

# **Benjamin Rush Middle School**

Principal – Mr. Jeremy Powers  
Assistant Principal – Mr. Dusty Neal  
Guidance Counselor – Miss Amy Hedrick  
Athletic Director – Mr. Kerry Brown & Mr. Isaac Sliger  
Athletic Secretary - Mrs. Paula Shelton  
Student At-Risk Counselor – Ms. Jessica Mastin  
Health Services – Mrs. Becky Wicker  
Secretary – Mrs. Julie Mahan  
Secretary/Treasurer – Mrs. Carri Flannery  
Secretary/Attendance/Lunch Accounts – Mrs. Connie Amos

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<b>Regular Schedule M, T, TH, F</b>	
Period 1 and Pledge	8:10 - 8:58
Period 2	9:01 - 9:49
Period 3	9:52 - 10:39
Period 4	10:42 - 11:30
8th Period 5	11:33 - 12:21
7th Grade Lunch	11:33 - 12:03
7th Period 5	12:06 - 12:54
8th Grade Lunch	12:24 - 12:54
Period 6	12:57 - 1:45
Period 7	1:45 - 2:36
Period 8 & Announcements	2:39 - 3:12
Bus Riders Dismissed	3:12
Walk/Ride/Athletes dismissed	3:16

### Wednesday Schedule

Period 1 & Pledge	8:10 - 8:58
Period 2	9:01 - 9:49
Period 3	9:52 - 10:39
Period 4	10:42 - 11:30
8th Period 5	11:33 - 12:21
7th Grade Lunch	11:33 - 12:03
7th Period 5	12:06 - 12:54

8th Grade Lunch	12:24 - 12:54
Period 6	12:57 - 1:45
Period 7	1:45 - 2:35
Period 8 Does Not Meet	
Bus Riders Dismissed	2:35
Walk/Ride/Athletes dismissed	2:39

### 2 Hour Delay Schedule

Period 1 & Pledge	10:10 - 10:46
Period 2	10:49 - 11:25
Period 3	11:28 - 12:04
Period 5 8 <sup>th</sup> Grade	12:07 - 12:43
7 <sup>th</sup> Grade Lunch	12:07 - 12:37
Period 5 7 <sup>th</sup> Grade	12:40 - 1:16
8 <sup>th</sup> Grade Lunch	12:46 - 1:16
Period 4	1:19 - 1:55
Period 6	1:58 - 2:34
Period 7	2:37 - 3:12
Period 8 Does Not Meet	
Bus students dismissed	3:12
Walk/Ride/Athlete dismissed	3:16

### 2 Hour Delay Wednesday

Period 1 & Pledge	10:10-10:41
Period 2	10:44-11:15
Period 3	11:18-11:49
Period 5/7 <sup>th</sup> Lunch	11:52 - 12:22
Period 5/8 <sup>th</sup> Lunch	12:25 - 12:55
Period 4	12:58 - 1:29
Period 6	1:32 - 2:02
Period 7	2:05 - 2:35

Period 8 Does Not Meet

Walk/Rider/Athletes Dismissed 2:39

Bus Students Dismissed

2:35

Schedules are subject to change with guidance from State and Local Health agencies.

## MISSION STATEMENT

We, the community of Benjamin Rush Middle School, will provide for the students:

1. A positive atmosphere for the progression from elementary to secondary school while encouraging a desire to learn.
2. Opportunities to reach their academic, social, and emotional potential.
3. Instruction to assist in the development of skills needed to become productive members of society.

## I.C. 20-33-2-3 ATTENDANCE

In order to receive the maximum benefits from the educational process, regular school attendance is required. However, if a student must be absent from school, use the following procedures:

### EXCUSED ABSENCES

To receive an excused absence, a phone call is required from a parent/guardian before 10:00 a.m. on the day of the absence (phone no. 765-932-2968), or a note is needed from a parent/guardian upon return to school. Excused absences include those due to illness, injury, family death, quarantine, or prearranged absences approved by the principal or principal's designee. For illness, students should be fever free for 24 hours prior to returning to school. Students are expected to make up all work missed for an excused absence and are responsible for getting assignments from their teachers.

### EXCESSIVE ABSENCES

After a student has been absent seven (7) days in any semester, a doctor's note will be required for each absence thereafter, or an explanation from the doctor as to the reason that regular school attendance cannot be maintained. In order to make up for class time missed by excessive absences, students will be assigned Thursday Night Detention, In-School Suspensions, or Out-of-School suspensions. If no effort is made to correct the excessive absence problem, the student may be suspended out of school and recommended for expulsion. The Rush County Prosecutor's Office and the Rush County Probation Department will be notified if a student continues to be habitually absent from school, as well as the Department of Child Services.

### PREARRANGED ABSENCES

Circumstances may dictate that a student may be absent from school for reasons other than illness. These unusual situations need the attention and approval of the principal ahead of time with a written explanation/authorization from the parent/guardian. Examples of a prearranged absence are: medical or dental appointments, funerals, serving as an election day worker, serving as a page at the Indiana General Assembly, field trips or activities requiring students to leave school grounds, and family business.

### UNEXCUSED ABSENCES

Absences are considered unexcused for the following reasons: unapproved absence, truancy, failure of parent/guardian to write a

note or call the school, or absences considered unexcused under the excessive absence policy. Any make-up work is the responsibility of the student.

A student not in school is expected to remain at home or be under the supervision of a parent/guardian. Students not in school during the day are excluded from extracurricular activities. Special situations must get approval from the principal.

### LEAVING SCHOOL

Students are required to check with the front desk if they need to leave the grounds for any reason. Students leaving school without approval are considered truant. Any student leaving school must have permission also from his/her parent/guardian.

### TARDIES

Students are counted tardy when they arrive at school or class late. Students may also be counted tardy if they arrive to class without necessary materials to participate in learning activities and need to return to their lockers for those materials. Students will be warned when they receive five tardies in a semester. Office referrals will be written for every three additional tardies thereafter. Consequences for cumulative tardy referrals are as follows:

	Number of cumulative referrals per semester:	
1 – 3	After-School Detention	
4 – 6	Thursday Night Detention	
7 – 8	In-School Suspension	
9+	Out-of-School Suspension	

### TRUANCY

A student not in school and not meeting the criteria of an excused absence is considered truant. Information concerning student absence must be received by 10:00 a.m. and is the responsibility of the parent/guardian. A student who is considered truant will be assigned In-School Suspensions. A student out of class without permission from the principal, assistant principal, or without a pass from the teacher to whom he/she is assigned is considered truant. A student who is truant four times is considered a habitual truant. A habitual truant under the age of eighteen will not be issued a driver's license or a learner's permit as recorded in I.C. 9-24-2-4, Section 2, and as is indicated in the "Message to Parents." The principal will notify the Bureau of Motor Vehicles upon the student's fourth instance of truancy. Students who are truant will be assigned an In-School Suspension for each day they are truant. Students will be suspended out of school if they become a habitual truant. If no effort is made to correct the truancy problem, the student will be suspended out of school and be recommended for expulsion. The Rush County Prosecutor's office and the Rush County Probation department will be notified if a student becomes habitually absent from school.

## ATTENDANCE RECOGNITION & PERFECT ATTENDANCE

In order to receive a perfect attendance award, a student may not miss class time that would be equivalent to greater than four (4) periods of a school day. **\*\*Note--**In accordance with state guidelines, school activities, field trips, serving as a page in the legislature, and working the election polls are not considered absences from school.

## HEALTH SERVICES

The school maintains health services for all children so they may attend school with the best physical, mental, and emotional health attainable to facilitate learning.

Immunization records are maintained on all students and parents must show proof that each child's immunizations are complete for diphtheria, tetanus, whooping cough, polio, measles, mumps, rubella, hepatitis A & B, meningitis, and varicella. The measles, rubella, mumps, and varicella vaccines must have been given on or after the first birthday. Records must indicate the month/day/year of each dose of vaccine given. Students who have not attended Rush County Schools previously must present proof, upon enrollment, of immunizations as listed above.

If a child's immunizations are not in compliance with the minimum requirements, the school nurse will inform the parents and may grant a waiver of not more than 20 days during which time the child is required to become in compliance.

Parents who object to their child having immunizations must sign an "Objection To Immunization" form yearly. These are available from the school principal and/or school nurse. Objections to immunizations can only be accepted if the objection is for religious or medical reasons.

To keep your child's school health record up-to-date, please notify the school nurse if he/she receives additional immunizations during the school year.

Vision screening is done for students in grade eight, new students, and any student the teacher suspects is having a vision problem. Those students failing the screening test are referred to their optometrist or ophthalmologist for further evaluation. Any child already wearing glasses should remain under the supervision of his/her eye care professional.

Children who have head lice must have their heads treated with a preparation which will kill the lice, and nit removal must be evident.

In conjunction with physical education classes, heights and weights are recorded on all students in grades seven and eight. Results are indicated on the child's health record.

Immediate first aid is provided in the event of illness or injury at school. If a student becomes ill during the school day, he/she is to check into the clinic or office. **Except for dire emergencies, the student should obtain a pass to the clinic from his/her teacher.** Any student bypassing the clinic will be charged with an unexcused absence. In the event of serious illness or injury which necessitates the student leaving school, parents are contacted by school personnel to assume responsibility for their child's care. The school does not carry health or accident insurance for students.

