity of his predecessors and associates and the merit of their work.

By refusing to make statements or promises as to how he will vote on any matter which should properly come before the Board as a whole.

By making decisions only after all facts bearing on a question have been presented and discussed.

By respecting the opinion of others and by graciously conforming to the principle of "majority rule".

By refusing to participate in irregular meetings such as "secret" or "star chamber" meetings, which are not official and which all members do not have the opportunity to attend.

A School Board Member should maintain desirable relations with the Superintendent of Schools and his/her staff:

By striving to procure, when the vacancy exists, the best professional leader available for the head administrative post.
By giving the Superintendent full administrative authority for properly discharging his/her professional duties and also by holding him/her responsible for accepting results.

By acting only upon the recommendation of the Superintendent in matters of employment or dismissal of school personnel.

By having the Superintendent present at all meetings of the Board except when his contract and salary are under consideration.

By referring all complaints to the proper administrative office and by discussing them only at a regular meeting after failure of administrative solution.

By striving to provide adequate safeguards around the Superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis.

By presenting personal criticisms of any employee directly to the Superintendent.

The School Board Member should meet his responsibility to his community:

By attempting to appraise fairly both the present and future educational needs of the community.

By regarding it as a major responsibility of the Board to interpret the aims and the methods of the schools to the community.

By insisting that all school business transactions be on an open, ethical and above board basis.

By vigorously seeking adequate financial support for the schools.

By refusing to discuss personnel matters or any other confidential business of the Board in his home, on the street, or in his office.

By winning the community's confidence that all is being done in the best interests of school children.

COMPENSATION

The Board, by formal resolution, shall have the power to pay each of its members a reasonable amount for service as such member, not-to-exceed the amount established by Indiana law.

Each member of the Fremont Community Schools Board of School Trustees shall receive an annual amount not to exceed ten percent (10%) of the lowest starting salary of a teacher employed by the school corporation for their service. The compensation of this governing body remains in effect until modified by the school board through resolution or motion. Members of the Board shall also be reimbursed for expenses incurred while traveling on school business or to professional meetings.

Legal Reference: IC 20-5-3-6

POWERS OF THE BOARD

Although education in Indiana is a function of the State as indicated by the Constitution, much of the authority and responsibility has been delegated to the local community. Accordingly, the local Board is an agency and at the same time it is an instrument of popular will which attempts to understand and carry out the wishes of the people of the local community. The local Board is an intermediary between the State and the people and between the people and the schools.

- A. The Board will preside and enforce whatever rules it deems necessary for its own procedure, or for the government of the schools under its jurisdiction, provided that such rules are not inconsistent with State law or with the rules and regulations prescribed by the State Superintendent of the Department of Education or the State Board of Education.
- B. No action taken, or agreement entered into, by members of the Board of School Trustees will be binding unless such action is taken or is authorized to be taken, or such agreement is entered into or is authorized to be entered into, at a regular or special meeting of the Board at which a quorum of the Board is present. (A quorum is defined as at least four members).
- C. The Fremont Community Schools Board of School Trustees represents the public in setting the purposes and establishing the basic policies for the schools. It shall refrain from involvement in the execution of the Administrative functions of the school.
- D. Individual members of the Board shall refrain from involvement in, or interference with, the administrative functions of the school.

SCHOOL BOARD AUTHORITY

As a body created under the laws of the State of Indiana, the Board of Education of the Fremont Community Schools has full authority, within the limitations of federal and state laws and interpretations of them, to carry out the will of the people of the corporation on matters of education.

In addition, the Board of Education may exercise any power it has when the power is not expressly denied by the Constitution of the State of Indiana, state and federal statutes and regulations including interpretations of them, and is not expressly granted to any other entity. In accordance with the Indiana School Corporation Home Rule Act, the Board of Education will develop written policy or approve resolutions as needed to exercise its power under the Act. The Board will follow the procedures established by it for the exercising of said power. Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Legal Reference: IC 20-5-1.5-1 ET SEQ.

MEETING ORGANIZATION AND PROCEDURES

All regular and special meetings of the Board are open to the media and the public. The Fremont Community Schools Board of School Trustees shall abide by the provisions of the Indiana Open Door Law. All regular meetings of the Board shall be held the third Monday of each month unless a change becomes necessary due to scheduling conflicts.

A special meeting of the Board may be called as follows: (1) by the President of the Board or by the Superintendent; (2) by a majority of the members of the Board.

Special meetings are those meetings which deviate from the regular schedule of meetings. Board members must be given seventy-two (72) hours written notice of a special board meeting. A Board Member waives this notice requirement by his/her presence at the meeting or execution of a written waiver.

An organizational meeting shall be held every year within the first fifteen (15) days of January. At this meeting the Board shall elect a president, a vice president, and a secretary. In the absence of the president from any meeting of the Board, the vice president shall preside. If both the president and vice president are absent, then the secretary shall preside. If for any reason the office of the

president becomes permanently vacant, then the vice president shall act as president until a new president is elected. A new president shall be elected on or before the second regular meeting following the vacancy.

At the organizational meeting, the Board shall also appoint a treasurer, a corporation attorney, and a legislative liaison officer. Organizational meetings may be held at a regular or special meeting. Notice of the organizational meeting will be the same as for any regular or special meeting.

A public notice of the date, time and place of an executive session of the Board shall be made forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) prior to the meeting. Executive sessions of the Board shall be scheduled by the President of the Board following consultation with the Superintendent. Public notices of executive sessions must state their subject matter by specific reference to the enumerated instances for which executive sessions may be legally held. The Board must certify by a statement in the minutes that it discussed no other subject matter than the subject matter specified in the public notice.

A reconvened open meeting does not require a 48-hour public notice where announcement of the date, time, and place of the reconvened meeting was made at the original meeting, recorded in the minutes, and there is no change in the agenda.

Emergency meetings exempt from the 48-hour public notice requirement may be held. The emergency must involve actual or threatened injury to persons or property, or actual or threatened disruption of an educational activity or school function. The news media requesting notice of meetings must be given the same notice as Board Members and the notice must be posted at the administrative office or the building where the meeting will occur.

The agenda for all Board meetings shall be prepared by the Superintendent. The Superintendent shall consult with the Board President in preparing the agenda. After the agenda has been prepared it shall be distributed in accordance with the Open Door Law, and delivered or mailed in advance to each Board Member or any member of the staff who is required to be present at the meeting.

Board Members should present matters they wish to have placed on the Board's agenda to the Board President or the Superintendent in time to be placed on the prepared agenda. However, they may also present items directly to the Board President prior to the adoption of the agenda to be included under Other General Matters. If approved, the Board President shall determine if they will be placed on that agenda or the agenda of the next meeting.

The minutes and records of all actions of the Board shall be complete and intelligible, since these may be required at any time as evidence in court or examined by legally authorized boards. Minutes of meetings are to be signed by the Secretary of the Board of School Trustees.

All claims are to be prepared in itemized form, totaled and delivered or mailed to Board Members prior to the meeting. If questions regarding the procedures for conducting meetings of the Board arise, such questions shall be resolved by referring to Robert's Rules of Order.

Legal Reference: IC 5-14-1.5-1 ET SEQ IC 20-5-3-1 IC 20-5-3-2

PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

The Board, as a representative body of the District, wishes to provide an avenue for any citizen to express his/her interest in and concerns for the school. Accordingly, the public is cordially invited to attend any of the regular or special sessions of the Board, excepting Executive Sessions. Meetings of the Board are conducted for the purpose of carrying on the business of the school and, therefore, are not public meetings, but meetings held in public. Anyone wishing to speak before the Board, either as an individual or as a member of a group, is encouraged to inform the Administrator or the Board President of his/her desire to do so and of the topic to be discussed so that such remarks can be incorporated into the meeting agenda. This must be done by 10:00 a.m. on the Thursday preceding a Board Meeting. Because the Board desires to hear the viewpoints of citizens throughout the District, it will include opportunities for appearances or to receive public comment on agenda items. If citizens wish to address the Board of Education on an agenda item, they should notify the Board of Education as follows: On a card available in the Board room, any individual desiring to speak shall give his/her name, address, the group (if any) that he/she represents, and the topic to be addressed. Cards need to be

completed and handed to the Board President before the start of the meeting. The presentation should be as brief as possible. Unless an extension of time is granted, each speaker shall be limited to three (3) minutes. The President reserves the right to limit the number of individuals or groups who will be recognized to speak on one particular issue. The President also reserves the right to determine the order in which individuals may speak. Comments and questions at a regular meeting may deal with any topic related to the Board's agenda. Comments at special meetings must be related to the call of the meeting. Questions asked by the public shall, when possible, be answered immediately by the Board or Administration. Questions requiring investigation shall be referred to the Board or Administration for consideration and later response. In public session, the Board will not hear personal complaints of school personnel nor complaints against any person connected with the school system. Other channels provide for Board consideration and disposition of legitimate complaints involving individuals. Members of the public will not be recognized by the President as the Board conducts its official business except when the Board schedules, in advance, an interim public discussion period on a particular agenda item. Reviewed July, 2013 Policy BDDH (187) – Public Participation in School Board Meetings Page Two the Board vests in its President the authority to terminate the remarks of any individual when they do not adhere to the rules established in this policy. The press shall be given reasonable time at the end of a regular Board meeting to ask questions.

The Board of School Trustees recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board encourages such comments and welcomes all patrons to attend and participate in school board meetings. It is the intent of the Board to allow for an orderly expression of information pertinent to educational concerns in the school community.

ADVISORY COMMITTEES

The Board recognizes the value of advisory committees and will make use of them whenever needed.

Administrative Procedure:

Advisory committees may be created by the Board or authorized by the Board and appointed by the Superintendent to serve for special purposes or to provide continuing consultation in a particular area of activity. However, there shall be no standing overall advisory committee to the Board.

The composition of advisory committees shall be broadly representative and shall take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants.

Appointments to such committees shall be made by the Board; appointment of staff members to such committees shall be made by the Board upon recommendation of the Superintendent.

Tenure of committee members shall be one year only unless the member is reappointed.

Each committee shall be clearly instructed as to:

- The length of time each member is being asked to serve.
- The service the Board wishes the committee to render.
- The resources the Board will provide.
- The approximate dates on which the Board wishes to receive major reports.
- Board policies governing citizen committees and the relationship of these committees to the Board as whole, individual board members, the Superintendent and other members of the professional staff.
- Responsibilities for the release of information to the press.

Recommendations of committees shall be based on research and fact.

A Board of School Trustees possesses certain legal powers and prerogatives which cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the Board for action.

The Board shall have the sole power to dissolve any of its advisory committees and shall reserve the right to exercise this power at any time during the life of a committee.

NON-DISCRIMINATION, TITLE IX REGARDING SEXUAL HARASSMENT/VIOLENCE, FERPA, HATCH AMENDMENT

NON-DISCRIMINATION STATEMENT

It is the policy of the Fremont Community Schools not to discriminate on the basis of age, race, creed, color, religion, sex, disability, or national origin in its educational program or employment policies as required by the Indiana Civil Rights Act.

Inquiries regarding compliance with the above mentioned Act or other state and federal statutes relating to the above, may be directed to the Superintendent of Schools. The Board of School Trustees of Fremont Community Schools hereby recognizes the right of any aggrieved individual to due process. Indiana State Law will be adhered to regarding due process as it pertains to discrimination or other grievance related to federal laws and legislation such as Equal Employment Opportunity, Title IX, American Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Family and Medical Leave Act of 1993, Indiana Civil Rights Act of 1964, Title VI and VII, Equal Pay Act of 1973, and any other future regulation of the federal government that deal with the aspect of equality of an individual in relation to age, race, creed, color, sex, disability, religion or national origin.

OBLIGATIONS UNDER TITLE IX REGARDING SEXUAL HARASSMENT AND/OR VIOLENCE

Once a Fremont Community Schools employee knows or reasonably should know of possible sexual harassment and/or violence, they must take immediate and appropriate action to investigate or otherwise determine what occurred. Teachers and staff will report all information to their immediate supervisor.

If sexual harassment or violence has occurred, the school must take prompt and effective steps to end the harassment or violent behavior, prevent its recurrence, and address its effects, whether or not the sexual violence is the subject of a criminal investigation.

The school will take steps to protect the complainant as necessary, including interim steps taken prior to the final outcome of an investigation if applicable.

Students must report complaints of sex discrimination, including complaints of sexual violence. The school will follow up with an investigation into the alleged misconduct. These procedures will include an equal opportunity for both parties to present witnesses and other evidence.

The school must notify both parties (including parents) of the outcome of the complaint.

Sexual Harassment/Discrimination

- A. It is the policy of the Fremont Community Schools Board of School Trustees to provide a learning and working atmosphere for students, employees and visitors free from sexual harassment/discrimination.
- B. It is a violation of this policy for any administrator, teacher or other employee, or any student to engage in or condone sexual harassment/discrimination.
- C. It is the responsibility of every employee to recognize acts of sexual harassment/discrimination and take every action necessary to ensure that the applicable policies and procedures of this school district are implemented.
- D. Any employee or student who believes that he/she has been subjected to sexual harassment/discrimination has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties. (APPENDIX B)
- E. The complaint manager shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to sexual harassment/discrimination or inappropriate behavior of a sexual nature.

Administrative Procedure:

A. Definitions

1. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written or physical conduct of a sexual nature that takes place under any of the following circumstances:
 - a. When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction or participation in school activities or program;
 - b. When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personal or academic decisions affecting the individual subjected to sexual advances;
 - c. When such conduct has the effect of unreasonably interfering with the individual's work; or
 - d. When such conduct has the effect of creating an intimidating, hostile or offensive work or learning environment.
2. Complaint manager means the person, or persons, who are (are responsible for investigation of any complaints alleging noncompliance with this policy. The building principal, assistant principal and guidance counselor are designated as Complaint Managers.

B. Publication of Policy

Each employee shall receive a copy of the Prohibition of Sexual Harassment/Discrimination policy. Each student shall receive a copy of the Prohibition of Sexual Harassment/Discrimination policy at the beginning of each year and at the time of transfer into the district.

C. Training

1. All administrators, supervisors and teachers shall receive appropriate training relating to sexual harassment/discrimination.
2. All persons sitting on the Complaint Review Committee shall receive training as a group relating to sexual harassment/discrimination.
3. All training shall be documented by maintaining records of the date the training was conducted; the names of all persons participating (including signed attendance sheets); an outline of the subject matter covered; the name(s) and credentials of the instructor(s); copies of hand-out or audio visual material used; and copies of tests and test results, if used.

D. Complaint Procedures

1. Filing

Any school employee or student who believes that he/she has been subjected to sexual harassment/discrimination has the right to file a complaint in writing with any school employee. Within 48 hours that school employee shall report the complaint to the Superintendent or the Board President. A complaint manager shall be mutually selected by the aggrieved employee or student and the Superintendent or Board President.

2. The written complaint shall include the following:

- a. The name of the complainant;
- b. The name of the offender;
- c. The date of the offense;
- d. The location of the offense;
- e. A description in as much detail as possible of the incident(s), including any statements made by either party;
- f. A list of all known witnesses.

No person, witness, or person who participates or cooperates with an investigation shall be subjected to retaliation of any kind.

E. Investigation

Complaints filed pursuant to this policy shall be promptly and thoroughly investigated by the Complaint Manager or individual designated by the Complaint Manager. All circumstances of the situation shall be considered in the investigation of possible harassment incidents. In determining whether the alleged conduct constitutes sexual harassment/discrimination, consideration shall be given to the totality of the circumstances, including the context in which the alleged incident occurred.

Upon completion of the investigation, the Complaint Manager shall prepare a report including the following:

- (1) the date(s);
- (2) the name of the complainant;
- (3) the name of the offender(s);
- (4) a summary of the factual allegations that allege sexual harassment/discrimination;
- (5) the name of all potential witnesses;
- (6) a summary of the steps taken to complete the investigation;
- (7) a summary of all witness statements (with copies of the actual statements attached);
- (8) a listing of any physical evidence available;
- (9) a factual summary of all the evidence that either supports or refutes the allegations of sexual harassment/discrimination.

The investigation shall be completed within fifteen (15) days after the complaint is filed.

F. Written Decisions

Within fifteen (15) days of the hearing; the Complaint Review Committee shall issue a decision that;

1. Includes a finding of facts and conclusions explaining how those facts establish a violation of the sexual harassment/discrimination policy; and
2. Recommends sanctions.

G. Appeals

Appeals may be made to the Superintendent or otherwise to the Fremont Community Schools Board of School Trustees.

H. Sanctions

1. All students who violate this policy shall be subject to appropriate sanctions as determined by the building principal.
2. All administrators, teachers and other employees who violate this policy shall be subject to appropriate sanctions as determined by the Superintendent or the Fremont Community Schools Board of School Trustees.

I. Monitoring

On a semi-annual basis, a random sampling of students and employees shall be interviewed to determine if students and employees are being properly informed of the sexual harassment/discrimination policy and whether there are unreported incidents of sexual harassment or discrimination.

Within three months after a complaint is resolved, the complainant shall be interviewed to determine if any additional incidents have occurred and the complainant's general satisfaction with the process involved.

The Superintendent shall report annually to the Board of School Trustees providing qualitative information relative to the number of complaints, number of investigations, results of investigations, results of hearings, training efforts and policy publication efforts.

This policy will be reviewed every four years in accordance with the Fremont Community Schools Board of School Trustees policy review process.

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the Fremont Community Schools ("School") receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the School to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

HATCH AMENDMENT/PUPIL PROTECTION RIGHTS AMENDMENT (PPRA)

Right to Inspect Certain Instructional Materials

In addition to any other rights with respect to the inspection of instructional materials, the parent or guardian of a child enrolled in a school within the Fremont Community Schools Corporation which receives funds from the United States Department of Education either directly or indirectly, shall be entitled to inspect those instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any school program or curriculum.

Student Submission to Required Surveys, Analysis, Or Evaluations of School Programs

No student shall be required without prior written consent of the student's parent or guardian, as part of any school program or curriculum which receives funds from the United States Department of Education, to submit to a survey, analysis, or evaluation which reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers' physicians, and ministers;
7. Religious practices, affiliations or beliefs of the student or the student's parent; or

EMPLOYEES

ADMISSION TO CORPORATION ACTIVITIES

The Athletic Department will provide family passes for all certificated and classified employees to attend athletic events providing the employee is willing to help at athletic contests by selling or taking tickets, etc.

The Board of School Trustees authorizes the issuance of an honorary pass to all corporation activities upon official retirement for all employees of the Fremont Community Schools, or completion of Board Member terms.

CHILD ABUSE

The Board expects that all staff members who have a reasonable cause to suspect that a child or student is being subjected to child abuse will report their suspicions to the building principal.

It is mandatory, by statute, that suspected cases of physically or sexually abused children be reported to police or local child protection services for investigation.

Any employee of the Board reporting such suspicions of child abuse acting in good faith shall be held immune from any civil or criminal liability that might otherwise be imposed because of such actions.

Administrative Procedure:

Under Indiana law, any individual who has a reason to believe a child is a victim of abuse or neglect has the duty to make a report; thus everyone in Indiana is considered a mandated reporter.

School professionals are required to immediately make a report to the Department of Child Services (DCS) or the local law enforcement agency. After making the report, the school staff person must notify the individual in charge of the school or designee that the report was made.

- a. Any staff person who has a reason to believe (evidence that would cause you to believe that a child was abused or neglected), should immediately make a report to DCS or local law enforcement. When in doubt, if you have 'reason to believe', make the report.
 - i. Do not investigate. If abuse or neglect is suspected, no further questioning should occur. DCS and law enforcement are responsible for the investigation and gathering of information.
 - ii. Do not call the parent unless told to do so by DCS.
- b. A child may be in distress after reporting abuse or neglect. Therefore, it would be important to stay with the student or to ensure the student is not alone. Request assistance from School Counselor, School Social worker, Psychologist, if appropriate. A call or email to the counselor may be appropriate to request assistance, keeping in mind minimum details should be shared.
- c. Contact local law enforcement without delay if the child's immediate safety is a concern.
- d. Report suspected abuse or neglect to the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556. It is recommended that you identify yourself as a school professional.
 - i. Have readily available: name(s) of alleged perpetrator(s); name(s) of alleged victim(s); approximate time and duration of alleged abuse; and general nature of the abuse (the DCS Intake Tool will guide you on what information will be requested from DCS).
 - ii. Provide the most detailed information available.
- e. Notify your school administrator or designee that a report was made and request signature on the preliminary report of alleged child abuse or neglect.
- f. Maintain a copy of the preliminary report of alleged child abuse or neglect for your records and provide a copy to the administrator or designee.
- g. Failure to report suspected abuse or neglect is a Class B misdemeanor.

If it is determined that a student should not be sent home after dismissal, or if a student expresses concern for his/her safety or well-being by returning home or being released to the parent/guardian, DCS and/or local law enforcement should be consulted immediately. School staff should follow instructions from law enforcement and/or DCS.

Legal Reference: IC 33-5-1

EMPLOYEE ATTENDANCE REPORTING PROCEDURE

All Fremont Community Schools Employees are expected to report all absence due to sickness or other reasons in accordance with this procedure. Teachers and staff shall maintain contact with the Principal or their immediate supervisor during a period of sickness/absence.

Where illness/other reasons prevent a teacher or staff member from attending school, he/she must:

- A. Telephone his/her immediate supervisor on the first day of absence, prior to work day if known, to indicate the possible duration. Principals/Supervisors shall notify the Superintendent by phone on the first day of absence.
- B. Ensure that the immediate supervisor is kept informed, in order for alternative arrangements to be put in place if necessary.

When an employee knows in advance they are going to be absent they should notify their immediate supervisor so that a substitute can be retained for said employee.

All employees shall complete an absence report form at school on the morning they return from their absence and submit it to the school secretary or immediate supervisor.

In some situations, a Fremont Community Schools employee may be required to obtain a fitness for duty report/authorization from their treating physician. This authorization should list out the specific quantities/dosages of any drug the employee is prescribed and authorized to take while performing their employment duties.

Willful refusal to obey this policy may be considered insubordination and grounds for disciplinary measures.

EMPLOYEE PLACEMENT

In all decisions involving the employment, promotion, transfer, suspension, or dismissal of employees, the Superintendent or designee will present a recommendation to the Board preceding the action of the Board of School Trustees.

FAMILY AND MEDICAL LEAVE (FMLA)

EMPLOYEE RIGHTS AND RESPONSIBILITIES

UNDER THE FAMILY AND MEDICAL LEAVE ACT (FMLA)

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

For employees not married to another employee of the same employer the term of the leave shall not be longer than 12 calendar weeks (the "leave period") during each "leave year". A "leave year" is defined as the rolling 12-month period measured backward from the first date the employee takes any portion of FMLA leave. If two employees are married and both are entitled to take FMLA Leave due to the birth or adoption of a child or the placement of a foster child, those married employees are entitled to a combined leave period for that purpose of 12 calendar weeks during that leave year.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

While on leave the employee is responsible for keeping the employer informed and updated regarding the employee's status and the date that the employee plans to return to work. If the employee fails to return to work at the expiration of the leave period, eligibility for continued health coverage may terminate and the employee may be denied restoration of employment. In addition, the employer may seek reimbursement from the employee for all premiums or portions thereof paid by the employer during the leave period.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies. In such cases the paid leave and the FMLA leave run concurrently.

Employee Responsibilities

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to prove a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights. (APPENDIX D-1 thru APPENDIX D-7)

INDEMNIFICATION OF EMPLOYEES AND BOARD MEMBERS

Fremont Community Schools may, as approved by the School Board, pay all costs and fees incurred by or on behalf of an employee or school board member, in defense of any litigation arising out of the good faith performance of duties for or employment with Fremont Schools. As permitted by Indiana law, Fremont Schools may pay any judgment, compromise, or settlement of the claim, when the school board determines that it is in the school corporation's best interest, the act or omission causing the loss is within the scope of the employee's employment or Board obligations, and the employee did not act in bad faith or with malfeasance. The intent is to hold harmless such employee from any liability, cost, or damage, including the payment of legal fees.

If a Fremont Community Schools employee or board member is or could be subject to personal civil liability for a loss occurring because of a noncriminal act or omission that violates federal or state civil rights laws, the school may pay any judgment, compromise, or settlement of the claim or lawsuit as permitted by law and after the School Board determines that paying the judgment, compromise or settlement is in the best interest of the school corporation. Fremont Community Schools may also pay all costs and fees incurred by or on behalf of any such employee in defense of such a claim or suit.

Legal Reference: IC 34-13-2-3 IC 34-13-3

JOB DESCRIPTIONS

Job descriptions for all employees of the Fremont Community Schools will be approved by the Board of School Trustees, distributed to each employee and placed on file in the Office of the Superintendent.

LEAVES WITHOUT PAY

All leaves without pay require advance approval by the Board of School Trustees, except in emergency situations. The employee shall submit a request as soon as the employee has knowledge that leave will be required.

MATERNITY AND PATERNITY LEAVE

Any employee who is pregnant is entitled to a leave of absence any time between the commencement of her pregnancy and one (1) year following the birth of the child, if she notifies the Superintendent at least thirty (30) calendar days before the date on which she desires to start her leave, except in cases of pregnancy-related disability in which case the leave may commence at that time. She shall also notify the Superintendent of the expected length of this leave, including with this notice either a physician's statement certifying her pregnancy or a copy of the birth certificate of the newborn, whichever is applicable, unless waived by the Superintendent. To the extent permitted by the Family and Medical Leave Act, the employee shall set the termination of such requested leave to coincide with a grading period or summer recess if the leave exceeds the period of child-bearing disability. The leave will be without pay, but the employee may continue full insurance benefits at their own expense.

All or any portion of such leave taken by an employee because of a temporary disability caused by pregnancy may at the option of the teacher be charged to accumulative sick leave upon submission of a physician's certification of disability. If an employee desires to file a claim against accumulative sick leave, she must do so within fifteen (15) days after an attending physician certifies that the employee is no longer disabled. A teacher returning from maternity leave shall retain full credit for years of teaching service prior to the leave and be reinstated with all the benefits restored in full to which she was entitled at the time the leave commenced. Teachers returning from such leave shall not receive increment or experience credit for the time spent on leave.

Any employee who is granted a leave of absence that would necessitate placing a substitute under contract must honor the entire leave granted. An employee returning from a leave of absence on the date set forth in the leave request shall be assigned to the same position which she held at the time the leave commenced, or if that position is no longer in existence, to a comparable position. If the employee is not replaced by a substitute under contract, the employee may return to the position which she held upon commencement of the leave, if it is in existence, by giving ten (10) days notice to the Superintendent.

A male employee whose paternity is legally established shall be granted a paternity leave of up to one (1) year by setting forth the necessity and the term of such leave. The employee shall set the termination of such requested leave to coincide with a grading period or summer recess. A teacher returning from paternity leave shall retain full credit for years of teaching service prior to the

leave and be reinstated with all the benefits restored in full to which he was entitled at the time the leave commenced. Teachers returning from such leave shall not receive increment or experience credit for the time spent on leave. The leave, if granted, will be without pay, but the employee may continue full insurance benefits at his own expense.

Any employee adopting a child shall be entitled upon request to an unpaid leave to commence at any time during the first year after receiving defacto custody of the child or prior to receiving such custody if necessary in order to fulfill the requirements for adoption.

An unpaid leave of absence is granted for the school year or any portion thereof and may be renewed so long as the total leave does not exceed two (2) years. Whenever two (2) school years become involved, two (2) separate requests for leave must be made. After leaves of absence for two school years, the teacher cannot be granted a leave for any part or all of the third year and must return to the classroom.

An employee desiring a leave of absence for the succeeding full school year should make request for the leave as soon as possible in the current school year and prior to April 1.

The employee should contact the Superintendent to discuss any related insurance matters.

PERFORMANCE EVALUATION

All employees of the Fremont Community Schools shall be evaluated. The Superintendent and Assistant Superintendent shall be evaluated annually by the Board of School Trustees at the regular July meeting.

The Superintendent shall annually evaluate the Principals, Supervisors/Directors (Food Service, Facilities & Grounds, Transportation, and Technology) and report to the Board of School Trustees in the regular June Board meeting.

All food service staff shall be evaluated annually by the Food Service Director and the evaluations will be reported to the Board in the June meeting.

All custodial staff shall be evaluated annually by the Facilities & Grounds Director and the evaluations will be reported to the Board in the June meeting.

All transportation employees shall be evaluated annually by the Transportation Director and the evaluations will be reported to the Board in the June regular Board meeting.

All other classified personnel shall be evaluated by the supervisor of their particular area of employment. In the case of an employee having more than one immediate supervisor, the supervisors shall jointly evaluate the employee. The preparation of the evaluation report is the responsibility of the supervisor where the employee spends the greater part of his/her time. Such evaluations shall be reported to the Board of School Trustees at their regular June meeting.

