

# Central Middle School

## 2013-2014 STUDENT HANDBOOK

725 7<sup>th</sup> Street Columbus, Indiana 47201  
<http://www.bcsc.k12.in.us/centralMS>



*This agenda belongs to:*

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/TOWN \_\_\_\_\_ ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_

STUDENT NO. \_\_\_\_\_

# CMS Student Handbook

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## I. School Information

### A. Mission and Vision

1. **Mission** – Central Middle School’s mission is to achieve educational excellence for all learners through continuous improvement, professional growth, and accountability.
2. **Vision** - Central Middle School ensures the success of EVERY student in an environment that maintains high expectations for students and staff, enhances learning, provides developmentally responsive student-centered programs, utilizes state-of-the-art technology, and fosters a partnership with all school stakeholders.

### B. 21<sup>st</sup> Century Skill Development

1. Central Middle School students focus on developing effective 21<sup>st</sup> Century Skills which include the following:
  - Content Knowledge (standards-based)
  - Communication (written and oral)
  - Critical Thinking (going beyond the obvious, deeper thinking, problem solving)
  - Community (developing and utilizing community partnerships and resources)
  - Connected Technologies (using appropriate technologies in an appropriate way)
2. Central Middle School students are engaged students. CMS educators believe students learn by actively engaging in relevant, authentic, and flexible standards-based instruction. Content is often aligned to critical thinking, community partnerships within a technology-rich instructional framework. In addition, students are enabled to multiple means in which to present content knowledge as well as being presented with multiple means in the delivery of instruction. As a result, BCSC’s Universal Design for Learning will continue to be the instructional framework.

### C. Communication and Contact Information

The Central staff and administration believe that effective communication among students, parents, and schools is critical to helping all students be successful. The following are the established methods of communicating with students and their families:

1. **Daily Announcements** – The announcements are distributed to teachers to be posted each day, are read over the intercom each afternoon, and are posted on the CMS website for parents to access (<http://www.bsc.k12.in.us/centralMS/>). Daily announcements contain information about student group meetings, upcoming events, student highlights and successes, and athletic event results.
2. **CMS Parent Newsletter** – A parent newsletter is sent home via email each month of the year. The parent newsletter contains vital information regarding the school’s leadership as well as the activities students will be involved in throughout their school day. This newsletter is also posted on the school’s website.
3. **PowerSchool Parent Portal** –is designed to link parents and Central Middle School together via the Internet. It enables parents to access their children’s school records. All that is needed is a computer and access to the Internet to monitor your child’s grades, discipline record, attendance and school information. Find PowerSchool at <http://powerschool.bsc.k12.in.us>. Contact the Central Guidance Office at 376-4386 to get registered.
4. **Central Problem-Solving Strategy** – If a student has a problem or disagreement with another student, follow these four steps:
  - a. Handle the problem the best you can on your own. Students are expected to get and use advice that follows all school rules. Learning how to deal with difficult people and/or difficult situations is a skill that students need to learn in middle school and it must be practiced in real situations. However, students should always involve an adult at the first hint of possible physical violence. In this way, all physical contact can be avoided and students can prevent the need for self-defense.
  - b. If the problem continues, despite the advice you received and tried in step #1, or the situation gets to the point where a fight may occur (i.e., words are being exchanged, you are being challenged or physically threatened, or other students are egging it on) you are to walk away (despite peer pressure) and speak to your classroom teacher or the nearest adult.
  - c. If the problem continues after a teacher is informed of the situation, then see the Dean of Students for assistance.
  - d. If and when it happens again, do everything the Dean of Students tells you to do (exactly as instructed). If the problem continues or reoccurs, see the Assistant Principal or have your parents contact the Principal or Assistant Principal.
5. **Contact Information**

- Website: <http://www.bsc.k12.in.us/centralMS/>
- Main Office: 376-4286
- Guidance/Dean’s Office: 376-4386

- Attendance 376-4386
- Nurse's Office 376-4218
- Cafeteria 376-4285
- Library/Media Center 376-4288
- Bookstore 376-4371
- Athletic Director 376-4238

**D. School Hours**

1. School is open to students at 7:15am – students should report to the commons/cafeteria/gym area until 7:40 when released to their lockers. Students arriving at school before 7:15am (9:15 in the case of a 2-hour delay) will not have adult supervision. Classes start at 7:50 AM. Students arriving after that time are tardy and should report to the Guidance Office.
2. School dismisses daily at 3:05. Students not participating in after-school activities or under the supervision of a teacher must be picked up by 3:15. A student in detention should leave the school immediately after being dismissed from detention.

**E. Schedules** – Student schedules will vary depending on their academic team. See the website for the most recent version of the Master Schedule (<http://www.bcsc.k12.in.us/centralMS/>).

**F. Visitors** – Students should not bring guests to school. Any visitors to school must be approved by the principal or designee. Approved visitors must enter through the main entrance, show picture ID, sign the visitor log, and obtain a visitor's badge in the Main Office.

**G. Phone Use Policy**

1. Students will not be excused from class to make or accept calls except in extreme emergencies. The office will take urgent messages and make every effort to relay them to students in a timely fashion.
2. Phones may be used by students only in emergencies with the permission and supervision of an adult staff member. See the Rules and Expectations for Behavior regarding cell phones.

**H. Library/Media Center**

1. Students have continuous access to the library from 7:40 until 3:20 and may check out items with the barcode in their agenda. The book collection contains the best titles available for middle school students. The entire teaching staff encourages reading for pleasure. Much of the fiction in our collection is aligned with the Accelerated Reader Program.
2. Books may be checked out for a period of three weeks and may be renewed for another three weeks, if necessary. Due to popular demand, magazines are lent overnight. Students with overdue items lose their borrowing privileges until the material is returned. The borrower is expected to pay the replacement cost of any lost library item.
3. The Central Middle School library and computer labs provide access to the Internet. Student access is blocked from inappropriate sites by an on-line filtering system. \*\*\*See the Technology Use Policy\*\*\*

**I. Textbook Rental/Fees**

1. **Textbook Rental** – Fees for textbooks and class materials are assessed twice a year, once each semester. Fee statements are mailed to the student's home in September and February of each school year.
2. **Activity Fee** – Each student pays an activity fee and this fee should be paid at the time textbook fees are issued. This fee helps offset the cost of technology utilized directly or indirectly by each student. Printer cartridges, paper, and other items make up the consumable expenses related to computer use and various programs that constitute some of the software expenses related to the activity fee. The fee also covers the purchase price of the student agenda.
3. **Textbook Assistance** – A student who qualifies for free or reduced lunch due to family income will also receive state adopted text material at no charge. Class fees and other supplementary material will be billed to the student. Textbook assistance applications are available in the Main Office. (See Hoosier Healthwise Health Care information for information regarding free medical care).
4. **Delinquent Fees** - Delinquent fees are reported to the BCSC Records Manager for collection unless a payment schedule is arranged and carried out at the Bookstore. If fees remain unpaid, the matter will be referred to a collection agency.

**J. Lockers/Backpacks**

1. Each student is assigned a locker to secure belongings. For safety and security, bags and backpacks should be placed in lockers before the start of the school day and remain there until dismissal.
2. To keep possessions secure, the students should not reveal the combination for their lock to other students. Students should use only their locker, and should see that it is locked at all times.
3. BCSC does not carry insurance to cover personal possessions taken from lockers. Large amounts of money or other articles of value should not be brought to school. At the end of each school year, all lockers are emptied by custodians before cleaning. Any belongings should be removed before a

student leaves at the end of the year. BCSC reserves ownership of all student lockers and the right to check those lockers randomly and periodically.

4. Storing cell phones, music players, and other electronic devices not related to the educational process in lockers is done at your own risk. The school is not responsible for loss, damage, or theft of these items and will NOT investigate these issues.

**K. Cafeteria/Lunches**

1. **Lunch** – Students are assigned a thirty-minute lunch period daily (closed campus). The Central Middle School cafeteria provides students the opportunity to choose from a la carte food items or a plate lunch. A plate lunch cost \$2.45 and reduced lunches cost \$0.40. Ala carte items are priced individually. A student breakfast cost \$1.25 and reduced breakfast cost \$0.30. Applications for free and reduced meals are distributed at the beginning of the school year and are available in the Guidance Office.
2. **Computer-aided Payment**
  - a. Each student may pre-pay for meals and ala carte items by depositing money in their computer account. Checks can be mailed to the cafeteria at 725 7th Street, Columbus, 47201. Students can make deposits into their accounts at the register or parents may stop by the cafeteria between 7:00 and 9:00 a.m., or 1:00 and 2:00 p.m., to give payment to the cafeteria manager.
  - b. Students use their assigned ID# to access their account by using a keypad. The cashier will record on the computer items the student has selected. The computer calculates the price to be charged each student. No student will be identified on the computer screen as receiving free or reduced price meals.
  - c. No charges are allowed with the computer-based system.

**L. US EPA AHERA Compliance**

In accordance with the US EPA's AHERA Standard (ref: 40 CFR 763.80), all information concerning asbestos-containing materials in the schools of the Bartholomew Consolidated School Corporation is available for review and copying by students, staff and guardians during normal business hours. The new **Central Middle School** is asbestos free and requires no surveillance or reinspections.

**M. Family Educational Rights and Privacy Act**

1. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 year of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:
  - a. The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) 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.
  - b. The right to request the amendment of the student’s education records that the parent of reliable student believes is inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent of eligible student, the school will notify the parent or eligible student of the decision and advise them 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.
  - c. The right to consent to disclosures of personally identifiable information contained in 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); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his 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.
  - d. The right to file a complaint with the U.S/ Department of Education concerning alleged

failures by the School District 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 20202-4605

N. **Enrollment, Withdrawal, and Transfer**

1. **Enrollment** – A new student who has taken residence in the school district will enroll with the Dean of Students and be scheduled through the Guidance Office. New students are required to attend an enrollment conference with the Dean and with a legal guardian. The following procedures and documentation are required for enrollment. Failure to fulfill any of these enrollment requirements may result in unnecessary delay or denial of the student’s admission to Central. The parent/guardian should:
  - a. Make an appointment with the Dean of Students.
  - b. Accompany the student with proof of guardianship when requested.
  - c. Show proof of residency of the guardian (utility bill, lease agreement, etc.) within the Central Middle School district.
  - d. Provide up to date emergency information (phone numbers, doctor, etc.)
  - e. Provide immunization records
  - f. Provide information to obtain records from the previous school, including the previous school’s address.
2. **Withdrawal** – Any parent/guardian who wishes to withdraw their student from school for any reason must do so through the Guidance Office. The Guidance Office should be contacted as soon as possible to complete withdrawal procedures before the actual date of withdrawal. A student is cleared once his/her locker is cleaned out, all textbooks and library materials are returned, and all financial obligations are met. Students attending Central Middle School, who do not reside in the Central Middle School district without approval from the middle school principals, will be withdrawn immediately.
3. **Transfers** – Each student shall attend school in the BCSC attendance area where the student’s parent/legal guardian resides unless a transfer request has been approved. The parent/legal guardian wishing to make a transfer to another BCSC school should contact the building principal of the school their child attends, or would be attending, to complete a transfer form. The completed transfer form must be submitted to the main office at Central Middle School on or before March 15, to be considered for the following school year. Persons who move into the school district after March 15, will have fifteen days prior to the start of the fall semester to submit a completed application. In case of a transfer, transportation is the responsibility of the parent/guardian unless an established bus route can be used.

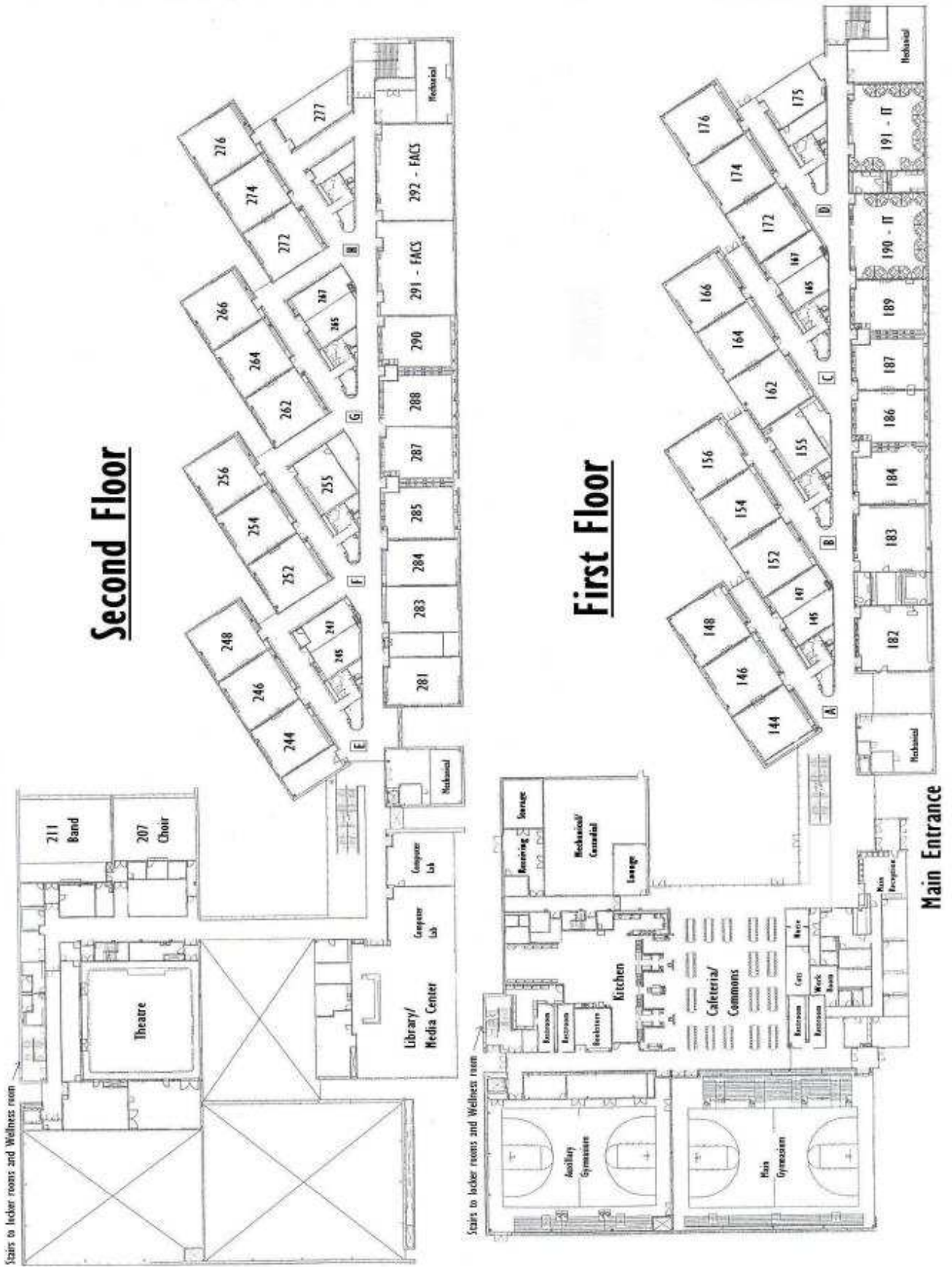
O. **Nondiscrimination and Access to Equal Educational Opportunity See BCSC Policy 2260**

The following person has been designated to handle inquires regarding the non-discrimination policies of the Corporation or to address any complaint of discrimination:

Civil Rights Compliance Officer  
Assistant Superintendent of Human Resources  
1200 Central Avenue  
Columbus, IN 47201  
Telephone no. 812-376-4472

**If health information is collected regarding a student, BCSC will notify the parent/guardian in writing. This information may be obtained from Central upon request.**

P. School Map



## II. Academic Information

A. **Counseling and Guidance Program** – Two counselors and the Dean of Students provide a variety of services to students, faculty, and parents.