## NO MEDICATION WILL BE GIVEN TO A CHILD WITHOUT PROPER CONSENT

The school nurse or her designee, and/or personnel in the school office, should be notified of all medication brought to school. If it is necessary for a student to take medication during the school day, the medication must be provided to the school by the parent. The school does not stock medications for student use. It is preferred for the parent to BRING the medication to school and NOT SEND it with the child on the school bus. The student will be required to go to the clinic to receive the medication. Cough drops are considered medication.

Any student needing to take prescription medication during the school day must have Form A12062, Parts I and II, completed. These are available from the school nurse, in each principal's office, and online. Prescription medication must be in the original container with a current label indicating the child's name, medication name, dosage, time to be given, and prescribing physician's name. If medication is to be taken for only a short period of time (less than two weeks), the prescription label indicating physician, student's name, medication, and instructions is sufficient for Part I of Form A12062.

All over-the-counter medication, such as Tylenol and cough syrup, must have Form A12062, Part II, completed and signed by the legal custodian. A letter from the parent may be substituted for the form as long as it includes the same information as listed on the form. Over-the-counter medication must be in the original container. If a student needs to carry emergency medicine, i.e. inhaler/epipen, on his/her person, Form A12062, Parts I, II, and III must be completed and on file.

## NO MEDICAL TREATMENTS WILL BE GIVEN TO A CHILD WITHOUT PROPER CONSENT

The school nurses are available for consultation and recommendation. Diagnosis and treatment are prescribed by the student's family health care provider.

## LOCKERS

A locker is provided for each student to store books, materials needed for class, coats, umbrellas, etc. A student who uses a locker that is the property of a school corporation is presumed to have no expectation of privacy in that locker or the locker's contents. Students are not to share lockers or store personal items in any other student locker but their own. Students sharing lockers or storing items in a locker other than their own will be subject to disciplinary action. (BRMS Student Handbook, Level 2, Number 8). At no time should students decorate the outside of any locker. Only school associated groups, i.e. sports/clubs, may attach anything to the outside of any student locker. A principal may search a student's locker and the locker's contents at any time. A law enforcement agency may, at the request of the school principal, assist a school administrator in searching a student's locker and the locker's contents. At no time are lockers to be used to harbor illegal substances, stolen property, weapons, or any items that are prohibited by school rules, corporation rules, or state laws. Although the school respects privacy, there are instances when locker searches or the search of persons becomes necessary for the safety of the school, protection of property, etc.

A locker search may or may not be handled in the presence of the student.

The principal or member of the administrative staff may request the assistance of a law enforcement officer to utilize trained dogs for a search.

## LUNCH

There are two 30-minute lunches that are scheduled by grade level during the students' 5th period class. Students should check the daily schedules in the front of their student handbooks to determine lunch times. Lunch and lunch assignments are subject to change at any time.

A. The following rules pertain to student conduct:

1. Students are to enter the cafeteria in an orderly manner and select their seat for the day. Students are to stay at that seat for the duration of lunch, unless getting or throwing away food. Lunch supervisors will dismiss students by tables to line up for lunch, and students must ask permission to leave their seat to use the restroom.
2. Students should have nothing with them in the cafeteria, except for those that brought their own lunch. Books, cards, sketch pads, Chromebooks, etc. are prohibited.
3. All students are responsible for keeping their table and area clean. Sponges are provided for cleaning up spills.
4. Students should speak to their tablemates at a reasonable volume. Yelling is not appropriate.
5. No food or drink, except for bottled water, is to be taken out of the cafeteria.
6. Any student failing to follow the rules and guidelines set for the lunchroom may be given a consequence as part of the normal General Student Conduct policy and/or assigned a seat for an undetermined amount of time.

B. All students will have a lunch account and an assigned number. The students are encouraged to make payments to the accounts in the morning prior to the start of school. Students wishing to pay cash on a daily basis may do so. Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of \$15.00. If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to his/her negative lunch account balance. Furthermore, if a student has a negative lunch account balance, the student shall not be permitted to charge any breakfast, à la carte food or beverage items. Benjamin Rush has a closed lunch, and students are not permitted to leave the school grounds for lunch.

## FOOD AND DRINKS

Food is to remain in the cafeteria area only. Students may possess a water bottle. All water bottles must be clear and contain only water. Students may not bring water bottles into the Computer Labs. Students must abide by individual classroom policies. Allowing students to carry around a water bottle is a privilege. Misuse may lead to that student being unable to have a water bottle in class. Glass bottles are not to be permitted in the building. Students requiring food or drink, beyond water, for medical reasons, should obtain permission in advance from the school nurse and/or administrator.

## REPORT CARDS

The school year is divided into two semesters with each semester containing two nine-week periods.

## GRADES

The following scale will be to calculate student GPA:

A+ 4.33	A 4.00	A- 3.67
B+ 3.33	B 3.00	B- 2.67
C+ 2.33	C 2.00	C- 1.67
D+ 1.33	D 1.00	D- .067

## FINAL EXAMS

Students are required to take final exams in all their classes at the end of each semester. The final exams will be scheduled daily by subject areas and will take place during a three-day period prior to the end of each semester. Classes that are project-based or assessed on performance will be required to assign projects or performances during final examination times. The student's final examination grade will count no more than ten percent of the student's final grade.

## HONOR ROLL

Students who receive the grade of A or B in all classes have attained Honor Roll status.

## BRMS Junior Honor Society

BRMS will recognize all 8<sup>th</sup> grade students who qualify for the Junior Honor Society. Students selected to represent the Junior Honor Society shall maintain a cumulative GPA of 3.5 or higher through their first three semesters of middle school. In addition to scholarship, student participation in service, leadership, character, and citizenship is emphasized in the selection of members to the Junior Honor Society. Any student who has violated the excessive absence policy, received a second Thursday Detention, In School Suspension, or Out of School suspension will not be eligible for membership in the BRMS Junior Honor Society.

## PROGRESS REPORTS

Progress Reports will be sent out after four weeks of each nine week period. These reports are designed to help students and to keep parents informed.

## ACADEMIC DISHONESTY/PLAGIARISM

Any observation made by a teacher that gives an indication of an attempt to cheat or plagiarize will be treated as an incident of cheating.

Penalty:

1<sup>st</sup> Offense -: Documentation of the incident by the instructor with the administration. Automatic "0" for the assignment with the student given the opportunity to redo the assignment for up to 50% credit., and the parent notified by letter, email, and/or phone call from the instructor.

2<sup>nd</sup> offense: Additional Offenses-: Automatic "0" for the assignment, the parent notified by letter, email, and/or phone call from the instructor, and the student to receive no higher than a 50% for the semester in the assigned class..

3rd offense: Student will be placed at Level 3 of the General Student Conduct.

### **STUDY TABLES**

Study Tables are available to all students who need help with homework or just a quiet place to study. Study Tables are available from 3:20 to 4:20 on Tuesday and Thursday each week and supervised by a BRMS teacher.

### **AGENDA BOOKS**

Recognizing the difficulties that the middle school child often has in learning organizational skills, the agenda books are used to help students develop these skills. Student agenda books are to be filled out every day. Parents may check the agenda book on a nightly basis to keep updated on the child's homework and to enable the parent to keep informed of what a child is doing on a daily basis in school.

### **CONDUCT EXPECTATIONS OF STUDENTS DRESS CODE:**

Students are responsible to dress and exhibit grooming habits that are in good taste and suitable for school. The school considers the appearance of students relating to grooming and dress as an important factor for an effective and desirable atmosphere for learning. Student dress reflects the quality of the school, student attitudes, and community expectations. Some types of clothing and grooming habits are disruptive to the educational process and dangerous to the student or others. Students who violate the dress code may be offered acceptable dress by the school, or they may be placed in ISS until proper dress can be obtained. The following guidelines have been established and are within compliance of the School Board Dress Policy. The following are considered inappropriate for school:

#### **TOPS**

- Tops should cover the midriff area and chest. If the top does not, one must wear a tank top underneath. The neckline of the shirt or tank top worn underneath should be appropriate.
- No tube tops, cut off shirts, tank tops, or spaghetti straps are to be worn unless covered by another appropriate garment.
- Straps on shirts that are a minimum 3" in width with a finished sleeve (sheer or transparent material will not meet the above requirement)
- Hoodies (with/without zippers) may be worn, but hoods should not be pulled up over the student's head.
- T-shirts that are inappropriate or vulgar are not considered suitable for school.

#### **BOTTOMS**

- Oversized pants or pants with excessively large pockets are considered inappropriate for school purposes and present the opportunity to conceal contraband; therefore, they will not be allowed.

- Shorts, skirts and dresses are to have an inseam with a length longer than fingertips as the arm hangs down the side normally.
- No holes or tears in jeans or pants above the fingertip as the arm hangs down the side normally are to be worn. Any pants worn with holes above the knee the student must have tights, yoga pants, or long shorts underneath to cover any exposed skin.

#### **JACKETS**

- Winter jackets must be kept in lockers.
- Windbreakers and light-weight jackets may be worn during school.

#### **HATS/ACCESSORIES**

- No hats or any other headgear or hair covering are to be worn in the building (exceptions are made for verified religious or medical reasons).
- No sunglasses are to be worn in the building at any time.
- apparel, including jewelry, which advertises, displays, or refers to nonprescription drugs, controlled substances or illegal drugs, tobacco, sexualreferences, alcoholic beverages are not considered suitable for school.
- Chains, spike jewelry, or potentially harmful accessories are not appropriate.

#### **SHOES**

- No bare feet. Shoes/sandals must be worn at all times.
- No slippers.