Special Services employees shall be evaluated by the appropriate principals. Such evaluations shall be reported to the Board of School Trustees in the regular June meeting.

Teachers shall be evaluated according to the following procedures and those evaluations shall be reported to the Board of School Trustees at the appropriate regular meetings.

Building Supervisors shall be evaluated by their building employees once each year, prior to March 15. The evaluation forms shall be collected by the President or designee of the organization that is the exclusive representative of the teacher, compiled and returned to the Supervisor. It shall be the sole responsibility of the exclusive representative to administer the evaluations.

EMPLOYEE PROFESSIONALISM INCLUDING SOCIAL MEDIA USE

Purpose

Professionalism, ethics, and integrity are of paramount importance in the education community.

Employees do not forfeit their rights and freedoms, but as educators and public servants, they must be careful not to interfere with or harm the ability or effectiveness of the school corporation to fulfill its mission of public education. There are also laws and regulations that restrict the unauthorized disclosure of certain student and teacher information. Requests for information regarding students or employees should be directed to the building or central administration. The purpose of this policy is as follows:

To establish guidelines of permissible use of internet social networking sites by employees of Fremont Community Schools. The use of social media is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon Fremont Community Schools and its relationship with the community.

To achieve and maintain the public's highest level of respect, we must place reasonable restrictions on our conduct and hold to these standards of conduct whether during or after school hours. An employee's actions must never bring the School into disrepute, nor should conduct be detrimental to its efficient operation.

To ensure that the release, either directly or indirectly, of information concerning our students, their education, or other issues involving them is not disseminated, and that all employees treat as confidential these matters regarding any/all students.

In general, employees should respect the privacy of other employees and treat the business of Fremont Community Schools as confidential. Employees shall not reveal the names, addresses, or telephone numbers of any employee without the consent or permission of the employee or the administration.

Prohibited Activity and Guidelines

1. Except in the performance of an authorized duty, employees shall not post, transmit, reproduce, and/or disseminate information (text, pictures, video, audio, etc.) to the internet or any other forum (public or private) that would tend to discredit or reflect unfavorably upon Fremont Community Schools or any of the School's employees.
2. Except in the performance of an authorized duty, employee use of school computers to access social networking sites (Facebook, Myspace, Twitter, Instagram, Snapchat, etc.), blogs or bulletin boards is prohibited.
3. Employees are prohibited from posting content that is inconsistent with or interferes with their duties and obligations as public servants. For example, racist or sexist comments, comments insulting groups on the basis of national origin, local residents or the general public, all tend to undermine the public trust and confidence required by yourself, fellow employees and Fremont Community Schools.
4. Employees are prohibited from posting, transmitting, and/or disseminating any pictures or videos of students, activities, or school related assignments without the express written permission of the administration or supervisor.
5. Negative comments on the internal operations of Fremont Community Schools or specific conduct of supervisors or peers that impacts the public perception of Fremont Community Schools may not be protected First Amendment speech, in accordance with established case law.
6. Employees must be mindful that posted content has the potential to be shared broadly, including with individuals with whom one did not intend to communicate. For example, a litigant may subpoena posts if they are relevant to a lawsuit. This could include not just litigation directly involving the school, but also custody battles or criminal investigation. Counsel could use your posts to impugn your reputation or to show bias.
7. In general, Employees should try to avoid conduct that conflicts with or that threatens or interferes with the effectiveness of the school corporation's function.

It is recommended that staff members only engage in electronic communication with students via telephone, email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, Myspace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.

POSSESSING FIREARMS ON SCHOOL PROPERTY

A firearm under this policy is any weapon that is capable of expelling, designed to expel, or may readily be converted to expel a projectile by means of an explosion.

No school employee may possess a firearm in a school building or on school property while on duty as a school employee unless the firearm is locked in the trunk of the employee's vehicle kept in the glove compartment of the employee's locked vehicle or stored out of plain sight in the employee's locked vehicle.

Legal Reference: IC 35-47-9-1 IC 34-28-7-2

PROFESSIONAL ORGANIZATIONS AND MEETINGS

The Board of School Trustees recognizes the advantages of school personnel attending professional meetings pertinent to an individual's area of work. Approval by the Superintendent is necessary for attendance at professional meetings during school hours.

The Board of School Trustees directs the administrative staff to comply with all requirements of the Indiana Professional Standards Board regarding professional training.

Administrative Procedure:

- A. *When a request is made to attend a meeting or conference, a corporation approval form must be submitted including the following: approximate cost, length of time, and mode of transportation. (APPENDIX E)*
- B. *The corporation will reimburse each teacher for membership in one (1) professional subject area association and its state affiliate. Please see attached schedule for reimbursement.*

RECRUITMENT AND SELECTION

The Fremont Community Schools Board of School Trustees has the legal responsibility of approving the employment of all employees. While this responsibility cannot be waived, the Board assigns to the Superintendent the process of recruiting staff members. In carrying out this responsibility, the Superintendent will involve various administrative and teaching staff members as needed. All personnel selected for employment must be recommended by the Superintendent or his/her designee and approved by the Board of School Trustees. To aid in obtaining the best available staff members for our schools, the Board of School Trustees adopts the following general criteria which shall be utilized in the selection process for initial employment.

There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability or religion. The highest quality of instruction is enhanced by a staff with a wide variation in educational preparation, background and previous experience. Concerted efforts will be exerted to maintain this variation in the staff.

Administration is encouraged to recommend candidates from various colleges and universities in an attempt to have this variation of educators.

Candidates for teaching positions shall provide evidence of meeting the state requirements for regular certification status. In cases of absolute necessity, temporary certificates may be employed in the regular full time capacity of not-to-exceed one year. In order to achieve maximum flexibility in the assignment of teaching personnel, it is the policy of the Board of School Trustees of the Fremont Community Schools to emphasize during the recruitment and hiring process that an applicant be certified to teach in more than one area.

Priority in hiring will be given to the applicant with the most areas of certification, provided other relevant considerations are substantially equal.

As a condition of continued employment, each teacher must maintain all areas of certification which were contracted when initially hired.

In addition to the above criteria, the Superintendent will submit to the Board of School Trustees for approval, specific criteria dealing with each vacancy.

In the event that the specific or general criteria are not being met by a particular candidate being recommended, it shall be the

responsibility of the Superintendent to point out the deficiencies to the Board of School Trustees so that they may act accordingly.

The Superintendent shall recommend three candidates, if possible, for the positions of Assistant Superintendent, High School Principal, Middle School Principal, and Elementary Principal.

Should the Board of School Trustees not approve the employment of a candidate being recommended by the Superintendent, or his/her designee, it shall be the duty of the Superintendent to make another recommendation. The employment of any staff member is not official until the contract is approved by the Board of School Trustees and signed by the candidate.

The employment sequence shall be as follows:

- A. Verbal offer of employment to the candidate.
- B. Pre-employment/post-offer drug-alcohol screen.
- C. Report to the Board of School Trustees of application, number selected for interview, reasons for final selection, and applicant's credentials.
- D. Approval of candidate by the Board of School Trustees.
- E. Contract offered to the candidate.
- F. Candidate's acceptance as signified by a signed contract.
- G. Criminal History Check
- H. Items E and F above may be superseded by previously prepared contracts signed by the candidate.

All teachers being recommended for employment to the Board of School Trustees shall not be recommended to the Board until the building principal with regard to said position has interviewed said prospective teacher and has reviewed the application with the Superintendent. All extra-curricular positions being submitted to the Board of School Trustees shall have been interviewed by the building principal to which the extra-curricular applies and in the event the extra-curricular is an athletic program, shall also have been reviewed and interviewed by the athletic director, both of whom shall have recommendations to the Superintendent and Board of School Trustees.

With regard to custodial positions, fulltime and part-time custodians shall be interviewed by the building principal affected by said employee in cooperation with the Custodial Maintenance Coordinator. Their recommendations are to be reviewed with the Superintendent prior to submission to the Board of School Trustees. Cafeteria employees and bus drivers will be interviewed by their prospective supervisor and recommendations will be reviewed with the Superintendent prior to submission to the Board of School Trustees.

RESIGNATIONS

On behalf of the Board of School Trustees, the Superintendent shall receive and accept resignations and report such to the Board at its next meeting for action.

Mid-season or, in the case of non-seasonal activities, mid-year extra-curricular resignations will not be accepted by the Superintendent except as follows:

- A. Due to legitimate health reasons of employee
- B. Where the resignation is the result of reassignments per Board of School Trustees' directive.
- C. Where the resignation is submitted in conjunction with a resignation of all teaching responsibilities.

It is the intent of the Board of School Trustees that disclosure of any letter of resignation by the teacher, coach, or their family, prior to submission of the letter to the Superintendent and the subsequent notification of the Board, be handled in a professional manner.

Legal Reference: IC 5-8-4-1 & 2

SALARY ADJUSTMENTS

Recommendations for salary adjustments for supervisory and administrative personnel will be made by the Superintendent to the Board.

Recommendations for salary adjustments for non-certified personnel will be made by the Superintendent to the Board.

STUDENT CELL PHONES AND "SEXUAL CONDUCT" UNDER CHILD EXPLOITATION AND CHILD PORNOGRAPHY LAWS

The legal duty to report "child exploitation" and "child pornography" is required by the Child Abuse/Neglect Statute at I.C. 35-42-4-4, which makes it a Class B misdemeanor for a school employee to fail to make an immediate oral report to the building principal or designee, who then must immediately contact law enforcement or child services, or face the misdemeanor charge.

"Child exploitation," a Class C felony under I.C. 35-42-4-4(b), is committed when:

A person who knowingly or intentionally:

- 1) manages, produces, sponsors, presents, exhibits, photographs, films, videotapes, or creates a digitized image of any performance or incident that includes sexual conduct by a child under eighteen (18) years of age;
- 2) disseminates, exhibits to another person, offers to disseminate or exhibit to another person, or sends or brings into Indiana for dissemination or exhibition matter that depicts or describes sexual conduct by a child under eighteen (18) years of age.

"Child pornography," a Class D felony under I.C. 35-42-4-4(c), is committed when:

A person who knowingly or intentionally possesses:

- 1) a picture;
- 2) a drawing;
- 3) a photograph;
- 4) a negative image;
- 5) undeveloped film;
- 6) a motion picture;
- 7) a videotape;
- 8) a digitized image; or
- 9) any pictorial representation; that depicts or describes sexual conduct by a child who the person knows is less than sixteen (16) years of age or who appears to be less than sixteen (16) years of age, and that lacks serious literary, artistic, political, or scientific value.

STUDENT SUPERVISION AND WELFARE

A professional staff member and/or a school employee shall not associate with students at any time in a manner which gives the appearance of impropriety, including but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationship, the staff member may help the student make contact with certified or licensed individuals in the corporation or community who specialize in the assessment, diagnosis and treatment of the student's problem. Any staff member who determines that a student is in need of services shall report the matter to appropriate school authorities, including, but not limited to Principals, Guidance Counselors, Corporation Nurse, and Superintendent. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose or treat the student's problem or behavior.

SUBSTANCE ABUSE

The Fremont Community Schools adheres to all applicable provisions regarding substance abuse.

Administrative Procedure:

School employees are required to report any crimes involving drugs, which occur on or within 500 feet of school property or on a school bus, to a supervisor. The supervisor must then make a written report to a law enforcement officer. All persons making such reports in good faith are not liable for civil damages and penalties which might otherwise be imposed because of the report.

Legal Reference: IC 20-8.1-5-19 IC 35-48-5

TELEPHONE AND/OR ELECTRONIC DEVICE USE

Telephones in the school buildings are primarily for school business. Students are allowed to use the telephone in the school office, but *only* for limited circumstances and with permission from the teacher or office staff.

Personal calls should be kept to a minimum and made on a telephone in teacher workrooms/offices. Employees should refrain from phone conversations while in the immediate vicinity of parents and/or students. Calling cards must be used for personal long distance calls made from school phones.

Employees are expected to refrain from personal cell phone or other electronic device use, including text messaging, during such times as they are responsible for the supervision of students. This expectation also applies while in attendance at meetings and parent conferences.

TOBACCO USE

For the purpose of this policy "use of tobacco" shall mean all uses of tobacco products, including but not limited to, cigars, cigarettes, pipes, snuff, chewing tobacco, electronic cigarettes, personal vaporizers, electronic nicotine delivery systems, and smoking cessation products.

The Fremont Community Schools Board of School Trustees believes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the non-user alike.

The Board believes also that the school corporation has the responsibility to provide both effective educational programs and a positive example to students concerning the use of tobacco. Students, employees, and visitors are prohibited from possessing or using tobacco products of any kind while inside school corporation buildings, outside school corporation buildings, on school corporation property, or while being transported to or from school events in school corporation-owned, contracted, or other authorized vehicles.

Violations should be brought to the attention of the appropriate school official. Students and employees found in violation of this policy will be subject to discipline in the same manner and magnitude as violations of other school board policies.

Visitors found in violation of this policy may be asked to leave the school grounds immediately.

Legal Reference: 20 USC 6081 et seq. 8 IC 16-41-37-1

VACANCIES IN EXTRA CURRICULAR POSITIONS

In the event of a vacancy in a coaching position during mid-season, and in the further event that the Board of School Trustees does not approve a replacement for said position, or until a replacement is agreed upon for said position, the Athletic Director shall automatically assume said responsibilities until such time as the Board of School Trustees takes action to fill said position.

In the event of a vacancy in a non-athletic extra-curricular position, the building principal having jurisdiction of said extra-curricular shall fill such position until the Board of School Trustees approves a replacement for said position.

Once posted, any qualified applicant may be considered.

WORKER'S COMPENSATION

It is our policy to promote safety on the job. The health and well-being of our employees is foremost among our concerns. For this reason, employees are urged to follow common sense safety practices and correct or report any unsafe conditions, defective tool, or equipment to your supervisor. Each employee is expected to assist the Corporation in maintaining safe working conditions. Safety is a state of mind, and requires constant vigilance and common sense. Safety is everyone's responsibility.

School employees may be covered by worker's compensation benefits for injuries or illnesses that occur at or in the course of employment. The total cost of this coverage is paid by Fremont Community Schools. Coverage applies to most medical charges and may provide partial compensation for lost wages or salary.

School employees are urged to follow common sense safety practices and to correct or report promptly any unsafe condition or defective equipment to their supervisor.

A school employee who sustains a work-related injury or illness, including those which do not involve serious injury, must report the incident promptly to that employee's supervisor. The supervisor or another member of the administrative staff will direct the employee how to receive treatment and benefits. The failure to report promptly a work-related accident or illness may result in the forfeiture of benefits and the risk of disciplinary action.

Employees are expected to cooperate with health care providers, the worker's compensation insurance provider, and employer in the management of their treatment and plan to heal and return to work.

Light duty or transitional work may be available during the period of recovery from a work-related injury or illness. The failure to accept a light duty or transitional work assignment may result in the loss or reduction of benefits and the risk of disciplinary action.

Fremont Community Schools has implemented a Return to Work Plan to help insure our employees receive the best care on their way to a full recovery from work related injuries. All employees, supervisors and managers are expected to fully participate in all components of the program. Any questions, comments, or concerns about this program or related procedures can be directed to the Fremont Community Schools Internal Claims Coordinator.

EMPLOYEE - CDL DRIVERS

FREMONT COMMUNITY SCHOOLS SUBSTANCE ABUSE POLICY FOR

Employees with Commercial Driver's License for Compliance with 49 CFR Part 382.601 and 49 CFR Part 40

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STATEMENT OF PURPOSE AND POLICY

Employees are an extremely valuable resource for Fremont Community School's business. Their health and safety is a serious concern of Fremont Community Schools. Drug or alcohol use may pose a serious threat to employee health and safety. It is therefore, the policy of Fremont Community Schools (hereafter referred to as School) to prevent substance use or abuse from having an adverse effect on our employees. The School maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on School property. Furthermore, employees have a right to work in an alcohol and drug-free environment and to work with employees free from the effects of alcohol and drugs. Employees who abuse alcohol or use drugs are a danger to themselves, their coworkers and the School's assets.

The adverse impact of substance abuse by employees has been recognized by the federal government. The Federal Motor Carrier Safety Administration ("FMCSA") has issued regulations which require the School to implement a controlled substance testing program. The School will comply and require that a driver submit to alcohol and controlled substance tests administered in accordance with these regulations and are committed to maintaining a drug-free workplace. All employees are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the School.

Specifically, it is the policy of the School that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on School premises, engaged in School business, while operating School equipment, or while under the authority of the School is strictly prohibited. FMCSA states that mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), conduct breath testing, and or search all covered employees including applicants for alcohol and drug use. These procedures are designed not only to detect violations of this policy, but to ensure fairness to each employee. Every effort will be made to maintain the dignity of employees or applicants involved. Disciplinary action will, however, be taken as necessary.

Neither this policy nor any of its terms are intended to create a contract of employment or to contain the terms of any contract of employment. The School retains the sole right to change, amend or modify any term or provision of this policy without notice. This policy is effective July 20, 2015, and will supersede all prior policies and statements relating to alcohol or drugs.

Administrative Guide to Fremont Community Schools

Substance Abuse Testing Procedures

I. Purpose

The purpose of this administrative guide is to set forth the procedures for the implementation of controlled substance and alcohol use and testing of employee applicants, current employees and employees pursuant to the School's Substance Abuse Policy. These procedures are intended as a guide only, and are in no way intended to alter any existing relationship between the School and any employee.

The School's drug and alcohol program administrator designated to monitor, facilitate, and answer questions pertaining to these procedures is the Transportation Director.

II. Provisions

A. Applicability

This policy applies to all School employees that utilize a Commercial Driver's License (CDL) in the course of their employment. A valid CDL is required to operate the type of equipment listed below:

1. A vehicle having a Gross Vehicle Weight Rating (GVWR) as assigned by the manufacturer of 26,001 pounds or more; or
2. A combination vehicle having a Gross Combination Weight Rating of 26,001 pounds or more.
3. A vehicle that is designed to transport 16 or more passengers, including the driver; or
4. A vehicle requiring a placard to transport hazardous materials.

B. Prohibited Conduct

The following shall be considered "prohibited conduct" for purposes of this policy.

1. No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcoholic concentration of .04 or greater. An employee is considered to be performing a safety-sensitive function if he/she is actually performing, ready to perform, or immediately available to perform any of the following on-duty functions:
 - a. All time spent at a facility waiting to be dispatched;
 - b. All time inspecting, servicing, or conditioning any commercial motor vehicle at any time;
 - c. All driving time or time spent at the driving controls of a commercial vehicle in operation;
 - d. All time spent loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, including completion of any related paperwork; and remaining in readiness to operate the vehicle;
 - e. All time performing those duties required of an employee involved in a vehicle accident; or
 - f. All time spent repairing, assisting, or attending to a disabled motor vehicle;
2. No employee shall be on duty or operate a commercial vehicle while the employee possesses alcohol.
3. No employee shall use alcohol while performing safety-sensitive functions.
4. No employee shall perform safety-sensitive functions within six (6) hours after using alcohol.
5. No employee required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident test, whichever occurs first.
6. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.

C. Prescription Medication and/or Other Medication Use

1. An employee is prohibited from reporting for duty or remaining on duty when the employee uses any controlled substance, except when the use is pursuant to the written instruction of a physician who has advised the employee that the substance will not adversely affect their ability to safely perform their duties. The employee must provide the School with proof of such medical advice. The School can decide if the employee can remain at work or on the School premises and what work restrictions, if any, are deemed necessary.
2. Any employee who is using a prescribed drug or other medication, which is known or advertised as possibly affecting or impairing judgment, coordination or other senses, (including dizziness or drowsiness), or which may adversely affect the employee's ability to perform work in a safe and productive manner, must notify the School prior to starting work or entering any School premises. The School will decide if the employee can remain at work or on the School premises and what work restrictions, if any, are deemed necessary.
3. Ingestion of products that contain hemp will not be an acceptable explanation for testing positive for marijuana.

D. Refusal to Test

Refusal to submit to the types of drug and alcohol tests employed by the School will be grounds for refusal to hire employee/applicant(s) and to discipline existing CDL employee(s). A refusal to test would include any of the following situations:

1. Failing to appear for any test within a reasonable time after being directed to do so.
2. Failing to remain at the testing site until the testing process is completed.
3. Failure to provide a breath sample, saliva sample or urine sample as directed.
4. Failure to permit, if the situation requires, the observation or monitoring of providing a urine specimen.
5. Failure to provide a urine, breath or saliva specimen within required time frames may be considered a refusal. If an employee cannot provide a sufficient quantity of urine or breath, he/she will be directed to be evaluated by a physician of employer's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance the employee has violated one of the prohibitions of the regulations.
6. Failure or decline to take an additional drug test the employer or collector has directed you to take.
7. Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of a "shy bladder" or "insufficient breath" situation.
8. Failure to cooperate with any part of the testing process and/or conduct that would obstruct the proper administration of a test. (e.g., refusing to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
9. For an observed collection, fail to follow the observer's instruction to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
11. Admission to the collector or MRO by the employee that they adulterated or substituted their specimen.
12. A report from the MRO of a verified adulterated or substituted test result.
13. Refusing to sign step two (2) of the alcohol testing form.

E. Types of Tests

Pursuant to regulations promulgated by the Department of Transportation (DOT), the School has implemented six circumstances for drug and alcohol testing: pre-employment (drug testing only), post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing.

1. Pre-employment Testing

As a condition of employment, the employee applicant shall provide the School with a written authorization for all previous employers within the past three (3) years to release drug and alcohol testing records as the DOT and FMCSA regulations require. Within thirty (30) days of performing a safety-sensitive function, DOT regulations require that the School obtain, to the extent available, certain drug and alcohol testing records from the employee's previous employers for the previous three (3) years. All applicants who are required to have or obtain a CDL must submit to a urine drug test unless a qualifying pre-employment exemption can be documented.

2. Random Testing

The School conducts random drug and alcohol testing. The School will submit all employees' names to a random selection system. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. The School will drug test, at a minimum, fifty (50) percent of the average number of employee positions in each calendar year or at a rate established by the DOT for the given year. The School will select, at a minimum, ten (10) percent of the average number of employee positions in each calendar year for random alcohol testing, or at the rate established by the DOT for the given year. Random selection by its very nature, may result in employees being selected in successive selections more than once a calendar year.

If an employee is selected at random, for either drug or alcohol testing, a School official will notify the employee. Once notified, the employee must proceed to the designated collection site immediately. If the employee does not go to the collection site as soon as possible after notification, such conduct may be considered a refusal to test.

3. Post-Accident Testing

Following any accident, the employee must contact the School as soon as possible. The employee must submit to a Federal DOT drug and alcohol test any time he or she is involved in an accident where 1) a fatality is involved; or 2) the employee receives a citation for a moving violation arising from the accident that involved:

- o injury requiring medical treatment away from the scene, or
- o one or more vehicles having to be towed from the scene.

The employee shall follow the instructions from the School or its representative to complete required testing.

For other accidents not covered by the DOT definition above, the School may require a non-regulated drug and alcohol test when:

- The employee's actions may have contributed or cannot be completely discounted as a contributing factor to an accident and /or
- In this case, an accident shall mean an incident which results in damage or personal injury.
- An incident results in a lost time injury.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as practical. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for the purpose of post-accident drug testing within thirty-two hours, attempts to make such collection shall cease. An employee is prohibited from consuming alcohol between the time of the accident and the test.

In the event that federal, state, or local officials conduct breath or blood test for the use of alcohol and/or urine tests for the use of controlled substances following an accident, employees must comply with law enforcement personnel requests. The School may request testing documentation from such agencies, and may ask the employee to sign a release allowing the School to obtain such test results.

In the event an employee is so seriously injured that the employee cannot provide a sample of urine, breath or saliva at the time of the accident, the employee must provide necessary authorization for the School to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the employee's system at the time of the accident.

4. Reasonable Suspicion Testing

Reasonable suspicion for requiring an employee to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical, behavioral, speech or performance symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such employee conduct must be witnessed by a supervisor who is trained in compliance with Part 382.603 of the Federal Motor Carrier Safety Regulations.

A supervisor observing such conditions will take the following actions immediately:

1. Confront the employee involved, and keep under direct observation until the situation is resolved.
2. Secure the DER's concurrence to observations. After discussing the circumstances with the DER, arrangements will be made to observe or talk with the employee. If he/she believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a breath test or urinalysis. If the employee refuses to submit to testing for any reason, the employee will be informed that continued refusal would result in a refusal to test violation and disqualification from performing any safety-sensitive function.
3. Employees will be asked to release any evidence relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline or suspension from driving duties. All confiscated evidence will be receipted for with signatures of both the receiving supervisor, as well as the provider.

4. The DER shall, within 24 hours or before the results of the controlled substance test are released, document in writing the particular facts related to the behavior or performance problems that led to the reasonable suspicion test and maintain this documentation in appropriate DOT files.
5. The DER shall remove or cause the removal of the employee from the School-owned vehicle and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence or, where appropriate, to a place of lodging. Under no circumstances will that employee be allowed to continue to drive a School vehicle until a confirmed negative test result is received.

F. Controlled Substance Testing Protocol

1. Urine Collection Procedures

1. The testing procedure starts with the collection of a urine specimen.
2. Collection procedures will follow the specific guidelines set forth by the U.S. Department of Transportation as outlined in the published collection procedures guidelines.
3. Employees will be directed to empty their pockets and display the contents to the collector.
4. Employees will be allowed privacy during the collection process except as noted in number 5 below.
5. Observed collections are required by DOT if:
 - a. The previous specimen provided by the employee is determined to be invalid and the MRO has ordered a re-test.
 - b. The previous specimen provided by the employee is determined to be negative-dilute with a creatinine value >2 mg/dl but <5 mg/dl.
 - c. The collector observes evidence of an employee's attempt to tamper with the specimen.
 - d. The temperature of the specimen is out of range.
 - e. The specimen appears to have been tampered with.
6. Observed collections are required on return-to-duty and follow-up tests.
7. As part of the collection process, the specimen provided will be split into two portions; a primary specimen and a secondary (split) specimen.
8. If the employee is unable to provide 45 ml of urine, the DOT "shy bladder" rule will apply. The employee will have up to 3 hours to provide the required 45 ml, and may consume up to 40 ounces of fluids during this time period. The employee will be required to be monitored during the waiting period.
9. After collection, the specimen will be submitted to a SAMHSA certified laboratory for testing.

2. Laboratory Procedures

Drug testing will be performed through urinalysis. Urinalysis will test, at a minimum, for the presence of drugs and/or metabolites of the following controlled substances: marijuana, cocaine, opiates (including codeine, morphine & heroin), amphetamines (including methamphetamines, MDMA, MDEA, & MDA) and phencyclidine (PCP). The School reserves the right to test covered employees for additional substances of abuse under their own authority including but not limited to substances listed on Schedule I through V of section 202 (21 U.S.C. 812) of the Controlled Substance Act (examples include synthetic marijuana (K2/Spice) or designer stimulants (bath salts).

The SAMHSA certified laboratory will perform initial screenings on all primary specimens. In the event that the primary specimen tests positive, a confirmation test of that specimen will automatically be performed. If the confirmatory test is positive, it will be reported to the Medical Review Officer (MRO) as a positive.

3. Validity Testing

The laboratory must also perform validity testing on each specimen received. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted. The following will be measured: creatinine level, specific gravity, and pH. In addition, all specimens will be tested for known adulterants. An initial validity test is performed first, followed by a confirmation test if required.

All laboratory results will be reported by the laboratory to a MRO designated by the School or its agents.

4. MRO Procedures

1. All test results will undergo a review process by the MRO.
2. Negative test results will be reported directly to the School by the MRO.
3. Positive, adulterated or substituted results will be handled in the following manner by the MRO:
 - a. Before reporting a positive, adulterated or substituted test result to the School, the MRO will attempt to contact the employee to discuss the test result.
 - b. The employee is required to discuss the result with the MRO. The employee will be allowed to explain and present medical documentation to explain any permissible use of a drug.
 - c. For adulterated or substituted results, the employee must demonstrate that he or she did produce or could have produced urine, through physiological means, meeting the creatinine and specific gravity criteria of a substituted or adulterated specimen.
 - d. If the MRO is unable to contact the employee directly, the MRO will contact the DER designated in advance by the School, who shall, in turn, contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if the MRO is unavailable, at the start of the MRO's next business day.
 - e. If, after failing to contact the MRO within 72 hours after being instructed to do so by the DER, or if the employee cannot be contacted at all within ten (10) days, or if the employee expressly declines the opportunity to discuss the test, the MRO may verify the test as positive or a refusal.
 - f. In the MRO's sole discretion, a determination will be made as to whether a result is verified as positive, negative or considered a refusal.
 - g. After any verified positive or refusal to test determination, the employee may petition the MRO to reopen the case for reconsideration.