1. **Counselor Assignments** – Counselors are responsible for a grade level of students and remain with those students during their time at Central. Mrs. Koenig is the 7th grade counselor. Mrs. Shireman is the 8th grade counselor. Parents or students may make an appointment to meet with the counselor by phoning Mrs. Koenig at 376-4406 or Mrs. Shireman at 376-4407. Students may make an appointment by completing a request in the guidance office.
2. **Responsibilities** – The staff of the Guidance Department is committed to helping students and parents have a positive experience at Central Middle School.
  - a. The Dean of Students, Mr. Friedgood, manages student behavior at CMS and is also responsible for student enrollment and attendance.
  - b. Counselors provide a developmental program for all students. The program encompasses three areas: Academic Preparation and Success, Career Development, and Personal/ Social Development. The activities include, but are not limited to:
    - Academic Preparation and Success
      - Class scheduling
      - Information regarding scholarships, extracurricular programming, etc.
      - Academic counseling
      - Transition to middle school from elementary, and to high school
      - Guidance lessons (Naviance website may be accessed from the Central webpage)
    - Career Development
      - Integration of career information in core and exploratory curriculums
      - Completion of career interest inventories
      - Participation in Reality Store, Career Fair, and Career Days
      - Guidance lessons (Naviance)
      - Planning for the future
    - Personal/Social Development
      - Individual/Group counseling
      - Crisis intervention
      - Peer mediation
      - Character development
      - Consultation and coordination of services
      - Referral
      - Guidance lessons

### B. Grade Reports

1. **Progress Reports** – Progress reports are sent home to students who are earning a “D” or “F” at the approximate half-way point of each grading period, but Parent Portal contains the most up-to-date grade information. Progress Reports are sent to inform the student and their parent/guardian that the student is in danger of failing the quarter. It is possible to earn a failing grade for the quarter without having received a Progress Report.
2. **Report Cards** – Report Cards are issued each nine-week period via the US mail. These grades represent the students’ grades for each quarter and semester.
3. **Grading Scale** – CMS uses a 12-point grading scale detailed below:

A+ = 12	B+ = 9	C+ = 6	D+ = 3
A = 11	B = 8	C = 5	D = 2
A- = 10	B- = 7	C- = 4	D- = 1

### C. Academic Awards

1. **Attendance**
  - a. **Exemplary Attendance** – Students who attend school every day during the year, but leave for a part of the day for an appointment or have no more than one tardy to school, will earn a place on the Exemplary Attendance List.
  - b. **Perfect Attendance** – Only students who attend all of their classes every day during the year will earn a place on the Perfect Attendance List.
2. **Honor Roll and Honor Roll with Distinction**
  - a. **Honor Roll with Distinction** requires a student to receive a grade of “A-” or higher in all classes. Consequently, the grade point average (GPA) would have to be at least 10.0 for the grading period. If a student has the 10.0 GPA but receives a grade lower than A-, the student



would not qualify for Honor Roll with Distinction.

- b. **Honor Roll** requires a student to earn a grade point average of at least 9.0 with no grades lower than C. If a student has the 9.0 GPA, but receives a grade lower than “C”, the student would not qualify for Honor Roll
3. **Honors Night** – Prior to the end of each school year, Central Middle School dedicates an evening to celebrating the achievements of our students. A variety of awards are presented and all students who earn Honor Roll status for a full year are honored.

#### D. **Homework**

1. Homework shall be an assignment that students complete outside the regular classroom time. The four basic categories of such work are: (1) Practice assignments, which help students master specific skills, (2) Prepare assignments, which enable students to gain maximum benefit from subsequent lessons, (3) Extend assignments, which determine a student’s ability to transfer new situations and require a degree of abstract thinking, and (4) Extend, which require students to integrate many skills and concepts in the recess of producing a response. Students who consistently do not complete the homework/extended learning activities by the due date must be prepared to accept the consequences as specified by the grade level teacher.
2. All students, including students with disabilities, need to participate in appropriate homework activities. The teacher must adhere to the accommodations and modification that have been agreed upon for the student by the student’s 504 and/or Individual Education Program (IEP). Specific emphasis must be on the communication between the teacher, parent, and student since students with disabilities sometimes have a difficult time understanding direction and getting work to and from school. Communication and follow through by the teacher and parent is a must. For students with disabilities, homework may pose significant challenges. Some of these challenges may be related to a student’s ability to maintain attention, sustain acceptable levels of motivation, demonstrate effective study skills, and manifest positive attitudes toward homework. When the time is required to complete homework is beyond the suggested guidelines, the parents and teachers need to make appropriate adjustments in the amount assigned if the student is using class and home time wisely.
3. There is strong evidence that students who complete appropriate homework assignments make significant improvement in academic success. Therefore, students have responsibility to develop the following discipline and study skills necessary to be successful in completion of homework assignments:
  - Have a system for recording assignments on a daily basis
  - Have a clear understanding of homework assignments before leaving school
  - Have the books and materials necessary to complete the assignments
  - Allocate an appropriate amount of time for the completion of homework
  - Carefully check the completed assignments
  - Turn in homework assignments
4. Homework assignments are an important component of student success. It is important for parents to support the teacher and to instill in the child an attitude that homework is an important and necessary part of the learning process. Parents should provide a quiet, well-lighted place in which their child may study. Parents should encourage and support their child’s efforts and be available for questions, being careful to remember that homework is the child’s responsibility not the parents. Parents should set aside time to review their child’s homework and to check it for accuracy and neatness as needed. Also, parents should communicate with the teacher whenever their child has consistent difficulty with homework assignments.
5. There is substantial evidence that both the quality of homework assigned and teacher response to homework improves student success. While it is neither practical nor necessary to give in-depth feedback on every homework assignment, it is important to understand and use strategies for assigning and evaluating homework that will maximize the effectiveness of the work assigned. Homework should be an extension of what the student is learning in the classroom. The following are recommended guidelines for teachers:
  - Design the homework so that it can be accomplished independently by the student
  - Clearly communicate to the student the purpose, directions, and expectations for all assignments
  - Contact parents early if the student begins to develop a pattern of late or incomplete work
  - Communicate the purpose and expectations for homework to parents, and encourage feedback regarding quantity and difficulty of assignments. The teacher may consider communication methods such as homework hotlines, assignments on line, etc.
  - Provide timely and appropriate feedback to students and parents using strategies that will acknowledge receipt of homework and monitor for completeness and accuracy.

E. **ISTEP+ Testing**

1. Each year, Central Middle School conducts state-mandated ISTEP+ testing to ALL STUDENTS. These test results are an important factor in measuring student learning as well as improvement of our school.
2. The 2013-14 ISTEP+ tests will occur during the week of March 4<sup>th</sup> AND the week of April 29<sup>th</sup>.
3. Attendance during this time is critical. Please arrange any appointments and scheduled absences around these dates.

III. **Expectations for Student Behavior**

A. **Attendance and Tardiness**

1. Regular school attendance is the first step toward a quality education. Indiana's Compulsory School Attendance Law (see Indiana Codes in section VI) requires compulsory education for all children up to the age of 17 living within the state. While some absences are to be expected, excessive absences and/or tardies are detrimental to healthy student development. Academic, as well as social and emotional growth, flourishes when students have good attendance. Excessive absences and/or tardies place students in danger of repeating the grade. Students are responsible for making up all missed work due to an excused absence or tardy.
2. Excused absences include, but are not limited to the following:
  - a. An illness or physical injury supported by a written notice from parents.
  - b. Professional appointments supported by a written notice from the doctor. (Every effort should be made to schedule such appointments before/after school hours when possible).
  - c. Required court attendance.
  - d. A death in the immediate family supported by a written notice from the parents.
  - e. A religious observance supported by a written notice from the parents.
  - f. Student participation in a school-related trip or co-curricular absence.
3. While emergencies and/or extenuating circumstances may occasionally prevent students from attending school or being on time, emergencies and/or extenuating circumstances do not occur on a regular basis (i.e. over-sleeping, missing the bus, missing a ride, etc.) Abuses to A and B above are addressed through Indiana Code (20.8.1-3-20) which states: Parents may be required to produce a certificate of the incapacity of their child for an attendance officer within six days after it is demanded. In addition, non-compliance of parents shall be considered educational neglect (see I.C. 20-33-2-28) and shall be reported to the Bartholomew County Prosecutor. Parents should get in the habit of contacting the school on a regular basis to check on the attendance status of their student.
4. **Unexcused Absences and Truancies**
  - a. An unexcused absence will be recorded when the reason for the absence fails to qualify as one of the reasons listed above. Unexcused absences not acknowledged by the parent/guardian by phone or with a signed note within two school days of the student's return, are classified as truancies. Students will not receive credit for work missed due to an unexcused absence.
  - b. Truancy is defined as being absent from school or any assigned area, without the knowledge and consent of a student's parent or guardian and the school, or being absent in violation of the School Attendance Law. Students who leave any classroom, the building, or the school grounds without permission from a staff member will be considered truant. BCSC policy 5200 will apply to habitually truant students who may be denied driving permits/licenses.
5. **Attendance Procedures**
  - a. When a student is absent or tardy to school, a parent or guardian must call the Guidance Office (376-4386) or e-mail ([CMSattendance@bcsc.k12.in.us](mailto:CMSattendance@bcsc.k12.in.us)) by 10:00 a.m. Absences and/or tardies not excused within two days are recorded as unexcused in the student's attendance record. If unable to phone, a parent or guardian should send a note explaining the reason for absence upon the student's return to school.
  - b. If a student's absences exceed 5 days, a parent may be required to provide a doctor's statement or a certificate of incapacity for any future absence. Students in violation of the school attendance policy may be referred to the BCSC ATTEND Team for intervention.
  - c. Appointments – Parents must contact the Guidance Office by written notice, e-mail ([CMSattendance@bcsc.k12.in.us](mailto:CMSattendance@bcsc.k12.in.us)) or by phone (376-4386) the day before a scheduled appointment. A pass to dismiss the student from class will be sent to them during the school day. Students must sign-out in the Guidance Office upon leaving and sign-up upon returning to school.

6. **Arriving Late to School**
  - a. Students who arrive late to school must report first to the Guidance Office in order to get an admit slip. Students will not be admitted to class without this slip. The attendance secretary will correct the student's attendance record and make sure he/she is marked present.
7. **Arriving Late to Class**
  - a. Each student has the responsibility to arrive to each class on time. Teams may administer consequences for tardies for all team classes, including being late to school.
  - b. **Consequences for Tardiness:**
    - 1st through 3rd Offenses – Addressed by teacher or team using the following, but are not limited to: Warning from teacher, After-school detention assigned by teacher, Call home and three detentions
    - 4 or more - Referral to Dean's Office
8. **Passes to Leave Class and/or School**
  - a. A student may leave the classroom without the supervision of a staff member if given a hall pass from a staff member.
  - b. Students may leave the building or grounds of Central Middle School during school hours with an exit pass from the Guidance Office.
  - c. Passes to leave school are only issued to students who need to leave school early for legitimate reasons. Exit passes are issued by the Guidance Office when requested by the school nurse or when a written or phone request is received from the student's parent.
9. **Attendance and Extra-curricular Activities** - Students must be present on the day of an extra-curricular activity in order to participate or attend school from 11:30 – 3:05.

## B. **Student Discipline and Conduct**

1. In order to maintain a safe and positive school environment, expectations for student behavior at Central Middle School are set very high. Rules and regulations provide structure and limits, so students may achieve their maximum potential. **A positive school environment is the goal of everyone here at Central.** Teachers will handle minor disciplinary offenses within their classrooms/teams through their classroom management strategies. Students who display poor behavior or commit repeat offenses may be referred to the Dean of Students for disciplinary action.
2. **Discipline Jurisdiction** – BCSC has jurisdiction over its students during the regular school day and while going to and from school on BCSC provided transportation. Students are technically “at school” from the time they leave their house or private ride in the morning until the time they step back into their house or private ride in the afternoon (In accordance with BCSC Policy 5610). This jurisdiction includes any activity during the school day, “on school grounds,” or attendance at any school-related function (regardless of time or location) as well as any other school related misconduct (regardless of time or location). Disciplinary action may be taken when activities outside of school (including social network websites and other electronic communications) interfere with the educational process.
3. **In loco parentis** – The school can act in place of parents and is charged with the same rights and duties of parents (In loco parentis). Punishments may be imposed for student misconduct “off school grounds” which is supported by evidence that the student behavior “outside of school” has a detrimental impact on the well being of other pupils, staff, or school activities. Student conduct outside of school hours and school property can be regulated by school officials if such conduct affects the management of the school. Thus, punishment may be assigned to students for behaviors which include but are not limited to the following examples: fighting after school, using insulting language to a teacher on the way home from school, or making an offensive remark about a teacher to a group of students at a shopping center.
4. **Investigation of Wrongdoing** – In dealing with student discipline problems, the administration or their designee(s) have the discretion to both control and conduct any and all investigations of incidents as well as any questions on procedure. While the administration or their designee(s) may admit irrelevant or hearsay evidence, they will consider relevance and credibility when weighing the evidence. The administration or their designee(s) reserve the right, however, to limit irrelevant, redundant, or prejudicial evidence. Everyone involved in student disciplinary matters may be questioned by the administration or their designee(s) for further clarification. Student(s) accused of alleged misbehavior will be given an opportunity to respond.
5. **Search of Student or his/her possessions**  
A search of a student's person, school locker or his/her possessions (including but not limited to lockers, desks, purses, wallets, backpacks, student vehicles parked on district property, cellular phones, social media sites, websites or other electronic communication devices) may only be

conducted when school administrators have facts that lead to the formation of a reasonable belief or suspicion that the object or information that is being searched for is a violation of the school rules.

This search may occur when the student's actions occur:

- (1) during the school day or a school event and/or on school equipment and violate a discipline rule that the student has been given notice of; or
- (2) when a published rule of the act being (a) unlawful and (b) resulting in (i) an interference with school purposes/functions or (ii) the need to remove the student to restore order or protect persons on school property. (See IC 20-33-8-15.)

6. **Disciplinary Circumstances** – Disciplinary actions will be administered when necessary to protect students, school employees, or property, and to maintain the order and discipline essential to a positive environment conducive to learning. Persistent or repeated violations of the rules of conduct will result in increasingly serious consequences for the offending student. Disciplinary actions may include, but are not limited to warnings, detentions, parent conferences, Friday School, in-school or out-of-school suspensions, or other creative disciplinary measures designed to improve the behavior of the student. All students will be treated fairly, equitably and provided with an appropriate amount of due process. Discipline decisions are based on a careful assessment of the circumstances surrounding each incident. The factors considered include, but are not limited to:

- The seriousness of the incident.
- The student's age, background, and attitude.
- The frequency of his/her involvement in misconduct during middle school.
- The effect the incident has on the learning environment of other students.
- The effect the incident has on the teacher's effectiveness in the class.
- Please Note: Refer to the "General Rules" for more information regarding student discipline. As always, parental involvement and cooperation are essential in resolving student behavior.

7. **General Rules and Expectations of all Students**

- a. Students must show respect for school personnel by doing what they are told without arguing. (i.e. show respect for school property, and respect the rights and property of all others.)
- b. Students must be on time, come prepared to school/classes, and refrain from cheating/copying.
- c. Students must keep hands, feet, all objects, and inappropriate comments to themselves.
- d. Being disrespectful, intimidating, using profanity, vulgar language, obscene gestures, or any type of hand signs/signals in the presence of any other individual will not be tolerated.
- e. Food and drinks are for the cafeteria only. Candy/ gum/ drinks are not allowed in the school.
- f. Items/activities not a part of a student's education (i.e. may be considered disruptive: radios, MP3/CD players, cell phones, PDA's, any kind of games or toys, any cards, dice, any type of gambling, collectors items, the use of motorized vehicles, the buying or selling of unauthorized items, etc.) are all prohibited during school hours.
- g. Students must avoid engaging in any behavior disruptive to the educational process.
- h. Students must avoid engaging in inappropriate physical or sexual contact. Engaging in offensive conduct of a sexual nature, whether verbal, written, electronic, or physical, which may include requests for sexual favors or other sexual conduct directed towards other students or school personnel is unlawful.
- i. Students must comply with the requests of all staff members, inform staff members of known infractions of rules, and cooperate fully with all staff members during investigations of all incidents.
- j. Name-calling, ethnic/racial slurs, and derogatory statements which are considered "hate speech" that school officials have reasonable cause to believe will substantially disrupt the school program or incite violence are not allowed (see *Tinker v. Des Moines ISD*). Possessing or wearing racially divisive slogans, logos, or images including but not limited to those that denote the Ku Klux Klan, Aryan Nation, White Supremacy, Black Power, Confederate flags or articles, Neo-Nazi or any other "hate" groups that support racial violence, is not allowed. This list is not meant to be all-inclusive.
- k. Elevator(s) are only to be used if it is deemed medically necessary and documented by a physician. The nurse must approve and issued an elevator pass.
- l. Students are expected to follow all BCSC disciplinary rules, standards/policies (including the Transportation Code of Conduct), all Central Middle School regulations, the classroom rules of all teachers, and the requests of all staff members.

8. **Cafeteria Rules**

- a. Central Middle School maintains closed lunch hours.