#### **MISCELLANEOUS**

- Any type of dress or jewelry that causes a class disruption may result in a referral and placement in ISS until the disruption is resolved.
- Students may be offered appropriate dress by the school, or they may be placed in ISS until proper dress can be obtained.
- students may be issued an appropriate dress checklist that they carry throughout the day to ensure compliance is maintained each block.
- Students who continually fail to comply with the dress code will be placed at Level I of the school's discipline policy and be handled accordingly.
- Special exceptions to the Dress Policy may be made for school sponsored spirit days or as determined by the principal.

1. Any shoe equipped with wheels or other devices are not to be worn because of safety concerns.
2. Book bags, backpacks, coats, and jackets are to be placed in lockers in the morning and should not be carried into the classrooms.

**\*\*Clothing and items associated with gangs are not to be worn in school or on school premises. Students wearing or displaying such items will be asked to remove them. The wearing of such items either by color, by item, or by arrangement may be cause for suspension. Repeated occurrences may warrant a recommendation for expulsion. Coaches and instructors of extracurricular activities may establish specific guidelines for their activity.**

## **PASSES FOR STUDENT CONFERENCES/HALL PASSES**

All students are to be issued a pass whenever they leave the classroom. It is recommended that agenda books be used for this process.

## **GENERAL STUDENT CONDUCT**

The BRMS discipline plan is intended to provide guidelines by which students are to conduct themselves at school and school sponsored functions. This plan may include, but is not limited to, the specific violations/consequences listed below nor does it limit discipline decided by the administration.

While it is the school's responsibility to provide information about expected behaviors, it is the student's responsibility to read the information in the student handbook.

### **Level 1 BEHAVIOR:**

1. Failure to follow class rules
2. Failure to follow repeated staff member instructions
3. Failure to come to class prepared
4. Failure to complete homework in class

### **CONSEQUENCES**

- Teacher intervention
- Parent/Guardian contact by teacher
- Academic Recovery

### **Level 2 BEHAVIOR**

1. Dress code violation
2. Public display of affection
3. Violation of Cell Phone policy
4. Running and/or horseplay
5. Classroom and/or educational disruption
6. Failure to follow instructions
7. Inappropriate use of food or candy. Students are not to chew gum in school.
8. Sharing lockers
9. Excessive Level I offenses
10. Disrespect to fellow student, i.e. Name Calling
11. Misuse of Technology (ie: Inappropriate internet searches, emails, sharing passwords, etc.)

### **CONSEQUENCES**

- Lunch Detention
- After-school Detention

### **Level 3 BEHAVIOR**

1. Petty theft
2. Minor destruction of school or private property
3. Leaving class without permission/Out of assigned area
4. Continual classroom/educational disruption
5. Use of inappropriate, obscene, or vulgar language or gestures
6. Insubordination
7. Excessive Level 2 offenses
8. Conduct constituting an interference with school purposes
9. False Reporting
10. Academic Dishonesty/Plagiarism
11. Failure to serve assigned after school detention
12. Violation of the Excessive Absence Policy

### **CONSEQUENCES**

- After-school Detention
- Thursday Night Detention
- In-School Suspension

### **Level 4 BEHAVIOR**

1. Hazardous conduct which may be harmful to oneself or others
2. Theft of school or personal property
3. Failure to serve/complete assigned Thursday Night Detention
4. Excessive Level 3 offenses
5. Disrespect to staff members
6. Verbal abuse of a student (including racial slurs)
7. Violation of the Truancy Policy

### **CONSEQUENCES**

- In-School Suspension
- Out-of-School Suspension

### **Level 5 BEHAVIOR**

1. Major destruction of school or private property (vandalism)
2. Use or possession of tobacco or a look-a-like. Use or possession of Inhaled Vapor Devices (i.e. E-Cigarettes, Vape-pens etc... Law enforcement may be notified.
3. Threats, intimidation, bullying, or harassment of another student
4. Fighting, Assault, or Battery
5. Possession of a pocket knife
6. Verbal abuse of a staff member
7. Sending, possessing, viewing, or sharing material of sexual nature including electronic form
8. Major theft of school or personal property
9. Excessive Level 4 offenses
10. Excessive Office Referrals/Substantial Disobedience
11. Possession of matches, lighters, or any other combustible materials including fireworks
12. "Depantsing" or attempting to "Depants" another student
13. Indecent exposure

### **CONSEQUENCES**

- Out-of-School Suspension
- Out-of-School Suspension with Recommendation for Expulsion

- Law enforcement may be called.

### **Level 6 BEHAVIOR**

1. Possession or conspiring to possess a firearm, weapon, or look-alike firearm or weapon or any explosives/explosive devices
2. Possessing, using, selling, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, stimulant, depressant, barbiturate, alcoholic beverage, marijuana, intoxicant of any kind, or any item that closely resembles or is represented to be any of the foregoing items
3. Possession of drug paraphernalia
4. Causing, attempting to cause, or planning to cause physical injury or bodily harm to school employees, students, or others
5. Major theft of school property
6. Threat to staff member
7. Unlawful activity on school ground or at school activities during weekends, holidays, school breaks, and summer periods
8. Any misconduct in I. C. 20-33-8-14

### **CONSEQUENCE**

- Out-of-School Suspension with recommendation for expulsion. Law enforcement may be called.

### **Level 7 BEHAVIOR**

1. Possession of a firearm
2. Possession of a deadly weapon

### **CONSEQUENCE**

- 10-day suspension pending expulsion for at least one (1) calendar year. Law enforcement authorities may be notified. I. C. 20-33-8-14

## **MEDIA CENTER RULES AND USAGE**

The mission of the BRMS Library is to provide students and teachers with access to materials in a number of different formats, to provide support for the school's curriculum, to educate students in the use of information technologies, and to foster a love of reading.

The media center is open before school, during lunch and after school for all students. Students are welcome to use the media center at any time during the school day with a pass from a teacher. Books, digital material, magazines, reference materials, and audiobooks are available to students. All materials should be returned promptly. Students who have overdue materials for more than ten days will not be allowed to check out any other materials until their overdue issue is resolved. Fines are assessed for any damaged or lost items. If lost items are returned after payment has been made, the media center has the option to refuse acceptance of the item. Students will not be allowed to check out other materials until the lost item(s) is found or paid for. Students who habitually lose or damage materials will be limited to using materials in the library only. Damaging or destroying media center materials or furnishings may result in disciplinary action.

## **CELL PHONES IN SCHOOL**

Possessing or using on school grounds during school hours an electronic device, a cellular telephone, a smart watch, or any other telecommunication device in a situation not related to a school purpose or educational function is prohibited (see Level 2, Number 3 BRMS General Student Conduct). In addition, this policy prohibits utilizing an electronic device to listen to music during passing periods, so earbuds, earpods and headphones should not be worn outside of class. Cell phones and smartwatches are not allowed to be a distraction or a disruption to the educational process. Any item/object that causes a disruption of the school's operation may be confiscated and will be returned to the student and/or parent at a time deemed appropriate by administration. Cell phones and smartwatches are prohibited within classrooms (unless the adult in charge/teacher grants authority for educational use), inside the office complex, in/around areas deemed private (i.e.: restrooms and/or locker rooms, and during times of detention/ISS). Use of recording/sharing of illegal/disruptive incidents is prohibited. If an administrator has reasonable suspicion to believe that a cell phone might have proof of violated discipline codes beyond possession of a cell phone, only the administrator or designee may search the contents of the phone in compliance with search and seizure regulations.

## **STUDENTS ARRIVAL/DISMISSAL FROM SCHOOL**

Students should not arrive at school until 7:50 a.m. Upon arriving at school, students should report directly to their designated assembly area unless they are eating breakfast. Bicycle riders are to ride on the right hand side of the road and watch out for walkers. Bikes are to be parked in the bike racks in front of the building. Students walking to school should stay off the lawns and use the sidewalks. Students who walk to school should NOT walk to the high school for purposes of boarding a bus. Students who ride a bus home will be dismissed first. Bus students should quickly exit the building, remain on the sidewalks, and board your bus. Walkers, bike riders, students being picked up by a car, and any students who are staying after school for athletics and extracurricular activities should dismiss on the second bell. Students who walk, ride bikes, or are picked up by a car should remain on the sidewalks while leaving school grounds and never cross the car pick-up lane in front of the building.

## **SOCIAL EVENTS**

1. Students of Benjamin Rush Middle School are encouraged to attend social events and school dances, and your cooperation in the past has enabled everyone to have a good time.
2. Social events sponsored by the school or the school's student groups are open to BRMS students only

3. The participants should confine themselves to the area that is set aside for the school function.
4. Always help keep the school neat and clean.
5. All school rules apply regarding behavior and conduct.
6. Appropriate dress is required at all school dances and social events. The school dress code policy may be relaxed according to individual dance and event guidelines.
7. If a student leaves the dance or event, he/she will not be readmitted.
9. Withdrawn students may not participate in school activities.
10. Students who are ill must be in attendance for a minimum of the last four (4) periods of the school day. Students with excused prearranged absences will be considered eligible to attend such events.
11. Students should make proper arrangements for transportation home after all dances and school events.
12. Students who fail to follow the above guidelines may be denied admission to future school dances or events

#### **MESSAGES AND DELIVERIES**

Messages from parents will be delivered to students in emergency cases only. These messages will be delivered during the 8th period (7th period on Wednesday). All flowers, stuffed toys, balloons, candy, and gifts delivered to the high school can be picked up after school in the main office. Students will be notified of the delivery, but the above listed items are not permitted in the classroom.