5. Diluted Specimens

Policy to retest individuals who have a diluted test:

If a test is reported as negative and diluted, it will be the policy of the School to require an immediate recollect for another test. The employee will be given the minimum possible advance notice to report for another test. The result of this second test will become the test of record. If the second test is also negative and diluted the test will be accepted as a valid test and no additional testing will be required. If the employee is directed to take another test and declines to do so, this will be considered a refusal to test and have the consequences of a refusal to test.

6. Medical Information Disclosure

Pursuant to DOT regulations, if, in the MRO's opinion, any information provided may mean a medical disqualification or represent a safety hazard, such as the use of certain prescription drugs, the MRO must disclose this to the employer. Individual test results for employee applicants and employees will be released to the School and will be kept strictly confidential unless consent for the release of the test result has been obtained. Any individual who has submitted to drug testing in compliance with this procedure is entitled to receive the results of such testing upon written request.

7. Safeguards for the integrity of the drug testing process

1. The collector must obtain photo identification from the employee or identification by supervisor prior to administering the test.
2. The employee will be asked to wash their hands.
3. The employee signs the chain of custody form signifying the correctness of data for test reporting.
4. Electronic communication of test results from the laboratory into the MRO reporting system with no external human intervention.
5. The specimen container and specimen bottles are individually wrapped and unwrapped in employee's presence.
6. After the specimen is provided in a reasonable time, the collector inspects it for sufficient volume, temperature and signs of tampering. If a specimen is not provided, the employee will be referred to a MRO to

determine whether there is a valid medical reason. If there is, the employee must still attempt to provide a specimen each time the employee is required to test under this program.

7. After the specimen is given to the collector, the remaining collection procedures are conducted in employee's view.
8. The specimen bottles and shipping container are sealed with tamper evident seals.
9. The employee will be asked to initial the seals covering the specimen bottles identifying they were sealed in their presence.
10. The specimen number on the bottle seals match the specimen number on the chain of custody form.
11. The laboratory will check the specimen bottles upon receipt to insure the seal has not been broken. If the seal has been broken the laboratory will report the test as cancelled.
12. Blind sample submission through the laboratory for quality control.
13. A collector who has completed the qualification training as mandated in CFR Part 40 as amended will perform the collection.

G. Split Specimen Testing Protocol

An employee may request that the "split" portion of his/her specimen be tested at a different SAMHSA laboratory if he/she was notified by the MRO that his/her test result was positive, adulterated or substituted. The request must be made to the MRO within 72 hours of being notified of a verified positive, adulterated or substituted result. The MRO will arrange for all procedures to be done in accordance with split specimen testing procedures.

The cost of a split specimen test will be the responsibility of the employee. The School will withhold the amount of the cost of testing the split from the employee's pay unless other arrangements are acceptable to both the employee and the School. If the employee makes a timely request (within 72 hours) to the MRO for the split portion to be tested, the MRO shall immediately make arrangements with the laboratory to initiate the process.

H. Alcohol Testing Protocol

Alcohol tests will be conducted by a trained Breath Alcohol Technician (BAT) or Screening Test Technician (STT). Screening tests may be done using an evidential breath testing device (EBT) or non-evidential screening device approved by the National Highway Traffic Safety Administration. Confirmatory tests will be done by a trained BAT using an evidential breath testing device. The employee shall report to the alcohol testing site as notified by the School. The employee shall follow all instructions given by the alcohol technician.

If the result of a screening test is a breath alcohol concentration (BAC) of less than 0.02, no further testing is authorized. Any initial test indicating a BAC of .02 or greater will be confirmed on an EBT operated by a BAT. The confirmation test will be performed no sooner than fifteen (15) minutes and no later than thirty (30) minutes following the completion of the initial test. In the event the confirmation test indicates a BAC of .020 to .039, the employee shall be removed from duty for twenty-four (24) hours or until his/her next scheduled on-duty time, whichever is longer. Employees with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after performing a safety sensitive function.

Alcohol Testing Safeguards for Employee's Protection

1. The BAT must obtain employee's photo identification prior to administering the test.
2. An individually wrapped mouthpiece will be opened and inserted into the EBT for the employee's test.
3. The National Highway Traffic Safety Administration approves the EBT that is used.
4. Calibration checks are frequently performed to insure the EBT is working efficiently.
5. If the screening test indicates a 0.02 or greater, a confirmation test will be administered.
6. An air blank will be administered prior to the confirmation test with a 0.000 reading.
7. An individually wrapped mouthpiece will be inserted for the confirmation test.
8. The BAT has completed the required training course in the correct operation of the EBT.

I. Educational Materials

The School shall provide educational materials that explain the requirements of Part 382.601 of the Federal Motor Carrier Safety Regulations, consequences of violating the regulations, and the School's policies and procedures with respect to meeting these requirements. The materials supplied to the employees may include information on additional School policies with respect to the use or possession of alcohol or controlled substances. Materials will also be provided concerning the effects of alcohol and controlled substances use on an individual's health, work and personal life.

Employees are required to attend an educational meeting(s) to discuss the School's policies and procedures and to review all materials covered by this procedure. Each employee is required to sign a statement (certificate of receipt) certifying that he or she has received a copy of these materials described in Part 382.601 of the Federal Motor Carrier Regulations. The School shall provide these materials to each employee prior to the start of alcohol and controlled substance testing and to each employee subsequently hired or transferred into a position requiring driving a commercial vehicle.

III. Disciplinary Procedures

Any employee who has a positive test for alcohol (.04 BAC or greater) or controlled substances or has refused to test is considered in violation of this policy. This employee is not qualified to drive a commercial motor vehicle and will be immediately removed from safety-sensitive duty.

Any employee with a testing violation will be terminated

IV. Confidentiality and Release of Information

Under no circumstances, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

The Company may release information as follows:

1. Copies of the results of alcohol or drug testing to an identified person provided the employee has provided written consent.
2. Copies of information requested by the Secretary of Transportation, any DOT agency, or any State or local official with regulatory control over the School or any of its employees.
3. The results of post-accident testing when requested by the National Transportation Safety Board as part of an accident investigation.
4. Legal proceedings to include:
 - Lawsuits (e.g., wrongful discharge action).
 - Grievances (e.g., an arbitration concerning disciplinary action taken by the employer).
 - Administrative proceedings (e.g., an unemployment compensation hearing) brought on by, or on behalf of, an employee and resulting from a positive DOT drug test or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results).
 - Criminal or civil actions – to the decision maker in the proceeding (e.g., the court in the lawsuit)

Employees are entitled, upon written request, to obtain copies of any records pertaining to their use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substance tests.

V. Responsibility

- A. Employee - All School employees that hold a valid CDL are responsible for abiding by this procedure as a condition of their employment.
- B. Management Officials and Supervisors
All supervisors and School Corporation officials are responsible for being alert to employee conduct that raises a reasonable suspicion that an employee is using or is under the influence of alcohol or controlled substances while on duty or otherwise performing School business.

This policy is not intended nor should it be construed as a contract between the School Corporation and the employee. This policy may change at any time at the sole discretion of the School and/or to comply with changes in Federal DOT regulations.

Appendix A

DOT Drug Testing Panel

Cutoff Concentrations required by 49 CFR Part 40.67*

Drug Class	Initial Screening Cut-Off Limit	Confirmation Cut-Off Limit
Amphetamines	500	
Amphetamine		250
Methamphetamine		250
Ecstasy (MDMA)		250
Cocaine Metabolites	150	100
PCP-Phencyclidine	25	25
Opiate Metabolites	2000	
6-Acetylmorphine	10	10
Morphine		2000
Codeine		2000
Marijuana Metabolites	50	15

*Cutoff concentrations are subject to change under DOT authority.

Appendix B

Abbreviations:

BAT	Breath Alcohol Technician	CDL	Commercial Drivers' License
CMV	Commercial Motor Vehicle	DER	Designated Employer Representative
DHHS	Dept. of Health and Human Services	DOT	Department of Transportation
EBT	Evidential Breath Testing Device	MRO	Medical Review Officer
SAMHSA	Substance Abuse and Mental Health Services Administration		
SAP	Substance Abuse Professional		

Definitions:

Adulterated Specimen

A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Alcohol

Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

Alcohol Concentration (or content)

Alcohol in a volume of breath (shown as grams of alcohol/210 liters of breath) as indicated by an evidential breath test.

Alcohol Use

Consumption of any beverage, mixture, or preparation, including medications, containing alcohol.

Breath Alcohol Technician (BAT)

An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath measurement (EBT) device.

Confirmation Test

In alcohol testing: a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.

In controlled substances testing: a second test to identify the presence of a specific drug or metabolite. In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.

Controlled Substances

In this regulation, the term 'drugs' and 'controlled substances' are interchangeable and have the same meaning. Unless otherwise provided, these terms refer to: marijuana, cocaine, opiates (including morphine, codeine, & heroin), phencyclidine (PCP), amphetamines (including methamphetamines and ecstasy).

Designated Employer Representative (DER)

An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer.

Dilute Specimen

A specimen with creatinine and specific gravity values that are lower than expected for human urine.

EBT (or evidential breath testing device)

A device approved by the National Highway Traffic Safety Association (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List" (CPL) of Evidential Breath Measurement Devices.

Employee

Any person who operates a commercial vehicle (CMV), including: full time, regularly employed employees, casual, intermittent or occasional employees, leased employees, independent, owner-operated contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer.

Initial Drug Test

The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Medical Review Officer (MRO)

A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program. The MRO must have knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test, medical history and other relevant biomedical information.

Primary specimen

The urine specimen bottle that is opened and tested first by the laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

Screening Test (initial test)

In alcohol testing: a procedure to determine if an employee has a prohibited concentration of alcohol in his or her system.

In controlled substance testing: a screen to eliminate 'negative' urine specimens from further consideration.

Split Specimen means a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

Substituted Specimen

A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

Substance Abuse Professional (SAP)

A person who evaluates employees who have violated a DOT drug and alcohol regulation or company substance abuse testing policy and make recommendations concerning education, treatment, follow up testing, and aftercare. A person qualified to be a SAP must have one of the following credentials: a licensed physician (Doctor of Medicine or Osteopathy); a licensed or certified social worker; a licensed or certified psychologist; a licensed or certified employee assistance professional; a state-licensed or certified marriage and family therapist; or a drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC); or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC); or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC,AMAC)

FORM C - For CDL Employees

Certificate of Receipt

(Acknowledgement of receiving materials required by 49 CFR Part 382.601)

Employee: _____ SSN or ID#: _____

School Corporation: **Fremont Community Schools**

This is to certify that I have been provided educational materials that explain the requirements of 382.601 and my employer's policies and procedures with respect to meeting the requirements. This includes all items checked.

- ✓ The designated person to answer questions about the material.
- ✓ The categories of drivers' subject to Part 382.
- ✓ Sufficient information about the safety-sensitive functions and periods of the workday that compliance is required.
- ✓ Specific information concerning prohibited driver conduct.
- ✓ Circumstances under which a driver will be tested.
- ✓ Test procedures, driver protection and integrity of the testing processes, and safeguarding the validity of the test.
- ✓ The requirements that tests are administered in accordance with Part 382.
- ✓ An explanation of what will be considered a refusal to submit to a test and the ensuing consequences.
- ✓ The consequences for Part 382 Subpart B violations including removal from safety-sensitive functions and 382.605 procedures.
- ✓ The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
- ✓ Information on the effects of alcohol and controlled substances use on an individual's health/work/personal life, signs and symptoms of a problem, and available methods of intervening when a problem is suspected.
- ✓ A copy of my employer's substance abuse policy.

Employee Signature: _____ Date: _____

Authorized Employer Representative: _____

(APPENDIX F)

TRAINING OF SUPERVISORS AND DRIVERS

Supervisor Training:

The Transportation Supervisor is the key to a drug-free work environment. At a minimum, the Transportation Supervisor will receive basic training and orientation on:

- A. The identification of behavioral and physiological signs of alcohol and drug abuse.
- B. How to recognize, counsel and document employees whose performance has deteriorated.
- C. How and when to suggest and/or require the services of the Employee Assistance Program (EAP), or any other drug/alcohol assistance program.
- D. Documentation of training.

Driver Training:

The driver's training program will consist of:

- A. Explanation of the effects and consequences of alcohol and controlled substance use on personal health, safety and work environment.
- B. The manifestations and behavioral causes that may indicate alcohol and controlled substance use or abuse.
- C. Information and materials required by federal regulations.
- D. Documentation of training. (APPENDIX G)

EMPLOYEES CERTIFIED

COLLECTIVE BARGAINING:

Intent

Fremont Community Schools has a fundamental interest in the development of harmonious and cooperative relationships between the corporation and certificated employees.

We recognize the right of school employees to organize and acceptance of the principle and procedure of collective bargaining between school employers and school employee organizations can alleviate various forms of strife and unrest.

The state has a basic obligation to protect the public by attempting to prevent any material interference with the normal public school educational process.

The relationship between school corporation employers and certificated school employees is not comparable to the relationship between private employers and employees for the following reasons:

1. A public school corporation is not operated for profit but to ensure the citizens of Indiana rights guaranteed them by the Constitution of the State of Indiana.
2. The obligation to educate children and the methods by which the education is effected will change rapidly with:
 - a. increasing technology;
 - b. the needs of an advancing civilization
 - c. requirements for substantial education innovation.
3. The general assembly has delegated the discretion to carry out this changing and innovative educational function to the governing bodies of school corporations, composed of citizens elected or appointed under applicable law, a delegation that these bodies may not and should not bargain away.
4. Public school corporations have different obligations concerning certificated school employees under constitutional and statutory requirements than private employers have to their employees.

Rights and Responsibilities of Employer and Employees

A. School employees may:

1. Form, join, or assist school employee organizations. The school certificated employees choose an Exclusive Representative to act on behalf of their affairs. The Exclusive Representative does not represent non-certificated employees, supervisors, or any other exclusion by Indiana Code or the Master Contract.
2. Participate in collective bargaining with school employers through representatives of their own choosing; and
3. Engage in other activities individually or in concert to establish, maintain, or improve salaries, wages, salary and wage related fringe benefits, and other matters set forth in the Indiana Code
4. The Exclusive Representative will pay for any equipment/supplies used for Association business
5. Exclusive Representative business is never to be addressed in the presence of students. Should an investigation of any sort be necessary it must be done at a time and in a manner so as not to disturb the normal school day/function. The exclusive representative shall have the ability to communicate with staff, conduct meetings in a building without financial charge, and be included in the opening day meeting with all faculty and staff.

IC 20-29-6-6

Obligation to bargain collectively; final approval of a contract

The obligation to bargain collectively does not include the final approval of a contract concerning any items. Agreements reached through collective bargaining are binding as a contract only if ratified by the governing body of the school corporation and the exclusive representative. The obligation to bargain collectively does not require the school employer or the exclusive representative to agree to a proposal of the other or to make a concession to the other.

IC 20-29-6-4

A school employer shall bargain collectively with the exclusive representative on the following:

- A. Salary.
- B. Wages.
- C. Salary and wage related fringe benefits, including accident, sickness, health, dental, vision, life, disability, retirement benefits, and paid time off as permitted to be bargained under IC 20-28-9-11.
 1. Salary and wages include the amounts of pay increases available to employees under the compensation plan, but do not include the teacher evaluation procedures and criteria, or any components of the teacher evaluation plan, rubric, or tool, or any performance stipend or addition to base salary based on a performance stipend to an individual teacher under IC 20-43-10-3.

IC 20-29-6-7

Subjects of discussion

A school employer shall discuss with the exclusive representative of certificated employees the following items:

1. Curriculum development and revision.
2. Textbook selection.
3. Teaching methods.
4. Hiring, evaluation, promotion, demotion, transfer, assignment, and retention of certificated employees.
5. Student discipline.
6. Expulsion or supervision of students.
7. Pupil/teacher ratio.
8. Class size or budget appropriations.
9. Safety issues for students and employees in the workplace, except those items required to be kept confidential by state or federal law.
10. Hours.
11. Funding for a plan for a remediation program for any subset of students enrolled in kindergarten through grade 12.
12. The following non-bargainable items under IC 20-43-10-3
 - a. Performance grants.
 - b. Individual performance stipends to teachers.
 - c. Additions to base salary based on performance stipends.

13. The pre-evaluation planning session required under IC 20-28-11.5-4
14. The Superintendent's report to the governing body concerning staff performance evaluations required under IC 20-28-11.5-9

Monthly "Discussions" will be held with the Superintendent/designee, building administrators and exclusive representative designees unless it is agreed upon that a meeting is not necessary or needs to be rescheduled at an agreed upon date and time.

- B. School employers have the responsibility and authority to manage and direct on behalf of the public the operations and activities of the school corporation to the full extent authorized by law, including but not limited to the following:
 1. Direct the work of school employer's employees.
 2. Establish policy.
 3. Hire, promote, demote, transfer, assign, and retain employees.
 4. Suspend or discharge employees in accordance with applicable law through procedures established under state law.
 5. Maintain the efficiency of school operations.
 6. Relieve employees from duties because of lack of work or other legitimate reason through procedures established under Indiana law.
 7. Take actions necessary to carry out the mission of the public schools as provided by law.
 8. Send a monthly Board agenda to each building (unless an unforeseen emergency meeting occurs prohibiting this timeline to be met), and a meeting summary to all staff members following the monthly Board meeting.
 9. Distribute the Fremont Community Schools Policy Handbook on an annual basis to all employees.
- C. It is unlawful for a school employer to enter into any agreement that would place the employer in a position of deficit financing due to a reduction in the employer's actual general fund revenue or an increase in the employer's expenditures when the expenditures exceed the employer's current year actual general fund revenue.

COMMITTEE APPOINTMENT

In selecting the teachers to serve on committees and task forces, the provisions of section 20-29-5-7 of the Indiana Code shall be followed by reducing the number of teachers selected by Association based on the percentage of Association membership in the school district of building, as the case may be, and in such case the School Corporation shall appoint the remaining teachers to serve.

HOURS AND TEACHING CONDITIONS

1. The regular teaching day for all teachers in the Fremont Community Schools will consist of 7 hours and 35 minutes. A teacher's regular day shall not begin before 7:30 AM or end after 3:30 PM. A principal/supervisor may request a teacher be present outside of this time if the situation warrants the teacher's presence. All teachers will attend staff meetings and be present if the principal or department chairperson requests the teacher's attendance. An effort may be made to avoid starting any meeting before 7:00 AM, and complete any meeting by 4:00 PM. In the event of a school-related time conflict it will be the responsibility of the staff member to make arrangements with their building principal prior to the meeting.
2. A scheduled school calendar reflecting the number of student attendance days as required by state law shall be established by the Board of School Trustees after discussion with the Association Discussions Group. A maximum of four (4) teacher work days, plus one paid holiday may be added to the calendar without additional pay for teachers. (Student attendance days as required by state law + one (1) paid holiday + a maximum of four (4) teacher work days = school calendar.) The Association representatives and/or administration may recommend to the Board of Trustees that scheduled teacher work days be changed on the calendar to become student attendance days should the need arise to meet state attendance requirements. Plans for making up student attendance days due to the unforeseen closing of schools will be recommended to the Board of School Trustees after discussion with Association representatives. Make-up days may be established earlier in the school year during any scheduled Discussions meeting.
3. Administrators shall arrange each teacher's daily working schedule to provide at least thirty (30) minutes between 10 a.m. and 2 p.m. for a period free of duties. Teachers may leave school grounds during this 30-minute period, but must notify their principal/designee before leaving and upon return. Additional teacher planning time is to be spent on school grounds. Should it become necessary and/or unavoidable, a teacher may leave school grounds providing they have approval to do so by

their building principal. Permission may be limited if it interferes with the teacher's professional responsibilities. The teacher must notify the principal/designee prior to and upon their return.

4. Teachers contracting for extra-curricular activities shall do so on a voluntary basis.

LICENSE REVOCATION AND IMMUNITY

Indiana Code 20-28-5-8 enumerates certain crimes that lead to revocation of a teacher license once a conviction has been determined. Prosecutors and school corporations must report convictions to the Department of Education. School corporations have the duty to report any final action in relation to an employee who engaged in any offense listed in the law.

The Superintendent or designee is responsible for implementing regulations to notify the employees, volunteers, or entities/vendors for contracted services of duty. In addition to the crimes listed in aforementioned Indiana Code, the notice shall also include the convictions of the "attempted" crimes listed in the law.

MULTI-BUILDING TEACHERS

Teachers who have assignments in more than one building shall be informed in the first week of their home school assignment.

The evaluation of multi-building teachers shall be a topic of discussion with the issues of the number of evaluators, the number of goals, and the amount of duplicate paperwork and the potential for differences in expectation levels being considered.

Multi-building teachers shall have planning time equal to that of a teacher assigned full time to their home school. (Home school is defined as the school that teachers spend the most amount of teaching time in. Should equal time occur the administration will determine the home school.)

Travel time between buildings shall not be counted as preparation time or be included in the 30 minutes between 10:00 a.m. and 2:00 p.m. for a period free of duties.

Issues or concerns that a multi-building teacher may encounter, i.e. schedules, teaching assignments and/or planning time should be taken to Discussions and/or dealt with through the Problem Solving Procedure. This item is not subject to the grievance procedure however; any teacher may seek the help of the Association in bringing issues or concerns regarding multi-building assignments to the attention of the administration.

PLANNING TIME

It is the intention of the Board that every teacher will be provided daily preparation time of at least 45 minutes.

Issues or concerns about planning time should be taken to Discussions and/or dealt with through the Problem Solving Procedure. This item is not subject to the grievance procedure however; any teacher may seek the help of the Association in bringing issues or concerns regarding planning time to the attention of the administration.

PROBLEM SOLVING

The normal procedure followed by each teacher regarding a personal suggestion or concern related to his/her employment is to discuss the matter with his/her immediate supervisor. Most professional problems will be resolved satisfactorily in this manner. However, if the matter is not resolved by the informal approach, the Board of School Trustees authorizes the following.

Administrative Procedure:

- A. *The teacher shall submit in writing on the suggested form (APPENDIX H) to the appropriate building principal, the nature of the problem and the relief sought. The building principal will sign and date the form indicating that he has received it. In the event the problem is not satisfactorily resolved within three office days, then upon request of the teacher, the building principal will directly forward the form with his/her disposition of the matter to the Superintendent.*
- B. *Within five (5) office days (office day being defined as a day the Superintendent is in his/her office at Fremont), the Superintendent shall meet with the teacher in an effort to resolve the issue. In case no solution is reached between the administrative staff and the teacher, or the time limits are not met, the parties shall be entitled to a full hearing before the Board of School Trustees.*

- C. *All parties shall be entitled to counsel of their choice and an opportunity to present sworn testimony at any of the three formal steps of the procedure-building principal, Superintendent or Board of School Trustees. Any such hearing shall be before an executive session of the Board of School Trustees with only concerned parties present if authorized by IC 5-14-1.5-6.1.*
- D. *All hearings conducted by the Board of School Trustees of the Fremont Community Schools shall comply with the requirements and procedures set forth by the State of Indiana.*
- E. *The employee shall file in writing with the President of the Board, a request for such hearing. Such request shall be filed within fifteen (15) days of the date on which the notice of such action or ruling by the Superintendent is communicated to the person requesting the hearing.*
- F. *Upon receipt of a request of a hearing, the officer or Board of School Trustees with whom the request is filed shall set a time and place for the hearing, which shall not be less than ten (10) days nor more than twenty-five (25) office days from the date on which such request is filed and shall give the date on which such request is filed and shall give notice of the time and place of such hearing to all interested parties. The date of the hearing may be postponed by mutual agreement of both parties.*
- G. *All interested parties shall have the right to be represented by counsel of their own choosing, to present such witnesses and documentary evidence as may be pertinent and to cross examine witnesses offered by other parties.*
- H. *All parties shall be afforded the opportunity for reasonable oral argument and shall be permitted to file typewritten, mimeographed, or printed briefs. Copies of all briefs, notices and requests shall be furnished the opposing parties.*
- I. *Upon the request of either party, the Board of School Trustees conducting such hearings shall cause the testimony presented on such hearing to be reduced in writing, but as a condition to compliance with the request, the Board of School Trustees may require the requesting party to pay the actual cost of preparing such written record of the evidence.*
- J. *The Board of School Trustees shall within fifteen (15) office days, after the hearing is completed, render in writing a decision. However, if additional time is requested by the Board of School Trustees in order to provide a final decision, an extension of time will be provided. The additional time extension shall not exceed thirty (30) office days.*
- K. *Except as provided in Paragraph I of this section, no cost will be assessed against any party to said hearing.*
- L. *All documents, communications, and records dealing with the processing of a problem shall be filed separately from the personal files of the participants.*

REDUCTION IN FORCE

Recognizing that it is the responsibility of the Board to supply a quality education to all students through employment of the best qualified staff at all times, the following policy shall be in effect should it be necessary to reduce educational programs, curricula, and/or certified staff due to financial difficulties.

Prior to commencing action to terminate teachers' contracts due to a Reduction in Force, the Board of School Trustees will attempt to make needed adjustments through:

1. Voluntary retirement
2. Voluntary resignations
3. Leaves
4. Cancellation of teachers' contracts for other statutory reason(s)

Should it be necessary to reduce the number of certified personnel, the Board, upon the recommendation of the Superintendent, shall determine the curriculum area(s) to be affected through a reduction in force. The Superintendent has the responsibility to determine the personnel whose services shall be terminated. The Superintendent shall follow the appropriate procedures for contract cancellation of such personnel.

Reduction in Force – Procedure

RIF Criteria

The cancellation of a teacher's contract due to decrease in the number of teaching positions shall be determined on the basis of performance. In the teaching content area to be reduced a teacher certificated in the area who is rated less effective will be subject to non-continuance or cancellation before a teacher rated more effective will be subject to the same. The order of effectiveness from least to greatest is as follows:

1. Ineffective
2. Improvement Necessary
3. Effective
4. Highly Effective

Teacher effectiveness will be considered over a time frame of the past three consecutive years. If three years of evaluative data is not available, two years or one year of data will be used.

All evaluation information and data used in determining whether or not a teacher is reduced will be the information and data collected while a teacher at this school corporation.

In cases where the teacher's effectiveness categories are the same, the administrator will weigh the following factors before making a determination as to which teacher(s) shall be subject to the non-continuance or cancellation:

1. The numerical rating of the teachers' evaluation
2. The academic needs of the students in the school corporation
3. Current instructional leadership roles
4. Degrees earned
5. Credit hours earned
6. Teaching experience
7. Any other relevant factors

SALARY SCHEDULE CHANGE

Teachers requesting a change on the salary schedule for the succeeding school year as a result of additional hours accumulated or degree level, and if the Evaluation Committee includes graduate education credits or accumulation to be determined an increase, must provide written notification to the Superintendent's Office prior to June 1st and verification of the completed coursework must be submitted prior to receiving their first pay of the succeeding school year.

SENIORITY LIST

- A. Shall be listed in one continuous listing. Total teaching years in one column and years of experience in Fremont Community Schools in a second column after a certified employee's name.
- B. For purposes of seniority, Fremont Schools seniority will determine your placement on this listing. Least experience will be last. (Based on hiring date and order of hiring.)
- C. Other columns will list valid Indiana teaching licenses held by each person. It is the responsibility of the certified employee to provide copies of valid licenses to the Superintendent. Your degree, expiration date, and current assignment will be listed.
- D. Seniority is determined by continuous service on this listing. For example, a person may acquire ten years of service at Fremont, leave, and return several years later. This person would be listed at the bottom of the seniority listing on his/her

return. Once a contract has been interrupted, seniority begins anew for this listing unless the break was due to RIF or approved leaves. Seniority in Fremont Community Schools is accumulative for retirement purposes even if there is a break in service but not for the seniority listing.

SUBSTITUTES

The Corporation will attempt to provide a substitute teacher for absent teachers.

TEACHER OBSERVATION AND EVALUATION

Please reference your Teacher Evaluation and Development System Handbook.

NOTE: No derogatory letters, reports, or complaints shall be used against or placed in a teacher's official file without the teacher's knowledge. The teacher shall sign the letter, report or complaint. The teacher's signature merely signifies that the teacher has read the material to be filed and does not necessarily indicate agreement with its contents. If the teacher so desires, an opportunity to make a written statement or denial to be attached to the derogatory statement shall be given. Teachers shall be permitted to see their official file on request and shall have a copy of any portion of the file that they request. The teacher's official file is the one kept at the office of the Superintendent of Fremont Community Schools.