- b. Lunch lines are to be single file. (Students will maintain appropriate behaviors and line position).
  - c. Once students have selected a seat, they should maintain that seat during the lunch period.
  - d. Return trays and dispose of your own trash.
  - e. Eat only during assigned lunch times or as directed by a teacher.
  - f. Students may leave the cafeteria for recess or go back to class only after being dismissed by a cafeteria supervisor once their seating area is cleaned.
  - g. During lunch, students may use the restrooms only with permission given by the lunch supervisor.
9. **Serious Infractions and Consequences**
- a. **Assault** - Threatening and/or physically attacking another student or adult.
    - In-School Suspension
    - 3-10 day Out-of-School Suspension
    - Due Process Expulsion
  - b. **Explosive Devices** – Possession and/or use.
    - 10 day Out-of-School Suspension
    - Referral to Law Enforcement and Fire Department
    - Due Process Expulsion
  - c. **False Alarm** – The act of setting off a fire alarm when there is no fire
    - 3-10 Day Out-Of-School Suspension
    - Referral to Law Enforcement and Fire Department
    - Due Process Expulsion
  - d. **Fighting/Disorderly Conduct** - Severe fights where blows are struck and/or exchanged
    - Up to 10 Days Out-Of-School Suspension and Referral to Law Enforcement
    - Due Process Expulsion
  - e. **Gang Activity** – Knowingly or intentionally participating in a criminal gang
    - 3-10 Day Out-Of-School Suspension
    - Due Process Expulsion
  - f. **Harassment/Sexual Harassment** (to including bullying behavior) - Intentionally harassing, annoying or alarming another person (See Anti-Harassment Policy).
    - In-School Suspension
    - 3-10 Day Out-Of-School Suspension
    - Due Process Expulsion
  - g. **Insubordination** - Failing to comply with a reasonable request including refusing to do assigned classwork.
    - In-School Suspension
    - Out-Of-School Suspension
    - Due Process Expulsion
  - h. **Obscene/Lewd Behavior** - Sexual gestures and/or drawings exhibited in view of students or staff.
    - Out-Of-School Suspension
    - Due Process Expulsion
  - i. **Persistent or Chronic Misbehavior** - Continued misbehavior resulting in interference with the educational process.
    - In-School Suspension
    - 3-10 Day Out-Of-School Suspension
    - Due Process Expulsion
  - j. **Theft** - The act of taking possession of someone else's property.
    - 3-10 Day Out-Of-School Suspension
    - Referral to Law Enforcement
    - Due Process Expulsion
  - k. **Threats and/or Intimidation** (to including bullying behavior) - As deemed by school administration and/or law enforcement.
    - In-School Suspension
    - 3-10 Day Out-Of-School Suspension
    - Due Process Expulsion
  - l. **Tobacco** - Possession/use of any tobacco products, lighters, matches, rolling papers, etc.

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

- 3-10 Day Out-Of-School Suspension
- Due Process Expulsion
- m. **Verbal Abuse to Staff** - Profanity, disrespectful Language, Gestures, Racial/Ethnic Slurs.
  - 5-10 Day Out-Of-School Suspension
  - Due Process Expulsion
- n. **Vandalism** – The deliberate destruction, damage, or defacing of school property.
  - In-School Suspension
  - Restitution for Damages and/or Referral to Law Enforcement
  - 3-10 Day Out-Of-School Suspension
  - Possible Due Process Expulsion
- o. **Weapons** - Possess, handle, display, or use (or threaten use of) any object that may be considered a weapon on school property and/or any school function. This includes “look-like” weapons and also weapons (including but not limited to : tasers, handguns, stun guns, chemical weapons, destructive devices - bombs, incendiary grenade, Molotov cocktail, rocket with a propellant charge of more than four ounces. )
  - 3-10 Day Out-Of-School Suspension
  - Referral to Law Enforcement
  - Due Process Expulsion
  - Possession of firearms or destructive devices is a mandatory expulsion of not less than one (1) calendar year and will be referred to law enforcement.

### C. Behavioral Interventions

#### 1. After-school/Lunch Detention

- a. Students involved in any misconduct are subject to an automatic assignment to some kind of detention. After-School/Lunch Detention may be assigned by teachers or other staff members. Continued misbehavior will be dealt with through the Dean’s office.
- b. After School Detention begins at 3:10 p.m. and concludes at a time determined by each team. The student is responsible for reporting to the detention room on the date and time assigned and must bring school-related work. The student is given the detention slip and will receive 24 hours notice. Parents are responsible for making arrangements for transportation home.
- c. If a student fails to serve a detention, it may be doubled; the student may be assigned to the ISS program or Friday School.

#### 2. In-School Suspension

- a. Students involved in any serious misconduct are subject to an automatic assignment to the In-School-Suspension Program (ISS). This is defined as a suspension from class, but not from school. The student remains in the school building and is given the opportunity to do classroom assignments in a special area of the school.
- b. At Central, students are placed in ISS from 7:50 a.m. until 3:05 p.m. daily for the duration of their placement in the program. Students have lunch in the ISS room and can bring their own lunch or order a lunch from the cafeteria, or opt not to eat.

#### 3. Out-of-School Suspension

- a. Students involved in any serious misconduct may be subject to an automatic assignment to Out-of-School Suspension (OSS). This is defined as a temporary denial by the school administration of the right to attend school and/or school activities. (Parents are always contacted). These students have the right to make up any missed classroom assignments and will be given the opportunity to make up missed work.
- b. Depending of the degree of involvement, an OSS placement may last from one to ten days (which may include a required parent conference with the school prior to the student returning). OSS may continue, however, pending school initiated expulsion proceedings.

#### 4. Friday School

- a. Friday School is held on selected Fridays from 3:10 – 5:10 p.m. The student is given the Friday School slip and will receive 24-hour notice. The student is responsible for reporting to the detention room on the date and time assigned and must bring school-related work.
- b. Parents are responsible for making arrangements for transportation home. If a student does not serve an assigned Friday School or is removed for disruptive behavior he or she is subject to additional consequences.

#### 5. Expulsion

- a. Expulsion is defined as the denial of the right to attend school for a certain time period. Any student recommended for expulsion shall be entitled to have the legal procedures provided by law prior to any decision being made as to that expulsion. Expulsion from school may be sought for any and all student misbehaviors. While students who engage in the most serious misbehaviors place themselves in the greatest risk of being expelled from school, those students whose misbehavior(s) are both persistent and chronic also place themselves at great risk (i.e., a student who has gone through a variety of disciplinary measures including ISS and OSS).
- b. In Due Process Expulsion proceedings, the school may recommend to the superintendent the expulsion of a student for all or part of the school and/or calendar year (Exception: The mandatory expulsion recommendation for all weapons violations is for a period of not less than one calendar year).
- c. BCSC students who are expelled may be offered an opportunity to continue their education in the ReStart Program. This program provides students with the opportunity to complete assigned work and receive credit.

**D. Dress and Appearance**

1. The building dress code is established to teach grooming and hygiene, instills discipline, prevent disruption, and avoid safety hazards. Students shall be dressed and groomed in a manner that is clean, neat, and decent that will not be a health or safety hazard to themselves or others. Central Middle School prohibits any clothing or grooming that in the judgment of the principal or his designee may reasonably be expected to be dangerous, cause disruption, distractions, or interfere with normal school operations.
2. Students and their parents are responsible for following these guidelines:
  - a. **Common Decency** - Any clothing/styles considered immodest or revealing including, but not limited to short skirts/shorts, sleeveless shirts, shirts that expose a bare midriff, low cut tops, holes in clothing (even if purchased in that condition), and/or trousers that fail to fit properly, shall not be permitted at Central Middle School. Skirts/shorts are to extend to the top of the kneecap.
  - b. **Good Judgment** - Pictures, emblems, writing on clothing, hair styles or hair color that:
    - Are lewd, vulgar, morbid, slanderous, offensive, incite disruption, or depict violence
    - Advertise or depict tobacco products, alcoholic beverages, drugs, or any substance prohibited in BCSC policy
    - Interfere with normal school operations and/or the educational process; shall not be permitted at Central Middle School.
  - c. **Health and Safety** - Clothing styles of dress, or possessing materials that restrict or hamper movement or, for whatever reason, are hazardous or place students in potential danger shall not be permitted at Central Middle School. This includes:
    - Any reference, whether intentional or unintentional, by name, or which subtly suggest affiliation with any local/regional street gangs or other intimidating groups
    - Any reference to satanic, cult, or drug/alcohol-related activities and/or behavior
    - Any type of outerwear worn inside the school that includes, but is not limited to coats, hats, scarves, gloves, etc.
    - Any chains, massive key chains, etc.

**E. School Violence, Harassment, and Bullying**

1. **School Violence** – In response to the nationwide increase in juvenile violent crime, the administration at Central Middle School is prepared and committed to make our school safe for all students and staff members. Since we stress and follow through with the above mentioned “Problem Solving Strategy,” fighting or other violent actions committed (in or out of school) to solve a problem or settle a score/grudge will absolutely not be tolerated under any circumstances at Central Middle School! Students who engage in fighting are subject to not only appropriate school punishments (i.e., out-of-school suspension) but legal action as well. As an example, fighting in a public place is considered “Disorderly Conduct” (see IN Criminal Law 35-45-1-3) and the school is prepared to initiate legal action against students for such unlawful conduct. The school has been encouraged by the courts to pursue legal action against all students who engage in such unlawful conduct in school by filing a criminal report with the Columbus Police Department. In such cases, if a parent is not available to pick their child up from school, the police officer taking the report will escort the child to the Detention Center where he or she will await their parents. Meanwhile, the Columbus Police Department will forward their report to the appropriate prosecutor who, in turn, will forward it as a charge of “Disorderly Conduct” against the student to County Court. The court contacts the student, parent, and school regarding court dates, action, etc.

PLEASE NOTE: Two students who fight (i.e., both individuals exchanging blows) is not the same as a student who hits another student who, in response, does not hit back. In the first incident the school is the victim of “Disorderly Conduct” and may seek legal relief. In the second incident, the student who was struck (and did not strike back) is the victim of “Assault” and/or “Battery” and may seek legal relief.

2. **Hazing and Bullying**

- a. Hazing and bullying activities of any kind are inconsistent with the educational process and are prohibited at any time. Hazing shall be defined as performing any act of initiation into any class, group, or organization that causes or creates a substantial risk of causing mental, emotional or physical harm. Permission, consent or assumption of risk by an individual shall not lessen the hazing prohibition. Bullying means intentional, repeated acts or gestures, including verbal or written communications transmitted by and/or physical acts committed by a student or group of students against another student with intent to harass, ridicule, humiliate, intimidate or harm the other student.
- b. CMS Bully Prevention - The Bully Prevention Program establishes the school rules against bullying, provides consequences for bullies, and provides students with the information they need to help prevent bullying.
- c. Central Middle School Rules against bullying.
  - We will not bully.
  - We will help students who are bullied.
  - We will include students who are easily left out.
  - When we know somebody is being bullied, we will talk to an adult at home and at school.
- d. Chronic bullying activities will NOT be tolerated. These actions will be treated as equivalent to a serious infraction.
- e. CMS On-line Bullying report: The system will allow students, parents, and any community member to anonymously report bullying through a link on the CMS website.

3. **Harassment**

- a. All students, administrators, teachers, and staff share responsibility for avoiding, discouraging, and reporting harassment issues. This commitment applies to all School Corporation operations, programs, and activities. The School Corporation will enforce its prohibition against harassment based on gender, age, race, color, national origin, including limited English language and other differences, religious/creed, disability, and any other unlawful basis (i.e. sexual harassment, bullying, etc.).
- b. District employees and students shall not racially harass or intimidate others by using racial or derogatory slurs, wearing or possession of items depicting or implying racial hatred or prejudice. District employees and students shall not at school, on school property or at school activities wear or have in their possession any written material, either printed or in their own handwriting, which is racially disruptive or would cause a reasonable person to be intimidated. Examples include but are not limited to: clothing, jewelry, articles, material, publications, vehicle stickers, vehicle decals, paintings, hangings within and outside of vehicles that denote the Ku Klux Klan, Aryan Nation, White Supremacy, Black Power, Confederate flags or articles, Neo-Nazi or any other “hate” groups that support racial violence. This list is not meant to be all-inclusive.
- c. Violations of this policy shall result in disciplinary action by school authorities, with specific circumstances weighed carefully by school authorities. Employees who violate this policy will be dealt with in accordance with applicable district policies and procedures. Allegations of harassment will be investigated immediately, and appropriate action will be based on the results of that investigation. – Copies of policy 5517 can be accessed on the BCSC Website.

F. **Substance Abuse Policies**

1. Knowingly possessing, using, transmitting, selling, or being under the influence of any substance that is, looks like, or contains alcohol, a narcotic drug, hallucinogen, amphetamine, barbiturate, marijuana, intoxicant, and caffeine-based substance phenylpropanolamine (PPA), stimulants of any kind, or any drug or facsimile available with or without prescription, will not be tolerated.
  - a. **First Offense** - Expulsion from school for the remainder of the school year (minimum of two semesters), subject to the following terms and conditions: The Principal or designee shall complete request for expulsion; however, such requests shall not be forwarded to the superintendent for further action provided the following criteria are satisfactorily met by the student and parent(s)/guardian(s).
    - Student will be suspended from school for five days.



- During the period of suspension from school, the student and/or parent(s)/guardian(s) shall contact the Student Assistance Director and make necessary arrangements for a preliminary assessment of chemical use.
  - The student and parent(s)/guardian(s) will sign a conditional agreement to defer expulsion proceedings and will satisfactorily complete the terms and conditions in the agreement.
- b. **Second Offense** - The principal will recommend to the Superintendent that the student be expelled from school for the remainder of the school year. If the request to expulsion takes place during the second semester of a school year, the expulsion, if imposed, shall remain in effect for summer school and for the first semester of the following school year, subject to the provisions of IC 20-8.1-5-11(f). If one (1) calendar year has passed since the first incident, the principal may choose to follow the guidelines for a 1<sup>st</sup> offense.
2. **Dealing**
- a. Dealing is defined as knowingly or intentionally distributing unauthorized drugs, narcotics, alcohol, or other mood altering chemical substance with the intent of receiving something in exchange for such distribution.
- b. **First Offense:** The principal or his designee will recommend that the student be expelled from school for the remainder of the school year. If the request for expulsion takes place during the second semester of a school year, the expulsion shall remain in effect for summer school and for the first semester of the following school year.
3. **Paraphernalia** - Paraphernalia is a raw material, an instrument, a device, or other object that the person intends to use for introducing into the person's body a controlled substance, for testing the strength, effectiveness, or purity of a controlled substance, or for enhancing the effect of a controlled substance.
- a. **Possessing Paraphernalia With Residue:** Follow the guidelines for Under the Influence or in Possession.
- b. **Possessing Paraphernalia Without Residue**
- (1) **First Offense:** A first at-school violation will result in consequences to be determined by the principal or his designee.
- (2) **Second Offense**
- Suspension will be assigned and the student will be referred to the Student Assistance Director for assistance and help.
  - During the period of suspension from school the student and/or parent(s)/guardian(s) shall contact the Student Assistance Director and make necessary arrangements for a preliminary assessment of chemical use and any other recommendations of the Student Assistance Director.
  - Should the student and/or parent(s)/guardian(s) fail to make the required contact with the Student Assistance Director during the period of suspension from school, the principal or designee shall, upon the student's return to school, forward the request for expulsion to the superintendent for further action.
  - This assessment may result in penalties for athletic, extra and co-curricular activities beyond the suspension days.
  - The student and parent(s)/guardian(s) will sign a conditional agreement to defer expulsion proceedings, and will satisfactorily complete all of the terms and conditions provided in the agreement.
- (3) **Third Offense** - The principal or designee will recommend that the student be expelled from school for the remainder of the school year.
4. **Canine Searches**
- a. The Superintendent and/or any Bartholomew Consolidated School Corporation Principal may request a canine search. To support this search, the Principal shall provide facts and circumstances to the Superintendent or designee which would support a reasonable suspicion to believe that there is a controlled substance use or possession in a school building.
- b. Based upon a review of the request, the Superintendent or designee may authorize the use of canines to search student lockers, student vehicles, or other areas of the building in which controlled substances may be present. Any such search will not be conducted in the presence of students but will be conducted either before or after the school day or during the time when students are held in their classrooms.
- c. Canines will not be used to search individual students for controlled substances.
- d. It shall not be necessary for administrators to notify students of the date, time, or place of any particular canine search, but that only such searches may be conducted from time to time at

the administrations discretion.