### **I.C. 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.

#### **INTERNET USER RESPONSIBILITIES**

All students who request access to Internet resources through Rush County Schools, whether using computers, modems, and/or phone lines owned or controlled by Rush County Schools or not, will complete and sign an Internet Use Agreement with Rush

County Schools. In the case of individuals under the age of 18, parental consent and signatures will be required before access will be granted. Rush County Schools requires the permission of and supervision by the school's professional staff for a student to use a school account or resource to access the Internet. It is the policy of the Rush County Schools that the cost of any materials secured utilizing the Internet is the responsibility of the individual user or, in the case of a person under the age of 18, the person who authorizes the network account. This authorization extends to any financial obligation that may be incurred when utilizing the network as a source for goods or services. In no circumstances will Rush County Schools be liable for any unauthorized purchases made utilizing accounts secured through or equipment owned by Rush County Schools. The signatures on the agreement are legally binding and indicate the party (parties) who has (have) read the terms and conditions carefully, and understand(s) their significance.

The smooth operation of the Internet network relies upon the proper conduct of the net users who must adhere to strict guidelines. Rush County Schools does not assume responsibility to the Internet community to enforce accepted standards of net protocol and its obligation to recommend the termination of a user's network password and identification if it discovers ongoing and intentional misuse of the Internet resources.

Use of the Internet within Rush County Schools must be in support of education and research and be consistent with the educational objectives of the corporation. Transmission of any materials in violation of any United States, state, or local regulation or law is prohibited. This includes, but is not limited to, copyrighted materials, threatening or obscene materials, or materials protected by trade secrets. Use for product advertisement or political lobbying is prohibited. In addition, the following are prohibited:

1. to access, upload, download, or distribute pornographic, obscene, or sexually explicit materials.
2. to transmit obscene, abusive, or sexually explicit language.
3. to violate any local, state, or federal statute.
4. to vandalize, damage, or disable the property of another person or organization.
5. to access another person's materials, information, or files without the implied or direct permission of that person.
6. to violate copyright or otherwise use another person's intellectual property without his/her prior approval or proper citations.

Users should refrain from sending any material over the network that they would not want published on the front page of their local paper, a regional paper, or national newspapers. Users should be aware that it is a violation of network policy to attempt to log on the network using another individual or group's name and password. Misuse of names and passwords can result in the cancellation of network privileges and other penalties. Malicious attempts to harm or destroy data of another user, the Internet, or any agency connected to the Internet backbone, including the loading of computer viruses or worms, is a violation of federal law.

The use of the Internet is a privilege, not a right; inappropriate use may result in the termination of the privilege. Internet activity which violates the rules and policies of Rush County Schools will

subject the user to appropriate disciplinary sanctions. Network etiquette expects that users abide by the following guidelines. These guidelines include, but are not limited to:

1. the use of vulgar, obscene, or inappropriate language is prohibited.
2. personal information such as home telephone numbers, names, and addresses should not be shared over the net.
3. all communications and information accessible via the network should be assumed to be private property.
4. any attempt to compromise network security is prohibited. Any user identifying a possible breach in security must notify a system administrator.

## **DISCIPLINARY ACTION**

### **LUNCH DETENTION**

Lunch detention may be assigned to students who commit minor school and classroom violations. Students serving lunch detention are isolated from the rest of the student population. Lunch detention may also be assigned to students who refuse to complete assigned work and fall behind in their class work. These students will be assigned lunch detention and will be requested to complete their late and missing assignments. Students who complete their missing assignments will be dismissed from lunch detention and return to the general lunch population.

### **AFTER-SCHOOL DETENTION**

Students who are assigned to detention after school must report to the assigned area after the third bell with study materials and remain in this quiet study area until 4:00 p.m. The purpose of this detention period is to make up class time missed due to referrals of a minor nature. It is used as an alternative to suspension; therefore, attendance is mandatory. Failure to serve an after school detention will result in a Friday Evening School unless mutually agreed to be rescheduled by a parent and administrator prior to the date and time of the assigned detention.

After-School Detention is held on Tuesday and Thursday. Parents are notified in advance in the event that a child is assigned to detention after school.

### **THURSDAY NIGHT DETENTION**

Thursday Night Detention is held at Benjamin Rush from 3:15 to 5:15 p.m. on selected dates during the calendar year. Parents of students assigned to Thursday Night Detention will be notified. Thursday Night Detention may be scheduled on another day of the week due to school vacation days or schedule conflicts of school personnel. Failure to serve a Thursday Night Detention is a Level 4 offense and will result in an in-school or out-of-school suspension.

### **REMOVAL FROM CLASS/ACTIVITY**

A teacher has the right to remove a student from his/her class for "one" school day if the student is assigned regular or additional work to be completed in another school setting.

### **ISOLATED INSTRUCTION**

Isolated Instruction allows teachers to keep students in an isolated situation and still require work to be completed.

### **IN-SCHOOL SUSPENSION**

An In-School Suspension is served during the school day. Students are restricted from all extracurricular events and

activities. Daily assignments, quizzes, and tests are requested from classroom teachers, and students are expected to complete these assigned tasks while in In-School Suspension. Any student who refuses to follow the rules and requests of the in-school instructor will be subject to out-of-school suspension.

### **OUT-OF-SCHOOL SUSPENSION**

A school principal or designee may deny a student the right to attend school or take part in any school function for a period of up to ten school days. The student is sent home during an out-of-school suspension and becomes the responsibility of the parent during the school day. The student is not permitted on any school grounds or allowed to attend school functions, or participate in school activities. Students are responsible for acquiring and making up any assignments, quizzes, or tests they missed during the suspension.

The school may seek other alternatives to expulsion. Law enforcement authorities may be contacted, and a complaint may be filed by the school.

**Procedures involving the removal of students from class activity, suspension, or expulsion are fully outlined in the "Message to Parents" included in this handbook.**

## **ATHLETIC PARTICIPATION/ EXTRACURRICULAR ACTIVITIES BAND/CHOIR/MUSIC**

Band, choir, and music are considered regular classes and not extracurricular subjects. Students are expected to attend performances, programs, and contests as a part of class requirements. Grades are given for daily classroom effort, singing or playing tests, written tests, and performances, with the performances being the greater percentage of the grade. Each performance or contest may count up to 50% of a student's grade for the nine weeks. Failure to attend may result in a failing grade. The responsibility for attending performances falls on the student and his/her parent/guardian. When granted an excused absence, an additional assignment might be required.

### **CHEERLEADERS**

Cheerleading tryouts will be held in the spring of each year at which time students will be chosen to fill the 7<sup>th</sup> and 8<sup>th</sup> grade cheer teams.

Cheerleaders are required to cheer at all home contests and tournaments and must attend summer cheer camp.

Cheerleaders must meet the eligibility requirements for athletic participation, and are expected to follow all rules set by coaches.

## **BRMS GUIDELINES FOR ATHLETIC ELIGIBILITY**

To participate in athletics, a student must not have an "F" in any subject. If a student has received an "F" on the most recent nine-week report card, he/she is ineligible for games until he/she receives all passing grades on the next progress report. At semester, the second nine-week grades (not the semester average) will be used to determine eligibility for the current school year only.

Progress reports will also be used to determine eligibility. If an "F" is received on the progress report, the student will be ineligible for games until the failing grade is improved or becomes a passing grade, and all other classes remain a passing

grade. **Fall Sports** – Cross Country, Football, Volleyball: The first nine-week progress reports will be checked to determine eligibility.

**Boys Basketball:** A student who has an “F” on a report card prior to the start of the basketball season is eligible to try out and practice but is ineligible for games until the student has passing grades in all classes on the following progress report. If the student does not have passing grades at the next progress report, they will no longer be a member of the team. Second nine-week progress reports and second nine-week grades will be used to maintain eligibility.

**Girls Basketball:** The second nine-week progress reports will be reviewed. If there are any failing grades, the students’ progress in that class will be checked on the Monday of tryout week (the last week of the second nine weeks). If that grade is still an “F”, they are ineligible to play basketball – a spot will not be held for them. As in other sports, progress reports during the season will be used to maintain eligibility.

**Wrestling:** The second nine-week report card grades will be used to determine eligibility for stating the season. Progress reports will be used to maintain eligibility.

**Spring Sports** – Baseball, Softball, Track, and Golf: The third nine-week grades will be used to determine eligibility. Fourth nine week progress reports will be used to maintain eligibility.

## STUDENT REQUIREMENTS

Athletic activities are considered extracurricular events. All participants are required to maintain their standing as good citizens in the school. Participants are expected to display habits and conduct that are representative of the school’s philosophy. Participation in athletics at Benjamin Rush Middle School is open only to B.R.M.S. students.

A student may participate in only one athletic activity at a time. This does not pertain to cheerleaders. An athlete or manager is not allowed to quit one sport to participate and try out for another sport. A person who quits one sport becomes ineligible until a new season begins.

1. Absence from school for any part of the school day without special permission from the principal eliminates participation. If a student athlete is absent five or more days due to illness or injury, a medical release from a doctor will be required before participation can continue.
2. Athletes become ineligible for participation the day they turn 16 years of age. If a student repeats a grade, he/she is ineligible for the first nine weeks of the semester. Passing grades are required to become eligible.
3. All students participating in athletics must have on record a parent/guardian signature stating that the student/athlete has adequate insurance or a signed statement that the parent/guardian assumes all financial responsibility.
4. A Permission to Participate Form must be completed and on file in the principal’s office before an athlete may start to practice.
5. A physical exam must be completed and on file before an athlete may start to practice.
6. All student athletes must conform to practice requirements as established by the team coach or sponsor.