TEACHING EXPERIENCE CREDIT

Teaching experience shall include teaching and substitute teaching, as well as administrative, supervisory, guidance, and auxiliary service. All teaching experience must be verified, and no more than one (1) year of creditable service shall be granted for services rendered within a twelve-month period beginning July 1 and ending June 30.

The minimum amount of service to be counted as one year of creditable experience shall be the equivalent of 120 days acquired during the regular school term. A half-year shall be less than one hundred and twenty (120), acquired during the regular school term. Two half-years of credit may be combined, but not-to-exceed one year.

In reporting teaching experience for state support, one school year of teaching experience in any of the following categories or combination of categories shall be recognized as one year of experience for state support.

- A. Teaching experience in any accredited public elementary or secondary school;
- B. Teaching experience in any elementary or secondary school maintained by the U.S. Government, Peace Corps service or teaching experience gained in federally funded programs, as approved by the Commission and which provide instruction at the elementary or secondary level;
- C. Teaching experience in any publicly supported college or university accredited by a nationally recognized accrediting association;
- D. Professional staff service with the Indiana Department of Education.

For the purposes of state tuition support, as well as placement on a salary schedule, the school corporation shall translate military experience of a person licensed to teach in Indiana into teaching experience as follows:

- A. Eight months of either active military service or active military service combined with teaching experience shall be equivalent to one year teaching experience, provided such service shall occur within the school year beginning July 1 and ending June 30.
- B. Military experience substituted shall not exceed four (4) years.
- C. The provisions of this section shall apply to all veterans who took the oath of allegiance, wore the uniform, served in either combat or non-combat units, and were discharged under honorable conditions.

Any rights or benefit accrued as a consequence of the school corporation's recognition of the types of experience identified in this policy shall not be diminished.

TEST SECURITY

The information in this policy applies to all state-required assessments, including, but not limited to ISTEP+, ILEARN, ECAs, IREAD-3, NCSC, WIDA, DIBELS, mCLASS/DIBELS.

The purpose of this policy is to describe what constitutes unethical practices related to the security of assessment materials, including those related to online and/or paper-and-pencil test administrations, before during, and after test administration. Prior to the release of specific items by the IDOE, all assessment materials are considered secure. Pursuant to 511 IAC 5-5-3, noncompliance with the *Code of Ethical Practices and Procedures* may result in action by the IDOE under IC 20-28-5-7.

Secure Materials

The security of assessment materials is a critical responsibility. **Failure by a school corporation or its employees to securely store, administer and return all test books may be considered as an integrity breach under 511 IAC 5-5-3, which may result in an action under IC 20-28-5-7. Duplication of assessment materials constitutes a serious breach of test security. Prior exposure of students to test questions necessitates the invalidation of scores and denies those students the right to participate in testing. Under no circumstances may personnel view student test materials prior to administering the assessment.**

Test Security Violations

It is a violation of test security to:

- Give examinees access to test questions prior to testing.
- Copy, reproduce, or use in any manner any portion of any secure assessment book, for any reason.
- Alter answer documents after testing.
- Share actual or paraphrased test items or student responses in a public forum.
- Comment on test content in a public forum.
- Post actual test content or paraphrase test content on social media.
- Take pictures of test materials.
- Email, text, or instant message actual or paraphrased test content.
- Deviate from the prescribed administration procedures specified in the *Examiner's Manual*.
- Make answer keys available to examinees.
- Review test questions prior to, during or after test administration.
- Score student responses on the test locally before submitting the assessment for scoring to the test contractor, as designated by the Indiana Department of Education.
- Participate in, direct, aid, counsel, assist, encourage, or fail to report any of the acts prohibited in this section.

Fremont Community Schools Test Security Policy

- Secure test materials will not be delivered to school buildings more than one week in advance of test administration.
- Teachers and other school staff members will not be allowed access to secure materials (except for the *Examiner's Manual*) more than 24 hours in advance of test administration; and
- All assessment materials shall be stored at a central location in each building under lock and key. The school principal shall be the only employee with access to secure materials.

Procedures/Plan

The School Test Coordinator shall:

1. Ensure that all appropriate staff have knowledge of the *Code of Ethical Practices and Procedures* and understand how to secure, administer, and handle the assessments while in their possession;
2. Ensure all appropriate staff receive test administration and test security training prior to testing;
3. Ensure staff members that will provide students with testing accommodations are familiar with each student's individual accommodation needs as per the student's Individual Education Plan (IEP), Individual Learning Plan (ILP), and/or Section 504 Plan prior to testing;

4. Ensure staff members that will provide students with testing accommodations receive focused training on providing such accommodations prior to testing;
5. Communicate to all appropriate staff at least once annually the standards for determining what is ethical or appropriate practice contained in the *Code of Ethical Testing Practices and Procedures* as well as any additional local standards;
6. Define and clearly communicate at least once annually for all appropriate staff how staff implementation of test administration and test security standards and procedures will be monitored by school administrations;
7. Define and clearly communicate at least once annually for all appropriate staff all security procedures established for each assessment;
8. Provide any other information and professional development necessary to ensure that all appropriate staff have the knowledge and skills necessary to make ethical decisions related to preparing students for an assessment, administering the assessment, and interpreting the results from assessment;
9. Establish a testing schedule;
10. Establish an access policy for test materials that allows only appropriate staff to have access to test administration manuals prior to the administration of the test, but prohibits the reviewing of any secure test questions before, during, or after the assessment administration;
11. Establish a process that ensures all student assessments are secure when they are not being administered;
12. Establish procedures for reviewing practices and materials used in the entity to prepare students for assessments, and communicating these procedures at least once annually to all appropriate staff;
13. Review annually school materials and practices related to preparing students for assessments, administering assessments, securing assessments, and interpreting the results from assessments. The description must include an explanation regarding how the school corporation will ensure test preparation materials used by school staff are appropriate and do not violate test security protocol;
14. Monitor testing to ensure staff are administering assessments with fidelity in terms of testing protocols/procedures and staff are appropriately providing students with accommodations included in their IEPs, ILPs, or Section 504 Plans;
15. Provide channels of communication that allow teachers, administrators, students, parents, and other community members to voice their concerns about testing practices they consider inappropriate
16. Ensure that any complaint, allegation, or concern about inappropriate testing practices is fully investigated and handled according to law, and local and state policy.
17. Investigate any complaint of inappropriate testing practices or testing irregularities according to the *Protocol for Reporting and Investigating Alleged Breaches or Irregularities* as established and published pursuant to 511 IAC 5-5-4

Staff Training/Refresher Training

The School Test Coordinator will provide a training/refresher training on test security protocol prior to the school corporation's next test administration. This training shall ensure that staff members have a clear understanding of their responsibilities related to assessment implementation and test security. In addition to other topics, the training must include a discussion and review of the following test administration/security policies:

- 1) Students should not be given practice on items known to be part of the assessment;
- 2) Student access to testing materials is restricted to the state-scheduled dates of test administration;
- 3) Staff may not allow students or any other person who is not authorized to have access to test materials;
- 4) Staff may not use test items, test booklets/answer sheets, or any of the information contained in an assessment to review/prepare students for a test unless and until such items have been released by the IDOE;
- 5) Staff may not alter or influence students' responses in any manner;
- 6) Test materials cannot be copied, reproduced, distributed, reviewed, retained, paraphrased, or discussed before, during or after testing in any manner unless and until such materials have been released by IDOE;

Fidelity and Integrity: Requirements and Potential Consequences

Any individual with a license granted by the IDOE who violates the *Code of Ethical Practices and Procedures* as established and published pursuant to 511 IAC 5-5-3 may face disciplinary action under IC 20-28-5-7, 511-IAC 5-5, and/or other applicable remedies available under state and federal laws. Violations of test security, pre-test activities, testing conditions, and post-test activities may result in license suspension or revocation of any school personnel involved under IC 20-28-5-7. (APPENDIX I)

UNPAID LEAVE

1. The Board may grant to a teacher, upon application, Long Term Leave/Disability Leave/Sick Leave without pay for one year. Except as otherwise provided for leaves qualifying for FMLA leave, fringe benefits may be retained at the teacher's expense. The application must be submitted prior to April 1 for the following school year unless unforeseen circumstances arise. Leaves will not continue from one school year to the next and/or extend to the following school year.
2. A teacher shall, upon request, receive adoption leave without pay for a period of one year. Except as otherwise provided for leaves qualifying for FMLA leave, fringe benefits may be retained at the teacher's expense.
3. Any teacher elected to a State or National Association office, or any municipal, state or national public office will be granted leave, without pay, for the balance of the school year. Teachers exercising such right shall return to their position held prior to leave or a similar position for which they are licensed. Corporation fringe benefits may be retained at the teacher's expense.
4. Teachers returning from all leave, except sabbatical, will be given the following privileges:
 - a. Same position held prior to the leave if said position is vacant, or a position their license is qualified for.
 - b. Sick leave credit and teaching experience shall not accumulate nor be deducted while on leave.
 - c. A Leave of Absence will not interrupt the sequence of years toward tenure.
 - d. A teacher will return at the number of years' experience attained at the time of exit.
5. Extension of Leave. Any leave may be extended up to one year upon application being duly submitted to and approved by the Board. Any application must be submitted no later than April 1st of the preceding school year.
6. Leave of up to twelve weeks as provided under the Family Medical Leave Act. This leave may run concurrently with other leaves/absences.

VALID LICENSE

1. A teacher must begin the year with a valid license. If none is available on the first day of school/work, the teacher may be released/terminated by the Superintendent or be paid at the same rate as a substitute teacher.
2. A teacher may verify the completion requirements for a valid license with a university certification advisor or with written verification from the Indiana Department of Education. This process will require 45 days' advance notice.

STUDENTS

STUDENT ATTENDANCE GUIDELINES

Enrollment in Kindergarten; Superintendent Determination of Grade Placement

A student must be at least five (5) years of age on August 1 of the school year to officially enroll in the kindergarten program offered by Fremont Community Schools. The parent of a student who does not meet the minimum age requirement will be afforded the right to appeal to the superintendent for further consideration. Parents wishing to exercise the appeal process must request an appeal application from the building principal.

In addition, if a student enrolls in school as allowed and has not attended kindergarten, the superintendent shall make a determination as to whether the student shall enroll in kindergarten or grade 1 based on input from the building principal.

Exit Interviews; Withdrawal from School

A student who is at least sixteen (16) years of age but less than eighteen (18) years of age is bound by the requirements of compulsory school attendance and may not withdraw from school before graduation unless:

- (1) the student, the student's parent, and the principal agree to the withdrawal;
- (2) the student provides written acknowledgement of the withdrawal that must include a statement that the student and the student's parent understand that withdrawing from school is likely to:
 1. reduce the student's future earnings; and
 2. increase the student's likelihood of being unemployed in the future.

- (3) The student's parent and school principal each provide written consent for the student to withdraw from school
- (4) The withdrawal is due to financial hardship and the individual must be employed to support the individual's family or a dependent, illness, or an order by a court that has jurisdiction over the student. (APPENDIX J)

Habitual Absence

Under IC 20-33-2-25, the "Superintendent or an attendance officer having jurisdiction **shall** report a child who is habitually absent from school in violation of this chapter to an intake officer of the juvenile court **or the department of child services**. The intake officer or the department of child services shall proceed in accord with IC 31-30- through IC 31-40." The following steps are standard procedures for unexcused absences at Fremont Community Schools, however the superintendent or attendance officer can bypass these standard procedures as they deem fit and contact the department of child services: After 5 unexcused absence days, schools send an attendance warning letter to parents/guardians. After 8 unexcused days, schools schedule a meeting with the family and a school official. After 10 days of unexcused absences, schools may refer families to the county mediation program and per state requirement, the school will report habitually truant students to the local prosecuting attorney.

A student who is habitually absent/truant for ten (10) days or more from school within a school year may be required to provide written proof of either an excused or unexcused absence by a licensed physician upon request of the school building administrator. Chronic absenteeism includes students absent from school for ten percent (10 %) or more of a school year for any reason.

Habitual truants may be ineligible for operator's license or learner's permit.

Excused Absences

Excused absences are defined as absences that the school corporation regards as legitimate reasons for being out of school. These could include:

- Illness verified by note/call/email from parent/guardian
- Illness verified by note from licensed physician
- Family funeral
- Maternity
- Military Connected Families (e.g. absences related to deployment and return)

Unexcused Absences

An unexcused absence is any absence not covered under the definition of excused or exempt.

Exempt

The school may authorize the absence and excuse of a student:

- To serve as a page for or as an honoree of the general assembly, when verified by a certificate of the secretary of the senate or the chief clerk of the House of Representatives.
- To serve on the precinct election board or as a helper to a political candidate or to a political party on the date of each general, city or town, special, and primary election at which the student works. Before the date of the election, the student must submit a document signed by one (1) of the student's parents giving permission to participate in the election. The student must also verify to the school principal the performance of services by submitting a document signed by the candidate, political party chairman, campaign manager, or precinct officer generally describing the duties of the student on the date of the election.
- Who is issued a subpoena to appear in court as a witness in a judicial proceeding.
- Who is ordered to active duty with the Indiana National Guard for not more than ten (10) days in a school year. For verification, the student must submit to the school principal a copy of the orders to active duty and a copy of the orders releasing the student from active duty.
- Who is a member of the Indiana wing of the civil air patrol and who is participating in a civil air patrol international air cadet exchange program, for the length of the program or emergency service operation for not more than five (5) days in a school year. The student must submit to the school principal appropriate documentation from the Indiana wing of the civil air patrol detailing the reason for the student's absence.
- Who participates or exhibits in the Indiana State Fair for educational purposes, as evidenced in writing by the student's parent and as approved in writing by the school principal. Not to exceed five (5) days. Includes a member of the student's household. The student must be in good academic standing, as determined by the school principal.

- The student is participating in a scheduled competition, exhibition, or event offered by the National FFA Organization, Indiana FFA Association, or 4-H Club. Not to exceed six (6) days. The student must be in good academic standing, as determined by the school principal.

Please note: A student excused from school attendance for the above instances may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

The school principal may authorize the absence and excuse of a student who attends any educationally related non-classroom activity that meets *all* of the following conditions:

- 1) Is consistent with and promotes the educational philosophy goals of the school corporation and the state board.
- 2) Facilitates the attainment of specific educational objectives.
- 3) Is a part of the goals and objectives of an approved course or curriculum.
- 4) Represents a unique educational opportunity.
- 5) Cannot reasonably occur without interrupting the school day.
- 6) Is approved in writing by the school principal.

Duties of Parent

It is unlawful for a parent to:

- 1) Fail;
- 2) Neglect; or
- 3) Refuse;

To send the parent's child to a public school for the full term as required by law unless the child is being provided with instruction equivalent to that given in public schools.

If a parent of a student does not send the student to school because of the student's illness or mental or physical incapacity, it is unlawful for the parent to fail or refuse to produce a certificate of the illness for incapacity for the school principal or designee not later than six (6) days after the certificate is demanded.

The certificate required under this section must be signed by:

- 1) An Indiana physician;
- 2) An individual holding a license to practice osteopathy or chiropractic in Indiana; or
- 3) A Christian Science practitioner who resides in Indiana and is listed in the Christian Science Journal.

ATTENDANCE POLICY AND PRACTICES FOR MILITARY-CONNECTED STUDENTS

A student whose parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to; a combat zone or combat support posting shall be granted additional excused absences at the discretion of the Superintendent or his/her designee. Fremont Community Schools may grant up to five (5) days of excused absences for Military-Connected families. Conditions in which the school may grant these excused absences include: the excused absence is pre-approved; student is in good standing; student has a prior record of good attendance; missed work is completed and turned in within the school's allotted time period; and absence is not during standardized testing dates. Parents should contact their child's school for additional information.

CODE OF CONDUCT INFORMATION

Fremont Community Schools have high expectations for all students. In order for students to reach their potential, classrooms and schools must be free of disruptive behavior.

Maintaining good discipline within the schools is also a community responsibility. Parents must be familiar with and supportive of school standards and work closely with the school staff.

Whenever possible, a teacher will ask parents for help in correcting a problem. If the situation continues or is serious, the teacher will seek assistance from the principal or the principal's designee.

FCS does not discriminate on the basis of race, gender, economic status, handicapping condition, national origin or any other personal characteristics in regard to disciplinary actions against students.

School transportation is a privilege in the state of Indiana. Students have the right to safe and orderly transportation to and from school or a school activity when such transportation is provided within the transportation guidelines of the school system. Students have the responsibility to ensure that their conduct contributes to a safe and orderly atmosphere while being transported; to refrain from conduct that will offer a hazard to themselves, their fellow students or the general public; and to refrain from violating federal, state or local law, or the requirements of the transportation guidelines.

Examples for most rules are provided. FCS has a “graduated system of discipline”. Minor rules would have a lesser penalty for a first time offense than would a more major offense. As the severity of the offense or rule increases, so would the discipline imposed. The graduated system of discipline does **not** apply to possession on school grounds of firearms, destructive devices, and deadly weapons.

If the student violates the law, law enforcement agencies may be involved depending on the severity of the offense. Parents will also be contacted, if possible.

FCS does not permit employees to use corporal punishment (the physical striking of a student as a disciplinary measure) in disciplining a student. It is recognized that reasonable use of physical force and restraint may be necessary to stop a disturbance threatening physical injury to others, to obtain possession of dangerous objects from students, for the purpose of self-defense, or for the protection of persons or property.

If a student or parent believes the student is being improperly punished or subjected to an illegal rule or standard, he/she should follow these steps:

1. Discuss the situation with your son/daughter and the teacher. If you are not satisfied
2. Request a conference with the teacher, student and principal. If you are not satisfied
3. Contact the Superintendent’s office and speak with the Superintendent/designee.

CODE OF CONDUCT

School officials may find it necessary to discipline students when their behavior interferes with school purposes or educational functions of the school corporation.

A violation by a student of a rule listed in this Code is subject to a range of disciplinary consequences imposed by teachers or administrators intended to be progressive in nature and move to a more serious consequence with each violation of the same or similar rule. In recognizing that violations of certain rules and the resulting consequences will be dependent upon the age of the student, the number of prior violations and severity of the violation, the principal of each building level shall develop the minimum and maximum consequences for each rule for their building that is to be approved by the board annually and published in the student handbook for each building. The appropriate consequence should be the least severe that will adequately address any danger to the student and other persons, prevent further disruption of activities and promote student achievement. In accordance with the provisions of I.C. 20-33-8, administrators and staff members may take the following actions:

LEVEL 1: CONFERENCE/PARENT CONTACT

Staff members may initiate and conduct a conference or make contact with student, parent, teacher, counselor, administrator or others as necessary to correct the behavior. A teacher may remove a student from their class or activity for a period of up to one (1) school day if the student is assigned regular or additional work to be completed in another school's setting.

LEVEL 2: ACTION OPTIONS

Staff members may refer a student to the school counselor or other staff. The student may be placed in time out for one-half day or less, be assigned detention, be given school/community services or be denied participation in school or extracurricular.

An administrator may suspend parking permits or work permits, and may notify the state of certain misconduct that may cause suspension of driver's licenses. A Delinquency Affidavit will be filed for chronic attendance issues. Other options may be discussed among parents, teachers and administrators.

LEVEL 3: IN-SCHOOL ALTERNATIVES

A school administrator may place the student in an in-school suspension program for one-half day or more. The student may be placed in a specially designed in-school class or program.

LEVEL 4: OUT-OF-SCHOOL AND/OR BUS SUSPENSION

A student may be suspended from the bus and/or the school for up to ten (10) days.

LEVEL 5: ALTERNATIVE CONSEQUENCES/PROGRAMS

A student may be placed on school probation or placed in an alternative program. Violations with a maximum consequence level of six may result in a Level 5 Probationary Contract. This allows the student to remain at the home school with restrictions. Violation of the Level 5 Probationary Contract may result in the school filing for an expulsion meeting.

LEVEL 6: EXPULSION MEETING/EXPULSION

For serious misbehavior, the principal may request that a student be expelled from school. An expulsion is the denial of a student's right to attend school or school-sponsored activities. In some cases, as an alternative to an expulsion, an Expulsion Examiner may place the student in an alternative program outside of the home school setting.

Grounds for any type of disciplinary consequence(s)/action apply when a student is:

- a) **On school grounds or transportation immediately before, during, and immediately after school hours and at any other time when the school is being used by a school group (including summer school);**
- 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.**

Grounds for Suspension or Expulsion:

A. Student Misconduct and/or Substantial Disobedience

Grounds for suspension or expulsion are student misconduct and/or substantial disobedience. Examples of student misconduct and/or substantial disobedience for which a student may be suspended or expelled include, but are not limited to:

1. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other conduct constituting an interference with school purposes, or urging other students to engage in such conduct. The following enumeration is only illustrative and not limited to the type of conduct prohibited by this rule:
 - a. Occupying any school building, school grounds, or part thereof with intent to deprive others of its use.
 - b. 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.
 - c. Setting fire to or damaging any school building or property.
 - d. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school or education function, or of any meeting or assembly on school property.
 - e. Intentionally making noise or acting in any manner so as to interfere with the ability of any teacher or any other person to conduct or participate in an education function.
2. Engaging in any kind of aggressive behavior that does physical or psychological harm to another person or urging other students to engage in such conduct. Prohibited conduct includes coercion, harassment, bullying, hazing, or other comparable conduct.
3. Battery: Knowingly or intentionally touching another person in a rude, insolent, or angry manner.
4. Battery by Body Waste: Knowingly or intentionally in a rude, insolent, or angry manner placing body waste and/or bodily fluids on another person.
5. Engaging in violence and/or threat of violence against any student, staff member, and/or other persons. Prohibited violent or threatening conduct includes threatening, planning, or conspiring with others to engage in a violent activity.
6. Causing or attempting to cause damage to school property, stealing or attempting to steal school property.

7. Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
8. Causing or attempting to cause physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief that it was necessary to protect some other person is not a violation of this rule.
9. Threatening or intimidating any person for any purpose, including obtaining money or anything of value.
10. Threatening (whether specific or general in nature) injury to persons or damage to property, regardless of whether there is a present ability to commit the act.
11. 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.
12. Possessing, handling, or transmitting a knife or any object that can reasonably be considered a weapon, is represented to be a weapon, or looks like a weapon.
13. Possessing, using, transmitting, or being affected by 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.
 - a. Exception to Rule 13: 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 parent has 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.
14. 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, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K-2.
15. Possessing, using, transmitting, or being affected by caffeine-based substances other than beverages, substances containing phenylpropanolamine (PPA), stimulants of any kind, or any other similar over-the-counter products.
16. Possessing, using, distributing, purchasing, or selling tobacco products of any kind or in any form. For the purpose of this policy "use of tobacco" shall mean all uses of tobacco products, including but not limited to, cigars, cigarettes, pipes, snuff, chewing tobacco, electronic cigarettes, personal vaporizers, electronic nicotine delivery systems, and smoking cessation products.

The Fremont Community Schools Board of School Trustees believes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the non-user alike.

The Board believes also that the school corporation has the responsibility to provide both effective educational programs and a positive example to students concerning the use of tobacco. Students, employees, and visitors are prohibited from possessing or using tobacco products of any kind while inside school corporation buildings, outside school corporation buildings, on school corporation property, or while being transported to or from school events in school corporation-owned, contracted, or other authorized vehicles.

Violations should be brought to the attention of the appropriate school official. Students and employees found in violation of this policy will be subject to discipline in the same manner and magnitude as violations of other Board policies.

Visitors found in violation of this policy may be asked to leave the school grounds immediately.

Legal Reference: 20 USC 6081 et seq. 8 IC 16-41-37-1

17. Offering to sell or agreeing to purchase a controlled substance or alcoholic beverages.
18. Failing 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.
19. Failing to completely and truthfully respond to questions from a staff member regarding school-related matters including potential violations of the student conduct rules or state or federal law.
20. Falsely accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.
21. Engaging in any activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function.
22. Aiding, assisting, or conspiring with, another person to violate these student conduct rules or state or federal law.
23. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
24. Taking, recording, displaying and/or distributing pictures (digital or otherwise), video or audio recordings without the consent of the student or staff member in a situation *not related to a school purpose or educational function*.
25. Possessing sexually-related materials which include images displaying uncovered breasts, genitals, or buttocks.
26. "Sexting" or using a cell phone or other personal communication device to send text or email messages or possessing text or email messages containing images reasonably interpreted as indecent or sexually suggestive while at school or at a school related function. In addition to taking any disciplinary action, phones will be confiscated and students should be aware that any images suspected to violate criminal laws will be referred to law enforcement authorities.
27. Engaging in pranks that could result in harm to another person.
28. Using or possession of gunpowder, ammunition, or an inflammable substance.
29. Violating any rules that are reasonably necessary in carrying out school purposes or an educational function, including, but not limited to:
 - a. engaging in sexual behavior on school property;
 - b. engaging in sexual harassment of a student or staff member;
 - c. disobedience of administrative authority;
 - d. willful absence or tardiness of students;
 - e. engaging in speech or conduct, including clothing, jewelry or hair style, that is profane, indecent lewd, vulgar, or refers to drugs, tobacco, alcohol, sex, or illegal activity, or is plainly offensive to school purposes;
 - f. violation of the school corporation's acceptable use of technology policy or rules;
 - g. violation of the school corporation's administration of medication policy or rules;
 - h. possessing or using a laser pointer or similar device;
30. Possessing or using on school grounds during school hours an electronic device, a cellular telephone, or any other telecommunication device, including a look-a-like device, in a situation not related to a school purpose or educational function or using such device to engage in an activity that violates school rules. This rule is not violated when the student has been given clear permission from a school administrator or a designated staff member to possess or use one of the devices listed in this rule.
31. Any student conduct rules the school building principal establishes and gives publication of it to all students and parents in the principal's school building.

B. Bullying

1. Bullying committed by students toward other students is strictly prohibited. Engaging in bullying conduct described in this rule by use of data or computer software that is accessed through any computer, any computer system, or any computer network is also prohibited.
2. For purposes of this rule, bullying is defined as overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner including electronically or digitally, physical acts committed, aggression, or any other similar behaviors that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that (with the exceptions of IC 20-33-8-0.2(b))
 - places the targeted student in reasonable fear of harm to the targeted student's person or property;

- has a substantially detrimental effect on the targeted student's physical or mental health;
 - has the effect of substantially interfering with the targeted student's academic performance; or
 - has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.
3. This rule may be applied regardless of the physical location of the bullying behavior when a student committing bullying behavior and the targeted student attend a school within the school corporation and disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other students to a safe and peaceful learning environment.
 4. Any student or parent who has knowledge of conduct in violation of this rule or any student who feels he/she has been bullied in violation of this rule should immediately report the conduct to the school principal/designee who has responsibility for all investigations of student misconduct including bullying. A student or parent may also report the conduct to a teacher or counselor who will be responsible for notifying the school principal/designee. This report may be made anonymously.
 5. The school principal/designee shall investigate immediately all reports of bullying made pursuant to the provisions of this rule. Such investigation must include any action or appropriate responses that may be taken immediately to address the bullying conduct wherever it takes place. The parents of the bully and the targeted student(s) shall be notified on a regular, periodic basis of the progress and the findings of the investigation and of any remedial action that has been taken.
 6. The school principal/designee will be responsible for working with the school counselors and other community resources to provide information and/or follow-up services to support the targeted student and to educate the student engaging in bullying behavior on the effects of bullying and the prevention of bullying. In addition, the school administrator and school counselors will be responsible for determining if the bullying behavior is a violation of law required to be reported to law enforcement under Indiana law based upon their reasonable belief. Such determination should be made as soon as possible and once this determination is made, the report should be made immediately to law enforcement.
 7. False reporting of bullying conduct as defined in this rule by a student shall be considered a violation of this rule and will result in any appropriate disciplinary action or sanctions if the investigation of the report finds it to be false.
 8. A violation of this rule prohibiting bullying may result in any appropriate disciplinary action or sanction, including suspension and/or expulsion.
 9. Failure by a school employee who has a responsibility to report bullying or investigate bullying or any other duty under this rule to carry out such responsibility or duty will be subject to appropriate disciplinary action, up to and including dismissal from employment with the school corporation.
 10. Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the bullying.
 11. Educational outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.
 12. All schools in the corporation are encouraged to engage students, staff and parents in meaningful discussions about the negative aspects of bullying. The parent involvement may be through parent organizations already in place in each school.
 13. The Superintendent or designee will be responsible for developing detailed administrative procedures consistent with the Indiana Department of Education guidelines for the implementation of the provisions of this rule.