- e. If the administrator's or designee's search finds the presence of a controlled substance, disciplinary action shall be taken as provided by school discipline policies and procedures.

5. **Substance Abuse Policy Concerning Athletics and Extra and Co-Curricular Activities**

- a. A student shall not use or consume, have in his/her possession, buy/sell or give away any illicit chemical or product or any chemical or substance represented to be a controlled substance.
- b. The policy will apply to all BCSC students grades K – 12.
- c. The policy is in effect for school and non-school events.
- d. The penalties in the policy are cumulative, i.e. if the first violation occurred in the 7th grade, the student would follow the procedure under the penalties for the first violation. If that same student had a confirmed violation as an 8th grader, then that student would follow the procedure under penalties for subsequent violations.

(1) **First Offense:**

- The student shall lose eligibility for the next ten program days for all athletic, extra and co-curricular activities that they are participating in at that time. If the student is not in an activity when the infraction occurs, the student will serve the penalty when an activity begins. If the student is an athlete, the student will serve the penalty when that athletic season begins even though the student may have previously served a penalty from an extra or co-curricular activity.
- Referral to the Student Assistance Director for assessment and help.

(2) **Second Offense:**

- After confirmation of a subsequent violation, the student will lose eligibility to participate in extra or co-curricular activities for one calendar year from the date of such confirmation.
- Referral to the Student Assistance Director for assessment and help.
- The student may elect a probationary period in lieu of the one-year suspension, and may reestablish his/her eligibility to participate in athletic, extra or co-curricular activities provided terms specified in the policy are met.

G. **Academic Honesty**

- 1. Central Middle School students are expected to maintain the highest standards of academic conduct. Any type of cheating does damage to the school community – it robs other students who work hard and learn and it robs the cheating student of a real education. You are guilty of academic dishonesty if you present as your own work something you did not do. You are also guilty of academic dishonesty if you help someone else cheat.
- 2. Cheating includes, but is not limited to the following:
  - a. **Plagiarism** – using someone else’s words or ideas without proper citation; using the exact words of another writer’s work without quotations; borrowing all or part of another students’ paper; using a paper writing service.
  - b. Copying from another student or allowing someone to copy from your work.
  - c. Acquiring, possessing, or communicating information about material on an examination.
    - (1) This includes communicating about the content of the exam during an examination.
    - (2) Using an electronic device to communicate about the content of an examination.
  - d. Using materials or devices without teacher permission that give a student an unfair advantage.

H. **Technology Use Policy**

Proper use of the Internet is a joint responsibility of students, parents, and employees of the school corporation. Central Middle School retains the right to review and edit any materials downloaded, stored, or used on school computers. BCSC policy requires a student to have a parental restriction form on file if the parents do NOT want their student accessing the Internet at school. If you would like to review the district Internet guidelines with your child, they can be reviewed at the Bartholomew Consolidated School Corporations By-laws and Policies website <http://www.neola.com/bartholomew-in/> under policy 7540.03 **INTERNET SAFETY POLICY** or you can request a copy from Central Middle School. Your cooperation in helping students understand appropriate use of the Internet is greatly appreciated. Violations of the policies will be dealt with seriously. Violators will be subject to the loss of computing privileges and the normal disciplinary procedures of Central Middle School including referral to police authorities. Use of information obtained via the Internet is at the students own risk. Central Middle School denies any responsibility

for any unauthorized financial obligations resulting from the use of school resources and accounts to access the Internet.

1. **Familiarity With BCSC Technology Handbook**-Students and parents must read The Bartholomew Consolidated School Corporation Technology Handbook (located on the home page or at [www.bcsc.k12.in.us/technologyhandbook](http://www.bcsc.k12.in.us/technologyhandbook)). The handbook reviews issues that relate to the use of student-owned and BCSC-owned technology including: student access, internet safety, network use, loss, theft, or vandalism, music, videos, games, or programs, and student activities which are strictly prohibited. Replacement of a lost or damaged device will be based on its fair market value. The repair of equipment due to damage, abuse or neglect will be based on the actual repair cost.
2. **Users may NOT:**
  - a. Circumvent or attempt to circumvent any technology protections and/or filters.
  - b. Use technology and Internet access provided by BCSC for any illegal purpose, including but not limited to the violation of copyright laws.
  - c. Use technology and Internet access provided by BCSC to harass or bully others, vandalize or disable programs, or download or upload inappropriate or destructive materials (viruses, worms, copyrighted material, etc.)
  - d. Use technology and Internet access provided by BCSC to transmit or receive any inappropriate materials.
  - e. Use technology and Internet access provided by BCSC to access, use or modify another's materials regardless of whether the operating system allows this.
  - f. Use or attempt to retrieve and/or use another person's ID or password including but not limited to the use of "packet sniffers" and key logging software to gain access to technology and Internet access provided by BCSC.
  - g. Forge or attempt to forge electronic mail messages.
  - h. Attempt to read, delete, copy, or modify the electronic mail of other system users or deliberately interfere with the ability of other system users to send/receive electronic mail.
  - i. Waste materials/resources.
  - j. Engage in any activity, including the playing of games, that is not part of an approved educational program.
  - k. Access chat rooms, instant messaging services, or social networking sites/service without permission from a teacher or administrator.
  - l. Upload or install programs on BCSC computer(s) without appropriate authorization from the Technology Division.
  - m. Knowingly bring prohibited materials into BCSC's electronic communication system(s).
  - n. Harm, destroy school equipment or materials, data of another user of the BCSC's system(s), or any of the agencies or other networks that are connected to the Internet.
  - o. Attempt to compromise, degrade, or disrupt system performance.
  - p. Modify or reconfigure the software, data, or hardware of any BCSC resource (e.g., system/network administration) without appropriate authorization or permission.

#### I. **Electronic Device Use**

1. Students who choose to bring electronic devices to school that are not part of the educational process (cell phones, MP3 players, video game players, etc.) do so at their own risk. When cell phones or other electronic devices are brought to school, the phone and the digital information stored therein are subject to search if there is reasonable suspicion of inappropriate actions which interfere with the educational process.(Refer to Board Policy 5771).
2. Using unauthorized electronic devices during school hours will result in the following:
  - a. **First Offense** – The item(s) will be confiscated and may be picked up by the student at the end of that school day.
  - b. **Second Offense** – The item(s) will be confiscated and may be picked up by a parent/guardian at the end of that school day.
  - c. **Third & Subsequent Offenses** – The item(s) will be confiscated, returned to the parents, the student may be assigned ISS.

#### J. **Transportation/School Buses**

1. School bus drivers are to have complete control of all school children while students are on the buses. Drivers will keep order, maintain discipline, and treat everyone in a civil manner. The driver will see that no child is imposed upon or mistreated, and use every care for the safety of the children. Buses are equipped with audio visual equipment. The school bus is an extension of the classroom, and students are expected to abide by the bus rules and regulations.
2. **Bus Rules**
  - a. **Before Bus Arrives**

- Leave home on time each day.
  - If there are no sidewalks, walk facing traffic.
  - Arrive at bus stop 5 minutes prior to pick up time.
  - Wait off the roadway, not in the street.
  - Respect private property.
- b. **Boarding the Bus**
- Wait for the bus to come to a full stop.
  - Be polite and take your turn getting on the bus.
  - Use the handrails.
- c. **Conduct on the Bus**
- Go to straight to assigned seat and stay seated. Do not move around the bus while the bus is in motion. Driver has the right to assign seats as he/she deems necessary.
  - Do not distract the driver unless it is an emergency.
  - Loud, profane language or yelling is not permitted.
  - Keep arms, feet and personal items out of the aisles, to yourself, and inside the bus.
  - Eating, drinks, and gum are not permitted.
  - Do not open or close windows without driver's permission.
  - Carry-on bags or personal items should not infringe on the space of others.
  - Toys, games, balls, or personal items should be kept in a contained bag.
  - Use of alcohol, drugs of any kind, tobacco, matches, or lighters is not permitted.
  - Firearms or weapons of any kind are not permitted.
  - Do not litter or deface the bus in any way.
  - Do not tamper with any safety device or any other equipment on the bus.
  - Rude, discourteous, or annoying behavior is not permitted.
  - Physical or verbal abuse of another student will not be tolerated.
  - Any behavior that is deemed to be a danger in relation to safety, well-being, or respect for others will not be tolerated.
- d. **Leaving the Bus**
- Do not leave your seat until the bus comes to a complete stop.
  - Take your turn, don't crowd in front of others.
  - Use the handrails and watch your step.
  - Follow the directions of the driver when crossing the street, at all transfer points.
3. **School Bus Discipline** - In accordance with Indiana Law, RIDING THE BUS IS A PRIVILEGE! Failure to follow the rules may result in suspension of transportation privileges.
- a. The bus driver will first warn the student about the inappropriate behavior.
- b. **First Offense** - Driver will talk with student and assign student to another seat. If the student's behavior warrants; the driver may suspend riding privileges for one day.
- c. **Second Offense** - The driver will notify the principal who may take action to suspend the pupil from riding the bus for up to ten days.
- d. **Third Offense** - The bus driver will notify the principal who will take action to suspend the student from riding the school bus for the remainder of the school year.

#### IV. Health and Safety

##### A. Nurse's Office

1. Any student, except in an emergency, who wishes to go to the nurse's office must have a pass. After obtaining a pass, the student goes directly to the nurse's office. In the event the student becomes ill and needs to be sent home, parent permission is obtained by the nurse prior to the student's leaving.
2. **Health Services** - Health services, including first aid, emergency care, and health instruction, are offered to each student.
3. **Health Screenings** - All 7th grade students receive hearing, dental, and height/weight screenings. All 8th grade students will be screened for vision and height/weight. Parents are notified by phone or by letter if the student should need further medical evaluation.
4. **Hoosier Healthwise** - Hoosier Healthwise is a healthcare insurance program for eligible families. Participants in this program are assigned one doctor, the Primary Medical Provider. This doctor works with families to plan health care strategies. For more information or to apply, contact the Central Middle School nurse at 376-4218.

- B. **Immunizations** - In accordance with state law, all students must be immunized against diphtheria, whooping cough, tetanus, measles (two vaccines), mumps, rubella, Hepatitis B, Varicella (two vaccines), meningococcal (meningitis), and poliomyelitis. Students must also have a Tdap booster after the age of 11. If a student is enrolling from a non-BCSC school, he/she must provide proof of those immunizations within twenty (20) days to avoid expulsion.

- C. **Medication** - In order to protect the health and welfare of children, Indiana law requires that schools observe certain safeguards in administering medication to students. If the nurse is to administer medicine to a student, the following procedures will be observed:
1. Medication must be brought to school and kept in the original and properly labeled container.
  2. Continuing long-term medication must be verified by a physician at the beginning of each school year.
  3. Written instructions from a physician are required for prescription medications.
  4. Written permission of parent(s) or guardian is required for any medication to be given at school, prescription or non-prescription.
- D. **Emergency Care** - Emergency information cards, with information provided by a parent or guardian, will be used to help make decisions regarding emergency care. The school nurse should be notified of a student's existing health problems that may warrant her attention.
- E. **Emergency Drills** – Emergency drills promotes the safety of all students and staff should a real emergency occur. Students are expected to walk, remain quiet, follow all instructions given by staff members, and take all drills seriously.
1. **Fire Drills**
    - a. Fire Drills are conducted once per month and begin with a distinctive, sharp alarm.
    - b. Students are to exit the building in single file following all instructions given them by staff members and fire department officials. Students remain outside until an announcement is given ending the drill. After the tone, students will return to their classroom in the same manner as they exited.
  2. **Severe Weather Drill**
    - a. Severe Weather drills are conducted once per quarter and begin with an announcement via the public address system.
    - b. Students are to move in single file to their assigned shelter area following all instructions given them by staff members. Students remain in this area until an announcement is given. Students return to their classroom in the same manner as they exited.
  3. **Code Blue Drill**
    - a. Code Blue Drills are conducted once each semester and begin when the phrase “Code Blue” is announced over the public address system.
    - b. Students are to remain in their classroom until an all-clear announcement is made. If evacuation is necessary, the fire drill procedure will be used.
- F. **Indoor Air Quality**- Any questions or concerns regarding the Indoor Air Quality in this school or any BCSC facility please contact: Charlie McCoy (Indoor Air Quality Coordinator) for Bartholomew Consolidated School Corporation. Office: 812-376-4231, Cell: 812-374-6936, E-mail [mccoych@bcsc.k12.in.us](mailto:mccoych@bcsc.k12.in.us)

## V. Activities and Athletics

- A. **Athletic Programs**
1. **Girls** – Cheerleading, Volleyball, Cross Country, Basketball, Track & Field, Tennis, Dance, Golf Club.
  2. **Boys** – Football, Cross Country, Basketball, Wrestling, Track and Field, Tennis, Golf Club.
- B. **Insurance Responsibility** - BCSC has no insurance to cover athletes and is not financially responsible for injuries or medical treatment of injuries incurred while participating in athletic events or practice.
- C. **Athletic Eligibility** - For athletes to be eligible for sports, the following requirements will apply:
1. **Grade Requirements**
    - a. A student receiving one “F” or more in a nine-week grading period will be ineligible the following nine weeks.
    - b. The “nine weeks grades”, not semester average, will be used to determine eligibility.
    - c. Eligibility is determined on the day after teachers report grades to the office.
    - d. If an athlete has not met academic requirements at the nine weeks, the athlete is then ineligible to practice or compete in a sport for the next nine weeks.
    - e. 7th graders entering from the 6th grade will be eligible to begin their 7<sup>th</sup> grade year.
    - f. Any seventh grade student who receives a failing grade(s) at the end of the fourth nine weeks, may participate in a fall sport of the following year, but will not be eligible to participate in contests until the first midterm of the first nine weeks. If a student is earning an F, as reflected on the first nine weeks' mid term, that student is removed from the fall team. If the student is earning all passing grades, as reflected on the first nine weeks' midterm, then that stay may participate in contests.  
Note: The first nine weeks' midterm will only apply to the above noted students and will not affect eligibility in any manner with seventh graders or other eighth grade athletes who did

not have a failing grade(s) at the end of his/her fourth last nine weeks of the previous year. Mid terms, other than those noted above, will not affect eligibility throughout the course of the school year.

2. **Age Requirements**

- a. Any 8th grader who turns sixteen during that sport season will be ineligible for that sport. Any 7th grader who turns fifteen during that sport season will be ineligible for that sport.
- b. Students have only two years eligibility in athletics while enrolled at the middle school, one the first year in the seventh grade and the other the first year in the eighth grade.

3. **Other Requirements**

- a. All students who try out for an athletic team must turn in a signed “concussion awareness/student athletic handbook” form and show satisfactory examination by a physician. Only the official IHSAA physical forms will be accepted. They may be obtained from the main office or online from Central Middle School’s home page at <http://www.bcsc.k12.in.us/schools/central/>. A physical exam taken after April 1 will be good for all the next year.
- b. Students who are absent on the day of an extra-curricular activity, except those that leave school for an appointment, will not be allowed to participate unless they attend school from 11:30 – 3:05.
- c. Students who receive in-school or out-of-school suspension for any part of the day will not be allowed to practice or compete in a game on the day that the suspension is served.
- d. Students assigned to after-school detention cannot practice or compete in after school activities until the completion of their ASD requirement.
- e. Students must be enrolled in one or more classes at Central Middle School and must be in the 7th or 8th grade to practice or compete in extra-curricular activities at Central. For non-BCSC students, these activities must not be offered by their home school.

4. **Substance Abuse Policy Concerning Athletics and Extra and Co-Curricular Activities**

- a. A student shall not use or consume, have in his/her possession, buy/sell or give away any illicit chemical or product or any chemical or substance represented to be a controlled substance.
- b. The policy will apply to all BCSC students grades K – 12.
- c. The policy is in effect for school and non-school events.
- d. The penalties in the policy are cumulative, i.e. if the first violation occurred in the 7th grade, the student would follow the procedure under the penalties for the first violation. If that same student had a confirmed violation as an 8th grader, then that student would follow the procedure under penalties for subsequent violations.

(1) **First Offense:**

- The student shall lose eligibility for the next ten program days for all athletic, extra and co-curricular activities that they are participating in at that time. If the student is not in an activity when the infraction occurs, the student will serve the penalty when an activity begins. If the student is an athlete, the student will serve the penalty when that athletic season begins even though the student may have previously served a penalty from an extra or co-curricular activity.
- Referral to the Student Assistance Director for assessment and help.