7. Benjamin Rush Middle School will follow the Rushville Consolidated High School Athletic Code of Conduct.
8. Students who are academically ineligible may participate in practice, with the understanding that they will participate in academic study tables until academic eligibility is regained. Participants are to attend all contests unless excused by the coach or sponsor. When attending an away contest, transportation to and from the event will be provided by the school.

## NEW STUDENTS

For the purpose of the policy, the principal of a newly enrolled student shall oversee the development of procedures to obtain and review the attendance and discipline records from the student’s previous school(s), and shall treat such records as if the conduct of the student recorded therein had occurred within this school system. Similarly, the principal shall recognize a previous school’s designation or determination of truancy, and habitual truancy, as well as any suspension, expulsion, or exclusion for misconduct.

## NON-PUBLIC SCHOOL STUDENTS

The principal shall be deemed to have no authority or duty to sign an eligibility form to accompany the application for a person not enrolled in this public school system.

## HOMESCHOOL STUDENTS

Students with legal settlement within Rush County may transfer their status from home school and enroll in the Rush County Schools at any time. Placement into grade levels and/or courses will be the sole discretion of the building principal. The building principal may require assessments given by school personnel to assist with these decisions.

# RUSH COUNTY SCHOOLS' MESSAGE TO PARENTS

## RUSH COUNTY SCHOOLS' DIRECTORY

<u>SCHOOL</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>ADMINISTRATOR</u>
Administrative Offices	330 West Eighth Street Rushville, Indiana 46173	932-4186 FAX 938-1608	Mr. Jim Jameson, Superintendent  Julie Cramer,  Director of Finance  Patrick Anderson  Director of Differentiated Learners  Grant Peters, Assistant Superintendent
Arlington Elementary	2533 N. 700 W. Arlington, Indiana 46104	663-2416 FAX 663-2723	Sara Mastin, Principal
Benjamin Rush Middle	1601 North Sexton Street Rushville, Indiana 46173	932-2968 FAX 938-2011	Jeremy Powers, Principal Dusty Neal, Assistant Principal
Milroy Elementary	300 N. Walnut Milroy, Indiana 46156	629-2323 FAX 629-2250	Lisa Wilson, Principal
Rushville Consolidated High School	1201 Lions Path Rushville, Indiana 46173	932-3901 FAX 932-4051	Warren Cook, Principal Collin McCartt, Assistant Principal Elizabeth Flath, Assistant Principal
Memorial Gymnasium	1110 Lions Path Rushville, Indiana 46173	932-2984 FAX 932-4798	Melissa Marlow, Athletic Director Heidi Cox, Assistant Athletic Dir.
Agri-Business & Technology	1501 North Sexton Street Rushville, Indiana 46173	932-5313 FAX 932-4663	Blair Orme, Vocational Agriculture Holly Wagner, Vocational Agriculture
Rushville Elementary School	390 West 16 <sup>th</sup> Street Rushville, Indiana 46173	938-1616 FAX 938-2417	Erin Tilley & Julie Innis, Co-Principal

## BOARD MEMBERS

President Mr. Jeff Amos  
Vice President Dr. Steven Sickbert  
Secretary Mr. Kevin Banks  
Member Mr. Addam Carmony  
Member Mrs. Tammy Jackman  
Member Mrs. Angela Kuhn  
Member Mr. Ron Lienemann

Attorney Amy Matthews  
Executive Secretary Michele Kessler

## EQUAL EDUCATION OPPORTUNITY

It is the policy of Rush County Schools to provide an equal education opportunity for all students. Any person who believes that the School or any staff person has discriminated against a student on the basis of race, color, creed, age, disability, religion, gender, ancestry, national origin, place of residence within the boundaries of the Corporation, or social or economic background, has the right to file a complaint. A formal complaint may be made in writing to the Superintendent listed below:  
Mr. Matt Vance

Superintendent  
765-932-4186

The complaint should be submitted in writing with all available pertinent information. The complaint will be investigated and a response, in writing, will be given to the concerned person within 30 days. The response may provide additional information concerning access to equal education opportunity. Under no circumstances will the Corporation threaten or retaliate against anyone who raises or files a complaint.

## EMERGENCY CLOSING OF SCHOOLS

There are times it becomes necessary to delay or cancel school because of adverse weather conditions. School closings and/or delays will be announced via telephone messaging system, over the radio and TV stations as soon as it is possible to get it on the air. The following stations will carry this bulletin: WIFE-FM (94.3) Rushville and Television Channels 6, 8 and 13.

When school is closed because of bad weather, the school administration (principal and superintendent) shall determine, that day, whether a scheduled activity for that afternoon and/or evening will be held.

When it becomes necessary to close school during the school day, every effort will be made to coordinate bus schedules and to notify parents through the radio station as to when to expect students home. On days when questionable weather conditions exist, parents are urged to monitor the radio station in order to be informed. When possible all students throughout the school system will be dismissed at the same time in order for parents to know when to expect them home.

## STUDENT BUSING REGULATIONS RESPONSIBILITY OF BUS DRIVERS

School bus drivers are to maintain appropriate supervision and discipline of student passengers' enroute to and from school. To assure safety, school bus drivers will enforce rules as outlined below.

## **RULES FOR STUDENTS**

1. Immediately after boarding, each student shall be seated as assigned by the driver.
2. Standing or moving from place to place is prohibited while enroute.
3. Misconduct, including loud, boisterous, or profane language, teasing, scuffling, tripping, restraining, hitting, or any other objectionable behavior will not be tolerated.
4. No windows or doors may be opened or closed without permission of the driver.
5. No pupil shall enter or leave the bus until it has come to a full stop and the door has been opened by the driver.
6. The student should be waiting at his/her boarding station when the school bus arrives; drivers are responsible for maintaining the bus schedule and shall use their own discretion in waiting for students who are late for pickup.
7. Students are to obey the driver, reporting promptly to school officials when asked.
8. On the school bus, a student is not allowed to eat, drink, or use tobacco, drugs, or any other controlled substance or possess drug paraphernalia.
9. Students should be silent when a bus is nearing a railroad crossing.
10. Only children enrolled in school will be transported and they must adhere to their designated stations for loading and unloading.
11. Whenever possible, a student is to inform the driver of expected absence from school.

A due process procedure has been established regarding disciplinary situations on buses in the Rush County Schools.

## **STUDENT SAFETY**

To help ensure safety, students can assist by following the rules.

1. Stay off the traveled roadway at all times while waiting for the bus.
2. When attempting to get on or off, wait until the bus comes to a complete stop.
3. Enter or leave the bus through the front door only (except during an emergency or evacuation drill), and only after the bus has come to a complete stop.
4. If you must cross a traveled roadway after exiting the bus, remember directions as follows:
  - (a) Wait until the bus stops moving.
  - (b) After stepping off the bus, walk several feet (8-10) beyond the front of the bus to become within clear sight of the driver and wait for the proper signal for crossing. Never attempt to cross the roadway from behind the bus.
5. Help keep the bus clean; do not attempt any acts of vandalism.

## **RESPONSIBILITY OF PARENTS**

Parents whose children are transported are to:

1. ensure that their children arrive at the bus stop on time in the morning.
2. provide necessary supervision of their children going to and from the bus stops.
3. cooperate with the driver and school officials for proper conduct of students.
4. provide written permission for a student to be delivered at a stop (emergencies only) other than his/her designated station.
5. keep this information for future reference.

## **DRESS POLICY**

RCS SCHOOL BOARD POLICY #5511

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

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

- A. present a hazard to the health or safety of the student himself/herself or to others in the school;
- B. interfere with school work, create disorder, or disrupt the educational program;
- C. cause excessive wear or damage to school property;

- D. prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

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

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

- A. designate the principal as the arbiter of student dress and grooming in his/her building;
- B. invite the participation of staff, parents, and/or students in the preparation of a dress code which may specify prescribed dress and grooming practices, but may not amplify the rationale of prohibition established by Board policy;
- C. instruct staff members to demonstrate, by example and precept, personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;
- D. ensure that all administrative guidelines impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.

Students who violate the foregoing rules will not be admitted to class and may be suspended from school.

### **RIGHT TO INSPECT CERTAIN INSTRUCTIONAL MATERIALS**

The parent or guardian of a child enrolled in a school within the School Corporation shall be entitled to inspect any instructional materials which will be used in connection with a survey, a personal analysis, or an evaluation, which is not a direct part of the academic instruction. Instructional materials include teachers' manuals, student texts, films, other video materials, or tapes.

Any complaints arising under this policy may be submitted in accordance with the policy for parental (public) complaints.

### **STUDENT SUBMISSION TO SURVEYS, PERSONAL ANALYSIS, OR EVALUATIONS OF SCHOOL CURRICULUM**

No student shall be required without prior written consent of the student's parent or guardian, or prior consent of a student if the student is an adult or is emancipated, to submit to a survey, a personal analysis, or an evaluation not directly related to the academic instruction which reveals information concerning:

1. political affiliations;
2. religious beliefs or practices;
3. mental or psychological conditions that may embarrass the student or his/her family;
4. sexual behavior and attitudes;
5. illegal, antisocial, self-incriminating or demeaning behavior;
6. critical appraisals of other individuals with whom the student has a close family relationship;
7. legally recognized, privileged or confidential relationships, including a relationship with a lawyer, physician, or minister; or
8. income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under a program)

Any consent form used in compliance with this policy must state the contents and nature of the personal analysis, survey, or evaluation. Consent forms are available in each principal's office.