Legal Reference: IC 20-33-8-0.2 IC 20-33-8-13.5

C. Criminal Gangs and Criminal Gang Activity in Schools

The Board of School Trustees of the Fremont Community Schools 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 incidence 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.

LEGAL REFERENCE: IC 20-26-18 IC 20-33-9-10.5 IC 35-45-9-1

D. Possessing a Firearm or a Destructive Device (Gun-Free Schools Act of 1994)

1. No student shall possess, handle or transmit any firearm or a destructive device on school property.
2. The following devices are considered to be a firearm under this rule:
 - any weapon which will or is designed to or may readily be converted to expel a projectile by the action an explosive
 - the frame or receiver of any weapon described above
 - any firearm muffler or firearm silencer
 - any destructive device which is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or any similar device
 - 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 inch in diameter
 - any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled
 - an antique firearm
 - a rifle or a shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes
3. For purposes of this rule, a destructive device is:
 - an explosive, incendiary, or overpressure device that is configured as a bomb, a grenade, a rocket with a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, a Molotov cocktail or a device that is substantially similar to an item described above,
 - 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 inch, or
 - 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 similar device.
4. The penalty for possession of a firearm or destructive device: suspension up to 10 days and expulsion from school for at least one calendar year with the return of the student to be at the beginning of the first semester after the one-year period. The Superintendent may reduce the length of the expulsion if the circumstances warrant such reduction.
5. The Superintendent shall immediately notify the appropriate law enforcement agency when a student engages in behavior described in this rule.

E. Possessing a Deadly Weapon

1. No student shall possess, handle or transmit any deadly weapon on school property.
2. The following devices are considered to be deadly weapons as defined in I.C. 35-31.5-2-86:
 - a weapon, taser 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.
 - An animal readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime.
3. The penalty for possession of a deadly weapon: up to 10 days suspension and expulsion from school for a period of up to one calendar year.
4. The Superintendent shall immediately notify the appropriate law enforcement agency when a student engages in behavior described in this rule.

F. Unlawful Activity

A student may be suspended or expelled for engaging in unlawful activity on or off school grounds if the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function or the student's removal is necessary to restore order or protect persons on school property. 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.

G. Legal Settlement

A student may be expelled if it is determined that the student's legal settlement is not in the attendance area of the school where the student is enrolled.

Suspension Procedure

A principal may suspend a student for not more than ten (10) school days. However, in the event of a requested expulsion hearing by the principal, the student's suspension may continue until the time of the expulsion decision if the Superintendent or designated person determines that the student's continued suspension will prevent or substantially reduce the risk of:

- 1) Interference with an educational function or school purposes; or
- 2) A physical injury to the student, other students, school employees, or visitors to the school.

A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

- 1) A written or an oral statement of the charges against the student.
- 2) If the student denies the charges, a summary of the evidence against the student.
- 3) An opportunity for the student to explain the student's conduct.

When misconduct requires immediate removal of a student, the suspension meeting must begin as soon as reasonably possible after the student's suspension.

Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

- 1) The dates of the suspension
- 2) The student's misconduct.
- 3) The action taken by the principal.

Expulsion Procedure

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

1. The Superintendent (or designee) may conduct an expulsion meeting, or may appoint one of the following persons to conduct the expulsion meeting:
 - a. legal counsel

- b. a member of the administrative staff who did not expel the student during the current school year and was not involved in the events giving rise to the expulsion.
2. An expulsion will not take place until the student and the student's parent are given notice of their right to appear at an expulsion meeting conducted by the Superintendent or the person designated above. Failure to request and to appear at this meeting will be deemed a waiver of rights administratively to contest the expulsion or to appeal it to the School Board.
3. The notice of the right to an expulsion meeting will be in writing, delivered by certified mail or by personal delivery, and contain the reasons for the expulsion and the procedure for requesting the meeting.
4. At the expulsion meeting, the principal (or designee), will present evidence to support the charges against the student. The student or parent will have the opportunity to answer the charges against the student, and to present evidence to support the student's position. *An attorney may not represent the student at the expulsion meeting, but the attorney may be available for consultation outside the meeting room during the course of the expulsion meeting.*
5. If an expulsion meeting is held, the person conducting the expulsion meeting will make a written summary of the evidence heard at the meeting, take any action found to be appropriate, and give notice of the action taken to the student and the student's parent.

Right to Appeal

The student or parent has the right to appeal an expulsion decision to the School Board within 10 days of the receipt of notice of the action taken. The student or parent appeal to the School Board must be in writing. If an appeal is properly made, the board will consider the appeal unless it has voted not to hear all student appeals of expulsion. If the board hears the appeal, it will consider the written summary of the expulsion meeting and the arguments of the school administration and the student and/or the student's parent. The board will then take any action deemed appropriate.

Parental Responsibility/Liability

Pursuant to Indiana Code 34-31-4-1, a parent of a child (who lives with the parent and over whom the parent has custody) is liable for up to \$5,000 in actual damages arising from each instance of harm to any person or damage to any property that is knowingly, intentionally, or recklessly caused by the child.

School officials will contact law enforcement authorities whenever, in their discretion, there is reason to believe that a student's conduct is unlawful and has caused or may result in either serious bodily injury to another person or substantial damage to the property of another, including the school corporation.

Legal Reference: IC 20-33-8.1 et seq. IC 35-47.5-2-4 IC 35-41-1-8 IC 35-47-1-5 IC 34-31-4-1

IMPORTANT NOTICE TO STUDENTS AND PARENTS REGARDING CELL PHONE CONTENT AND DISPLAY

Because student cell phones have been found in a number of Indiana school districts to have contained evidence of "sexual conduct", it is important for parents and students to be aware of not only the school consequences, but the legal consequences as well, should this occur in our school system.

"Sexting" or using a cell phone or other personal communication device to send text or email messages or possessing text or email messages containing images reasonably interpreted as indecent or sexually suggestive while at school or at a school related function. In addition to taking any disciplinary action, phones will be confiscated and students should be aware that any images suspected to violate criminal laws will be referred to law enforcement authorities.

Sexting is defined as the taking, disseminating, transferring or sharing of obscene, pornographic, lewd or illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, emailing or sexting). Such conduct may constitute a crime under federal and/or state law.

Any student taking, disseminating or sharing obscene, pornographic, lewd or illegal images or photographs may be disciplined under the student discipline code of conduct and will be reported to law enforcement and/or other appropriate state or federal agencies if required by law. Such conduct engaged in by a student may result in arrest, criminal prosecution and inclusion on sex offender registries.

School consequences shall include, but not be limited to, a minimum of in-school suspension up to expulsion from Fremont Community Schools.

The Child Abuse/Neglect Law requires school personnel to report to law enforcement or child protective services whenever there is reason to believe that any person/student is involved in inappropriate and sexual conduct via a cell phone.

COMMUNICABLE DISEASE EXCLUSIONS

The Fremont Community School Corporation adheres to all applicable provisions of Indiana Code 16-1-9.5 as enacted December 31, 1988. The provisions of this act are:

***Administrative Procedure:** The local health officer may exclude from school a student who has a dangerous communicable disease that is transmissible through normal school contacts; and poses a substantial threat to the health and safety of the school community.*

If the local health officer subsequently determines that a student who has been excluded from school under the above paragraph does not have a dangerous communicable disease that is transmissible through normal school contacts; and poses no substantial threat to the health and safety of the school community, the local health officer shall issue a certificate of health to admit or readmit the student to school.

A person who objects to the determination made by the local health officer under this section may appeal to the county health officer who is the ultimate authority.

CONCUSSION POLICY

In accordance with the amended Section 1.IC 20-35-7 of the Indiana Code, Fremont Community Schools in conjunction with the Indiana Department of Education has developed policy and provided recommendations for the implementation of concussion awareness programs for FCS students, athletes, their parents or guardians, and their coaches. In addition; FCS Corporation has developed recommendations on the management and treatment of students suspected or diagnosed with having sustained a concussion. These recommendations, in addition to the accompanying recommended forms (APPENDIX K), provide guidance for exclusion from play as well as returning to the classroom.

Specific provisions of the policy and plan include training for every middle and high school interscholastic and/or intramural coach as well as providing awareness to all student athletes and their parents or guardians on:

- The nature and risk of a concussion or head injury
- The criteria for removal from and return to play
- The risk of not reporting injury
- Appropriate academic accommodations

The provisions also mandate written verification of:

- The coach receiving concussion awareness training
- The student athlete and parent or guardian acknowledging receipt of concussion awareness information.

In addition, FCS shall extend appropriate procedures for academic accommodations to students who have been diagnosed with a concussion.

DISMISSAL AUTHORIZATION

Principals and teachers shall not release children when in the custody of the school during the day to individuals other than parents or legal guardians unless absolute proof of responsibility has been presented.

The Board discourages the practice of sending children on errands away from the premises during the school day. If it is necessary to send a child on such errand, the approval of the building principal shall be obtained.

GRADUATION EXERCISES

Participation of seniors in graduation exercises shall be determined by the high school principal and staff.

HOMEBOUND AND/OR SCHOOL-HOME TELEPHONE OR TELEVISED PROGRAMS

Homebound instruction is provided in accordance with state law and rules established by the Indiana Department of Education. Guidelines for homebound instruction are provided through the Northeast Indiana Special Education Cooperative.

Administrative Procedure:

- A. *Homebound and school-home telephone or television programs provide instruction to children unable to attend school because of handicapping conditions or special health problems. Homebound teaching shall be initiated only after all other possibilities have been exhausted.*
- B. *Before a student may receive homebound instruction, a physician must evaluate the student and state in writing that the student has an illness, injury or handicap that requires as part of the student's medical treatment either:*
 - 1. *Twenty (20) consecutive school days of homebound care.*
 - 2. *An aggregate of twenty (20) school days of hospitalization.*
 - 3. *Any number of days of homebound or hospital care necessary to complete the school year.*
- C. *An educational evaluation is required for a child who has cerebral palsy, epilepsy, a brain injury, hydrocephalus, or another condition that may affect learning.*
- D. *If a child is emotionally disturbed, the school shall obtain a statement that out-patient psychological treatment will be given during the period of homebound instruction.*
- E. *The school shall maintain all documentation required under 511 IAC 7-1-8 in the student's file. If a child who is eligible for homebound instruction is enrolled in a special education program, the child's teacher shall be licensed in the area of the child's handicap.*
- F. *Homebound instruction may be continued through the summer to complete a semester to meet promotion requirements.*
- G. *The number of homebound children per teacher may not exceed five (5) at any one time. Homebound instruction is limited to one (1) hour per day, five (5) days per week, for children in elementary school. Homebound instruction at the middle school and high school levels is limited to one (1) hour per day; five (5) days per week, for each subject in which the child is enrolled.*
- H. *Educational options in the best interest of the student may be incorporated.*
- I. *School-home telephone or television and homebound instruction may be offered concurrently.*

HOMEWORK POLICY

The Board of School Trustees recognizes regular, purposeful homework as an essential component of the instructional process in the Fremont Community Schools. Homework should serve as a basis for further study and preparation for future class assignments. Meaningful homework should be purposeful, efficient, personalized, doable, and inviting. In light of the major purposes for homework, it is not to be assigned as punishment for students for disciplinary reasons.

Responsibility for homework should gradually increase for students in grades one through six. Secondary school homework assignments should recognize that more time and individual student initiative are expected in order to meet increased instructional demands. Homework assignments to exceptional students should reflect the special needs of such students.

In general, homework assignments will be completed for the following day; however, long range assignments and/or special projects should provide students with an opportunity to develop and refine research and ability to work independently. Teachers should review evidence of progress periodically before the student submits a long range assignment.

Teachers shall consider the following factors when making homework assignments:

1. The grade level of the student
2. Level and degree of difficulty of the subject being studied
3. The maturity level of the student
4. The instructional needs of the student
5. The learning style of the student
6. The purpose of the assignment and its relation to the objectives of the course under study
7. The length of the assignment and the amount of time that will be required to complete it
8. Homework demands being made in other subject areas

It is the responsibility of the teachers to assure quality and value in homework through making assignments which:

1. Are an outgrowth of classroom instruction.
2. Clear and definite in purpose – not just “busy work”.
3. Clearly related to the objectives being pursued in the classroom.
4. Work for students’ learning styles.
5. Are efficient, time appropriate, and show evidence of learning.
6. Are customized to fit student learning styles and interests, creating a personal relationship between the student and the content.
7. Abandon a one-size-fits-all approach.
8. Provide creative and appealing tasks.

Principals will be responsible for:

1. Communicating the Board Policy on homework to teachers, students, and parents.
2. Reviewing the Board Policy with all school faculty and staff.
3. Encouraging parents to communicate with the school if a student’s homework assignments are excessive or not sufficiently challenging to the student, according to the parents’ views.
4. Monitoring the implementation of the homework policy.
5. Emphasizing reading as an integral part of the school’s homework policy.

Teachers will be responsible for:

1. Teaching independent study skills.
2. Making specific assignments.
3. Checking, reviewing, evaluating, and/or grading student homework according to the teacher’s individual methods, in keeping with a system that is clearly explained to the class.
4. Giving feedback on homework assignments in a timely manner.
5. Making instructions related to homework clear and providing, when necessary, a short period of supervised study or a period of questioning to ensure that the students understand the assignment.
6. Assigning student homework that includes specific periods of time devoted to reading.

Students will be responsible for:

1. Attempting and completing assigned homework as directed.
2. Returning homework to the teacher by the designated time.
3. Submitting homework assignments which reflect careful attention to detail and quality of work.
4. Devoting a specified amount of time to reading as part of the homework assignment.

Parents’ responsibilities include:

1. Providing continued interest and concern for the child’s successful performance in school through encouraging and supporting the child in his/her performance of homework assigned.
2. Indicating an interest about assignments and assisting, if possible, when requested by the child, but not to include performing the work for the child.
3. Supporting the school in regard to the students’ being assigned homework.
4. Requesting assignments for students when short term absences are involved.
5. Assisting the school in stressing the importance of reading and its benefits.

Elementary teachers shall exercise judgment in making homework assignments, considering the child’s readiness level and the type of work to be accomplished. At the secondary level, students in academic classes should receive a minimum of two homework assignments each week in each class. These assignments should be reflected in the student’s class grade.

IMMUNIZATIONS

IC 20-34-4-5 Statement of immunization history; waiver; rules

Sec. 5.

- a) Each school shall require the parent of a student who has enrolled in the school to furnish not later than the first day of school a written statement of the student's immunization, accompanied by the physician's certificates or other documentation, unless a written statement of this nature is on file with a school.
- b) The statement must show, that the student has been immunized as required by the state of Indiana, and must include the student's date of birth and the date of each immunization.
- c) A student may not be permitted to attend school beyond the first day of school without furnishing the written statement, unless:
 - a. the school gives the parent of the student a waiver; or
 - b. the local health department or a physician determines that the student's immunization schedule has been delayed due to extreme circumstances and that the required immunizations will not be completed before the first day of school.

The waiver referred to in subdivision (1) may not be granted for a period that exceeds twenty (20) days. If subdivision (2) applies, the parent of the student shall furnish the written statement and a schedule, approved by a physician or the local health department, for the completion of the remainder of the immunizations.

IC 20-34-4-1 Immunization record; distribution of record

Sec. 1. (a) Each school shall keep an immunization record of the school's students. The records must be kept uniformly throughout Indiana according to procedures prescribed by the State Department of Health.

(b) Whenever a student transfers to another school, the school from which the student is transferring may furnish, not later than twenty (20) days after the transfer, a copy of the student's immunization record to the school to which the student is transferring.

(c) Whenever a student enrolls in a state educational institution, the school from which the student graduated may furnish a copy of the student's immunization record to the state educational institution. If the student is enrolled in a state educational institution while still attending a secondary level school, the secondary level school that the student is attending may furnish a copy of the student's immunization record to the state educational institution.

IC 20-34-4-3 Parental notification of required immunization; exceptions

Sec. 3. (a) Each school shall notify each parent of a student who enrolls in the school of the requirement that the student must be immunized and that the immunization is required for the student's continued enrollment, attendance, or residence at the school unless:

- (1) The parent or physician provides the appropriate documentation of immunity, per State of Indiana requirements.
- (2) For varicella (chicken pox), Physician documentation of disease history, including month and year, is proof of immunity for children entering Kindergarten through 10th grade, Parent report of disease history is acceptable for grades 11-12; or
- (3) A child's parent objects on religious grounds. A religious objection does not exempt a child from any testing, examination, immunization, or treatment required unless the objection is:
 - a. made in writing;
 - b. signed by the child's parent; and
 - c. delivered to the child's teacher or to the individual who might order a test, an exam, an immunization, or a treatment absent the objection.
- (4) A physician certifies that a particular immunization required may be detrimental to a student's health.

Neither a religious objection nor an exception for the student's health relieves a parent from the reporting requirements under this section.

INDEPENDENT CONSULTANTS (Not Hired by the School District)

An Independent Consultant is a third party, not hired or otherwise enlisted by the School District, who seeks to play some role in the educational process at parent request. The following procedures shall apply to such a person:

1. An Independent Consultant may be invited to a case conference committee or team meetings by a parent if they have knowledge or special expertise about the student. As with all case conference committee participants, consideration will be given to the suggestions provided by such an Independent Consultant. If an Independent Consultant is invited to a case conference committee or team meeting, the teacher of record will inform the County Director of Special Education.
2. An Independent Consultant will not be allowed in general or special education classrooms or other areas where instruction or the provision of related services occur unless specifically permitted in a student's IEP or, in unusual circumstances, with explicit permission of the County Director of Special Education.
3. An Independent Consultant will not be allowed to work with a student during the school day unless specifically permitted in the student's IEP or, in unusual circumstances, with explicit permission of the County Director of Special Education. However, the County Director of Special Education will consider, but not necessarily grant, a request by a parent to permit an Independent Consultant whose services are funded through Medicaid (*i.e.*, a private nurse) to work with a student during the school day.
4. If a parent requests that School staff meet with an Independent Consultant outside of a case conference committee or team meeting, the meeting will take place at the School and be held at a mutually agreed upon time. The student's teacher of record and an administrator (or his/her designee) will also be present.
5. Videotaping in the general or special education classroom or other areas where instruction or the provision of related services occur will not be allowed in accordance with local policy.
6. This policy does not apply to an Independent Educational Evaluation (or IEE) to the extent that the School's prior evaluation was conducted in one of the locations specified above and the Independent Evaluator needs to visit the same location in order for the IEE to be completed under the same criteria.

KINDERGARTEN ENTRANCE

Any child who attains the age of 5 on or before August 1, of a school year will be admitted to the kindergarten program of the Fremont Community Schools--Fremont Elementary School offers full day kindergarten classes. A student residing in Indiana must be at least five (5) years of age on or before August 1st in order to enroll in public school kindergarten.

All children entering Fremont Elementary for the first time must present proof of residence in the Fremont school district, a certified birth certificate, and immunization record(s). Pre-registration begins in February. Once a child is enrolled in kindergarten, the child is required to adhere to all state statutes, including attendance guidelines.

Each spring a screening/round-up session is scheduled for children who will be entering Fremont Elementary for the first time in kindergarten. This provides an introduction for children and parents to the school and staff, the opportunity for screening and additional enrollment information.

A physical examination by a licensed medical doctor in the state in which he/she practices will be required for each child entering kindergarten. Birth certificates shall be required for entrance into kindergarten.

Legal Reference: IC 20-8.1-3-17 (e)

MEDICATION AT SCHOOL

- Medication shall be administered only by a school nurse or other employee(s) designated by the school nurse or principal. Any designated employee who is responsible for administering medication shall receive proper training and such training shall be documented in writing. All administration of medicine shall be documented in writing.
- Both prescription and non-prescription medication must include a permission form or note signed by the parent. Medication and parent permission slip must be brought to the office or school nurse as soon as the student arrives at school.
- Prescription medication must be sent to school in the original doctor's or pharmacy container, labeled by time with the child and physician's name, name of medicine, amount and time of day the medicine is to be administered.

- Any student with a chronic or acute medical condition may carry and self-administer prescription medication (examples may include emergency treatment for diabetes, asthma, bee sting allergies, etc.) However, an authorization form signed by the parent and physician (available from the school office or nurse) must be provided.
- Non-prescription medication (including topical ointments, cough drops, etc.) must be sent in the original container with the child's name on the package. . Dosage must be as indicated on the package for the age and size of the child, unless a physician, in writing, indicates other specific instructions. Parents must send a note giving permission and when medication needs to be given.
- Herbal medications need a signed medication permit AND a prescription from the physician. Most herbal medications can be given at home.
- Low THC hemp extract (CBD oil) will not be administered at school.
- Students on grades K-8 may not take home any medication from school. This includes all prescription and non-prescription medications that are sent to school with your child. The parent must pick up and bring home the medication. Students in grades 9-12 may take medications from school with a written permission note from parent (controlled substances must be picked up by parent/guardian).

Legal Reference: IC 20-1-1-6, 20-1-6-21.1, 34-4-16.5-3.5, 511 IAC 7-6-7

ORDER AND DISCIPLINE

Specific school behavior, rights, responsibilities and regulations for students will be approved in the student handbooks for each building annually by the Board of School Trustees.

RANDOM DRUG & ALCOHOL TESTING PROGRAM

Fremont Community Schools' drug and alcohol testing program applies to all Fremont Middle and High School students in grades 5-12, who participate in any athletic activity, drive to and/or from school, attend IMPACT or voluntarily agree to be randomly tested.

FCS is committed to providing a safe and healthy educational environment for all of our students. Students who drive to and/or from School or participate in any of our athletic programs while using drugs and alcohol put themselves and other students at risk and interfere with the ability to provide this safe and healthy educational environment. Therefore, a comprehensive drug and alcohol abuse prevention policy that includes random drug and alcohol testing, education and parent/student professional assistance will help reach the goal of a drug and alcohol free school corporation.

The purpose of the random drug and alcohol testing program is:

- To provide for the health and safety of students;
- To provide students with a tool to combat the effects of peer pressure and say NO to drugs;
- To encourage students who use drugs to participate in an effective drug education/counseling program;
- To improve the educational environment;
- To encourage students to develop lifelong habits that demonstrate the positive character traits of responsibility and trustworthiness that will make them productive citizens.

Fremont Community Schools practices two major types of student drug testing

Random Student Drug Testing (RSDT)

- Random Student Drug Testing (RSDT) refers to the practice of randomly testing students to detect the recent use of illegal drugs. All students in *selected groups* have an **equal** chance of being tested throughout the school.
- Random Student Drug Testing may be either **mandatory** or **voluntary**.
 - ❑ **Mandatory** – All students in a defined group or setting (student athletes, drivers or attend IMPACT) are eligible for student drug testing. Failure to comply with the program results in the loss of participation privileges.
 - ❑ **Voluntary** – Students and parents may choose to be a part of the student drug testing program by signing a consent form or choose not to join the program without penalty.

“For-Cause” or Reasonable Suspicion Drug Testing

A student is tested based on a reasonable belief that he or she is using or has used drugs in violation of the school’s policy. A common definition for reasonable suspicion is “facts, circumstances, physical evidence, physical signs and symptoms or a pattern of performance and/or behavior that would cause a trained school staff member to reasonably suspect that a student has violated the substance abuse policy and/or is under the influence of, or is intoxicated by, a drug or prohibited substance.” Administrators choose which students are to be tested based on physical characteristics such as appearance, behavior, and speech.

Fremont Community Schools recognizes that many students do not participate in athletics or drive to and/or from school and may choose to be in the testing pool as a way of developing accountability in their lives or for other personal reasons. Therefore, any parent/guardian of a student in grade 5-12 under the age of 18 may voluntarily place their child in the pool of test candidates by signing the participation agreement. Any student 18 years of age or older may also request to be placed in the testing pool by signing a consent form. Once a parent/guardian has given consent for their child to participate in this program, the student will remain in the program for the duration of their enrollment in Fremont Community Schools. If the parent/guardian wishes to remove their student from the program, the parent/guardian must put their request in writing and make personal contact with the building level principal.

Any student participating in this program, “random” or “for cause” will be subject to the same consequences as all other participants. Any participant who refuses to submit to a drug test authorized under this program shall be considered to have tested “positive” and will be subject to the appropriate consequences, including possible law enforcement involvement.

RESIDENCE

A child of school age (age 7 prior to the end of first grade) shall attend school in the school district in which the child resides. Attendance of a child in the Fremont Community Schools will be as defined in Indiana Code.

RETENTION

Pursuant to House Enrolled Act 1367 (Public Law 109) students must be proficient readers before moving to 4th grade. Students who do not pass the Reading portion of the ILEARN and who do not meet one of the good cause exemptions must be retained.

Good Cause Exemptions:

- students who have previously been retained two times prior to promotion to grade four
- students with disabilities whose case conference committee has determined that promotion is appropriate
- ELL students with a score of Level 3 or less in the Reading domain on the LAS Links English proficiency assessment

The primary goal of student retention at any grade level is to give students a year to grow and to master the academic skills of their current grade level before advancing to the next level.

Prior to, but no later than the first day of the fourth and final nine weeks grading period the teacher must request and hold a parent conference to discuss student performance. At this conference the teacher must be prepared to share data, RTI documentation and student work to support their possible retention recommendation. Present also at this or any other retention conference will be the building level administrator and guidance counselor, who will also share results and information from the **Light’s Retention Scale** identification instrument or similar type of evaluation.

Attendance shall not be used as a determining factor unless proven that it has a significant impact on student performance. At no time will a student be retained due to behavior or maturity concerns.

511 IAC 6.1-5-10 prohibits retaining a student in a grade level for the sole purpose of improving the student’s ability to participate in extracurricular athletic programs.

SEARCH AND SEIZURE

Authorized school personnel may conduct a search of a student, locker, book bag, student possessions/belongings or automobile if they have reasonable suspicion for a search. **A student who requests parking privileges gives implied consent for a search.** A certified K-9 and handler may be used to initiate a search.

Reasonable suspicion for a search means circumstances that would cause a reasonable person to believe the search of a particular person, place or thing will lead to the discovery of:

1. Evidence of a violation of the FCS behavior guidelines or of Indiana or federal law; or
2. Anything that represents a danger of physical harm or illness to students, teachers, assistants or others, whether on school property, at a school-sponsored or school-supervised event or otherwise.

Anything found in the course of a search, which is evidence of a violation of the FCS behavior guidelines, may be:

1. Seized and admitted as evidence in any suspension or expulsion proceeding;
2. Destroyed if it has no significant value;
3. Turned over to the parent of the student from whom it was seized; or
4. Turned over to any law enforcement officer.

If authorized school personnel reasonably believe that an individual student has hidden drugs or weapons in the student's clothing, the personnel may conduct a search of the student's person that requires the removal of clothing such as a coat, jacket, and/or shoes. School officials will attempt to contact and inform the parent of the search as soon as reasonably possible after it has occurred.

Indiana Code 20-33-8-32 Locker searches:

- a) A student who uses a locker that is the property of a school corporation is presumed to have no expectation of privacy in:
 - 1) that locker; or
 - 2) the locker's contents.
- b) In accordance with the rules of the governing body, a principal/designee may search:
 - 1) a student's locker; and
 - 2) the locker's contents; at any time.
- c) A law enforcement agency having jurisdiction over the geographic area having a school facility containing a student's locker may:
 - 1) at the request of the school principal; and
 - 2) in accordance with rules of the governing body of the school corporation; assist a school administrator in searching a student's locker and the locker's contents.

Automobile:

A student who utilizes school parking privileges gives implied consent for a search of the student's vehicle under the same standards of reasonable suspicion that govern the search of a student's locker.

Student's Person/Book Bag/Possessions or Belongings:

A student's person, book bag, possessions or belongings may be searched under the same standards of reasonable suspicion that govern the search of a student's locker.

The Fremont Community Schools Board of School Trustees recognizes its obligation to balance the privacy rights of its students with its responsibility to provide student, faculty, and authorized visitors with a safe, hygienic, and drug-free environment. To balance these competing interests, the Board authorizes the Superintendent to follow these procedures.

Legal Reference: IC 20-8-1-5.1-25

STUDENT ENROLLMENT

The following criteria must be met for a student to enroll in Fremont Community Schools.

Administrative Procedure:

Upon entering Fremont Community Schools for the first time, placement in a grade level will be determined by the Fremont Community Schools. Indiana Code contains age requirements and regulations. The corporation has the authority and responsibility to enroll a student in the appropriate grade based on educational factors. Proof of age shall be required for students attending Fremont Community Schools the first time.

TRANSFER STUDENTS

The Board of School Trustees recognizes that a parent of a child must be a legal resident of the Fremont Community School District in order for the child to attend its schools. The Board recognizes it has the authority to accept transfer students and it is the intent of the Board that all applicable laws in regard to student transfers shall be strictly enforced. A transfer student is one whose legal settlement is not within the boundaries of the Fremont Community School District.