(2) **Second Offense:**

- After confirmation of a subsequent violation, the student will lose eligibility to participate in extra or co-curricular activities for one calendar year from the date of such confirmation.
- Referral to the Student Assistance Director for assessment and help.
- The student may elect a probationary period in lieu of the one-year suspension, and may reestablish eligibility to participate in athletic, extra or co-curricular activities provided terms specified in the policy are met.

- e. To visit the CMS Athletics Website us the QR Code below:



- D. **Student Activities** – Central Middle School encourages all students to get involved in some school activities outside of the classroom. Some of these are described below.
1. **Peer Leaders** - Peer Leaders is a student organization established to provide a way for student voices to be heard by administration, to allow for leadership training for students, to establish social functions and community involvement projects for students, and to help make Central a better place for learning and socializing. Peer Leaders members apply to and are interviewed by CMS guidance counselors and assistant principal.
  2. **School Dances** - Central Middle School sponsors student dances throughout the school year from 3:15 – 5:15pm. Tickets are pre-sale only and cannot be purchased at the door. All students must have a ticket in order to be admitted to the dance. Dances are for Central students only. Students must be in attendance the majority of the school day (from 11:30 – 3:05) to be eligible to attend the dance. Students assigned ISS or OSS on the day of a dance may not attend. Students unable to arrange for transportation home at 5:15 will be prohibited from attending dances.
  3. **School Assemblies and Pep Sessions** - School assemblies are scheduled to bring students together for special instructional/informational programs. Pep Sessions are scheduled to recognize the achievement of students in extra-curricular activities. Fall, winter and spring pep sessions will recognize our seasonal athletes and provide an opportunity for spirit competitions between our academic teams. The winner of the spirit competition is awarded a traveling spirit stick to recognize outstanding school spirit.
  4. Some other opportunities available to students may include the Academic Superbowl Team, Yearbook Club, Drama Club, and Spellbowl Team.
- E. **Positive Behavior Instruction and Supports (PBIS)** CAPS is Central Middle School’s positive behavioral support program. **CAPS** stands for Central Middle School Students Are Academically, Personally, and Socially responsible. CAPS is a school wide effort to teach students how to act in a positive manner and to reward them for demonstrating appropriate behavior. Signs are posted in each area of the building that outlines the Central expectations for appropriate behavior in that area. The following pages are the behaviors Central has outlined for each area of the school. Central staff will maintain effective learning environments throughout the school through the use of CAPS strategies. Central’s CAPS program is outlined on the school website.

**CMS Behavioral-Location Rules Matrix**

	<b>Arrival and Dismissal</b>	<b>Hallway/Stairway/ Restroom</b>	<b>Large Group Areas</b>	<b>Computer Stations</b>
<b>Social Responsibility</b>	<ul style="list-style-type: none"> <li>- Use school appropriate language.</li> <li>- Place all trash in trash cans</li> <li>- Insure the safety of others by avoiding aggressive talk and behavior.</li> <li>- Wipe off shoes when entering the building</li> <li>- Walk around the outside edge of the gym floor</li> <li>- Use equipment in a safe and non-aggressive manner</li> </ul>	<ul style="list-style-type: none"> <li>- Walk on the right side of the hall or stairs</li> <li>- Keep areas free of trash</li> <li>- Keep personal items in your own personal space</li> <li>- Conserve water, soap and paper by using only the amount needed</li> </ul>	<ul style="list-style-type: none"> <li>- Respect each other’s differences</li> <li>- Clean-up after yourself</li> <li>- Use teacher accepted voice level</li> <li>- Walk in the building</li> </ul>	<ul style="list-style-type: none"> <li>- Take care of equipment so it is able to be used by the next person</li> <li>- Stay at your computer station</li> <li>- Inform an adult if you are having a problem with equipment</li> <li>- Follow AUP Technology Policy.</li> </ul>
<b>Personal Responsibility</b>	<ul style="list-style-type: none"> <li>- Arrive by 7:40 a.m.</li> <li>- Go directly to your designated area</li> <li>- Always ask and wait for permission before leaving the area</li> <li>- Enter and leave the building by walking</li> <li>- Keep voices low enough to hear instructions</li> </ul>	<ul style="list-style-type: none"> <li>- Have pass with you when in hallway during non-passing period times</li> <li>- Respect the personal space of others</li> </ul>	<ul style="list-style-type: none"> <li>- Follow the directions given by an adult</li> <li>- Communicate your needs to an adult in a school appropriate manner</li> <li>- Accept responsibility for your actions</li> </ul>	<ul style="list-style-type: none"> <li>- Follow the directions given by an adult</li> <li>- Maintain a neat work area</li> <li>- Take data saving device to work station</li> </ul>
<b>Academic Responsibility</b>	<ul style="list-style-type: none"> <li>- Allow /encourage others to do their own work by not sharing your answers</li> <li>- Keep your possessions in your own personal space</li> <li>- Bring all necessary books and materials to your class</li> <li>- Take all necessary materials and books with you when leaving</li> <li>- Maintain your focus</li> </ul>	<ul style="list-style-type: none"> <li>- Keep all books and materials in your locker or take with you to class</li> </ul>	<ul style="list-style-type: none"> <li>- Make sure you take needed materials from large group to class</li> </ul>	<ul style="list-style-type: none"> <li>- Only go to teacher-directed websites</li> <li>- Save needed data</li> </ul>



	<b>Media Center</b>	<b>Locker Room</b>	<b>Office</b>	<b>Internet Usage</b>
<b>Social Responsibility</b>	<ul style="list-style-type: none"> <li>- Use appropriate voice level</li> <li>- Enter library quietly</li> <li>- Leave area neat</li> <li>- Use technology in a school appropriate manner</li> <li>- Use equipment for intended purpose only and as directed by adult</li> <li>- Report any problems with equipment to media staff</li> </ul>	<ul style="list-style-type: none"> <li>- Keep locker room area neat by keeping your belongings in the locker</li> <li>- Respect the personal space and belongings of others</li> </ul>	<ul style="list-style-type: none"> <li>- Use appropriate level 1-2 voice level.</li> <li>- Speak politely to office staff (use “please” and “thank you”)</li> <li>- Wait quietly for the office staff to address your needs</li> <li>- Sit in chairs until directed to office</li> </ul>	<ul style="list-style-type: none"> <li>-Return devices back to appropriate locations so others have access to it, being sure to plug it in the charger</li> <li>-Handle the equipment in a safe manner</li> <li>-Use electronic devices for positive communication with peers/staff</li> <li>-Keep Cords out of the aisle</li> <li>-Notify staff if a stranger is attempting to communicate with you or a peer through an electronic device at school.</li> <li>-Notify your parents if this happens at home</li> </ul>
<b>Personal Responsibility</b>	<ul style="list-style-type: none"> <li>- Return materials in on time and undamaged</li> <li>- Follow media center staff’s directions</li> </ul>	<ul style="list-style-type: none"> <li>- Be dressed and ready for the activity on time each day</li> <li>- Use only your locker and keep the combination to yourself</li> <li>- Follow the directions given by adult</li> <li>- Keep all gum, food or candy out of the locker room</li> </ul>	<ul style="list-style-type: none"> <li>- Have pass to office with you at all times</li> <li>- Follow the directions given by an adult</li> <li>- Follow hallway procedures to and from the office</li> </ul>	<ul style="list-style-type: none"> <li>-Use electronic devices to access the internet only when given permission by school staff</li> <li>-Keep your login and user name private</li> <li>-Use only the device assigned to you</li> <li>-If you come upon an inappropriate website/information, report it to an adult ASAP</li> <li>-Limit the amount of personal information you put on the web and allow only known friends and relatives to have access to it</li> </ul>
<b>Academic Responsibility</b>	<ul style="list-style-type: none"> <li>- Use Media Center for academic purposes as directed by teachers</li> </ul>	<ul style="list-style-type: none"> <li>-Always have required equipment and materials to actively participate in class</li> </ul>	<ul style="list-style-type: none"> <li>- Access assistance with grades, scheduling or any issue that interferes with academic performance</li> </ul>	<ul style="list-style-type: none"> <li>-Access only school appropriate websites that are related to the activity/task assigned</li> <li>-Only the school approved network will be used for school</li> <li>-Use all electronic devices for its intended purpose</li> </ul>

**VI. State of Indiana Statutes – Please consult the Indiana General Assembly’s website for the most current version of statutes ( [http://www.in.gov/legislative/ic\\_ia/](http://www.in.gov/legislative/ic_ia/) )**

**A. Attendance**

**IC 20-33-2 Chapter 2. Compulsory School Attendance**

**IC 20-33-2-1 Legislative intent**

Sec. 1. The legislative intent for this chapter is to provide an efficient and speedy means of insuring that students receive a proper education whenever it is reasonably possible.

**IC 20-33-2-2 Repealed**

**IC 20-33-2-3 Application**

Sec. 3. This chapter applies to each situation that involves any of the following:

- (1) A person less than eighteen (18) years of age who is domiciled in Indiana.
- (2) A person less than eighteen (18) years of age who:
  - (A) is not domiciled in Indiana; and
  - (B) intends to remain in Indiana for a period established by rule of the state board.

- (3) A student:
  - (A) who is less than eighteen (18) years of age;
  - (B) whose behavior has resulted in an expulsion from school; and
  - (C) who is assigned to attend:
    - (i) an alternative school; or
    - (ii) an alternative educational program.

**IC 20-33-2-4 Compulsory attendance**

Sec. 4. Subject to the specific exceptions under this chapter, a student shall attend either:

- (1) a public school that the student is entitled to attend under IC 20-26-11; or
- (2) another school taught in the English language.

**IC 20-33-2-5 Days of attendance**

Sec. 5. A student for whom education is compulsory under this chapter shall attend school each year for the number of days public schools are in session:

- (1) in the school corporation in which the student is enrolled in Indiana; or
- (2) where the student is enrolled if the student is enrolled outside Indiana.

**IC 20-33-2-6 Students required to attend**

Sec. 6. A student is bound by the requirements of this chapter from the earlier of the date on which the student officially enrolls in a school or, except as provided in section 8 of this chapter, the beginning of the fall school term for the school year in which the student becomes seven (7) years of age until the date on which the student:

- (1) graduates;
- (2) becomes eighteen (18) years of age; or
- (3) becomes sixteen (16) years of age but is less than eighteen (18) years of age and the requirements under section 9 of this chapter concerning an exit interview are met enabling the student to withdraw from school before graduation; whichever occurs first.

**IC 20-33-2-7 Minimum age for kindergarten enrollment; appeals**

Sec. 7. (a) In addition to the requirements of sections 4 through 6 of this chapter, a student must be at least five (5) years of age on:

- (1) July 1 of the 2005-2006 school year; or
- (2) August 1 of the 2006-2007 school year or any subsequent school year; to officially enroll in a kindergarten program offered by a school corporation.

However, subject to subsection (c), the governing body of the school corporation shall adopt a procedure affording a parent of a student who does not meet the minimum age requirement set forth in this subsection the right to appeal to the superintendent for enrollment of the student in kindergarten at an age earlier than the age set forth in this subsection.

(b) In addition to the requirements of sections 4 through 6 of this chapter and subsection (a), and subject to subsection (c), if a student enrolls in school as allowed under section 6 of this chapter 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 the particular model assessment adopted by the governing body under subsection (c).

(c) To assist the principal and governing bodies, the department shall do the following:

- (1) Establish guidelines to assist each governing body in establishing a procedure for making appeals to the superintendent under subsection (a).
- (2) Establish criteria by which a governing body may adopt a model assessment that may be used in making the determination under subsection (b).

**IC 20-33-2-8 Students not bound by requirements**

Sec. 8. A student is not bound by the requirements of this chapter until the student becomes seven (7) years of age, if, upon request of the superintendent of the school corporation, the parent of a student who would otherwise be subject to compulsory school attendance under section 6 of this chapter certifies to the superintendent that the parent intends to:

- (1) enroll the student in a nonaccredited, nonpublic school; or
- (2) begin providing the student with instruction equivalent to that given in the

public schools as permitted under section 28 of this chapter; not later than the date on which the student becomes seven (7) years of age.

**IC 20-33-2-9 Exit interviews; withdrawal requirements**

Sec. 9. (a) The governing body of each school corporation shall designate the appropriate employees of the school corporation to conduct the exit interviews for students described in section 6(a)(3) of this chapter. Each exit interview must be personally attended by:

- (1) the student's parent;
- (2) the student;
- (3) each designated appropriate school employee; and
- (4) the student's principal.

(b) 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) at the exit interview, the student provides written acknowledgment of the withdrawal that meets the requirements of subsection (c) and the:
  - (A) student's parent; and
  - (B) school principal;each provide written consent for the student to withdraw from school; and
- (3) the withdrawal is due to:
  - (A) financial hardship and the individual must be employed to support the individual's family or a dependent;
  - (B) illness; or
  - (C) an order by a court that has jurisdiction over the student.

(c) A written acknowledgment of withdrawal under subsection (b) 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.

**IC 20-33-2-10 Enrollment documentation; notice to clearinghouse for information on missing children**

Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

- (1) the name and address of the school the student last attended; and
- (2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

(b) Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

(c) If the document described in subsection (a)(2):

- (1) is not provided to the school not more than thirty (30) days after the student's enrollment; or
- (2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children established under IC 10-13-5-5 and determine if the student has been reported missing.

(d) A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

- (1) shall immediately notify the Indiana clearinghouse for information on missing children;
- (2) may not send the school records without the authorization of the clearinghouse; and
- (3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

**IC 20-33-2-11 Habitual truants ineligible for operator's license or learner's permit; minimum definition of "habitual truant"**

Sec. 11. (a) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of an operator's license or a learner's permit, and subject to subsections (c) through (e), an individual who is:

- (1) at least thirteen (13) years of age but less than fifteen (15) years of age;
- (2) a habitual truant under the definition of habitual truant established under subsection (b); and
- (3) identified in the information submitted to the bureau of motor vehicles under subsection (f);

may not be issued an operator's license or a learner's permit to drive a motor vehicle under IC 9-24 until the individual is at least eighteen (18) years of age.

(b) Each governing body shall establish and include as part of the written copy of its discipline rules described in IC 20-33-8-12:

- (1) a definition of a child who is designated as a habitual truant, which must, at a minimum, define the term as a student who is chronically absent, by having unexcused absences from school for more than ten (10) days of school in one (1) school year;
- (2) the procedures under which subsection (a) will be administered; and
- (3) all other pertinent matters related to this action.

(c) An individual described in subsection (a) is entitled to the procedure described in IC 20-33-8-19.

(d) An individual described in subsection (a) who is at least thirteen (13) years of age and less than eighteen (18) years of age is entitled to a periodic review of the individual's attendance record in school to determine whether the prohibition described in subsection (a) shall continue. The periodic reviews may not be conducted less than one (1) time each school year.

(e) Upon review, the governing body may determine that the individual's attendance record has improved to the degree that the individual may become eligible to be issued an operator's license or a learner's permit.

- (f) Before:
  - (1) February 1; and

(2) October 1;  
of each year the governing body of the school corporation shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under subsection (a) to be issued an operator's license or a learner's permit.

(g) The department shall develop guidelines concerning criteria used in defining a habitual truant that may be considered by a governing body in complying with subsection (b).

**IC 20-33-2-12 Nonpublic, nonaccredited, and nonapproved schools; curriculum or content requirements; student enrollment or participation**

Sec. 12. (a) A school that is:

- (1) nonpublic;
- (2) nonaccredited; and
- (3) not otherwise approved by the state board;

is not bound by any requirements set forth in IC 20 or IC 21 with regard to curriculum or the content of educational programs offered by the school.

(b) This section may not be construed to prohibit a student who attends a school described in subsection (a) from enrolling in a particular educational program or participating in a particular educational initiative offered by an accredited public, nonpublic, or state board approved nonpublic school if:

(1) the governing body or superintendent, in the case of the accredited public school; or

(2) the administrative authority, in the case of the accredited or state board approved nonpublic school;

approves the enrollment or participation by the student.

**IC 20-33-2-13 High school transcripts; required contents**

Sec. 13. (a) A school corporation shall record or include the following information in the official high school transcript for a student in high school:

- (1) Attendance records.
- (2) The student's latest ISTEP program test results under IC 20-32-5.
- (3) Any secondary level and postsecondary level certificates of achievement earned by the student.

(4) Immunization information from the immunization record the student's school keeps under IC 20-34-4-1.

(b) A school corporation may include information on a student's high school transcript that is in addition to the requirements of subsection (a).