LEGAL REFERENCE: I.C. 20-30-5-17

### **MOTOR VEHICLES**

Attendance in school is compulsory as provided in Indiana Code 20-33-2. Failure of the child to attend school even one day without an excuse is considered truancy. An excused absence or an absence due to suspension, expulsion, exclusion, illness, incarceration or lawful removal of the student from school by the parent or guardian is not truancy.

#### **Section I Habitual Truancy and Driver's License**

A. Indiana Law provides that any person, while of the ages of 13 and 14, who is determined to be a habitual truant as defined by school board policy, cannot be issued an operator's license or learner's permit until the age of 18. B. The term "habitual truant" may be evidenced by the following:

1. Defiance of parental authority in the failure to attend school.
2. A repeated, continuous pattern of absences over a period of time such as a grading period.

3. A larger number of aggregate absences over the period of a school year.
4. More than three (3) judicial findings of truancy.

It is also established that not all unexcused absences should be considered as truancy, only those absences that are in defiance of parental authority should be considered. In establishing a pattern of truancy, the Rush County Schools has decided that a student will be declared a habitual truant after three such absences per school year. A warning to student and parent/guardian will be issued in writing after each such absence.

Section II                   Expulsion                   and  
Suspension                A. Issuance of License  
or Permit

1. Indiana Code 9-24-2 states: "An operator's license or learner's permit may not be issued to a person less than eighteen (18) years of age who is under:
  - (1) at least a second suspension from school for the school year under IC 20-33-8
  - (2) an expulsion from school under IC 20-33-8

Section III               Invalidation of License or Permit

1. Indiana Code 9-1-4-33.4(a) states:
 

"If a person is less than eighteen (18) years of age and is under a suspension, expulsion, or exclusion as described in section 29(g) of this chapter, the department shall, upon notification by the person's principal, invalidate the person's license or permit until the earliest of the following events: (1) The person becomes eighteen (18) years of age;

  - (2) 120 days from date of second suspension or 180 days from date of expulsion or exclusion;
  - (3) The suspension, expulsion, or exclusion is reversed after the person has had a hearing under IC 20-33-8-19.
2. For purposes of the invalidation of a license/permit, the principal shall notify the State Bureau of Motor Vehicles in the following circumstances, with each notice indicating the length of the invalidation period.
  - a. The student receives a second suspension from school in any one school year;
  - b. The student is expelled from school for any reason established by the state statute and/or this school system or is excluded for the grounds stated in Indiana Code 20-33-8.
3. Should any such second suspension, expulsion, or exclusion be reversed after the student has utilized the procedure under Indiana Code 20-33-8-19, the principal shall notify the State Bureau of Motor Vehicles directly in writing.
4. Should the principal have reason to believe that a 17 year-old student, or a 16 year-old student with the written consent of his/her parents/custodians, is quitting school in order to avoid a second suspension the school year or an expulsion or exclusion for misconduct, the principal is given discretion to consider such an offer to quit, to reject the offer, to continue with the suspension, expulsion or exclusion proceeding, and to notify the Bureau of Motor Vehicles of the outcome of such proceedings.

Section IV               New Students

For the purposes of this policy, the principal of a newly enrolled student shall oversee the development of procedures to obtain and review the attendance and discipline records from the student's previous school(s), and shall treat such records as if the conduct of the student recorded therein had occurred within this school system. Similarly, the principal shall recognize a previous school's designation or determination of truancy and habitual truancy, as well as any suspension, expulsion, or exclusion for misconduct.

Section V               Non-Public School Students

The principal shall be deemed to have no authority or duty to sign an eligibility form to accompany the application for a person not enrolled in this public school system.

### GUIDELINES FOR PUPILS

Any professional employee acting within the procedures described by these guidelines will be supported by the Board and the central office staff.

Each teacher shall be responsible for the order and discipline of pupils in his or her own room and immediate surroundings. In maintaining a well-disciplined room, a positive approach to elicit good behavior shall be used to avoid the necessity of disciplinary action.

It is the responsibility of the parent or guardian to instill within the individual child the proper standards of acceptable behavior. The parent should insist that the child follow the rules of the school at all times.

It is understood that:

1. The public school teacher and authorities of the school stand in loco parentis (acting in place of parents) of the child.
2. School authorities have the power and responsibility to adopt appropriate rules and regulations for governing of the schools under their control.
3. When a student's behavior disrupts learning, either of the student himself and/or the learning of others, the teacher and/or school officials are obligated to investigate the cause of such behavior and initiate appropriate remedial action, including immediate contact with the parent.

## CLASSROOM MANAGEMENT

It is imperative that each teacher plan and organize class work to instill proper motivation for learning. Through such planning and organization, it is hoped that desirable outcomes for pupils' self-discipline will be achieved. The school principal and staff are committed to subscribing to a positive learning atmosphere in the school. The principal must assume responsibility for setting up building standards for pupil conduct in cooperation with the teaching staff. Building conduct standards shall be made available to teachers, pupils, and parents.

Some preventive measures for alleviating the need for disciplinary action encourage the teacher to be responsible for the following:

1. having a strong background of subject matter to fit units of work relative to courses of study;
2. using proper materials (tests, audio visual, etc.);
3. utilizing techniques in the classroom to inspire pupils to question and to think;
4. maintaining an attractive room complemented by displays and children's work;
5. setting room standards designed by both pupils and teachers;
6. teaching group work as well as giving individual attention where and when needed;
7. being consistent in maintaining standards so that the teacher serves as an example;
8. using voice properly;
9. rewarding/praising, giving pupils opportunities to gain success; and
10. recognizing the development of potential misbehavior and taking appropriate preventive action at once.

Teachers should make every effort to understand each pupil. As a means of gaining this understanding the following suggestions are given:

1. referral to the pupil's cumulative folder for background information;
2. teacher conference with the pupil;
3. teacher conference with pupil and administrator;
4. teacher and/or administrator conference with pupil and parents;
5. aid from counselor, psychologist, nurse, speech therapist, or others who may be able to assist in reaching the pupil.

The teacher or administrator may find it necessary to resort to immediate and limited action to correct pupil misbehavior.

Following are some suggested means of improving behavior:

1. The child may be corrected verbally, even in front of the class or other pupils, if necessary.
2. The principal and teacher should discuss and agree on corrective measures to be taken, such as withdrawal of privileges, isolation from classmates, keeping after school, etc.
3. The teacher or principal may take hold of a child for corrective action.

## SCHOOL SAFETY

All Rush County Schools' buildings have a Crisis Management Plan unique to each building. These plans are updated annually in accordance with Indiana State Law. Due to the sensitive information contained in these plans, they will be available only to committee members and school employees. Emergency drills are conducted to comply with Crisis Management Plans and Indiana State Law. **Law enforcement will be notified when required by law and in additional discipline issues at the discretion of the school administration.**

Rush County Schools, in the interest of keeping our children safe, has implemented the Raptor visitor management system. By scanning driver licenses, Raptor compares information to a sex offender database and alerts school officials if a match is found. If no match is found, a visitor badge will be created including a photo, the name of the visitor, time and date. Raptor will provide a consistent system to track visitors while keeping away people who present a danger to students and staff.

## **RUSH COUNTY SCHOOLS DISCIPLINE POLICY**

Recognizing that the behavior of some students may be so disruptive that it interferes with school purposes or educational functions of the school corporation, school officials may find it necessary to discipline a student. In this event and in accordance with the provisions of IC 20-33-8, administrators and staff members may take the following actions (if not superseded by special education law):

1. REFERRAL FROM CLASS OR ACTIVITY – TEACHER:
  - 1) A middle school or high school teacher will have the right to refer a student from his/her class or activity to the office for a period of up to 1 (one) school day.
  - 2) An elementary teacher will have the right to refer a student from his/her classroom or activity to the office for a period of up to 1 (one) school day.
2. REMOVAL FROM CLASS OR ACTIVITY – PRINCIPAL: A school principal (or designee) may remove a student from class and assign the student to in-school suspension or other alternative placement coupled with a teacher assigning the removed student regular or additional school work related to the class. (See details for a removal below.)
3. SUSPENSION FROM SCHOOL – PRINCIPAL: A school principal (or designee) may deny a student the right to attend school or take part in any school function for a period of up to 10 (ten) school days.
4. EXPULSION: In accordance with the due process procedures defined in this policy, a student may be expelled from school for a period no longer than the remainder of the current semester plus the following semester, with the exception of a violation of sections C and D listed under the grounds for Suspension and Expulsion in this policy.

### **REMOVAL FROM CLASS OR ACTIVITY**

A removal is an action taken for significant interference to the educational setting. Less significant interferences such as tardiness may receive consequences such as in-school suspension, but are not considered a removal. A removal does not include a short-term placement of a student in a hallway or another location or sending the student to the building office (referral) to address behavior issues and such short-term placements do not require the teacher to assign school work in relation to these actions unless there is a pattern of such short-term placements that, taken together, amount to a removal from the classroom by the principal.

When a student is removed, the principal may place the student in another appropriate class or placement or into in-school suspension. The principal may not return the student to the class from which the student was removed until the Principal has met with the student, the student's teacher, and the student's parents to determine an appropriate behavior plan for the student. At the principal's discretion, the student may be moved to another class if the student's parents do not meet with the principal and the student's teacher within a reasonable amount of time. Meetings may take place by telephone, email, or in person. When necessary a meeting may be a documented written exchange.