School Employee Requests

Requests for transfer made by any school employee for his or her own child(ren) will be accepted prior to any other requests for student transfer provided there is capacity in the grade level in the building as determined annually by the Board of School Trustees for the school corporation's employee's child(ren). If there is not adequate capacity in a grade level to accept all of the transfer requests, a random drawing will be conducted in a public meeting of the school board to determine who will be accepted.

Other Transfer Student Requests

If there is capacity remaining after the acceptance of school corporation employees' transfer requests, parents, guardians, or custodians who are not school corporation employees of Indiana students who do not reside in the Fremont Community Schools Corporation but who wish to enroll their child in the school corporation **may request a transfer and** will be considered for enrollment under the following conditions:

1. Parents seeking a transfer must request a copy of the transfer request application form. The parent is to complete this form and return it to:

Fremont Community Schools
Attn: Superintendent
1100 West Toledo Street
P.O. Box 665
Fremont, Indiana 46737

A request for transfer shall be valid only for one (1) school year. A school corporation can grant a transfer only for one (1) school year. Parents seeking transfer for a subsequent school year must submit a new transfer request application for each school year for which transfer is sought. (*APPENDIX M*)

2. In completing this form, the parent should be certain to fill out all sections of the form and to state specifically each of the reasons for the request to transfer. Under no circumstances will a transfer student be accepted for athletic reasons.
3. Capacity for each grade level in each building as determined annually by the Board of School Trustees will be a consideration as to whether the student will be admitted or a random drawing will be necessary to determine who will be accepted. A random drawing will take place in a public meeting of the school board when the number of eligible transfer applicants exceeds the capacity of the grade level. When determining capacity, space needed for resident students, current transfer students, siblings of such students, and employees' children will be taken into consideration.
4. Upon receipt of the application the transferee school corporation has 30 days from receipt in which to act upon the request. A transfer is considered approved when the transferee school corporation approves the transfer and provides notification by mail or in person. So also, a transfer is considered denied when the transferee school corporation denies the transfer and provides notification by mail.

Parents are responsible for the transportation of the student to the transferee school corporation.

Fremont Community Schools will **not** accept “out-of-state” transfer requests. Applicants (parents and their children) must reside in Indiana.

Students must be in good standing at the transferor school corporation. Attendance, discipline and financial obligations owed to the transferor school corporation will be considered.

The building principal and Superintendent shall deny a transfer request based on one or more of the following criteria:

1. The student has been suspended or expelled for more than 10 school days in the 12 months preceding the request for transfer.
2. The student was suspended or expelled for possessing a firearm, deadly weapon, or destructive device in the preceding 12 months.
3. The student was suspended or expelled for causing physical injury to a student, school employee, or visitor to the school.
4. The student was suspended or expelled for violating a drug or alcohol rule.

Students transferring to this Corporation from other schools or school corporations shall be placed in those classes or at those grade levels for which their previous educational experiences appear to qualify them. The School Corporation reserves the right to change or modify such placements on the basis of later information, testing, or investigation.

The Superintendent of Schools shall develop the operational procedures and forms necessary for the implementation of this policy.

Legal Reference: IC 20-26-11-2 IC 20-26-11-6 IC 20-26-11-6.5 IC 20-26-11-32

INSTRUCTION

ADULT EDUCATION

Fremont Community Schools participates in a cooperative effort with other schools interested in a program of adult education.

A program of adult education may be offered in evening and Saturday sessions and school facilities may be used for this purpose if and/or when the Fremont Community Schools Board of School Trustees sees fit to provide Vocational Education and Adult Basic Education.

CURRICULUM TOPICS

Student curriculum is guided by the Indiana Academic Standards, which specify the minimum expectations for learning in all grades and disciplines. Locally-developed additions to the curriculum serve to expand and enrich these state-wide measures of performance. The core curriculum is viewed as a fluid and flexible document that should respond to the learning needs of students and is impacted by the discovery of new information and technologies.

English Language Learners (ELL)

Fremont Community Schools supports the academic and social needs of our English Language Learners. We participate in the annual state mandated testing for ELL students.

High Ability Program Services

Fremont Community Schools defines a high ability student as one who “performs at, or shows the potential for performing at, an outstanding level of accomplishment in at least one domain when compared to other students of the same age and/or grade level.”

Fremont Community Schools believes many students are capable of achieving academically at high levels. Therefore, the School acts to identify and challenge all capable students by rigorous curricula in a stimulating and supportive environment.

Elementary identified students are served through flexible grouping practices or self-contained classrooms in language arts and math.

Identified middle school students are grouped for advanced language arts and math. Language arts materials and activities reflect higher expectations for students, and math instruction may address standards that are above students' actual grade levels.

The high school offers open enrollment in Advanced Placement courses in English, math, science, and social studies. In addition, students may earn both high school and college dual credit in courses through Trine University, Ivy Tech, and other Indiana colleges or universities.

HOME SCHOOL POLICY

This policy establishes the minimum eligibility requirements for a home school student desiring to participate in extracurricular activities at the corporation school(s), including, but not limited to: athletics, music programs, school musicals or plays, before or after school activities, and academic competitions.

A. Definitions

1. A "home school" is a school conducted by a parent(s) or legal guardian(s) for their own child. The home school must be operating in compliance with state law.

B. Minimum Eligibility Requirements

1. The student shall be enrolled in a home school conducted by his or her parent(s) or legal guardian(s).
2. The student must be enrolled in, and attending, a minimum of 2 courses for high school and 3 classes for middle school. These courses will be full-credit subjects offered within the school building. Courses must be taught by a corporation teacher, in a corporation classroom, and be part of the master schedule. Online courses and independent study courses do not satisfy the minimum number of courses for this policy.
3. The student must be enrolled at the corporation a full semester before participating in a corporation sponsored activity.
4. The student must remain enrolled at the corporation for the entire academic year, even if the student is not actively participating in a corporation sponsored activity.
5. The student will complete any and all local and state-wide required examinations.
6. A student who withdraws from the corporation to be home-schooled shall not be allowed to participate in any school-sponsored activity for a minimum of three hundred sixty-five (365) days after the student withdraws from school.
7. The participating student must have a legal residence within the school district where he/she is registered.
8. By July 1 or December 1 of each school year, the parent or guardian must make a written application for participation in a corporation sponsored activity(ies) to the principal of the corporation school in which the home school student wishes to participate in.
9. The home school student shall meet the same academic and conduct standards required of a member school student-athlete to participate in the athletic program, including, but not limited to: physical conditioning, examination, and drug testing
10. The Superintendent or their designee shall confer with the parent(s) or guardian(s) conducting the home school to determine that the home school student is academically eligible.
11. The student's parent or guardian must submit a weekly report to the school principal or designee outlining the following:
 - a. Verification of a minimum of three (3) hours of daily instruction with supporting log.
 - b. Verification that all student coursework is being maintained according to the corporation's academic eligibility requirements.
 - c. This report must be submitted to the school principal or designee by noon on Friday during the season or activity.

12. In no event shall a home school student be eligible who is not receiving the minimum three (3) hours per day of instruction administered by their parent/guardian.
13. In no event shall a home school student be eligible who has fallen three (3) or more months behind the student's appropriate grade level.
14. The home school student must provide proof of basic primary medical insurance coverage and liability insurance coverage which names the school corporation as an insured party in the event that the school's insurance provider does not extend coverage to students enrolled in home school programs.
15. The corporation may impose a participation fee for each sport in which a home school athlete participates. Such participation fee shall not exceed the fees or costs charged to or borne by students enrolled at the school and shall be paid in full prior to the first regular season contest.
16. Eligibility issues may be appealed in accordance with the Bylaws of the corporation.
17. Ultimate decisions on rosters are left to the coach or activity sponsor of the corporation school.

Instructional Technology

Fremont Community Schools' focus is to:

- Equip all stakeholders to use technology to interact with, and impact, the world around them.
- Teach digital citizenship.
- Integrate technology in the teaching and learning process while assuring that the use of technology adds value to learning.
- Provide greater access to educational opportunities and differentiated instruction by utilizing access to technology for anytime, anywhere learning.
- Improve communication and widen our sense of community between the teachers, students, and parents
- Integrate digital tools for students to develop products that demonstrate their understanding.
- Provide greater access to digital content in a variety of formats and modes.

Title I

Title I is the largest federal grant program used to ensure that all children have a fair and equal opportunity to obtain a high quality education. Title I is a part of the Federal Elementary and Secondary Education Act (ESEA) that was passed in 1965. This grant provides extra academic support and learning opportunities for children who are most at-risk of failing state and local standards.

Title I funds are supplemental funds that provide additional instruction time and resources for students that are not meeting grade-level academic bench marks. Services are determined locally and are in addition to what is already being provided. Currently Fremont Community Schools' Title I program is focused on literacy in grades 1 and 2.

The School will involve parents in regular, two-way and meaningful communication addressing student achievement and ensuring:

- That parents play an integral role in assisting their child's learning
- That parents are encouraged to be actively involved in their child's education
- That parents are full partners in their child's education and are included, as appropriate, in decision-making to assist in the education of their child.

Vocational Education

Fremont Community Schools affords high school juniors and seniors the opportunity to attend IMPACT Institute pending all pre-requisites are met by students.

IMPACT Institute:

- Provides vocational training, to the extent of available resources, for students who want, need, and can profit from such training.
- Provides facilities, equipment and instruction that will encourage the development of vocational skills and attitudes necessary for gainful employment.
- Involves individuals from business and industry in planning and conducting vocational programs in order that the programs remain relevant to the world of work.

- Employs a professional staff and supportive personnel that are professionally competent and experienced in the world of work.
- Provides assistance to guidance personnel who are responsible for assisting students in the selection of a vocational program

Parents who have questions or concerns about any of our curriculum topics should call or make an appointment to meet with the building level administrator.

Curriculum Reports

Reports to the Board of School Trustees from instructional personnel concerning curriculum and instruction will be requested periodically.

SPECIAL EDUCATION

Fremont Community Schools believes in providing learning experiences that align with the district's mission and vision to allow our students the opportunity to have student-centered learning experiences that are necessary for our students to have the same opportunities as their general education peers.

We consistently and accurately collect and analyze aggregate data regarding special education placements in the district and continuously monitor our data as well as our staff/school practices. Curriculum and instructional approaches are appropriate for students with varying abilities in the general education setting. Academic supports, interventions, and progress monitoring are in place for students with varying abilities in the general education and special education setting. Behavior supports, interventions, and progress monitoring are in place for students with varying abilities. We strive to ensure that students are provided services in the least restrictive environment.

Fremont Community Schools has in place Response To Intervention (RTI) teams in the elementary, middle and high schools. Referral to this team precludes, in most cases, special education testing. RTI plans are put into place and given adequate administration time to determine next steps for students in need of additional support. Parents and staff will work closely to determine the next level of intervention if necessary.

Fremont Community Schools is a member of the Northeast Indiana Special Education Cooperative and partners with the Co-op to provide ultimate learning opportunities for all students. On-going, as well as annual trainings are provided to ensure staff have knowledge and skills related to inclusive practices, behavior strategies and expectations, and differentiated instruction.

Least Restrictive Environment

Students with disabilities, including those in public or private residential institutions and other care facilities located in the attendance area of the school corporation, shall be educated and participate in academic, nonacademic, and extracurricular activities with nondisabled students to the maximum extent appropriate. The educational placement of students with disabilities shall be determined annually by a case conference committee and shall be based on the student's individualized education program. The case conference committee shall also take into consideration any potentially harmful effect of a suggested placement on the student or on the quality of the services needed.

Unless the individualized education program requires some other arrangement, a student with disabilities shall be educated with the student's chronological peers in the school the student would attend if not disabled. Placement of students with disabilities in special classes or separate facilities shall occur only when it is documented by the case conference committee that education in general education classes, with the use of supplementary aids and services, cannot be satisfactorily achieved. If necessary, a continuum of alternative educational placements shall be available to meet the individual needs of students with disabilities.

The Fremont Community School Corporation shall adhere to the policy established by the Northeast Indiana Special Education Cooperative to ensure that a pool of educational surrogate parents is available so that an educational surrogate parent may be appointed, when necessary, to protect the rights of students with disabilities.

Legal Reference: 20 USC 1415 (b) (1) (b) IC 20-1-1-6 34 CFR 300.514 IC 20-1-2.1 511 IAC 7-9-1

Educational Surrogate Parent Policy

The Fremont Community School Corporation shall adhere to the policy established by the Northeast Indiana Special Education Cooperative to ensure that a pool of educational surrogate parents is available so that an educational surrogate parent may be appointed, when necessary, to protect the rights of students with disabilities.

Legal Reference: 20 USC 1415 (b) (1) (b) IC 20-1-1-6 34 CFR 300.514 IC 20-1-2.1

LIBRARY MATERIALS

Our library media program exists to guide and instruct students in the communication and information-retrieval skills necessary in a complex society.

The program is designed with the following objectives:

- A. To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the pupils served.
- B. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- C. To provide a background of information which will enable pupils to make intelligent judgments in their daily life.
- D. To provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
- E. To provide materials representative of the many religious, ethnic and cultural groups and their contributions to our American heritage.
- F. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality for the curriculum and in order to assure a comprehensive collection appropriate for the users of the media center.

Materials for the library will be selected by the Media Specialist with approval of the Principal. Recommendation for the purchase of materials will be openly welcomed from students, teachers, staff members, administrators, school board members, and people from the Fremont community. In all instances, materials purchased should adhere to the high standards that will help to make the Fremont school libraries among the best in the state, in terms of quality. Supplemental materials for the classroom will be selected by the classroom teacher with the approval of the Principal.

Anyone wishing to criticize materials in the library should fill out a "Request for Reconsideration of Materials" form (APPENDIX N). After the form has been filled out completely, the Media Specialist will talk with the person(s) individually. If a solution agreeable to both parties can't be reached, then a faculty review committee will be appointed. The committee will be made up of one faculty representative chosen by the person(s) making the criticism, one faculty representative chosen by the Media Specialist, and one faculty representative chosen by the Superintendent.

If the decision of the committee is not acceptable to both parties, then further appeals may be first made to the Principal, then the Superintendent, and finally the Board of School Trustees within ten (10) calendar days receipt of a prior decision.

REGION 8 EDUCATIONAL SERVICE CENTER

The Fremont Community Schools participates in a cooperative arrangement with 26 school corporations to establish, operate, and maintain an educational service center in order to allow the participating public school corporations to cooperate and share certain programs and services which they collectively may implement. Such programs and services may include, but are not limited to, curriculum development, pupil personnel services, in-service education, instructional materials and multi-media services, purchasing and financial management, needs assessment, computer utilization, and research and development.

SUMMER SCHOOL

A summer school is conducted as provided by state law and the Rules of the Commission on General Education if and/or when the Fremont Community Schools Board of School Trustees sees fit. The Board of School Trustees will make final approval of summer school programs in the regular meeting in April of each year.

Administrative Procedure

- A. *It is the intention of the Fremont Community Schools to pay teachers employed in state reimbursed/funded summer school programs at their professional hourly rate. (Number of days in contract x 6 hours = A; salary schedule pay - A). State mandated changes requiring deviation from this intention will be discussed with the Association prior to any final Board action.*
- B. *Summer school positions will be filled based on license requirements and the qualifications required for each position with final decisions to be made by the Board of School Trustees.*
- C. *A listing of courses considerations for summer school will be posted by the Superintendent or designee prior to May 1, or as soon as available.*
- D. *Once summer school teaching notices have been received by the Superintendent, and prior to eight days beyond the closing of the posting period, the Superintendent or designee will prepare a list of teachers to be hired in the order to be hired and return this information to each applicant.*
- E. *Beginning in 1993, a list will be established of teachers qualified to teach a possible summer school course. This list will be determined by those teachers who apply for a summer school teaching opening and ranked based on years of summer school teaching experience over the past five years (1988-1992).*
- F. *As openings are filled, those on the list will be hired on a rotational basis (most experience first, etc. for each succeeding year).*
- G. *Once a teacher has received a position, he/she will be located at the bottom of the list.*
- H. *If a teacher is offered a position, and declines, he/she shall be placed at the bottom of the list.*
- I. *Teachers may opt to be placed on the bottom of the list in any year beyond 1993, and then participate in the rotation in future years.*
- J. *Those already on the list will be rotated prior to placing an additional name on the list.*
- K. *Teachers will be hired based on this listing once enrollments and course offerings have been finalized.*

TEXTBOOK ADOPTION

The adoption of textbooks for the Fremont Community Schools shall be in accordance with the laws of the state and the rules of the State Board of Education.

Building principals are responsible for recommending to the Board of School Trustees, members of the Textbook Selection Committee after meaningful discussion with the exclusive representative.

Textbook Selection Committees will make recommendations to the Board of School Trustees for their adoption of textbooks at the regular meeting in June of each year. Adoption choices should take into consideration vertical and horizontal articulation at all levels.

OPERATIONS

AFTER-SCHOOL CHILD CARE PROGRAM REASONABLE CARE STANDARDS

The use of school buildings, grounds, equipment, and facilities for school purposes shall have precedence over all other uses. The school corporation may exercise the option to provide or to contract with a not-for-profit organization or a for-profit organization on an annual basis to provide a school age child care program (latch key program) which utilizes school corporation building(s). Such a program will adhere to the procedures set out in this policy. Such use is limited to after the school day and to periods when school is in session. An organization eligible to contract with the school corporation for a child care program must meet or exceed the following standards.

- A. Provide child care for children enrolled in kindergarten through age 12 or completion of sixth grade.
- B. Maintain liability insurance to cover participants with \$300,000 per person and \$5,000,000 per occurrence limits.
- C. Maintain a maximum child to staff ratio of 16:1. Staff, for purposes of determining the staff to child ratio, is defined as any person who is responsible for and directly engaged in supervising children.
- D. Be licensed as a day nursery in accordance with the standards of the Indiana State Department of Public Welfare.

No fee will be assessed for the use of school buildings under this policy. However, a fee to reimburse the school corporation for providing security, maintenance, utilities, school personnel, or other added costs directly attributed to the use of the buildings for the program(s) will be assessed.

The Superintendent will develop regulations, fee schedules, and forms to implement this policy.

Legal Reference: IC 20-5-1-2.5

BLOODBORNE PATHOGENS – PRECAUTIONS AND TRAINING

It shall be the policy of Fremont Community Schools Board of School Trustees to provide simple and effective precautions against transmission of disease in the school environment and comply with Indiana Code and OSHA's Blood borne Pathogens Standard 29 CRF 1910.1030. Each employee who has duties that require the employee to have direct contact with blood or body fluids in the scope of his/her employment shall receive training and access to the necessary equipment to prevent transmission of communicable disease.

Before an employee is given an assignment where contact with blood or body fluids is likely, the employee will be provided the necessary training, including training in the universal precautions and other infection control measures adopted by the State Board of Health, to prevent the transmission of communicable diseases. An attendance record of an employee's participation in the training shall be maintained. When an employee has direct contact with blood or body fluids, the employee shall use the universal precautions as specified by the State Board of Health.

If an employee fails to use the universal precautions or fails to attend the training sessions, the employee shall be subject to sanctions deemed appropriate by the Board of School Trustees, including discipline or dismissal if warranted.

CHEMICAL MANAGEMENT POLICY

The purpose of this policy is to reduce student and staff exposure to chemical hazards from hazardous chemicals used or kept at the school. By selecting products with lesser hazards, and by properly using these products, there will be a reduced risk of exposure to these products.

This policy applies to all chemicals purchased for use in child occupied school buildings.

Each year, the school corporation will conduct a site-wide chemical inventory. During the inventory, expired and unwanted chemicals are identified for proper disposal. Compliance with this policy is reviewed.

The school has identified the following procedures and guidelines for purchasing chemicals in an effort to minimize student and staff exposure to chemical hazards:

1. The Buildings and Grounds Maintenance Supervisor must approve purchases of any chemicals to be used in child occupied school buildings.
2. Donated items such as hand sanitizers and any products staff want to bring into the school must be approved by the Buildings and Grounds Maintenance Supervisor.

First in, first out policy will be followed. (Over purchasing and stock piling are not permitted.)

The least toxic chemical that is still effective for the job is selected. (Material Safety Data Sheets are reviewed to make this determination.) This includes selection of cleaning supplies as well as teaching tools for classrooms.

FCS will not purchase chemicals listed on the Banned Chemical List.

Material Safety Data Sheets (MSDS) will be available at the District Office and each of the school buildings' Administration Offices. The MSDS books will be updated annually and as new chemicals are purchased.

Use

1. Chemicals will be mixed and used according to manufacturer's directions. Measuring devices or direct mixing systems are to be used. Any warnings. Especially requirements for ventilation are to be followed.
2. When possible, use of cleaning products should be performed when students are not present.
3. Areas where chemicals are being used will be properly ventilated.
4. Only properly trained staff may use hazardous chemicals. Staff will receive annual training and when required, certification (i.e. pesticide applicators).
5. Required notification procedures will be followed (i.e. pesticide notifications).

Storage

1. Secondary containers will not be used to store chemicals unless they are properly labeled and approved for such use.
2. Storage areas will be properly ventilated.
3. Storage areas will be compatible with the chemicals being stored in them.
4. Reactive chemicals will not be stored near each other.
5. Hazardous chemicals will be stored in locked areas at all times.
6. All original containers will be labeled with the date received.

Disposal

1. Unwanted, unused, and outdated chemicals should be identified as soon as possible and no less than annually. They should be marked for disposal.
2. Disposal will follow state regulations. Pouring down the drain or throwing in the trash is not acceptable or proper disposal in most instances.

Spills, Explosions, and Accidents (including inhalation, ingestion, or direct contact)

1. The FCS Emergency Preparedness Plan outlines the steps staff should take in the event of one of these emergencies.
2. Call 911
3. Call the **Indiana Poison Center** at 1-800-222-1222.

COMMUNITY INVOLVEMENT - VOLUNTEERS

The Fremont Community Schools Board of School Trustees encourages the utilization of volunteers in the schools to complement and supplement educational programs. The Board supports the involvement of parents and other community volunteers in the work of the school system.

CONVICTED SEX OFFENDERS

Purpose:

Sex Offenders pose a continuing threat to society after incarceration, or even if incarceration does not occur, to such an extent that the State of Indiana deems it necessary to impose registration and other requirements and prohibitions on Sex Offenders. Fremont Community Schools Corporation ("FCS") has a fiduciary duty to its students to provide for their safety and welfare while the students are under their care, and deems that preventative measures are necessary to achieve that end.

Policy:

Recognizing that the safety and welfare of students is of paramount importance, the FCS Board of School Trustees hereby declares that, except in limited circumstances as defined below, Sex Offenders are not permitted to be present on FCS Property or allowed to attend FCS functions, wherever such activities or events are located. (APPENDIX O)

If the Superintendent or his/her designee becomes aware that a Sex Offender is on FCS Property or is attending an FCS function, such person shall direct the Sex Offender to leave FCS Property immediately, except under limited circumstances as defined below. If an FCS Function is not held on FCS property, the Superintendent or his/her designee shall notify a person in a position with authority, with regard to the property to request that person to direct the Sex Offender to leave the property while the FCS function is taking place. The Superintendent or his/her designee may request the assistance of the appropriate law enforcement authorities to enforce this policy. **Violations of this policy may subject a Sex Offender to prosecution for the crime of criminal trespass.**

Exceptions:

1. A Sex Offender may have a right or a legitimate educational need under state and federal law to come upon FCS Property or attend FCS functions. Some examples of which include attending a public meeting of the FCS Board of School Trustees, voting (if the Sex Offender is qualified to vote and an election site is located on FCS property), and attending parent-teacher conferences. In such a case, prior to entering FCS property or attending a FCS function, the Sex Offender must contact the Superintendent or his/her designee to establish a written Individual Access and Child Protection Plan ("IACPP"). An IACPP will be established by the Superintendent. The IACPP must be signed by the Superintendent and the Sex Offender. After full execution of the IACPP, the Sex Offender may enter FCS property and attend FCS functions in accordance with the terms of the IACPP. (APPENDIX P)
2. If a Sex Offender is a FCS Student, the Superintendent or his/her designee will determine the appropriate educational placement for the student. In such a case, the Superintendent or his/her designee has the sole authority to determine the appropriate education placement for the student, balancing the student's right to education and the safety of the other FCS students and employees.

Misc.

FCS will use its reasonable efforts to identify Sex Offenders. If the Superintendent or his/her designee has reason to believe that a person may be a Sex Offender, the Superintendent or his/her designee are authorized to take action necessary to identify or verify the Sex Offender's status, including checking on state or federal Sex Offender registries and verifying or denying that the Sex Offender has committed criminal actions.

Definitions:

Sex Offender: as used in this policy, a Sex Offender is a person who meets the definition of a sex offender or violent sex offender under Ind. Code § 11-8-8. It also means a person whose name appears on any state or national sex offender registries or databases.

FCS Property: (1) all school sites, grounds, facilities, and buildings, wherever situated, including administrative offices; (2) all property owned or rented by FCS where instruction takes place or student performances or activities are held; and (3) all school buses and vehicles.

FCS Functions: include all school sponsored activities and events, such as including, but not limited to, athletics, academic competitions, and musical performances.

CRIMINAL HISTORY INFORMATION

To help ensure a safe environment and as required by state law, the Fremont Community Schools Corporation requires each individual hired for employment, an expanded criminal history check. The expanded criminal history check must be received by the Corporation prior to the individual's employment. The individual will be responsible for the cost for obtaining the expanded criminal history check.

Each individual hired will be questioned about the individual's expanded criminal history check. Failure to answer honestly any questions related to the expanded criminal history check may be cause for termination of the applicant.

Any volunteer, who may have direct, ongoing contact with children when performing services for the school, must submit to a limited criminal history check prior to beginning volunteer work for the Corporation. Any volunteer, who may have direct, ongoing contact with children and will not be under the direct supervision of a school employee, must submit to an expanded criminal history check. The individual school will be responsible for the limited criminal history check. All costs associated with obtaining the expanded criminal history check will be incurred by volunteers.

Any entity which has a contract to provide services to the Corporation and whose employees have direct, ongoing contact with children when performing those services for the school, must provide to the Corporation expanded criminal history checks for such employees. The entity and/or the entity's employees are responsible for all costs associated with obtaining the expanded criminal history checks. An individual who is working for such an entity may also be required to provide the individual's expanded criminal history check to the school corporation upon its request to do so or to provide consent to the school corporation for it to request an expanded criminal history check of the individual.

Any information obtained from any type of criminal history check is confidential and shall not be released or disseminated.

All school employees and individuals or entities that have contracts for services with the Corporation are required by state law to report conviction of certain crimes enumerated in state law to the Corporation. The Superintendent or designee is responsible for implementing regulations to notify the employees, including volunteers, and the entities for contracted services of this duty. In addition to the crimes listed in the state law, the notice shall also include the convictions of the "attempted" crimes listed in the law.

Legal Reference: IC 20-26-5-10 IC 20-26-5-11

EMERGENCY PREPAREDNESS PLANS

All Emergency Preparedness Plans for all buildings are certified with the Indiana Department of Education and are included in all building policy manuals.

Each principal shall be responsible for preparing and reviewing annually, within sixty (60) days after the beginning date of each school year, a disaster plan.

Indiana Code: Sec. 20. (a) The governing body of a school corporation shall require each school in the governing body's jurisdiction to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under IC 4-22-2 by the state board.

(b) Each school and attendance center shall conduct at least:

- (1) one (1) tornado preparedness drill; and
- (2) one (1) manmade occurrence disaster drill; during each semester.

(c) Notwithstanding rules established by the state fire marshal under IC 12-17-12-19, a drill conducted under subsection (b) may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal. However, a drill conducted under subsection (b) may not be made:

- (1) instead of more than two (2) periodic or monthly fire evacuation drills in a particular school semester; and
- (2) in two (2) consecutive months.

(d) The governing body of a school corporation may direct schools to conduct emergency preparedness drills in addition to those required under subsection (b).

(e) The governing body of a school corporation shall require each principal to file a certified statement that all drills have been conducted as required under this section.

Legal Reference: 511 IAC 6-2-1, Article 7 Rule 6 Section 4(b).

EMPLOYEE DRUG PREVENTION

Standards of Conduct

Fremont Community Schools prohibits the unlawful possession, use, or distribution of illicit drugs or alcohol or any other controlled substances on school premises or as a part of any of its activities.

Any member of the Corporation's professional or classified staff shall not be under the influence of any controlled substance, including alcohol, at any time while on Corporation property or involved in any Corporation-related activity or event.