**IC 20-33-2-14 Attendance exception; service as a page for or as an honoree of the general assembly**

Sec. 14. (a) This section and sections 15 through 17.5 of this chapter apply to a student who attends either a public school or a nonpublic school.

(b) Service as a page for or as an honoree of the general assembly is a lawful excuse for a student to be absent from school, when verified by a certificate of the secretary of the senate or the chief clerk of the house of representatives. A student excused from school attendance under this section 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.

**IC 20-33-2-15 Attendance exception; service on precinct election board or for political candidates or parties**

Sec. 15. (a) The governing body of a school corporation and the chief administrative official of a nonpublic secondary school system shall authorize the absence and excuse of each secondary school student who serves:

- (1) on the precinct election board; or
- (2) 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.

(b) 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 as provided in this section, and the student must verify to school authorities 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. A student excused from school attendance under this section 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.

**IC 20-33-2-16 Attendance exception; witness in judicial proceeding**

Sec. 16. The governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of a student who is issued a subpoena to appear in court as a witness in a judicial proceeding. A student excused under this section shall not be recorded as being absent on any date for which the excuse is operative and shall not be penalized by the school in any manner. The appropriate school authority may require that the student submit the subpoena to the appropriate school authority for verification.

**IC 20-33-2-17 Attendance exception; duty with Indiana National Guard**

Sec. 17. The governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student 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 school authorities a copy of the orders to active duty and a copy of the orders releasing the student from active duty. A student excused from school attendance under this section 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.

**IC 20-33-2-17.2 Attendance exception; duty with Indiana wing of civil air patrol**

Sec. 17.2. The governing body of a school corporation or the chief administrative

officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is a member of the Indiana wing of the civil air patrol and who is participating in a civil air patrol:

(1) international air cadet exchange program, for the length of the program; or

(2) emergency service operation, including:

(A) search and rescue missions designated by the Air Force Rescue Coordination Center;

(B) disaster relief, when requested by the federal or state emergency management agency;

(C) humanitarian services, when requested by the federal or state emergency management agency;

(D) United States Air Force support designated by the First Air Force, North American Aerospace Defense Command; or

(E) United States Air Force military flights, if the flights are not available on days when school is not in session;

for not more than five (5) days in a school year;

if the student submits to school authorities appropriate documentation from the Indiana wing of the civil air patrol detailing the reason for the student's absence. A student excused from school attendance under this section may not be recorded as being absent on any date to which the excuse applies and may not be penalized by the school in any manner.

**IC 20-33-2-17.5 Compulsory school attendance; exceptions; educationally related nonclassroom activity; nonclassroom activity**

Sec. 17.5. The governing body of a school corporation may authorize the absence and excuse of a student who attends any educationally related nonclassroom activity. Any educationally related nonclassroom activity and nonclassroom activity must meet all the following conditions:

(1) Is consistent with and promotes the educational philosophy and 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.

**IC 20-33-2-18 Parent to produce certificate of child's incapacity on demand**

Sec. 18. (a) 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 or incapacity for an attendance officer not later than six (6) days after the certificate is demanded.

(b) 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.

**IC 20-33-2-19 Attendance; public school children; religious instruction**

Sec. 19. (a) When the parent of a student who is enrolled in a public school makes a written request, the principal may allow the student to attend a school for religious instruction that is conducted by a church, an association of churches, or an association that is organized for religious instruction and incorporated under Indiana law.

(b) If a principal grants permission under subsection (a), the principal shall specify a period or periods, not to exceed one hundred twenty (120) minutes in total in any week, for the student to receive religious instruction. The permission is valid only for the year in which it is granted. Decisions made by a principal under this section may be reviewed by the superintendent.

(c) A school for religious instruction that receives students under this section:

(1) shall maintain attendance records and allow inspection of these records by attendance officers; and

(2) may not be supported, in whole or in part, by public funds.

(d) A student who attends a school for religious instruction under this section shall receive the same attendance credit that the student would receive for attendance in the public schools for the same length of time.

**IC 20-33-2-20 Attendance records**

Sec. 20. (a) An accurate daily record of the attendance of each student who is subject to compulsory school attendance under this chapter shall be kept by every public and nonpublic school.

(b) In a public school, the record shall be open at all times for inspection by:

(1) attendance officers;

(2) school officials; and

(3) agents of the department of labor.

Every teacher shall answer fully all lawful inquiries made by an attendance officer, a school official, or an agent of the department of labor.

(c) In a nonpublic school, the record shall be required to be kept solely to verify the enrollment and attendance of a student upon request of the:

(1) state superintendent; or

(2) superintendent of the school corporation in which the nonpublic school is located.

**IC 20-33-2-21 Attendance reports**

Sec. 21. (a) Each principal and teacher in a public school that is attended by a student subject to the compulsory school attendance law under this chapter shall furnish, on request of the superintendent of the school corporation in which they are employed, a list of:

(1) names;

(2) addresses; and

(3) ages;

of all minors attending the school. When a student withdraws from school, the principal and teacher shall immediately report to the superintendent the student's name and address and the date of the student's withdrawal.

(b) Each principal or school administrator in a nonpublic school that is attended by a student who is subject to the compulsory school attendance law under this chapter shall furnish, on request of the state superintendent, the number of students by grade level attending the school.

(c) If:

- (1) a student withdraws from a nonpublic school; and
- (2) no public or other nonpublic school has requested the student's educational records within fifteen (15) school days after the date the student withdrew from school;

the nonpublic school shall report to the state superintendent or the superintendent of the school corporation in which the nonpublic school is located, the name and address of the student and the date the student withdrew from school.

#### **IC 20-33-2-22 List of students no longer enrolled**

Sec. 22. (a) Not later than fifteen (15) school days after the beginning of each semester, the principal of a public high school shall send to the superintendent with jurisdiction over the school a list of names and last known addresses of all students:

- (1) not graduated; and
- (2) not enrolled in the then current semester who were otherwise eligible for enrollment.

(b) Each superintendent immediately shall make available all lists received under this section to an authorized representative of:

- (1) Ivy Tech Community College of Indiana; and
- (2) an agency whose purpose it is to enroll high school dropouts in various training programs.

(c) Each representative authorized to receive a list prepared under subsection (b) shall stipulate in writing that the list will be used only to contact prospective students or prospective trainees. If a list is used for any other purpose, the college or agency that the recipient represents is ineligible to receive subsequent lists for five (5) years.

#### **IC 20-33-2-23 Powers of certain officers to take children into custody**

Sec. 23. (a) Each school attendance officer, sheriff, marshal, and police officer in Indiana may take into custody any child who:

- (1) is required to attend school under this chapter; and
- (2) is found during school hours, unless accompanied:
  - (A) by a parent; or

(B) with the consent of a parent, by a relative by blood or marriage who is at least eighteen (18) years of age; in a public place, in a public or private conveyance, or in a place of business open to the public.

(b) When an officer takes a child into custody under this section, the officer shall immediately deliver the child to the principal of the public or nonpublic school in which the child is enrolled. If a child is not enrolled in any school, then the officer shall deliver the child into the custody of the principal of the public school in the attendance area in which the child resides. If a child is taken to the appropriate school and the principal is unavailable, the acting chief administrative officer of the school shall take custody of the child.

(c) The powers conferred under this section may be exercised without warrant and without subsequent legal proceedings.

#### **IC 20-33-2-24 Principal; duties when truant child received**

Sec. 24. (a) When a child is delivered into the custody of a principal or acting chief administrative officer under section 23 of this chapter, the principal or officer shall immediately place the child in class in the grade or course of study in which the child is enrolled or to which the child may be properly assigned.

(b) A child who is placed in class under this section shall not be kept at school beyond the regular hour of dismissal on that day for the grade or course of study in which the child is placed. As promptly as reasonably possible after placing a child in class under this section, the principal or acting chief administrative officer shall attempt to advise the child's parent of the facts of the case by telephone. The principal or acting chief administrative officer shall advise the parent of the facts of the case by mail on the same day the principal or officer receives the child.

#### **IC 20-33-2-25 Report to juvenile court intake officer; habitual absence from school**

Sec. 25. The superintendent or an attendance officer having jurisdiction may report a child who is habitually absent from school in violation of this chapter to an intake officer of the juvenile court. The intake officer shall proceed in accord with IC 31-30 through IC 31-40.

#### **IC 20-33-2-26 Enforcement of chapter**

Sec. 26. (a) It is the duty of each:

- (1) superintendent;
- (2) attendance officer; and
- (3) state attendance official;

to enforce this chapter in their respective jurisdictions and to execute the affidavits authorized under this section. The duty is several, and the failure of one (1) or more to act does not excuse another official from the obligation to enforce this chapter.

(b) An affidavit against a parent for a violation of this chapter shall be prepared and filed in the same manner and under the procedure prescribed for filing affidavits for the prosecution of public offenses.

(c) An affidavit under this section shall be filed in the circuit court of the county in

which the affected child resides. The prosecuting attorney shall file and prosecute actions under this section as in other criminal cases. The court shall promptly hear cases brought under this section.

#### **IC 20-33-2-27 Compulsory attendance; parent's responsibility**

Sec. 27. (a) It is unlawful for a parent to fail to ensure that the parent's child attends school as required under this chapter.

(b) Before proceedings are instituted against a parent for a violation of this section, personal notice of the violation shall be served on the parent by the superintendent or the superintendent's designee:

- (1) having jurisdiction over the public school where the child has legal settlement; or
- (2) of the transferee corporation, if the child has been transferred.

(c) Personal notice must consist of and take place at the time of the occurrence of one of the following events:

- (1) The date of personal delivery of notice.
- (2) The date of receipt of the notice sent by certified mail.
- (3) The date of leaving notice at the last and usual place of the residence of the parent.

If the violation is not terminated not more than one (1) school day after this notice is given, or if another violation is committed during the notice period, no further notice is necessary. Each day of violation constitutes a separate offense.

#### **IC 20-33-2-28 Compulsory attendance for full term; duty of parent**

Sec. 28. (a) This section does not apply during a period when a child is excused from school attendance under this chapter.

(b) 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 under this chapter unless the child is being provided with instruction equivalent to that given in public schools.

#### **IC 20-33-2-28.5 Requirements for exit interview; reporting requirement**

Sec. 28.5. (a) This section applies to an individual:

- (1) who:
  - (A) attends or last attended a public school;
  - (B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and
  - (C) has not completed the requirements for graduation;
- (2) who:

- (A) wishes to withdraw from school before graduation;
- (B) fails to return at the beginning of a semester; or
- (C) stops attending school during a semester; and
- (3) who has no record of transfer to another school.

(b) An individual to whom this section applies may withdraw from school only if all of the following conditions are met:

- (1) An exit interview is conducted.
- (2) The individual's parent consents to the withdrawal.
- (3) The school principal approves of the withdrawal.
- (4) The withdrawal is due to:

(A) financial hardship and the individual must be employed to support the individual's family or a dependent;

(B) illness; or

(C) an order by a court that has jurisdiction over the child.

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

(c) For purposes of this section, the following must be in written form:

- (1) An individual's request to withdraw from school.
- (2) A parent's consent to a withdrawal.
- (3) A principal's consent to a withdrawal.

(d) If the individual's principal does not consent to the individual's withdrawal under this section, the individual's parent may appeal the denial of consent to the governing body of the public school that the individual last attended.

(e) Each public school, including each school corporation and each charter school (as defined in IC 20-24-1-4), shall provide an annual report to the department setting forth the following information:

- (1) The total number of individuals:
  - (A) who withdrew from school under this section; and
  - (B) who either:

- (i) failed to return to school at the beginning of a semester; or
- (ii) stopped attending school during a semester; and for whom there is no record of transfer to another school.

(2) The number of individuals who withdrew from school following an exit interview.

(f) If an individual to which this section applies:

- (1) has not received consent to withdraw from school under this section; and
- (2) fails to return to school at the beginning of a semester or during the semester;

the principal of the school that the individual last attended shall deliver by certified mail or personal delivery to the bureau of child labor a record of the individual's failure to return to school so that the bureau of child labor revokes any employment certificates issued to the individual and does not issue any additional employment certificates to the individual. For purposes of IC 20-33-3-13, the individual shall be considered a dropout.

(g) At the same time that a school principal delivers the record

under subsection (f), the principal shall deliver by certified mail or personal delivery to the bureau of motor vehicles a record of the individual's failure to return to school so that the bureau of motor vehicles revokes any driver's license or learner's permit issued to the individual and does not issue any additional driver's licenses or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout.

(h) If:

(1) a principal has delivered the record required under subsection (f) or (g), or both; and

(2) the school subsequently gives consent to the individual to withdraw from school under this section;

the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery and, for purposes of IC 20-33-3-13 and IC 9-24-2-1, the individual shall no longer be considered a dropout.

**IC 20-33-2-28.7 Department's compilation of statistics concerning likely consequences of withdrawing from school before graduation**

Sec. 28.7. (a) The department of education shall compile and make available to schools statistics concerning the likely consequences of life without a high school diploma. The statistics must include, but are not limited to, statistics that show the likelihood of an individual's:

- (1) unemployment or employment in a lower paying job; and
- (2) involvement in criminal activity;

as the consequence of not obtaining a high school diploma.

(b) The department of education shall update the statistics made available under subsection (a) every two (2) years.

**IC 20-33-2-29 Children in certain institutions or facilities; compulsory school attendance; reimbursement for space used within facilities for court placed student expenses**

Sec. 29. (a) It is unlawful for a person operating or responsible for:

- (1) an educational;
- (2) a correctional;
- (3) a charitable; or
- (4) a benevolent institution or training school;

to fail to ensure that a child under the person's authority attends school as required under this chapter. Each day of violation of this section constitutes a separate offense.

(b) If a child is placed in an institution or facility under a court order, the institution or facility shall charge the county office of family and children of the county of the child's legal settlement under IC 12-19-7 for the use of the space within the institution or facility (commonly called capital costs) that is used to provide educational services to the child based upon a prorated per child cost.

**IC 20-33-2-30 Separate attendance district; requirement**

Sec. 30. A school corporation having an ADA of at least one thousand five hundred (1,500) students constitutes a separate attendance district.

**IC 20-33-2-31 Attendance officers; appointment in completely reorganized counties**

Sec. 31. (a) In a county that has been completely reorganized into one (1) or more school corporations under IC 20-23-4, the governing body of each school corporation with at least one thousand five hundred (1,500) students in ADA shall appoint an attendance officer.

The governing body of each school corporation that has fewer than one thousand five hundred (1,500) students in ADA may appoint an attendance officer. If the governing body of a school corporation that has discretion in whether to appoint an attendance officer declines to make an appointment, the superintendent of the school corporation shall serve as ex officio attendance officer under section 35 of this chapter.

(b) Whenever the governing body of a school corporation makes an appointment under this section, it shall appoint an individual nominated by the superintendent. However, the governing body may decline to appoint any nominee and require another nomination. The salary of each attendance officer appointed under this section shall be fixed by the governing body. In addition to salary, the attendance officer is entitled to receive reimbursement for actual expenses necessary to properly perform the officer's duties. The salary and expenses of an attendance officer appointed under this section shall be paid by the treasurer of the school corporation.

**IC 20-33-2-32 Attendance officers in certain counties**

Sec. 32. (a) In a county that has not been completely reorganized under IC 20-23-4, the governing body of each school corporation that constitutes a separate attendance district under section 30 of this chapter shall appoint an attendance officer. One (1) additional attendance officer may be appointed for every seven thousand five hundred (7,500) students in ADA in the corporation.

(b) Whenever the governing body of a school corporation makes an appointment under this section, it shall appoint an individual nominated by the superintendent. However, the governing body may decline to appoint any nominee and require another nomination. The salary of each attendance officer appointed under this section shall be fixed by the governing body. In addition to salary, the officer is entitled to receive reimbursement for actual expenses necessary to properly perform the officer's duties. The salary and expenses of an attendance officer appointed under this section shall be paid by the treasurer of the county in which the officer serves, on a warrant signed by the county auditor. The county council shall appropriate, and the board of county commissioners shall allow, the funds necessary to make these

payments. However, a warrant shall not be issued to an attendance officer until the attendance officer has filed an itemized statement with the county auditor. This statement shall show the time employed and expenses incurred. The superintendent shall approve the statement and certify that it is correct.