### **PHYSICAL RESTRAINT AND SECLUSION**

Physical restraint may be used when necessary when a student poses a danger of seriously hurting someone, including themselves. Each building will have selected faculty members that will be trained specifically in the use of de-escalation and restraints. The faculty trained will be those most likely to encounter students that might need restraint. Reports of physical restraint will be made to the building principal. Seclusion occurs when someone is placed in a room or location where they are alone and prevented from leaving that location. Seclusion is not an in school suspension or time out when the student is supervised and not prevented from leaving. If a student has a history of dangerous behavior, the school administration may require a student to develop a behavior plan along with the parent to explain procedures in more detail. Special education students may have more detailed behavior plans as a part of their IEPs.

### **DUE PROCESS**

The law mandates and prescribes certain procedures to guarantee that students in the schools of Indiana receive fair treatment in disciplinary matters at the hands of school officials. The law defines and provides for two types of disciplinary action: expulsion and suspension. Suspension refers to the prohibiting of attendance for ten consecutive school days or less. Expulsion means disciplinary action whereby a student is suspended from school attendance in excess of ten consecutive days. The length of an expulsion will comply with current Indiana Code.

Law enforcement officers will be contacted to take possession and further investigate any illegal materials confiscated. Examples may include, but are not limited to, tobacco or tobacco products, alcohol, drugs or drug paraphernalia, weapons, etc.

## **GROUNDS FOR SUSPENSION OR EXPULSION:**

The grounds for suspension or expulsion listed in section A. below apply when a student is:

- a. On school grounds immediately before, during, and immediately after school hours and at any other time when the school is being used by a school group (including summer school);
- b. Off school grounds at a school activity, function, or event; or
- c. Traveling to or from school or a school activity, function, or event.

### **A. STUDENT MISCONDUCT AND/OR SUBSTANTIAL DISOBEDIENCE**

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

1. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other comparable conduct constituting an interference with school purposes, or urging other students to engage in such conduct. The following enumeration is only illustrative and not limited to the type of conduct prohibited by this subdivision:
  - a. Occupying any school building, school grounds, or part thereof with intent to deprive others of its use.
  - b. Blocking the entrance or exits of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of the building, corridor, or room.
  - c. Setting fire to or damaging any school building or property.
  - d. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school or educational function, or of any meeting or assembly on school property.
  - e. Intentionally making noise or acting in any manner so as to interfere with the ability of any teacher or any other person to conduct or participate in an education function.
2. Engaging in any kind of aggressive behavior that does physical or psychological harm to another person or urging other students to engage in such conduct. Prohibited conduct includes coercion, harassment, bullying, hazing, or other comparable conduct.
3. Engaging in violence and/or threat of violence against any student, staff member, and/or other persons. Prohibited violent or threatening conduct includes threatening, planning, or conspiring with others to engage in a violent activity.
4. Causing or attempting to cause damage to school property, stealing or attempting to steal school property.
5. Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
6. Causing or attempting to cause, or planning to cause physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief that it was necessary to protect some other person does not, however, constitute a violation of this provision.
7. Threatening or intimidating any person for any purpose, including obtaining money or anything of value .
8. Threatening (whether specific or general in nature) damage or injury to persons or property, regardless of whether there is a present ability to commit the act. carried out, could result in harm to another person or persons or damage property when the student has information about such actions or plans.
9. Failing to report the actions or plans of another person to a teacher or administrator where those actions or plans, if carried out, could result in harm to another person or persons or damage property when the student has information about such actions or plans.
10. Possessing, handling, or transmitting a knife or any object that can reasonably be considered a weapon, or is represented to be a weapon, or looks like a weapon.
11. Possessing, handling, transmitting, or being affected by any controlled substance, prescription drug, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant or depressant of any kind, or any paraphernalia used in connection with the listed substances. Also prohibited is the consumption of any of the stated substances immediately before attending school or a school function or event.
  - a. Exception to Rule 11: a student with a chronic disease or medical condition may possess and self-administer prescribed medication for the disease or condition if the student's parent has filed a written authorization with the building principal. The written authorization must be filed annually. The written authorization must be done by a physician and must include the following information:

1. That the student has an acute or chronic disease or medical condition for which the physician had prescribed medication.
2. The nature of the disease or medical condition requires emergency administration of the prescribed medication.
3. The student has been instructed in how to self-administer the prescribed medication.
4. The student is authorized to possess and self-administer the prescribed medication.
12. Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind.
13. Possessing, using, transmitting, or being affected by caffeine-based substances other than beverages, substances containing phenylpropanolamine (PPA), stimulants of any kind, or any other similar over-the-counter products.
14. Possessing, using, distributing, purchasing, or selling tobacco and/or nicotine products of any kind or in any form.
15. Offering to sell or agreeing to purchase a controlled substance or alcoholic beverages.
16. Failing to comply with directions of teachers or other school personnel during any period of time when the student is properly under their supervision, where the failure constitutes an interference with school purposes or an educational function.
17. Failing to completely and truthfully respond to questions from a staff member regarding school-related matters including potential violations of the student conduct rules or state or federal law.
18. Falsely accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.
19. Engaging in any activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function.
20. Aiding, assisting, or conspiring with another person to violate these student conduct rules or state or federal law.
21. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
22. Taking or displaying pictures and/or videos (digital or otherwise) without the consent of the student or staff member in a situation not related to a school purpose or educational function.
23. Engaging in pranks that could result in harm to another person.
24. Use or possession of gunpowder, ammunition, or an inflammable substance.
25. Violating any rules that are reasonably necessary in carrying out school purposes or an educational function, including, but not limited to:
  - a. engaging in sexual behavior on school property;
  - b. engaging in sexual harassment of a student or staff member;
  - c. disobedience of administrative authority;
  - d. willful absence or tardiness of students;
  - e. engaging in speech or conduct, including clothing, jewelry or hairstyle, that is profane, indecent, lewd, vulgar, or refers to drugs, tobacco, alcohol, sex, or illegal activity, or is plainly offensive to the school purposes;
  - f. violation of the school corporation's acceptable use of technology policy or rules;
  - g. violation of the school corporation's administration of medication policy or rules;
  - h. possessing or using a laser pointer or similar device.
26. Possessing or using on school grounds during school hours an electronic device, a cellular telephone, or any other telecommunication device in a situation not related to a school purpose or educational function. It is preferred that cell phones are left at home; however, students will not be disciplined if the following are followed:
  - a. High school and middle school students must leave cell phones in lockers throughout the day. Cell phones must never be on during school hours without specific permission by school personnel.
  - b. Elementary students must have cell phones turned off during school hours. Cell phones must be stored in book bags.

The school is NOT responsible for cell phones that are lost, damaged, or stolen.
27. Sending, sharing, viewing, or possessing pictures, text messages, emails, or other material of a sexual nature in electronic or any other form, including the contents of a cell phone or other electronic device.
28. Any student conduct rule the school building principal establishes and gives publication of it to all students and parents in the principal's school building.
29. FIREWORKS – No student shall possess or use fireworks on school property, including but not limited to: firecrackers, cherry bombs, bottle rockets, or any other device that is explosive or could be launched.

30. The use of cameras and video recording devices in locker rooms or restrooms is prohibited.

B. Bullying

1. Bullying committed by students towards other students is strictly prohibited. Engaging in bullying activities by use of data or computer software that is accessed through any computer, any computer system, and/or any computer network is also prohibited.
2. This rule may be applied regardless of the physical location in which the bullying behavior occurred as long as the alleged bully and the targeted student attend a school within the school corporation and disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other students to a safe and peaceful learning environment.
3. Bullying is defined as overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner including electronically or digitally, physical acts committed, aggression, or any other similar behaviors that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:
  - places the targeted student in reasonable fear of harm to the targeted student's person or property;
  - has a substantially detrimental effect on the targeted student's physical or mental health;
  - has the effect of substantially interfering with the targeted student's academic performance; or
  - has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.
4. Parents or students who suspect that repeated acts of bullying are taking place should report the matter to the school principal or designee immediately. In addition a parent or student may also report the conduct to a teacher or school counselor who will notify the administration. This report may be made anonymously and law enforcement may be contacted. School personnel will immediately investigate all reports of bullying.
5. The administration will be responsible for working with the school counselors and other community resources to provide information and/or follow-up services to support the targeted student and to educate the student engaging in bullying behavior on the effects of bullying and the prevention of bullying. In addition, the school administration and school counselors will be responsible for determining if the bullying behavior is a violation of law required to be reported to law enforcement under Indiana law based upon their reasonable belief. Such determination should be made as soon as possible and once this determination is made, the report should be made immediately to law enforcement.
6. The parents of the alleged bully and the targeted student (s) shall be notified immediately.
7. False reporting of bullying conduct as defined in this rule by a student shall be considered a violation of this rule and will result in any appropriate disciplinary action or sanctions if the investigation of the report finds it to be false.
8. Failure by a school employee who has a responsibility to report or investigate bullying or any other duty under this rule will be subject to appropriate disciplinary action.
9. Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the bullying.
10. Educational outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.
11. All schools in the corporation are encouraged to engage students, staff and parents in meaningful discussions about the negative aspects of bullying. The parent involvement may be through parent organizations already in place in each school.

C. POSSESSING A FIREARM OR A DESTRUCTIVE DEVICE

1. No student shall possess, handle or transmit any firearm or a destructive device on school property.
2. The following devices are considered to be a firearm under this rule:
  - any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
  - the frame or receiver of any weapon described above
  - any firearm muffler or firearm silencer

-any destructive device which is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or any similar device

-any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter

-any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled

-an antique firearm

-a rifle or a shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes

3. For purposes of this rule, a destructive device is

-an explosive, incendiary, or overpressure device that is configured as a bomb, a grenade, a rocket with a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one quarter ounce, a mine, a Molotov cocktail or a device that is substantially similar to an item described above. -a type of weapon that may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel that has a bore diameter of more than one-half inch, or

-a combination of parts designed or intended for use in the conversion of a device into a destructive device. A destructive device is NOT a device that although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device.