Disciplinary Sanctions

Consistent with the Master Contract, local, state, and federal law, disciplinary sanctions may be imposed upon employees who violate the standards of conduct. Disciplinary sanctions may include verbal reprimand, written reprimand, and release from duties for a specific period of time without pay, termination from employment, or referral for prosecution. The severity of sanctions shall be proportionate to the severity of the offense.

Counseling/Rehabilitation

Information will be provided to employees about any drug and alcohol counseling, rehabilitation, and re-entry programs that are available. (APPENDIX Q)

Employee Notification

Employees will be given a copy of the Standards of Conduct along with the statement of Disciplinary Sanctions and Counseling/Rehabilitation provisions as outlined in this program.

Compliance with the Standards of Conduct as outlined is mandatory.

Review

Fremont Community Schools will review its Employee Drug Prevention Policy with the Association on a biennial basis to determine its effectiveness, to implement changes to the program if they are needed, and to ensure that disciplinary sanctions, as outlined above, are consistently enforced.

Administrative Procedure and Testing Regulations:

The following testing procedures are to be strictly observed by any collection facility and/or laboratory contracted by the school corporation in order to carry out its drug and alcohol testing program.

Controlled substance testing procedures include the following:

A. **Chain of Custody**

Chain of custody is defined as procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. These procedures will require an approved chain-of-custody form.

B. **Preparation for Testing Includes:**

- 1. Use of a tamperproof seal system designed in a manner that a specimen bottle top can be sealed against an undetected opening and the bottle has a means for identification of the test subject, either by number or some other confidential manner.*
- 2. Use of shipping containers in which one or more specimens and associated paperwork may be transferred and which can be sealed and initiated to prevent undetected tampering.*
- 3. Written procedures and instructions for the collection site.*

C. **Specimen Collection**

Specimen collection will be done at collection sites designated by the school corporation.

D. **Laboratory Analysis**

Laboratory analysis of all specimens collected will be done by Outcome LLC, under all federal guidelines.

E. Review of Results of the Laboratory Tests

The laboratory reports the test results of the school corporation's Medical Review Officer (MRO) with an average five (5) working days.

Both positive and negative results must be reported. The report, as certified by the responsible laboratory individual, shall indicate the drug metabolites tested for, whether the results are positive or negative, the cut-off level for each drug analyzed, and the specimen number assigned to the specimen and the drug testing laboratory identification number. All tests submitted to the laboratory at the same time must be submitted to the MRO at the same time.

The laboratory may transmit the test results to the MRO by various electronic means such as teleprinter, facsimile or computer, so long as those methods established are designed to maintain confidentiality. Results cannot, at any time, be provided verbally by telephone. The laboratory must also transmit to the MRO the original or a certified copy of urine chain-of-custody and control form and must identify the individual responsible for the day-to-day management of the laboratory process.

F. The Role of the Medical Review Officer

The MRO must be a licensed M.D. or D.O. and principally serve as an arbiter between the laboratory and the school corporation. The MRO must possess knowledge of drug abuse disorders. It is the primary role of the MRO to review and interpret positive results obtained from the laboratory. The MRO must access and determine whether alternate medical explanations could account for the positive test results.

To accomplish this task, the MRO may conduct medical interviews of the individual, review the individual's medical history and review other relevant bio-medical factors. Additionally, the MRO must examine all medical records as evidence of prescribed medications.

The MRO must give the individual testing positive an opportunity to discuss the test results. If the tested individual provides sufficient medical documentation that the positive result derives from the use of legally prescribed medication, the MRO may allow continued employment, or the MRO may request the opinion of another physician.

G. The Need for Confidentiality

All information obtained in the course of testing employees shall be protected as confidential medical information. Data concerning this information will be made part of the employee's personnel file, but will not be provided to any other party without the written consent of the driver.

H. The Appeal Process Available to Employees Testing Positive

If an employee tests positive, he/she has the right to question the results by:

1. Contact with the MRO to verify the sample number of the urine sample to the MRO's form.
2. Requesting the split-sample is tested within 72 hours of the original testing.

Administrative Procedure for Alcohol Testing:

A. Testing Devices

Alcohol tests are to be conducted with only the evidential breath testing devices (EBT's) approved by the National Highway Traffic Safety Administration (NHTSA) on their Conforming Products List (CPL). The rules allow the use of EBT's for the initial screening test that are on the CPL that do not meet the additional requirements for the conformation test (e.g. sequential numbering and print-out capability).

- B. Only a Breath Alcohol Technician (BAT) that has had proper training may administer breath alcohol tests. Reasonable cause tests may not be conducted by the person making the determination that reasonable suspicion exists to conduct an alcohol test.

- C. *The BAT will perform an initial alcohol screen. If the initial screen results in a Blood Alcohol Concentration (BAC) of .02 or above, a confirmation test is required. Any tests resulting in a BAC of less than .02 will be considered negative. The BAT will wait a minimum of 15 minutes before administering the confirmation test. Confirmation tests must be performed within 20 minutes.*

The Transportation Supervisor will be responsible for maintaining corporation files and, on a confidential basis, all records required by the federal regulations under this testing program

FACILITY USE

While the primary purpose of school buildings and facilities is the education of the school age youth during the day, the Fremont Community Schools Board of School Trustees recognizes the additional need for the use of buildings and facilities beyond the school day. To be of assistance to the needs of community members the FCS Board of School Trustees has agreed to allow community groups or organizations to utilize Fremont Community Schools' facilities providing certain regulatory requirements are met. It is not the intent of the FCS Board of School Trustees to provide facilities for private gain or illegal activities. Use of school facilities on Sundays and holidays will be avoided. (APPENDIX R)

FIELD TRIPS

Fremont Community Schools considers organized activities directly related to the provision of students, and supportive of the curriculum, e.g. field trips, to be an extension of the classroom. Off-campus trips that are within normal school hours and in state are approved at the school building level. Out of state and/or overnight trips must be Board approved. The number of chaperones will be determined by the building administrator. All chaperones must be cleared with a Limited Criminal History. A chaperone who will be supervising a group of students without a school employee present must submit to and is financially responsible for an extensive criminal history. All field trip requests shall be submitted to the building administrator and/or the Superintendent for approval prior to finalizing trip plans. (APPENDIX S & T)

FUNDRAISING

The Board of School Trustees discourages charity drives which call for collection of money by school children. Any such collection for charity purposes shall have the approval of the Board of School Trustees.

All fund raising drives by students of the Fremont Elementary School, Fremont Middle School, and Fremont High School shall be placed on a calendar for each school year and approved by the Board of School Trustees at the September meeting. Any additions to this calendar during the school year must have the approval of the Board of School Trustees.

There will be a coordination of fund raising events among the Elementary School, Middle School and High School so there will be no conflict. The building principals shall comply with the Fremont Town Ordinance in all selling campaigns.

FOOD SERVICE

Fremont Community Schools will follow state policy that sets guidelines and restrictions for food and beverage items provided to our students. (APPENDIX U)

Milk or milk source items may not contain more than 1% fat content.

An effort will continually be made to offer fresh fruits, vegetables and salads on all lines and as alternative choices for the students.

Non-nutritional items (i.e. candy, gum, soft drinks) are not sold through the cafeteria program.

Posters will be used to encourage healthier choices for food selections.

Fremont has implemented a school wide policy of no charging on lunch accounts. If a student needs an alternative lunch, the Food Service Department would offer a cheese or peanut butter sandwich and a milk.

FOOD SERVICES STAFF CODE OF CONDUCT

Conflict of Interest

All employees shall perform their duties in a manner free from conflict of interest to ensure that the school corporation's business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the schools.

No employee shall participate in the selection, award or administration of a contract supported by federal funds or in any other transaction in which the school corporation is a party if he/she has a real or apparent conflict of interest in the transaction.

A conflict of interest would arise when the employee or any member of his/her immediate family, his/her (business) partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in the entity selected for the award. For the purpose of this policy, "immediate family" is defined as spouse, brother, sister, parent, son or daughter.

Staff Gifts and Solicitations

All employees are prohibited from accepting money or things of material value from persons or entities doing business with, or desiring to do business with, the school corporation. Employees may accept unsolicited items of nominal value such as those that are generally distributed by a company or organization through its public relations program.

Violations

Employees who violate this code of conduct may be subject to discipline, up to and including termination of employment.

Legal Reference: 7 CFR 3016.36(b) 7 CFR 3019.42

INTERNET/NETWORK USE

The Internet/Network shall be used by the student or staff member for school-appropriate activities and the user shall be held responsible for his or her conduct. Fremont Community Schools and its employees are not responsible for any damage that may occur due to inappropriate use of the Internet or unwanted financial obligations that could result in goods or services purchased via the Internet by the user.

The use of the Internet to create, change, administer, cyber bully, or visit personal web blogs or personal websites (My Space, etc.) personal email, is strictly prohibited. If inappropriate conduct is noticed, it is the responsibility of the witness to report it to school personnel.

Fremont Community Schools recognizes its responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Inappropriate use of the Internet access and/or Network will result in disciplinary action that could include, but is not limited to, any of the following: loss of Internet/Network use, suspension, expulsion, financial reimbursement, and criminal action. Inappropriate use outside of the school setting may also result in disciplinary action should it disrupt the school process or purpose.

Inappropriate use includes, but is not restricted to:

- Using the Internet/Network for commercial advertising;
- Using copyrighted material in reports without permission or downloading material without permission if needed;
- Using the Internet/Network to lobby for votes;
- Using the Internet/Network to send or receive messages that are discriminatory or abusive in any manner. (See Cyber Bullying in this handbook.)
- Using the Internet/Network to send or receive messages that contain obscenities or obscene pictures;
- Using the Internet/Network to send or receive messages that are racist and/or sexist, or viewed as bullying, cyber bullying, threatening, and/or harassment;
- Using the Internet/Network to provide information that other may use inappropriately;
- Using the Internet/Network to send or receive inflammatory messages;

- Creating and/or using a computer virus and exposing or attempting to expose it to any computer and/or the Network;
- Using the Internet/Network to send or receive a message with someone else's name on it or access another person's materials, information or files without the direct permission of that person or to give your access information to anyone else;
- Using the Internet/Network to send or receive a message that is inconsistent with the school's code of conduct;
- Accessing the Internet/Network from an unauthorized or unsupervised station;
- Using the Internet/Network and/or computer to do damage, vandalize or disable the property of another person or organization;
- Using the Internet/Network to violate any local, state or federal statute.

All system users have a very limited privacy expectation in the contents of their files on the system and are considered discoverable.

Web Pages on this system must meet with the Building Principal's and Technology Coordinator's approval. Links to corporation maintained Web Pages must be made by the Technology Coordinator after receiving the appropriate approvals.

INVENTORY

Each principal and supervisor shall conduct an annual inventory update prior to the close of each school year for supply and equipment review and insurance protection. Each principal shall file the inventory report on the appropriate form with the Office of the Superintendent. Fixed Assets Inventory will be compiled on a separate form.

LIVE ANIMALS IN SCHOOLS

Live animals with the exception of fish in aquariums are only to be in the school for educational purposes. At no time will animals considered dangerous be brought into the classrooms.

When an animal is to be brought into a classroom a note will be sent home with the students of that class notifying the parents that an animal will be present. If known in advance this will be done at the beginning of the school year. It is up to the parents to notify the teacher or principal if their student is allergic to the animal. Upon such notice, the Principal will confer with the Teacher and determine what options are available including having the student transferred to a different classroom without animals or changing to a different species with no allergy problems, or not having an animal in the classroom. The school will not reveal the name of the student with allergy issues to students or parents. If after an animal is brought into the classroom, the parent finds their student is allergic to the animal, the school will work with the parent and teacher to resolve the issue. If necessary, housekeeping will clean all surfaces in the classroom to remove any animal dander that may still cause an allergic reaction by the student.

Examples of educational purposes where animals would be in the classroom for an extended period are:

- 1) Animals used in health class to demonstrate effects of different diets.
- 2) Animals used in biology to show developmental changes or diversity.
- 3) Eggs incubated to show development.

Examples of educational purposes where animals are in the classroom for one day or less:

- 1) Pets/animals brought into the classroom to allow students exposure to a variety of species.
- 2) Pets/animals used to demonstrate obedience training.

This is not a comprehensive list of appropriate uses. The principal, when requested by a teacher, has the authority to determine if it is appropriate to bring an animal into the classroom.

Cleaning: Cages shall be cleaned by the teacher in charge of the animal (not students) on a routine basis as to avoid offensive odors or pest issues. Aquariums with fish are to be maintained by the teacher in charge of the aquarium including cleaning as needed.

When appropriate, teachers may allow students to handle and/or feed the animals.

PESTICIDE USE AT SCHOOLS RULE

357 IAC 1-16-1 Purpose

Sec. 1. The purpose of this rule is to minimize the potential for pesticide exposure to students at schools by ensuring the following:

- (1) Pesticides are used only by:**
 - (A) a certified applicator**
 - (B) an individual operating under the direct supervision of the certified applicator.**
- (2) Pesticides are not used when students are in the pesticide application area.**
- (3) Pesticides are stored in locked storage areas.**
- (4) Except for immediate health threat situations, school corporations provide advance notice of pesticide applications to school parents, guardians, and staff on a notification registry.**
- (5) School corporations will keep records of pesticide applications.**
- (6) Pesticides with lowest hazards to children are used whenever practical and effective.**

A pesticide is any substance that controls or kills a pest. The term pesticide includes not only insecticides, but also herbicides (weed killers), fungicides, rodenticides, disinfectants, sanitizers and anything else that claims to kill or control a pest. Pesticides include common over-the-counter type products such as Roundup, Raid, D-Con, Weed-N-Feed, and Wasp & Hornet Spray.

Exemptions: This rule does **NOT** apply to disinfectants, gel or paste bait insecticides, germicides, manufactured enclosed insecticides (i.e. insect bait stations), sanitizing agents, swimming pool chemicals, water purifying chemicals and personal insect repellants when self-applied.

Pesticides must not be used when students are in the application area. The application area restriction normally applies to student occupied buildings and other areas on school property to which students might have access, such as playgrounds and athletic fields. In addition, students must not be allowed back into the pesticide treatment area until the minimum reentry time specified on the pesticide label is met or 4 hours has passed (whichever is longer).

Exceptions: Limited pesticide use is allowed if a pest poses an immediate health threat or the pesticide application is made to an area outside of and immediately adjacent to student occupied buildings. Immediate health threats are characterized by the presence of pests such as stinging bees, wasps and hornets.

Pesticides must be stored in locked and marked storage areas. The requirement is for storage in a locked area or in a cabinet that is clearly marked as pesticide storage. The storage area must be separated by a solid wall from areas where food is stored or served and must not be accessible by students. Pesticides must also be stored in their original containers so no mix-ups will occur.

Advance parent and staff notification is only required for individuals who have added their names to the pesticide notification registry. Schools must invite parents, guardians and staff to be added to the registry at the start of each school year or when a student enrolls/transfers in.

At least 48 hours prior to a pesticide application at a school, Fremont Community Schools must provide planned pesticide application details to parents, guardians, and staff members requesting to be notified. Parents, guardians and staff must be registered with the school to receive such advance notice.

Notification must include the following information:

- name and address of the school
- name, license number and telephone number of the certified applicator
- designee for information about the application (if different from applicator)
- anticipated date and time of the application
- pests being targeted (*i.e. weeds, bedbugs, fleas, roaches, ants, flies, mice...*)

- description of the application area (*i.e. football field, fence lines, kitchen...*)
- pesticide(s) to be used (*brand name, manufacturer, & EPA registration number*)
- explanation if 48-hour advance notice is not provided as required

While most applications require 48 hours, notice is not required if there is an immediate health threat or if treated areas are completely away from student-occupied buildings and grounds, and/or if the application is made more than 48 hours before a scheduled school day.

For any pesticides applied at a Fremont Community School the school corporation or the pesticide contractor hired by Fremont Community Schools must keep written/printed/electronic records of each pesticide application for at least two (2) years. Those records must also be made available to anyone for inspection or copying upon request.

The information that must be kept as part of this record includes the following:

- a) name or address of school;
- b) applicator information
- c) date & time of pesticide application;
- d) pest(s) being targeted;
- e) description of application area;
- f) pesticide(s) to be used; and amount of pesticide.

SECURITY

The Fremont Community Schools Board of Trustees authorizes the use of security devices and measures such as, but not limited to, video cameras, audio surveillance devices, motion detectors and alarms, which may be installed in any Fremont Community Schools building or vehicle to protect Fremont Community Schools' students, patrons, employees, and property. Security devices may be used in locations as deemed appropriate by the Superintendent. No such security device shall be installed in locations reasonably deemed private, such as restrooms or locker rooms.

Outside lighting or video surveillance devices may be installed and maintained at each building to provide illumination and observation of the immediate grounds.

An adequate key control system shall be established which will limit access to buildings to authorized personnel and safeguard against the potential entrance to buildings by unauthorized persons.

A recording may become a part of a student's educational record or a staff member's personnel record. The district shall comply with all applicable local, state and federal laws related to access maintenance and retention of any such recording.

If a video or other device discloses a student or employee in violation of Board policies, administrative regulations, building rules or law, the student or employee shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.

TECHNOLOGY ACCEPTABLE USE POLICY

Introduction

Fremont Community Schools (hereafter, "the School") recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and citizenship. We are committed to helping students develop 21st-century technology and communication skills.

To that end, we provide access to technologies for student and staff use.

This Acceptable Use Policy outlines the guidelines and behaviors that users are expected to follow when using school technologies or when using personally-owned devices on the school grounds including school buses.

- The School's network is intended for educational purposes.
- All activity over the network or using district technologies may be monitored and retained.
- Access to online content via the network may be restricted in accordance with our policies and federal regulations, such as the Children's Internet Protection Act (CIPA).
- Students are expected to follow the same rules for good behavior and respectful conduct online as offline.
- Misuse of school resources may result in disciplinary action.
- The School makes a reasonable effort to ensure students' safety and security online, but will not be held accountable for any harm or damages that result from use of school technologies.
- Users, *both students and staff*, of the district network or other technologies are expected to alert IT staff immediately of any concerns for safety or security.

Technologies Covered

The School may provide Internet access, desktop computers, mobile computers or devices, videoconferencing capabilities, online collaboration capabilities, message boards, email, and more.

As new technologies emerge, the School will attempt to provide access to them. The policies outlined in this document are intended to cover *all* available technologies, not just those specifically listed.

Usage Policies

All technologies provided by the district are intended for education purposes. All users are expected to use good judgment and to follow the specifics of this document as well as the spirit of it: be safe, appropriate, careful and kind; don't try to get around technological protection measures; use good common sense; and ask if you don't know.

Web Access

The School provides its users with access to the Internet, including web sites, resources, content, and online tools. That access will be restricted in compliance with CIPA regulations and school policies. Web browsing may be monitored and web activity records may be retained indefinitely.

Users are expected to respect that the web filter is a safety precaution, and should not try to circumvent it when browsing the Web. If a site is blocked and a user believes it shouldn't be, the user should follow district protocol to alert an IT staff member or submit the site for review.

Email

The School may provide users with email accounts for the purpose of school-related communication. Availability and use may be restricted based on school policies.

If users are provided with email accounts, they should be used with care. Users should not send personal information; should not attempt to open files or follow links from unknown or untrusted origin; should use appropriate language; and should only communicate with other people as allowed by the district policy or the teacher.

Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Email usage may be monitored and archived.

Social/Web 2.0 / Collaborative Content

Recognizing the benefits collaboration brings to education, the School may provide users with access to web sites or tools that allow communication, collaboration, sharing, and messaging among users.

Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Posts, chats, sharing, and messaging may be monitored. Users should be careful not to share personally-identifying information online.

Mobile Devices Policy

The School may provide users with mobile computers or other devices to promote learning outside of the classroom. Users should abide by the same acceptable use policies when using school devices off the school network as on the school network.

Users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should report any loss, damage, or malfunction to IT staff immediately. Users may be financially accountable for any damage resulting from negligence or misuse.

Use of school-issued mobile devices off the school network may be monitored.

Personally-Owned Devices Policy

Students should keep personally-owned devices (including laptops, tablets, smart phones, and cell phones) turned off and put away during school hours—unless in the event of an emergency or as instructed by a teacher or staff for educational purposes.

Because of security concerns, when personally-owned mobile devices are used on campus, they should not be used over the school network without express permission from IT staff. In some cases, a separate network may be provided for personally-owned devices.

Security

Users are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin.

If you believe a computer or mobile device you are using might be infected with a virus, please alert IT. Do not attempt to remove the virus yourself or download any programs to help remove the virus.

Downloads

Users should not download or attempt to download or run .exe programs over the school network or onto school resources without express permission from IT staff.

You may be able to download other file types, such as images or videos. For the security of our network, download such files only from reputable sites, and only for education purposes.

Netiquette

Users should always use the Internet, network resources, and online sites in a courteous and respectful manner.

Users should also recognize that among the valuable content online is unverified, incorrect, or inappropriate content. Users should use trusted sources when conducting research via the Internet.

Users should also remember not to post anything online that they wouldn't want parents, teachers, or future colleges or employers to see. Once something is online, it's out there—and can sometimes be shared and spread in ways the user never intended.

Plagiarism

Users should not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Users should not take credit for things they didn't create themselves, or misrepresent themselves as an author or creator of something found online. Research conducted via the Internet should be appropriately cited, giving credit to the original author.

Personal Safety

Users should never share personal information, including phone number, address, social security number, birthday, or financial information, over the Internet without adult permission. Users should recognize that communicating over the Internet brings anonymity and associated risks, and should carefully safeguard the personal information of themselves and others. Users should never agree to meet someone they meet online in real life without parental permission.

If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult (teacher or staff if at school; parent if using the device at home) immediately.

Cyberbullying

Cyberbullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking are all examples of cyberbullying. Don't be mean. Don't send emails or post comments with the intent of scaring, hurting, or intimidating someone else.

Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in severe disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. Remember that your activities are monitored and retained.

Examples of Acceptable Use

User will:

- ✓ Use school technologies for school-related activities.
- ✓ Follow the same guidelines for respectful, responsible behavior online that I am expected to follow offline.
- ✓ Treat school resources carefully, and alert staff if there is any problem with their operation.
- ✓ Encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.
- ✓ Alert a teacher or other staff member if a user sees any threatening, inappropriate, or harmful content (images, messages, posts) online.
- ✓ Use school technologies at appropriate times, in approved places, for educational pursuits.
- ✓ Cite sources when using online sites and resources for research.
- ✓ Recognize that use of school technologies is a privilege and treat it as such.
- ✓ Be cautious to protect the safety of myself and others.
- ✓ Help to protect the security of school resources.

This is not intended to be an exhaustive list. Users should use their own good judgment when using school technologies.

Examples of Unacceptable Use

User will **not**:

- ✓ Use school technologies in a way that could be personally or physically harmful.
- ✓ Attempt to find inappropriate images or content.
- ✓ Engage in cyberbullying, harassment, or disrespectful conduct toward others.
- ✓ Try to find ways to circumvent the school's safety measures and filtering tools.
- ✓ Use school technologies to send spam or chain mail.
- ✓ Plagiarize content found online.
- ✓ Post personally-identifying information, about myself or others.
- ✓ Agree to meet someone you met online in real life.
- ✓ Use language online that would be unacceptable in the classroom.
- ✓ Use school technologies for illegal activities or to pursue information on such activities.
- ✓ Attempt to hack or access sites, servers, or content that isn't intended for user.

This is not intended to be an exhaustive list. Users should use their own good judgment when using school technologies.

Limitation of Liability

The School will not be responsible for damage or harm to persons, files, data, or hardware.

While the School employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

The School will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network.

Violations of this Acceptable Use Policy

Violations of this policy may have disciplinary repercussions, including:

- Suspension of network, technology, or computer privileges
- Notification to parents
- Suspension from school and school-related activities
- Legal action and/or prosecution

I have read and understood this Acceptable Use Policy and agree to abide by it:

(Student Printed Name)

(Student Signature)

(Date)

I have read and discussed this Acceptable Use Policy with my child:

(Parent Printed Name)

(Parent Signature)

(Date)

USE OF SECLUSIONS AND RESTRAINTS

The School Board believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all school employees within the school corporation. The Board recognizes that there are times when it becomes necessary for employees to use reasonable restraint and/or seclusion to protect a student from causing harm to themselves or to others.

Seclusion and physical restraint as defined in this policy shall be used only as a last resort as a means of maintaining a safe and orderly environment for learning and only to the extent necessary to preserve the imminent safety of students and others. Positive behavior interventions and supports and conflict de-escalation methods shall be used regularly to minimize the need for use of restraints and seclusions. The use of these methods must be done before the use of restraints and seclusions. School employees must make every effort to prevent the need for use of restraints and seclusion on students.

Use of seclusion or physical restraint may also be a component of a behavioral intervention plan (BIP) and/or an Individualized Education Program (IEP). If such is the case, the terms of the BIP or the IEP will control the use of these measures.

Seclusion or physical restraint shall never be used as a form of punishment, as a disciplinary measure, as a means of coercion or retaliation, or as a convenience.

The Superintendent shall determine the appropriate training program of physical restraint and seclusion to be used in the corporation. The training program must include positive behavioral interventions and supports, prevention, de-escalation and crisis response techniques. Training shall be done on an annual basis and given to the appropriate employees in each building as determined by the Superintendent and the building principal.

Except in the case of an emergency, only school employees who are current in the corporation-designated training program may implement physical restraints or seclusion with a student. An individual who applies physical restraint shall use only techniques in which he or she has received such training within the preceding two years, as indicated by written evidence of participation.

Physical restraints and/or seclusions should be used only when a student's physical behavior poses an imminent **risk of injury** to the student or to other persons present or damage to school property.

Seclusion

“Seclusion” means the confinement of a student alone in a room or area from which the student is physically prevented from leaving.

Any area used for seclusion shall be subject to the following requirements:

1. Have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student;
2. Be constructed of materials or objects that cannot be used by students to harm themselves or others, and be designed so that students cannot climb up the walls;
3. Be designed to allow continuous visual monitoring of and communication with the student; and
4. Comply with all applicable health and safety requirements.

Any device that requires the use of a key or special code on any exit from the area enclosure is prohibited.

An adult must supervise the student while confined and must be able to see the student at all times.

A student shall be kept in seclusion for a short period of time and shall be discontinued as soon as the imminent **risk of injury** to the student or others has dissipated. If a student is placed in seclusion pursuant to a BIP or an IEP, any time limitations identified in the BIP or IEP will control.

Physical Restraint

“Physical restraint” means physical contact between a school employee and a student in which the student unwillingly participates and involves the use of a manual hold to restrict freedom of movement of all or part of a student’s body or to restrict normal access to the student’s body.

Physical restraint should be employed only when:

1. The student poses a physical risk to himself, herself, or others;
2. There is no medical contraindication to its use;
3. Other less restrictive intervention was used and were ineffective; and
4. The employee using the restraint has been trained in its safe application.

Mechanical or chemical restraints are not authorized to be used in school.

Prone or Supine forms of restraint are not authorized to be used in school and shall be avoided.

Students shall not be subjected to physical restraint for using profanity or other verbal displays of disrespect for themselves or others.

A verbal threat shall not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to carry out the threat.

Any application of physical restraint shall take into consideration the safety and security of the student. Further, physical restraint shall not rely upon pain as an intentional method of control.

In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the supervising employee shall consider the potential for injury to the student, the educational and emotional well-being of other students in the vicinity, and if applicable, any requirements pursuant to a BIP or an IEP.

If physical restraint is imposed upon a student whose primary mode of communication is sign language, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising employee determines that such freedom appears likely to result in harm to the student or to others.

A student shall be released from physical restraint immediately upon a determination by the supervising employee administering the restraint that the student is no longer in imminent danger of causing physical harm to themselves or to others.

Reporting and Reviewing of Incidents

Any school employee using restraint and/or seclusion shall report such to the building principal, their supervisor, or other designated administrator. A written report of each incident shall be completed by the employee who used such techniques or by the designated administrator. The written report is required to contain the information required by the school corporation's restraint and seclusion plan. Parents of the student involved in the restraint or seclusion incident shall receive a copy of the written report of the incident.

The parent or guardian must be notified verbally of the use of the physical restraint and/or seclusion with their student as soon as possible, preferably by the end of the school day.

An annual review of the use of physical restraint and seclusion including a review of all individual corporation cases involving the use of physical restraint and seclusion shall be completed and documented to ensure compliance with the school's policy and procedures. In addition, this information and other related data will be used to implement modifications to the school corporation's restraint and seclusion plan.