**IC 20-33-2-33 Attendance officers; appointment in remainder attendance districts**

Sec. 33. (a) In a county that has not been completely reorganized under IC 20-23-4, all school corporations that do not individually constitute separate attendance districts under section 30 of this chapter together constitute a remainder attendance district. The governing bodies of each remainder attendance district with at least one thousand five hundred (1,500) students in ADA shall appoint an attendance officer. One (1) additional attendance officer may be appointed for every seven thousand five hundred (7,500) students in ADA in the district. The governing bodies of a remainder attendance district with less than one thousand five hundred (1,500) students in ADA may appoint an attendance officer. If the governing bodies have discretion in whether to appoint an attendance officer and decline to make an appointment, the superintendent or superintendents involved shall serve as ex officio attendance officers under section 35 of this chapter.

(b) The governing bodies of the school corporations involved shall together form an appointing authority for attendance officers with the governing body of each school corporation having one (1) vote. This appointing authority shall appoint an individual nominated by the superintendent. However, the appointing authority may reject any nominee and require another nomination. The salary of each attendance officer appointed under this section shall be fixed by the appointing authority. In addition to salary, the officer is entitled to receive reimbursement for actual expenses necessary to properly perform the officer's duties. The salary and expenses of an attendance officer appointed under this section shall be paid by the treasurer of the county in which the officer serves, on a warrant signed by the county auditor. The county council shall appropriate, and the board of county commissioners shall allow, the funds necessary to make these payments. However, a warrant may not be issued to an attendance officer until the officer has filed an itemized statement with the county auditor. This statement must show the time employed and expenses incurred. The appropriate superintendent shall approve the statement and certify that it is correct.

**IC 20-33-2-34 Attendance officers in certain counties; appointment in separate attendance districts**

Sec. 34. (a) This section applies to a county having a population of:

(1) more than twenty-seven thousand (27,000) but less than twenty-seven thousand two hundred (27,200); or

(2) more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000).

(b) Notwithstanding sections 32 and 33 of this chapter, in a county that has not been completely reorganized under IC 20-23-4, the governing body of each school corporation constituting a separate attendance district under section 30 of this chapter shall appoint an attendance officer. One (1) additional attendance officer may be appointed for every seven thousand five hundred (7,500) students in ADA in the school corporation. The governing body of each school corporation that does not individually constitute a separate attendance district may appoint an attendance officer.

(c) If the governing body of the school corporation makes an appointment under this section, it shall appoint an individual who is nominated by the superintendent of the school corporation. However, the governing body may decline to appoint a nominee and may require another nomination to be made by the superintendent. If the governing body has discretion in whether to appoint an attendance officer under subsection (b) and declines to make an appointment, the superintendent of the school corporation involved shall serve as ex officio attendance officer under section 35 of this chapter.

(d) The salary, including fringe benefits, of each attendance officer appointed under this section shall be fixed by the governing body of the school corporation and shall be paid by the treasurer of the school corporation.

(e) Each attendance officer appointed under this section is entitled to receive reimbursement from the school corporation for the actual and necessary expenses incurred by the attendance officer in the proper performance of the attendance officer's duties.

**IC 20-33-2-35 Ex officio attendance officers**

Sec. 35. If the governing body of a school corporation elects not to appoint an attendance officer under section 31 of this chapter or an appointing authority elects not to appoint an attendance officer under section 33 of this chapter, the superintendent shall serve as an ex officio attendance officer. A superintendent acting in this capacity may designate one (1) or more teachers as assistant attendance officers. These assistant attendance officers shall act under the superintendent's direction and perform the duties the superintendent assigns. Ex officio attendance officers and assistant attendance officers appointed under this section shall receive no additional compensation for performing attendance services.

**IC 20-33-2-36 Joint employment of attendance officer**

Sec. 36. The governing bodies of two (2) or more school corporations may enter into a voluntary mutual agreement for the joint employment of an attendance officer. The agreement must stipulate the manner in which the joint attendance officer is appointed, paid, and supervised. The attendance officer may then be appointed, paid, and supervised under the terms of the agreement. However, compensation for any attendance officer employed under this section shall be paid entirely by the school corporations involved with no assistance from the civil government.

**IC 20-33-2-37 Attendance officers; appointment in optional separate district**

Sec. 37. The governing body of a school corporation that has fewer than one thousand five hundred (1,500) students in ADA may organize the school corporation as a separate attendance district and appoint an attendance officer. The governing body, in making the appointment, shall appoint an individual nominated by the superintendent. However, it may decline to appoint any nominee and require another nomination. All compensation for an attendance

officer appointed under this section shall be paid by the treasurer of the school corporation in which the officer is employed.

#### **IC 20-33-2-38 Attendance officers; appointment of additional officers**

Sec. 38. Any school corporation, attendance district, or remainder attendance district may appoint more attendance officers than are specifically authorized or required under this chapter. However, these additional attendance officers shall be appointed in the same manner as required by law for other attendance officers. Compensation for additional attendance officers appointed under this section shall be paid entirely by the school corporation or school corporations involved.

#### **IC 20-33-2-39 Attendance officers; duties**

Sec. 39. An attendance officer has the following duties:

- (1) To serve subject to the rules, direction, and control of the superintendent in the attendance officer's attendance district.
- (2) To maintain an office at a place designated by the superintendent.
- (3) To be on duty during school hours and at other times as the superintendent may request.
- (4) To keep records and make reports as required by the state board.
- (5) To visit the homes of children who are absent from school or who are reported to be in need of books, clothing, or parental care.
- (6) Whenever the superintendent directs or approves it, to bring suit to enforce any provision of this chapter that is being violated.
- (7) To serve written notice on any parent whose child is out of school illegally.
- (8) To visit factories where children are employed.
- (9) To perform other duties necessary for complete enforcement of this chapter.

#### **IC 20-33-2-40 Attendance officers; special powers**

Sec. 40. (a) Each attendance officer may serve original and other process in cases arising under this chapter.

(b) An attendance officer may enter any place where a child is employed to determine whether violations of this chapter or of IC 20-33-3 have occurred. When an attendance officer or a school official is exercising the power granted under this subsection, any officer, manager, director, employee or other person who refuses to permit the attendance officer's or the school official's entry into a place of business or interferes with his investigation in any way commits a violation of this chapter.

#### **IC 20-33-2-41 Attendance officers; licensing required; exception**

Sec. 41. With the exception of ex officio attendance officers, an individual may not hold the position of attendance officer unless the individual has complied with all standards of the department and has been properly licensed by the department.

#### **IC 20-33-2-42 Attendance; duties of state superintendent of public instruction**

Sec. 42. The state superintendent shall:

- (1) prescribe duties for the state attendance officer not provided by law;
- (2) fix qualifications for local attendance officers;
- (3) design and require use of a system of attendance reports, records, and forms necessary for the enforcement of this chapter; and
- (4) perform all other duties necessary for the complete enforcement of this chapter.

#### **IC 20-33-2-43 State attendance officers; appointment; removal; duties; powers**

Sec. 43. (a) The state superintendent shall appoint a state attendance officer. The state attendance officer serves at the pleasure of the state superintendent and may be removed by the state superintendent at any time.

(b) The state attendance officer shall:

- (1) exercise general supervision over the attendance officers of Indiana;
- (2) visit the various attendance districts throughout Indiana;
- (3) inspect the work of the attendance officers; and
- (4) investigate the manner in which this chapter is being enforced.

(c) The state attendance officer may initiate court action whenever necessary for the enforcement of this chapter.

#### **IC 20-33-2-44 Penalty**

Sec. 44. (a) This section does not apply to section 47 of this chapter.

(b) A person who knowingly violates this chapter commits a Class B misdemeanor.

#### **IC 20-33-2-45 State board; supervision; rules**

Sec. 45. (a) The state board shall exercise general supervision by resolution over the attendance system of the state.

(b) The state board may adopt rules under IC 4-22-2 pertaining to the state attendance system and the enforcement of this chapter.

#### **IC 20-33-2-46 Compulsory attendance; exception; disability**

Sec. 46. (a) With the approval of the state board, a superintendent may exclude or excuse a student found mentally or physically unfit for school attendance. An exclusion or excuse under this section is valid only for the school year during which it is issued.

(b) A superintendent's action under this section must be in accordance with limitations and regulations established by the state board concerning the procedures and requirements for the complete examination of students.

(c) A student may not be compelled to undergo any examination or treatment under this chapter when the student's parent objects on religious grounds, which consists of a good faith reliance on spiritual means or prayer for healing. The objection is not effective unless it is:

- (1) made in writing;
- (2) signed by the student's parent; and
- (3) delivered to the student's teacher or to the individual who might order an examination or treatment absent the objection.

A student may not be excluded under this section except as provided under IC 20-33-8.

#### **IC 20-33-2-47 School corporations; notification of absences; reports to local health departments**

Sec. 47. (a) A school corporation may develop and implement a system of notifying the parent of a student when:

- (1) the student fails to attend school; and
- (2) the student does not have an excused absence for that day.

(b) A school corporation or an accredited nonpublic school shall report to the local health department the percentage of student absences above a threshold determined by the department by rule adopted under IC 4-22-2.

(c) If a school corporation implements a notification system under this chapter, the attendance officer or the attendance officer's designee shall make a reasonable effort to contact by telephone the parent of each student who has failed to attend school and does not have an excused absence for that day.

(d) If an attendance officer or an attendance officer's designee has made a reasonable effort to contact a parent under subsection (c), the school corporation is immune from liability for any damages suffered by the parent claimed because of failure to contact the parent.

## **B. Discipline**

### **IC 20-33-8 Chapter 8, Student Discipline**

#### **IC 20-33-8-0.2 "Bullying"**

Sec. 0.2. As used in this chapter, "bullying" means overt, repeated acts or gestures, including:

- (1) verbal or written communications transmitted;
- (2) physical acts committed; or
- (3) any other behaviors committed;

by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student.

#### **IC 20-33-8-0.5 "Physician"**

Sec. 0.5. As used in this chapter, "physician" means an individual licensed to practice medicine or osteopathic medicine under:

- (1) IC 25-22.5; or
- (2) the law of another state.

#### **IC 20-33-8-1 "Principal"**

Sec. 1. As used in this chapter, "principal" includes a principal's designee.

#### **IC 20-33-8-2 "Educational function"**

Sec. 2. As used in this chapter, "educational function" means the performance by a school corporation or its officers or employees of an act or a series of acts in carrying out school purposes.

#### **IC 20-33-8-3 "Expulsion"**

Sec. 3. (a) As used in this chapter, "expulsion" means a disciplinary or other action whereby a student:

- (1) is separated from school attendance for a period exceeding ten (10) school days;
- (2) is separated from school attendance for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or
- (3) is separated from school attendance for the period prescribed under section 16 of this chapter, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.

(b) The term does not include situations when a student is:

- (1) disciplined under section 25 of this chapter;
- (2) removed from school in accordance with IC 20-34-3-9; or
- (3) removed from school for failure to comply with the immunization requirements of

IC 20-34-4-5.

#### **IC 20-33-8-4 "School purposes"**

Sec. 4. As used in this chapter, "school purposes" refers to the purposes for which a school corporation operates, including the following:

- (1) To promote knowledge and learning generally.
- (2) To maintain an orderly and effective educational system.
- (3) To take any action under the authority granted to school corporations and their governing bodies by IC 20-26-5 or by any other statute.

#### **IC 20-33-8-5 "School property"**

Sec. 5. As used in this chapter, "school property" means the following:

- (1) A building or other structure owned or rented by a school corporation.
- (2) The grounds adjacent to and owned or rented in common with a building or other structure owned or rented by a school corporation.

#### **IC 20-33-8-6 "Superintendent" includes superintendent's designee**

Sec. 6. As used in this chapter, "superintendent" includes a superintendent's designee.

#### **IC 20-33-8-7 "Suspension"**

Sec. 7. (a) As used in this chapter, "suspension" means any disciplinary action that does not constitute an expulsion under section 3 of this chapter, whereby a student is separated from school attendance for a period of not more than ten (10) school days.

(b) The term does not include a situation in which a student is:

- (1) disciplined under section 25 of this chapter;
- (2) removed from school in accordance with IC 20-34-3-9; or
- (3) removed from school for failure to comply with the immunization requirements of

IC 20-34-4-5.

#### **IC 20-33-8-8 Duty and powers of school corporation to supervise and discipline students**

Sec. 8. (a) Student supervision and the desirable behavior of students in carrying out school purposes is the responsibility of:

- (1) a school corporation; and
  - (2) the students of a school corporation.
- (b) In all matters relating to the discipline and conduct of students, school corporation personnel:
- (1) stand in the relation of parents to the students of the school corporation; and
  - (2) have the right to take any disciplinary action necessary to promote student conduct that conforms with an orderly and effective educational system, subject to this chapter.
- (c) Students must:
- (1) follow responsible directions of school personnel in all educational settings; and
  - (2) refrain from disruptive behavior that interferes with the educational environment.

**IC 20-33-8-9 Disciplinary powers of teachers and school staff members**

- Sec. 9. (a) This section applies to an individual who:
- (1) is a teacher or other school staff member; and
  - (2) has students under the individual's charge.
- (b) An individual may take any action that is reasonably necessary to carry out or to prevent an interference with an educational function that the individual supervises.
- (c) Subject to rules of the governing body and the administrative staff, an individual may remove a student for a period that does not exceed five (5) school days from an educational function supervised by the individual or another individual who is a teacher or other school staff member.

**IC 20-33-8-10 Disciplinary powers of principals**

- Sec. 10. (a) A principal may take action concerning the principal's school or a school activity within the principal's jurisdiction that is reasonably necessary to carry out or prevent interference with an educational function or school purposes.
- (b) Subsection (a) allows a principal to write regulations that govern student conduct.

**IC 20-33-8-11 Disciplinary powers of superintendents and administrative staff members**

- Sec. 11. A:
- (1) superintendent; or
  - (2) member of the superintendent's administrative staff, with the superintendent's approval;
- may take any action with respect to all schools within the superintendent's jurisdiction that is reasonably necessary to carry out or prevent interference with an educational function or school purposes.

**IC 20-33-8-12 Adoption of discipline rules; publicity requirement; discipline policy regulations and guidelines; delegation of authority; rulemaking powers of governing body**

- Sec. 12. (a) The governing body of a school corporation must do the following:
- (1) Establish written discipline rules, which may include:
    - (A) appropriate dress codes; and
    - (B) if applicable, an agreement for court assisted resolution of school suspension and expulsion cases; for the school corporation.
  - (2) Give general publicity to the discipline rules within a school where the discipline rules apply by actions such as:
    - (A) making a copy of the discipline rules available to students and students' parents; or
    - (B) delivering a copy of the discipline rules to students or the parents of students.

This publicity requirement may not be construed technically and is satisfied if the school corporation makes a good faith effort to disseminate to students or parents generally the text or substance of a discipline rule.

- (b) The:
- (1) superintendent of a school corporation; and
  - (2) principals of each school in a school corporation;
- may adopt regulations establishing lines of responsibility and related guidelines in compliance with the discipline policies of the governing body.
- (c) The governing body of a school corporation may delegate:
- (1) rulemaking;
  - (2) disciplinary; and
  - (3) other authority;
- as reasonably necessary to carry out the school purposes of the school corporation.
- (d) Subsection (a) does not apply to rules or directions concerning the following:
- (1) Movement of students.
  - (2) Movement or parking of vehicles.
  - (3) Day to day instructions concerning the operation of a classroom or teaching station.
  - (4) Time for commencement of school.
  - (5) Other standards or regulations relating to the manner in which an educational function must be administered.

**IC 20-33-8-13 Possession and self-administration of medication permitted**

- Sec. 13. (a) Discipline rules adopted under section 12 of this chapter must provide that a student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition during the times and in the places set forth under section 14(b) of this chapter if the following

- conditions are met:
- (1) The student's parent has filed an authorization with the student's principal for the student to possess and self-administer the medication. The authorization must include the statement described in subdivision (2). (2) A physician states in writing that:
    - (A) the student has an acute or chronic disease or medical condition for which the physician has prescribed medication;
    - (B) the student has been instructed in how to self-administer the medication; and
    - (C) the nature of the disease or medical condition requires emergency administration of the medication.
  - (b) The authorization and statement described in subsection (a) must be filed annually with the student's principal.

**IC 20-33-8-13.5 Discipline rules prohibiting bullying required**

- Sec. 13.5. (a) Discipline rules adopted by the governing body of a school corporation under section 12 of this chapter must:
- (1) prohibit bullying; and
  - (2) include provisions concerning education, parental involvement, reporting, investigation, and intervention.

- (b) The discipline rules described in subsection (a) must apply when a student is:
- (1) on school grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group;
  - (2) off school grounds at a school activity, function, or event;
  - (3) traveling to or from school or a school activity, function, or event; or
  - (4) using property or equipment provided by the school.
- (c) This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section. Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.