When reviewing individual cases, it is recommended that when a student has experienced three instances of seclusion or physical restraint, the school personnel who initiated, monitored, and/or supervised the incidents shall review the effectiveness of the procedure(s) used and prepare an individual behavior plan for the student that provides either for continued use of these interventions or for the use of other specified interventions. The plan shall be placed into the student's student record. The review shall also consider the student's potential need for an alternative program or for a referral for a special education evaluation, if the student does not have an IEP.

Training Requirements

Physical restraint should be applied only by individuals who have received systematic training through the corporation-designated program and who have obtained written evidence of successful participation in such training.

Training with respect to physical restraint should include but need not be limited to the following:

1. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, and the use of alternatives to restraint;
2. A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted, including compliance with any BIP or IEP requirements;
3. The simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
4. Instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
5. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
6. Demonstration by participants of proficiency in administering physical restraint.

Nothing in this policy should be construed to limit the rights and abilities of school employees to keep order and administer necessary discipline in their classrooms and on school grounds as set out in state law and school board policy.

All complaints regarding the use of physical restraints and seclusion will be investigated according to the provisions of Board policy on public complaints.

The school board shall adopt a restraint and seclusion plan as develop by the Superintendent. This policy and the corporation's plan shall be distributed to all parents whose children are enrolled in the school corporation.

Legal Reference: IC 20-20-40

SITE RESPONSIBILITIES

Each principal is responsible for his/her building and grounds.

STUDENT USE OF SERVICE ANIMALS

The Americans with Disabilities Act (28 C.F.R. § 36.302) requires a public accommodation to modify its policies, practices and procedures to permit the use of a Service Animal by an individual with a disability.

In accordance with the laws, Fremont Community Schools recognizes that Service Animals can play a role in a student's education and the facilitation of a student's independence. Therefore, an appropriately trained Service Animal, under the control of its handler, may be allowed in school.

The health, safety, and educational rights of others are also important concerns. With this in mind, it is important the School be notified before any animal is brought on School property, prior approval is given by the School, and proper procedures are followed in accordance with this policy.

Indiana Code § 16-32-3-1.5 defines a "Service Animal" as an animal trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric Service Animal, or an autism Service Animal. To be considered a Service Animal, the animal must be trained to perform tasks directly related to the student's disability.

INITIAL PROCEDURE

Any person who wishes for a student to bring a Service Animal into the School should notify the Student's Section 504 Team or Case Conference Committee ("CCC") by submitting a request to the Director of Special Education Services or the Superintendent. A meeting will then be conducted to review the eligibility of the Student and the Service Animal and discuss other relevant factors. Such situations will be assessed on a case by case basis.

WELLNESS POLICY ON PHYSICAL ACTIVITY AND NUTRITION

The Board of School Trustees of Fremont Community Schools supports the health and well-being of the school corporation's students by promoting nutrition and physical activity at all grade levels.

In accordance with federal law, it is the policy of the Board to provide students access to healthy foods and beverages; provide opportunities for developmentally appropriate physical activity; and require that all meals served by the school corporation meet or exceed the federal nutritional guidelines issued by the U.S. Department of Agriculture.

Fremont Community Schools will provide and promote the National School Lunch and Breakfast Programs to ensure that all students have access to healthy foods to support healthier choices and promote optimal learning.

Physical Activity

The Board of School Trustees supports the health and well-being of students by promoting physical activity through physical education, recess and other physical activity breaks.

Staff Wellness

The Board of School Trustees supports the health and well-being of our staff. A grant funded by Get Fit-Get Healthy (a subsidiary of our school health insurance plan) promotes and provides wellness opportunities and coordinated activities for our employees.

As required by the law, the School Board establishes the following wellness policy for Fremont Community Schools as part of a comprehensive wellness initiative.

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the Corporation's students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the development process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the school's meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

Schools alone, however, cannot develop in students healthy behaviors and habits with regard to eating and exercise. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

- A. With regard to nutrition education, the Corporation shall provide:
 - 1. Nutrition education in the health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
 - 2. Nutrition education promotes the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
- B. With regard to physical activity, the Corporation shall provide:
 - a. A sequential, comprehensive physical education program for students in K-12 in accordance with the physical education academic content standards adopted by the state.
 - b. Planned instruction in physical education that will offer a wide range of physical activities meeting the needs, interests, and abilities of all students including males, females, students with disabilities, and students with special healthcare needs.
 - 3. Physical Activity- The Corporation will provide
 - a. Thirty (30) minutes of active recess daily for elementary students outdoors as weather permits and indoors in inclement weather.
 - b. Encouragement to families to provide physical activity outside the regular school day, such as outdoor play at home, promoting walking and biking to school.
- C. With regard to school-based activities the Corporation shall:
 - 1. Provide at least thirty (30) minute lunch periods daily for students to eat.
 - 2. Provide students, parents, and other community members access to the school's physical activity facilities outside the normal school day.
 - 3. Use an electronic identification and payment system, therefore, eliminating any stigma of students eligible to receive free and/or reduced meals.
 - 4. With regard to nutrition promotion, the Corporation shall encourage students to increase their consumption of healthful foods during the school day by creating an environment that reinforces the development of healthy eating habits.

Furthermore, with the objectives of enhancing student health and wellbeing, and reducing childhood obesity, the following guidelines are established.

- A. The Food Service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption and disposal of food and beverages as well as to the fiscal management of the program.
- B. The guidelines for Free and Reduced priced meals for reimbursement are not less restrictive than guidelines issued by the U.S. Department of Agriculture (USDA).
- C. Students will be permitted to leave the cafeteria during meals to obtain water from a drinking fountain if water isn't offered in the cafeteria.

School Meals

- 1. Meals served through the National School Lunch and Breakfast Programs
 - A. Be appealing and attractive to children

- B. Be served in clean and pleasant settings
 - C. Meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations
 - D. Offer a variety of fruits and vegetables
 - E. Offer whole grain breads
 - F. Serve only low-fat (1%), fat-free milk, fat-free flavored milk
2. Breakfast
- A. Schools will, to the extent possible, operate the School Breakfast Program
 - B. Schools will, to the extent possible, utilize methods to serve school breakfast that encourages participation.
 - C. Schools that serve breakfast to students will notify parents and students of the availability of the School Breakfast Program
 - D. Schools will encourage parents to provide a healthy breakfast for their children through newsletter articles

Free and Reduced-priced Meals

Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of students who are eligible for free and reduced-price meals.

Meal Times and Scheduling:

- A. Will schedule meal periods at appropriate times, lunch should be scheduled between 10:30 and 1:00 p.m.
- B. Will not schedule tutoring, club, or organizational meetings or activities during mealtime unless students may eat during such activities
- C. Will provide students access to hand washing or hand sanitizer before they eat during such activities

Qualifications of School Food Service Staff

Qualified nutritional professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, we will provide continuing professional development for all nutritional professionals in schools. Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility

Sharing of Foods and Beverages

Schools will discourage students from sharing their foods or beverages with one another during meals, given concerns about allergies and other restrictions on some children's diets.

Foods and Beverages

All foods and beverages sold individually outside the reimbursable meal program (including those sold through a la cart (snack) lines, vending machines, student stores, or fundraising activities) during the school day will meet the nutrition and portion size standards. Schools will be encouraged to limit the sale of beverages to water, 100% juice and milk. Healthier options will be offered for all non-lunch foods consumed by students from midnight to half an hour after the close of the school day.

Fundraising Activities

- 1. The sale of food items must meet nutrition requirements approved through the Alliance for a Healthier Generation. They need to be put through the Smart Snack Calculator and printed and kept on file.
- 2. The standards do not apply during non-school hours, on weekends, and at off-campus fundraising events.
- 3. The state of Indiana allows 2 fundraisers a year per school. These 2 fundraisers may be exempt from the Smart Snack Guidelines.

Accompaniments such as cream cheese, salad dressing, and butter must be included in the nutrient profile as part of the food item sold. This helps control the amount of calories, fat, sugar, and sodium added to foods by accompaniments, which can be significant.

Rewards

Schools will encourage the use of non-food and non-beverage items as rewards and recommend staff use physical activity as a reward when feasible.

Celebrations

Schools should limit celebrations that involve food during the school day to no more than one (1) party per class per month. Each party should include no more than one (1) food or beverage that does not meet nutrition standards for foods and beverages sold individually.

Wellness Promotion

Principals will encourage staff to model healthy behaviors by requesting they refrain from consuming unhealthy foods and beverages in front of students and encourage staff to share their personal physical activity experiences with the students.

Schools will not promote unhealthy advertising of foods and beverages on school property and in the selection of curriculum schools will make efforts to select material/illustrations free of unhealthy information.

Closed Campus

Students are not permitted to leave school grounds during the school day to purchase food or beverages.

The Board designates the Superintendent as the individual charged with operational responsibility for measuring and evaluating the Corporation's implementation and progress under this policy. The Superintendent shall develop administrative guidelines to implement this policy.

The Superintendent shall appoint the Corporation wellness committee that includes parents, students, representatives of the school food authority, educational staff, including physical education teachers, school health professionals, members of the public, and school administrators to oversee the development, implementation, evaluation and periodic update, if necessary of the wellness policy.

The appointed Corporation wellness committee shall be responsible for accomplishing the following:

- A. Assess the current environment in each of the Corporation's schools
- B. Measure the implementation of the Corporation's wellness policy in each of the Corporation's schools
- C. Review the Corporation's current wellness policy
- D. Recommend revision of the policy as necessary
- E. Present the wellness policy, with any necessary revisions, to the Board for approval or re-adoption if revisions are necessary

The Superintendent shall report annually to the Board on the work of the wellness committee, including their assessment of the environment in the Corporation, their evaluation of the wellness policy implementation Corporation-wide, and the areas for improvement, if any, that the committee identified. The committee shall also report on the status of compliance by individual schools and progress made in attaining these goals established in the policy.

The Superintendent shall also be responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. The wellness policy will be posted on the Corporation's website, including the assessment of the implementation of the policy prepared by the Corporation.

VENDING MACHINES

Vending Machines will not be available during the lunch periods for student use.

USDA nutrition standards for snack foods and beverages sold to children at school during the school day shall be adhered to.

CONCESSION STANDS AND FUNDRAISING FOODS

The USDA nutrition standards for snack foods do not apply to foods and beverages sold at events held 30 minutes after the school day ends, off campus, or on weekends, such as school plays or sporting events.

Fundraising activities that take place outside of school, such as cookie dough or frozen pizza sales, are exempt from the nutrition standards. Distribution of order forms and foods not intended for consumption at school are not affected by this policy.

There are no limits to fundraisers that meet the nutrition standards and any non-food/beverage items.

MISCELLANEOUS ITEMS

ATHLETIC DEPARTMENT

The Board of School Trustees will review and approve any additions, deletions or changes in the Athletic Department Handbook annually in July.

PATRIOTIC OBSERVANCE

Pledge and Display of the United States of America Flag

The United States of America flag shall be displayed on flag poles provided at each school building during each day school is in session. An appropriate American flag shall be displayed in each classroom during each day school is in session. So too, the Fremont Community Schools Board of Trustees recommends the Indiana State Flag be displayed in an appropriate place.

The Fremont Community Schools Board of Trustees encourages the reciting of the Pledge of Allegiance to the United States of America daily – preferably in the morning prior to the start of classes/instruction. Students and staff will be asked to observe a moment of silence daily, following the Pledge of Allegiance.

RETENTION OF RECORDS

The following records relating to the school corporation's drug and alcohol testing program are required to be maintained.

- A. Records related to the collection process:
 - Collection logbooks
 - Documents related to the random selection progress
 - Calibration documentation for Evidential Breath Testing Devices (EBT's)
 - Documentation of Breath Alcohol Technical (BAT) Training
 - Documentation of reasoning for reasonable suspicion testing
 - Documentation of reasoning for post-accident testing
 - Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing
 - Consolidating annual calendar year summaries
- B. Records related to the driver's test results:
 - Employer's copy of the alcohol test form, including results
 - Employer's copy of the drug test chain of custody and control form
 - Documents sent to the employer by the Medical Review Officer
 - Documentation of any driver's refusal to submit to a required alcohol or controlled substance test
 - Documents provided by a driver to dispute results of test
- C. Documentation of any other violations of controlled substance use or alcohol misuse rules.
- D. Records related to evaluations and training:
 - Records pertaining to substance abuse professional's (SAP's) determination of driver's need for assistance.
 - Records concerning a driver's compliance with SAP's recommendations.

E. Records related to education and training:

- Materials on drug and alcohol awareness, including a copy of the employer's policy on drug use and alcohol misuse.
- Documentation of compliance with requirement to provide drivers with educational material, including drivers signed receipt of materials.
- Documentation of supervisor training.
- Certification that training conducted under this rule complies with all requirements of the rule.

F. Records relating to drug testing:

- Agreements with collection site facilities, laboratories, medical review officers (MRO's) and consortia.
- Names and positions of officials and their role in the employer's alcohol and controlled substance testing program.
- Monthly statistical summaries of urinalysis.
- The employer's drug testing policy and procedures.
- Records pertaining to substance abuse professional's (SAP's) determination of driver's need for assistance.

All required records shall be maintained in a secure location with limited access in the corporation's central office. Records shall be made available for inspection at the school corporation's central office within two business days after a request has been made by an authorized representative of the Secretary of Transportation and any Department of Transportation, state, or local official with regulatory authority. The following is a chart regarding how long records must be maintained:

Documentation to be Maintained - Period Required to be Maintained

Alcohol test results indicating a breath alcohol concentration of 0.02 or greater	5 Years
Verified positive controlled substance test results	5 Years
Refusals to submit to required alcohol or controlled substance tests	5 Years
Required calibration of Evidential Breath Testing Devices (EBT's)	5 Years
Annual calendar year summary	5 Years
Records related to the collection process (except calibration and required training)	2 Years
Negative and canceled controlled substance test results	1 Year
Alcohol test results indicating a breath alcohol concentration less than 0.02.	1 Year

Legal Reference: 49 C.F.R. Part 382, et. al.

VEHICLE IDLING POLICY

The purpose of this policy is to eliminate all unnecessary idling by corporation school buses such that idling time is minimized in all aspects of school bus operation and to reduce vehicle exhaust that has the potential to be drawn into the building.

This policy applies to the operation of every corporation-owned school bus, and public and private vehicles on school grounds.

Public and Private Vehicles Idling Time

Drivers of all public and private vehicles are to turn off the engine if the vehicle is to be stopped more than 3 minutes in locations where vehicle exhaust may be drawn into the building or while on school grounds.

Corporation Vehicle Idling Time

1. When school bus drivers arrive at loading or unloading areas to drop off or pick up passengers, they should turn off their buses as soon as possible to eliminate idling time and reduce harmful emissions. The school bus should not be restarted until it is ready to depart and there is a clear path to exit the pick-up area.
2. School buses will not idle (on school grounds or off school grounds) for longer than five (5) minutes unless:
 - A. There are extreme weather conditions (meaning 30 degrees Fahrenheit or less) and the purpose is to warm the interior of the bus,
 - B. Longer idling time is necessary to facilitate the loading and unloading of students of special needs,
 - C. There are safety or emergency situations,

- D. There are maintenance or mechanical inspection/repair issues requiring a longer time to facilitate the inspection/repair process, or
 - E. The bus is idling in traffic.
3. Buses should not idle while waiting for students during field trips, extracurricular activities or other events where students are transported off school grounds.
 4. In colder weather, schools are directed to provide a space inside the school where bus drivers who arrive early can wait.
 5. Bus schedules should be revised so that school bus caravanning can be avoided and the cleanest buses assigned to the longest routes.

Legal Reference: 410 IAC 33-4-3

BUSINESS / FINANCIAL MATTERS

ADVANCE DISBURSEMENTS AND /OR PRE-PAYS TRADE DISCOUNTS

In order to avoid additional finance charges, penalties for late payments or accrued interest the FCS Board of School Trustees authorizes pre-payment of certain claims. This includes but is not limited to monthly utilities, credit/merchant cards, and certain employee benefits like insurances.

The Board will approve in advance all disbursements except those for amounts owing under contracts previously approved by the Board, those for which by prompt payment the corporation will receive a discount or other advantage.

COLLECTION AND FORGIVENESS OF DEBT

The Board understands it is required to collect all monies owed to it by patrons, employees, parents and students, including money owed through student lunch accounts and other extracurricular accounts. Every effort should be made by the school administration to collect the monies owed to the school corporation including collection procedures. Such efforts should be documented by school administration before the debt is forgiven, waived, or written off of the school corporation accounts.

The school corporation may forgive, waive, or write-off all or a portion of the debt if one of the following conditions is met:

1. The school administration determines that the student or the parent or guardian of the student is unable to pay the debt;
2. The payment of the debt could impact the health or safety of the student;
3. The cost to pursue and collect the debt from the student and his/her parents would cost more than the potential total debt collected; or
4. There are mitigating circumstances as determined by the superintendent that preclude the collection of the debt.

Every decision to forgive, waive, or write-off a debt must be documented and include the specific facts for the decision relating to one of the above stated reasons. The superintendent may develop regulations addressing specific situations relating to the above conditions. In the cases where a positive balance exists in the accounts, every effort must be made by the school administration to return the positive balance to the account holder when the person is no longer in the school corporation. If attempts made to refund the balance have been unsuccessful, the balance should be transferred to the corresponding school fund or if such transfer is not appropriate, to the school corporation general fund.

COMPENSATORY TIME

When a staff member who is entitled to personal days attends a workshop/training session on a day when school is not in session, the staff member will receive an additional day of personal leave during the following school year for each day in attendance. Any additional personal days earned are non-accumulative from one year to the next.

These credited personal days will be deducted from each eligible staff member prior to any deduction of days specified in the Master Contract.

CONFIDENTIAL STATEMENTS / MATERIAL

Copies of documents of a personal/confidential nature shall be made by the Superintendent only following approval by the Board

President. All such copies shall be accounted for and returned to the Superintendent for disposal.

CORPORATION MILEAGE RATE

The Fremont Community Schools shall establish a mileage rate based on the federal mileage rate as determined by the Internal Revenue Service (IRS) for tax filing purposes. Adjustments in the corporation mileage rate will be made annually in January.

CREDIT CARDS

The Fremont Community Schools Board of School Trustees has adopted the following to insure compliance with regulations of the Indiana State Board of Accounts and to establish appropriate and proper accounting procedures.

Administrative Procedure:

- A. Credit cards will be authorized for issuance to members of the Board of School Trustees and to members of the administrative staff as required. Credit cards will be printed in the name of the authorized employee and the Fremont Community Schools.*
- B. The responsibility for issuance and use of credit cards will be assigned to the Business Manager/Treasurer.*
- C. A credit card file will be maintained in the Office of the Business Manager/Treasurer and credit cards will be issued to school board members as needed. School administrators will retain possession of their individual credit cards and will accept responsibility for proper security and use of these issued cards.*
- D. The Business Manager/Treasurer will maintain a credit card log which will include the following information: name of employee, position, estimated charging limits, anticipated use and the related fund and account numbers, credit card numbers with validity dates and records of issuance and return of cards. A record of payment consisting of two (2) receipts for each expenditure will be submitted to the Corporation Bookkeeper for expenditure verification and timely payment. Any penalty or interest incurred due to late filing or furnishing of documentation by an employee will be the responsibility of that employee.*
- E. A record of credit card expenditures including accurate accounting information and monitoring of the credit card accounting system will be maintained in the Office of the Business Manager/Treasurer.*

FINANCIAL STATEMENTS

The Board of School Trustees shall receive monthly financial statements showing the financial condition of the school district as of the last day of the preceding month. Such statements will reflect obligations incurred as well as those already paid. Such other financial records as may be determined necessary by either the Board of School Trustees or administration shall be presented periodically.

GIFTS, GRANTS & BEQUESTS

Donors of property, both real and personal, to the school corporation shall appear in person or through a representative and make an offer to the Board of School Trustees to give such real or personal property to the school corporation. The Board of School Trustees will take such action as it deems advisable for each individual case presented.

The names of future school buildings within the school corporation shall be determined by the Board of School Trustees. Suggestions from interested school patrons and school personnel will be welcomed.

The School Board is duly appreciative of public interest in and good will toward the schools manifested through gifts, grants, and bequests. The board reserves the right to specify the manner in which gifts are made; to define the type of gift, grant, or bequest which it considers appropriate; and to reject those which it deems inappropriate or unsuitable. If accepted, the Board will carry out the wishes of the donor in compliance with state law.

All gifts, grants or bequests shall become the property of the Board and will be subject to use by the Corporation as determined by the policies and administrative guidelines applying to all properties, equipment, materials, and funds owned by the Board and state law.

Any equipment purchased by an organization for use in the school or at a Corporation-related event shall be submitted to the Board, prior to purchase, so it can determine if the Corporation

(APPENDIX Y)

Legal Reference: IC 20-26-7-6 IC 20-26-7-7

INTERNAL CONTROLS

All employees, board members, consultants, vendors, contractors and other parties maintaining a business relationship with the school corporation shall act with due diligence in duties involving the school corporation's fiscal resources. Per state law, the Board adopts the Uniform Internal Control Standards for Indiana Political Subdivisions in order to aid in the prevention and detection of fraud, financial impropriety, or irregularity. The Chief Financial Officer shall be responsible to implement the internal control standards designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school corporation and to recommend to the Board any policies or procedures required to carry out the standards. Training shall be provided on the internal control standards and procedures to all school employees and newly hired employees whose duties include receiving, processing, depositing, disbursing, or having access to school and extracurricular funds. Such training should be given periodically to these employees whenever the standards have been changed or updated, including new school corporation policies and procedures relating to the internal control standards and training to refresh the employees on the standards requirements.

LEGAL REFERENCE: IC 5-11-1-27

MATERIALITY THRESHOLD

The Board of School Trustees of Fremont Community Schools recognizes that losses, shortages, and theft of school corporation funds and other assets may occur from time to time. State law requires the school corporation to report to the Indiana State Board of Accounts all erroneous or irregular material losses, shortages or theft of school corporation funds or property. The Indiana State Board of Accounts requires school corporations to determine their own material threshold for the purposes of reporting the loss, shortage, or theft to the Indiana State Board of Accounts as required by state law.

The threshold for material losses, shortages, or theft for Fremont Community Schools which must be reported to the Indiana State Board of Accounts by the superintendent or the superintendent's designee, is as follows:

Cash Losses, Shortage, or Theft:

A loss, shortage, or theft of cash from any school corporation fund is an amount over \$500.

Other Assets Loss, Shortage or Theft:

A loss, shortage, or theft of a school corporation asset other than cash exceeding a value of \$500.

Whenever a loss, shortage or theft of school funds or property occurs, no matter the amount or value, or the requirement to report such to the Indiana State Board of Accounts, the administration should investigate any and all losses, shortages, or thefts of school corporation funds or assets. The investigation and the resolution of the investigation must be documented by the administrator who conducts the investigation. Such documentation should be maintained in the school corporation central office. State law requires public employees who have actual knowledge of, or reasonable cause to believe, a misappropriation of school funds has occurred to report such misappropriation to the Indiana State Board of Accounts and the county prosecuting attorney.

LEGAL REFERENCE: IC 5-11-1-27(j)
IC 5-11-1-27(l)

PROPERTY DAMAGE

When damage occurs to school property which is covered by insurance, the Board of School Trustees will support every effort to secure an equitable adjustment from the insurance company. The Board of School Trustees will support every effort to collect from

individuals who have caused damage to school property through intentional misuse, inadequate supervision, vandalism, mischievous behavior or gross carelessness.

PURCHASES AND CONTRACTS

The Business Manager or his/her designee will serve as the purchasing agent for the school corporation.

For purchases of supplies and/or materials under \$50,000, the purchasing agent may purchase such supplies or materials on the open market for the best value and price without soliciting bids, proposals, or quotes.

For purchases of supplies and/or materials of at least \$50,000 and not more than \$150,000, the purchasing agent must invite quotes from at least three suppliers known to deal in the supplies to be purchased. Such invitations shall be made at least seven days before the fixed date for receiving the quotes. If a satisfactory quote is received, the purchasing agent shall award the contract to the lowest responsible and responsive offer. The purchasing agent may reject all quotes received if none are responsive and/or responsible. If the purchasing agent does not receive a responsive and/or responsible quote, the purchase may be made by following the process for purchases under \$50,000.

PURCHASE ORDER PROTOCOL

To place an order, follow these steps:

1. Fill out a (green) Request to Purchase form. You can obtain these forms from your building secretary.
2. Fill out the form COMPLETELY. Please do not forget to include the company information (phone, fax, and email).
3. Call the company that you are ordering from and get a quote for your order (fax or email) and attach it to the green form. This will ensure that there are no questions as to the items being ordered. Please make sure you get shipping costs and that the order is tax exempt. The corporation office can send tax exempt forms when the purchase order is sent out.
4. Next submit the (green) Request to Purchase form along with your quotes to the building principal or supervisor for approval.
5. Once approved, the principal will forward the Request to the Corporation office for approval and order placement.
6. A Purchase Order (PO) will then be generated and the order will be placed. The requestor will receive a pink copy of the PO to use when checking in ordered items. Once ALL items have been received and accounted for, the requestor will SIGN and DATE the pink sheet along with the signed invoice and return it to Mrs. Harris. This ensures the order has been delivered/received and that the invoice is ready to pay.

PLEASE do not call in orders or place internet orders. The same protocol as above will be followed for internet orders and will all be done at the Corporation office. The only way the corporation can track expenditures is if we follow the purchase order protocol. Also, the corporation must limit reimbursements to individuals. This may be difficult at times, however, we need to plan and prepare ahead of time to eliminate the need for reimbursements. If there is a situation that a reimbursement is called for and Pre-Approved by the Corporation office, you MUST have a receipt that reads balance due of \$0.00. If there is no paid in full receipt, there will be NO reimbursement. Credit card statements will NOT work for documentation as the corporation is only allowed to pay from an invoice and not from a statement. No reimbursements or invoices over 60 days old will be paid. All receipts and invoices must be submitted as they are received.

RECORDS - ACCESS TO PUBLIC DISCLOSURE

The Fremont Community Schools shall comply with the Indiana Access to Public Records Act.

Administrative Procedure:

The Superintendent, or his/her designee, shall be the "records access officer" and he/she shall assume responsibility for public records release decisions.

All requests for access to public records shall be made in person and received between 8:00 A.M. and 4:00 P.M. on regular business days. Requests must identify, on forms provided by the corporation, the record for which disclosure is sought.

Records may be inspected only at the office or location where they are regularly maintained.

Fees for copies shall be established by the Superintendent, but may not be greater than required by law.

Fees are payable before any record is duplicated, and may be paid by cash or money order payable to the Fremont Community Schools.

With respect to records which are determined to be not available, the "record access officer" will certify upon the request form that the Corporation does not possess the record or that it could not be found after diligent search, and return one copy of the form to the requestor.

The "records access officer" shall be guided first by the Indiana Access to Public Records Act and amendments, if any; second by the state and federal law regarding privacy, confidentiality, and disclosure requirements of certain public records; and third, by this Board's policy which excludes certain records from disclosure.

Whenever a request for disclosure is denied by the person responsible for release decisions, the person making the request may appeal the decision to the Board of School Trustees.

The corporation will not create or provide lists of names and addresses unless it is required to publish such lists and disseminate them pursuant to statute.

Records Exempt from Public Disclosure

The following records, and/or items, shall be exempt from public disclosure (unless access to such is specifically required by a state or federal statute or is ordered by a court under the rules of discovery). All personnel file information shall be made available to the affected employee or his/her representative.

- A. Records declared confidential by state statute.
- B. Records required to be kept confidential by federal law.
- C. Records containing trade secrets or confidential financial information.
- D. Investigatory records of law enforcement agencies.
- E. The work product of attorneys representing the Corporation, the Board members, or any employee.
- F. Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again, either by the Fremont Community Schools or by any other school corporation.
- G. Scores of tests or license examinations if the person is identified by name and has not consented to the release of his/her scores.
- H. Records that contain intra-agency or interagency advisory or deliberative material that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision-making.
- I. Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.
- J. Personnel files of school employees and files of applicants for employment, except for:
 - 1. The name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former employees of the school corporation.

2. Information relating to the status of any formal written complaint or charge made against the employee.
 3. Information concerning disciplinary action in which final action has been taken and that resulted in the employee being disciplined or discharged.
- K. Administration or technical information that would jeopardize the corporation's recordkeeping or security system.
 - L. Computer programs, computer codes, computer filing systems, and other software that are owned by the corporation or entrusted to it.
 - M. Records specifically prepared for discussion, or developed during discussion in an executive session under IC 5-14-1.5-6.1.
 - N. The identity of a donor of a gift made to the corporation if the donor or his/her family requires nondisclosure of his/her identity as a condition of making the gift.
 - O. Library records which can be used to identify any library patron.

Legal Reference: IC 5-14-3-1 et seq.