**IC 20-33-8-14 Grounds for suspension or expulsion**

- Sec. 14. (a) The following are the grounds for student suspension or expulsion, subject to the procedural requirements of this chapter and as stated by school corporation rules:
- (1) Student misconduct.
  - (2) Substantial disobedience.
- (b) The grounds for suspension or expulsion listed in subsection (a) apply when a student is:
- (1) on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group;
  - (2) off school grounds at a school activity, function, or event; or
  - (3) traveling to or from school or a school activity, function, or event.

**IC 20-33-8-15 Unlawful activity by student**

- Sec. 15. In addition to the grounds specified in section 14 of this chapter, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if:
- (1) the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function; or
  - (2) the student's removal is necessary to restore order or protect persons on school property;
- including an unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

**IC 20-33-8-16 Possession of firearms, deadly weapons, or destructive devices**

- Sec. 16. (a) As used in this section, "firearm" has the meaning set forth in IC 35-47-1-5.
- (b) As used in this section, "deadly weapon" has the meaning set forth in IC 35-41-1-8. The term does not include a firearm or destructive device.
- (c) As used in this section, "destructive device" has the meaning set forth in IC 35-47.5-2-4.
- (d) Notwithstanding section 20 of this chapter, a student who is:
- (1) identified as bringing a firearm or destructive device to school or on school property; or
  - (2) in possession of a firearm or destructive device on school property;
- must be expelled for at least one (1) calendar year, with the return of the student to be at the beginning of the first school semester after the end of the one (1) year period.
- (e) The superintendent may, on a case by case basis, modify the period of expulsion under subsection (d) for a student who is expelled under this section.
- (f) Notwithstanding section 20 of this chapter, a student who is:
- (1) identified as bringing a deadly weapon to school or on school property; or
  - (2) in possession of a deadly weapon on school property;
- may be expelled for not more than one (1) calendar year.

- (g) A superintendent or the superintendent's designee shall immediately notify the appropriate law enforcement agency having jurisdiction over the property where the school is located if a student engages in a behavior described in subsection (d). The superintendent may give similar notice if the student engages in a behavior described in subsection (f). Upon receiving notification under this subsection, the law enforcement agency shall begin an investigation and take appropriate action.

- (h) A student with disabilities (as defined in IC 20-35-7-7) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. 1415.

**IC 20-33-8-17 Student's legal settlement not in attendance area**

- Sec. 17. A student may be expelled from school if the student's legal settlement is not in the attendance area of the school corporation where the student is enrolled.

**IC 20-33-8-18 Maximum term of suspension; procedure**

- Sec. 18. (a) A principal may suspend a student for not more than ten (10) school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.
- (b) 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.

(c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

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

- (1) The student's misconduct.
- (2) The action taken by the principal.

**IC 20-33-8-19 Expulsion procedure; appeals**

Sec. 19. (a) A superintendent of a school corporation may conduct an expulsion meeting or appoint one (1) of the following to conduct an expulsion meeting:

- (1) Legal counsel.
- (2) A member of the administrative staff if the member:
  - (A) has not expelled the student during the current school year; and
  - (B) was not involved in the events giving rise to the expulsion.

The superintendent or a person designated under this subsection may issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at an expulsion meeting.

(b) An expulsion may take place only after the student and the student's parent are given notice of their right to appear at an expulsion meeting with the superintendent or a person designated under subsection (a). Notice of the right to appear at an expulsion meeting must:

- (1) be made by certified mail or by personal delivery;
- (2) contain the reasons for the expulsion; and
- (3) contain the procedure for requesting an expulsion meeting.

(c) The individual conducting an expulsion meeting:

(1) shall make a written summary of the evidence heard at the expulsion meeting;

(2) may take action that the individual finds appropriate; and

(3) must give notice of the action taken under subdivision (2) to the student and the student's parent.

(d) If the student or the student's parent not later than ten (10) days of receipt of a notice of action taken under subsection (c) makes a written appeal to the governing body, the governing body:

(1) shall hold a meeting to consider:

(A) the written summary of evidence prepared under subsection (c)(1); and  
(B) the arguments of the principal and the student or the student's parent; unless the governing body has voted under subsection (f) not to hear appeals of actions taken under subsection (c); and

(2) may take action that the governing body finds appropriate.

The decision of the governing body may be appealed only under section 21 of this chapter.

(e) A student or a student's parent who fails to request and appear at an expulsion meeting after receipt of notice of the right to appear at an expulsion meeting forfeits all rights administratively to contest and appeal the expulsion. For purposes of this section, notice of the right to appear at an expulsion meeting or notice of the action taken at an expulsion meeting is effectively given at the time when the request or notice is delivered personally or sent by certified mail to a student and the student's parent.

(f) The governing body may vote to not hear appeals of actions taken under subsection (c). If the governing body votes to not hear appeals, subsequent to the date on which the vote is taken, a student or parent may appeal only under section 21 of this chapter.

**IC 20-33-8-20 Maximum term of expulsion; reenrollment in alternative program after expulsion or exclusion; reinstatement review**

Sec. 20. (a) Except as provided in section 16 of this chapter, a student may not be expelled for a longer period than the remainder of the school year in which the expulsion took effect if the misconduct occurs during the first semester. If a student is expelled during the second semester, the expulsion remains in effect for summer school and may remain in effect for the first semester of the following school year, unless otherwise modified or terminated by order of the governing body. The appropriate authorities may require that a student who is at least sixteen (16) years of age and who wishes to reenroll after an expulsion or an exclusion attend an alternative program.

(b) An expulsion that takes effect more than three (3) weeks before the beginning of the second semester of a school year must be reviewed before the beginning of the second semester. The review:

(1) shall be conducted by the superintendent or an individual designated under section 19(a) of this chapter after notice of the review has been given to the student and the student's parent;

(2) is limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original meeting; and

(3) may lead to a recommendation by the person conducting the review that the student be reinstated for the second semester.

(c) An expulsion that will remain in effect during the first semester of the following school year must be reviewed before the beginning of the school year. The review:

(1) shall be conducted by the superintendent or an individual designated under section 19(a) of this chapter after notice of the review has been given to the student and the student's parent;

(2) is limited to newly discovered evidence or evidence of changes in the

student's circumstances occurring since the original meeting; and

(3) may lead to a recommendation by the individual conducting the review that the student be reinstated for the upcoming school year.

**IC 20-33-8-21 Scope of judicial review**

Sec. 21. Judicial review of a governing body's action under this chapter by the circuit or superior court of the county in which a student who is the subject of the governing body's action resides is limited to the issue of whether the governing body acted without following the procedure required under this chapter.

**IC 20-33-8-22 Effectiveness of statute during judicial review**

Sec. 22. An expulsion that has been upheld by a governing body continues in effect during judicial review under section 21 of this chapter unless:

- (1) the court grants a temporary restraining order under the Indiana Rules of Civil Procedure; and
- (2) the school corporation was given the opportunity to appear at the hearing regarding the temporary restraining order.

**IC 20-33-8-23 Suspension pending expulsion decision**

Sec. 23. The superintendent or the person designated by the superintendent under section 19(a) of this chapter may continue suspension of a student for more than the ten (10) school day period of the principal's suspension and until the time of the expulsion decision under section 19 of this chapter if the superintendent or the 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.

However, a student may not be suspended from school pending a meeting on a student's proposed expulsion if the expulsion is ordered under section 17 of this chapter.

**IC 20-33-8-24 Requirements for reenrollment after expulsion**

Sec. 24. (a) This section applies to a student who:

- (1) is at least sixteen (16) years of age; and
- (2) wishes to reenroll after an expulsion.

(b) A principal may require a student to attend one (1) or more of the following:

- (1) An alternative school or alternative educational program.
- (2) Evening classes.
- (3) Classes established for students who are at least sixteen (16) years of age.

**IC 20-33-8-25 Additional disciplinary actions authorized**

Sec. 25. (a) This section applies to an individual who:

- (1) is a member of the administrative staff, a teacher, or other school staff member; and
- (2) has students under the individual's charge.

(b) An individual may take disciplinary action in addition to suspension and expulsion that is necessary to ensure a safe, orderly, and effective educational environment. Disciplinary action under this section may include the following:

- (1) Counseling with a student or group of students.
- (2) Conferences with a parent or group of parents.
- (3) Assigning additional work.
- (4) Rearranging class schedules.
- (5) Requiring a student to remain in school after regular school hours:
  - (A) to do additional school work; or
  - (B) for counseling.
- (6) Restricting extracurricular activities.
- (7) Removal of a student by a teacher from that teacher's class for a period not to exceed:
  - (A) five (5) class periods for middle, junior high, or high school students; or
  - (B) one (1) school day for elementary school students;if the student is assigned regular or additional school work to complete in another school setting.
- (8) Assignment by the principal of:
  - (A) a special course of study;
  - (B) an alternative educational program; or
  - (C) an alternative school.
- (9) Assignment by the principal of the school where the recipient of the disciplinary action is enrolled of not more than one hundred twenty (120) hours of service with a nonprofit organization operating in or near the community where the school is located or where the student resides. The following apply to service assigned under this subdivision:
  - (A) A principal may not assign a student under this subdivision unless the student's parent approves:
    - (i) the nonprofit organization where the student is assigned; and
    - (ii) the plan described in clause (B)(i).A student's parent may request or suggest that the principal assign the student under this subdivision.
  - (B) The principal shall make arrangements for the student's service with the nonprofit organization. Arrangements must include the following:
    - (i) A plan for the service that the student is expected to perform.
    - (ii) A description of the obligations of the nonprofit organization to the student, the student's parents, and the school corporation where the student is enrolled.
    - (iii) Monitoring of the student's performance of service by the principal or the principal's designee.
    - (iv) Periodic reports from the nonprofit organization to the principal and the student's parent or guardian of the student's performance of the service.
  - (C) The nonprofit organization must obtain liability insurance in the amount and of the type specified by the school corporation where the student is enrolled that is sufficient to cover liabilities that may be incurred by a student who performs service under this subdivision.
  - (D) Assignment of service under this subdivision suspends



the implementation of a student's suspension or expulsion. A student's completion of service assigned under this subdivision to the satisfaction of the principal and the nonprofit organization terminates the student's suspension or expulsion.

(10) Removal of a student from school sponsored transportation.

(11) Referral to the juvenile court having jurisdiction over the student.

(c) As used in this subsection, "physical assault" means the knowing or intentional touching of another person in a rude, insolent, or angry manner. When a student physically assaults a person having authority over the student, the principal of the school where the student is enrolled shall refer the student to the juvenile court having jurisdiction over the student. However, a student with disabilities (as defined in IC 20-35-7-7) who physically assaults a person having authority over the student is subject to procedural safeguards under 20 U.S.C. 1415.

#### **IC 20-33-8-26 Rules requiring participation in disciplinary action by person caring for dependent student**

Sec. 26. (a) The governing body of a school corporation may adopt rules that require a person having care of a dependent student to participate in an action taken under this chapter in connection with a student's behavior. The rules must include the following:

(1) Procedures for giving actual notice to the person having care of the dependent student.

(2) A description of the steps that the person must take to participate in the school corporation's action.

(3) A description of the additional actions in connection with the student's behavior that are justified in part or in full if the person does not participate in the school corporation's action.

(b) A dependent student is a child in need of services under IC 31-34-1-7 if, before the student child becomes eighteen (18) years of age:

(1) the student's parent fails to participate in a disciplinary proceeding in connection with the student's improper behavior, as provided for by this section, if the behavior of the student has been repeatedly disruptive in the school; and

(2) the student needs care, treatment, or rehabilitation that the child:

(A) is not receiving; and (B) is unlikely to be provided or accepted without the coercive intervention of the court.

#### **IC 20-33-8-27 Supplemental procedures authorized**

Sec. 27. The governing body of a school corporation may by rule:

- (1) amplify;
- (2) supplement; or
- (3) extend;

the procedures provided in this chapter in any manner that is consistent with this chapter.

#### **IC 20-33-8-28 Waiver of rights**

Sec. 28. Any rights granted to a student or a student's parent by this chapter may be waived only by a written instrument signed by both the student and the student's parent. The waiver is valid if made:

- (1) voluntarily; and
- (2) with the knowledge of the:
  - (A) procedures available under this chapter; and
  - (B) consequences of the waiver.

#### **IC 20-33-8-29 Special schools**

Sec. 29. (a) As used in this section, "special school" includes the following:

- (1) A career and technical education school.
- (2) A special education school or program.
- (3) An alternative school or program.

(b) To the extent possible, this chapter applies to a special school.

(c) The governing body of a special school may make necessary modifications to the responsibilities of school personnel under this chapter to accommodate the administrative structure of a special school.

(d) In addition to a disciplinary action imposed by a special school, the principal of the school where a student is enrolled may without additional procedures adopt a disciplinary action or decision of a special school as a disciplinary action of the school corporation.

#### **IC 20-33-8-30 Enrollment in another school corporation or charter school during period of expulsion or proposed expulsion**

Sec. 30. (a) This section applies to the following:

- (1) A student who:
  - (A) is expelled from a school corporation or charter school under this chapter; or
  - (B) withdraws from a school corporation or charter school to avoid expulsion.
- (2) A student who:
  - (A) is required to separate for disciplinary reasons from a nonpublic school or a school in a state other than Indiana by the administrative authority of the school; or
  - (B) withdraws from a nonpublic school or a school in a state other than Indiana in order to avoid being required to separate from the school for disciplinary reasons by the administrative authority of the school.

(b) The student referred to in subsection (a) may enroll in another school corporation or charter school during the period of the actual or proposed expulsion or separation if:

- (1) the student's parent informs the school corporation in which the student seeks to enroll and also:
  - (A) in the case of a student withdrawing from a charter school that is not a

conversion charter school to avoid expulsion, the conversion charter school; or

(B) in the case of a student withdrawing from a conversion charter school to avoid expulsion:

(i) the conversion charter school; and (ii) the school corporation that sponsored the conversion charter school;

of the student's expulsion, separation, or withdrawal to avoid expulsion or separation;

(2) the school corporation (and, in the case of a student withdrawal described in subdivision (1)(A) or (1)(B), the charter school) consents to the student's enrollment; and

(3) the student agrees to the terms and conditions of enrollment established by the school corporation (or, in the case of a student withdrawal described in subdivision (1)(A) or (1)(B), the charter school or conversion charter school).

(c) If:

(1) a student's parent fails to inform the school corporation of the expulsion or separation or withdrawal to avoid expulsion or separation; or

(2) a student fails to follow the terms and conditions of enrollment under subsection (b)(3); the school corporation or charter school may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion or separation.

(d) Before a consent is withdrawn under subsection (c) the student must have an opportunity for an informal meeting before the principal of the student's proposed school. At the informal meeting, the student is entitled to:

(1) a written or an oral statement of the reasons for the withdrawal of the consent;

(2) a summary of the evidence against the student; and

(3) an opportunity to explain the student's conduct.

(e) This section does not apply to a student who is expelled under section 17 of this chapter.

#### **IC 20-33-8-31 Effect of suspension or expulsion on compulsory attendance laws**

Sec. 31. If a student is suspended or expelled from school or from any educational function under this chapter, the student's absence from school because of the suspension or expulsion is not a violation of:

(1) IC 20-33-2; or

(2) any other statute relating to compulsory school attendance.

#### **IC 20-33-8-32 Locker searches**

Sec. 32. (a) A school corporation must provide each:

- (1) student; and
- (2) student's parent;

a copy of the rules of the governing body on searches of students' lockers and locker contents.

(b) 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.

(c) In accordance with the rules of the governing body, a principal may search:

- (1) a student's locker; and
- (2) the locker's contents; at any time.

(d) 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.

#### **IC 20-33-8-33 Duty to submit information to bureau of motor vehicles**

Sec. 33. Before February 1 and before October 1 of each year, except when a hearing has been requested to determine financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under IC 9-24-2-1 to be issued a driver's license or learner's permit, or concerning the invalidation of a license or permit under IC 9-24-2-4.

#### **IC 20-33-8-34 Disciplinary action for children with disabilities**

Sec. 34. (a) Notwithstanding any other law, a suspension, an expulsion, or another disciplinary action against a student who is a child with a disability (as defined in IC 20-35-1-2) is subject to the:

(1) procedural requirements of 20 U.S.C. 1415; and

(2) rules adopted by the state board.

(b) The division of special education shall propose rules under IC 20-35-2-1(b)(5) to the state board for adoption under IC 4-22-2 governing suspensions, expulsions, and other disciplinary action for a student who is a child with a disability (as defined in IC 20-35-1-2).