4. The penalty for possession of a firearm or a destructive device: suspension up to 10 days and expulsion from school for at least one calendar year with the return of the student to be at the beginning of the first semester after the one-year period. The superintendent may reduce the length of the expulsion if the circumstances warrant such reduction.

5. The superintendent shall immediately notify the appropriate law enforcement agency when a student engages in behavior described in this rule.

#### D. POSSESSING A DEADLY WEAPON

1. No student shall possess, handle or transmit any deadly weapon on school property.

2. The following devices are considered to be deadly weapons as defined in I.C. 35-41-1-8:

-a weapon, taser or electronic stun weapon, equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.

-an animal readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime.

3. The penalty for possession of a deadly weapon: up to 10 days suspension and expulsion from school for a period of up to one calendar year.

4. The superintendent (shall immediately) (may) notify the appropriate law enforcement agency when a student engages in behavior described in this rule. E. UNLAWFUL ACTIVITY IC 20-33-8-15

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

#### F. LEGAL SETTLEMENT

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

#### SUSPENSION PROCEDURES

When a principal (or designee) determines that a student should be suspended, the following procedures will be followed:

1. A meeting will be held prior to the suspension of any student. At this meeting the student will be entitled to:

(a) a written or oral statement of the charges;

(b) If the student denies the charges, a summary of the evidence against the student will be presented; (c) the student will be provided an opportunity to explain his or her conduct.

2. The meeting shall precede suspension of the student except where the nature of the misconduct requires immediate removal. In such situations, the meeting will follow the suspension as soon as reasonably possible following the date of the suspension.

3. Following the suspension, the parents or guardians of suspended students will be notified in writing. The notification will include the dates of the suspension, describe the student's misconduct, and the action taken by the principal.
4. Rush County Schools will notify and cooperate with the Rush County Probation Department on all out-of-school suspensions.

### **EXPULSION PROCEDURES**

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

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

### **RIGHT TO APPEAL**

The student or parent has the right to appeal the decision of the person conducting the expulsion meeting to the school board within 10 days of the receipt of notice of the action taken. The student or parent's appeal to the school board must be in writing. If an appeal is properly made the board must consider the appeal. If the board hears the appeal, it will consider the written summary of the expulsion meeting and the arguments of both the school administration and the student and/or the student's parents. The board will then take any action deemed appropriate.

LEGAL REFERENCE: 20 U.S.C. 8001  
20 U.S.C. 8002  
I.C. 20-33-8

### **AUTHORITY OF SCHOOL PERSONNEL**

In accordance with IC 20-33-8, the superintendent, principal, any administrative personnel, or any teacher of the school corporation shall be authorized to take any action in connection with student behavior, in addition to the actions specifically provided in this chapter, reasonably desirable or necessary to help any student, to further school purposes, or to prevent an interference therewith, such action including such matters as:

1. counseling with a student or group of students;
2. conferences with a parent;
3. assigning additional work;
4. rearranging class schedules;
5. requiring a student to remain in school after regular school hours to do additional work or for counseling; or
6. restriction of extracurricular activity.

NOTE: The provisions stated above shall apply when concerning the movement of students, movement or parking of vehicles, day to day instruction concerning the operation of classroom or teaching station, the time or times for commencement of school, or other standards or regulations relating to the manner in which an educational function is to be carried out.

### **DISCIPLINE POLICY FOR STUDENTS WITH DISABILITIES**

Students with disabilities are subject to the discipline rules adopted by the board of school trustees and, therefore, may be suspended or expelled for any violation(s) of such rules for which nondisabled students could also be suspended or expelled. In accordance with I.C. 20-33-8 and 511 IAC 7-29, administrators may take the following discipline actions:

## **SUSPENSION**

A suspension is defined as a unilateral, temporary removal of a student from the student's current placement. A short-term removal of a student pursuant to the student's individualized education-program is not a suspension. An in-school suspension is not considered a suspension as long as the student is provided both general education and special education services consistent with the student's individualized education program and the student is allowed to participate with nondisabled students as the student would have in the student's current placement.

A student with disabilities may be suspended up to ten (10) consecutive school days for a violation of school rules. Additional suspensions of up to ten (10) consecutive school days for each separate act of misconduct are permissible in the same school year as long as the suspensions do not constitute a pattern of removals from the student's current placement. Before a student with disabilities can be suspended, the student must be afforded the same due process procedures provided to a nondisabled student.

Educational services do not have to be provided to a student with disabilities during the first ten (10) cumulative days of suspension if educational services are not provided to nondisabled students who have been similarly suspended. Beginning on the 11<sup>th</sup> cumulative day of suspension in a school year, a student with disabilities shall be provided educational services. The principal and the student's special education teacher shall determine the services that will be provided to the student.

Whenever a student with disabilities has been suspended for more than ten (10) cumulative days in a school year, a case conference committee meeting must be convened for the purpose of reviewing the student's behavior and developing a behavioral intervention plan. If a behavioral intervention plan already exists, the plan and its implementation must be reviewed.

## **EXPULSION**

An expulsion is defined as the temporary removal of a student from the student's current placement for more than ten (10) consecutive school days. An expulsion also includes a series of suspensions totaling more than ten (10) cumulative days that constitutes a pattern of removal from the student's current placement.

Before a student with disabilities can be expelled from school, the case conference committee must meet to review the student's behavior and develop a behavioral intervention plan or review an existing plan and its implementation. The case conference committee must also review the relationship between the student's disability and the misconduct. If the case conference committee determines the student's behavior was a manifestation of the student's disability, the student may not be expelled. If however, the committee determines the behavior of the student was not a manifestation of the student's disability, the superintendent may appoint an expulsion examiner who will conduct the same expulsion proceedings afforded to nondisabled students. The parent of the student with disabilities may also request a due process hearing in accordance with Article 7 to challenge the manifestation determination of the case conference committee.

While expulsion (or a challenge to the manifestation determination) proceedings are pending, a student with disabilities must remain in the student's current placement unless the parent of the student agrees to a removal of the student from the current placement.

If a student with disabilities is expelled, the student must be provided educational services during the period of expulsion. The case conference committee determines the extent of the educational services that will be provided during the expulsion period and where the services will be provided.

## **EXPULSION FOR WEAPONS OR ILLEGAL DRUGS**

If a student with disabilities either carries a weapon (including a firearm) to school or a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, the student may be placed in an interim alternative educational setting for no more than forty-five (45) calendar days. A case conference committee must determine the appropriate alternative educational setting for the student and the educational services the student will receive in the alternative educational setting. A parent of a student with disabilities may request a hearing under Article 7 to challenge the interim alternative educational setting, but during any such hearing, the student must remain in the alternative setting.

A case conference committee must review the student's behavior and develop a behavioral intervention plan or review an existing plan and its implementation. The committee must also review the relationship between the student's disability and the misconduct. If the case conference committee determines the student's behavior was a manifestation of the student's disability, the student may not be expelled. If, however, the committee determines the behavior of the student was not a

manifestation of the student's disability, the superintendent may appoint an expulsion examiner who will conduct the same expulsion proceedings afforded to nondisabled students. The parent of the student with disabilities may also request a due process hearing in accordance with Article 7 to challenge the manifestation determination of the case conference committee.

If a student with disabilities is expelled, the student must be provided educational services during the period of expulsion. The case conference committee determines the extent of the educational services that will be provided during the expulsion period and where the services will be provided.

### **REMOVAL FROM PLACEMENT BECAUSE OF LIKELY INJURY**

If a student with disabilities has been suspended or expelled and the school believes returning the student to the educational placement the student was in prior to the suspension or expulsion is substantially likely to result in injury to the student or others, the school may request a hearing under Article 7 to determine an appropriate placement for the student. An independent hearing officer may order a change in the student's current placement to an interim alternative educational setting for up to forty-five (45) calendar days.

### **INJUNCTIVE RELIEF**

School officials may seek injunctive relief from a court to remove a student with disabilities from school or to change a student's placement if the school believes that maintaining the student in the student's current placement is substantially likely to result in injury to the student or others.

LEGAL REFERENCE: 20 U.S.C. 1415  
34 C.F.R. 300.519 – 300.529  
I.C. 20-33-8-1 et. seq.  
511 IAC 7-29-1 - 9

## **HARASSMENT/BULLYING POLICY**

RCS SCHOOL BOARD POLICY #5517/5517.01

Rush County Schools believes that every individual deserves to be able to come to school without fear of demeaning remarks or actions. The harassment/bullying of other students or members of the staff, or any other individuals is not permitted. This includes any speech or action that creates a hostile, intimidating, or offensive learning environment.

### **SEXUAL HARASSMENT POLICY**

Sexual harassment is strictly forbidden at Rush County Schools, on its premises and during its programs and activities. Sexual harassment is any physical or verbal conduct of a sexual nature directed at a person because of his or her sex that interferes with the ability of a student or students to receive an education and is unwelcome and unwanted.

1. Verbal sexual harassment: repeated words or comments of a sexual nature that offend reasonable listeners can be sexual harassment.
2. Nonverbal sexual harassment: Sexual harassment can be the result of nonverbal sexual conduct, such as sexual gestures or actions.

### **CORRECTIVE ACTIONS**

Students are expected to treat their fellow students with dignity and respect at all times on school property and in school programs and activities. Disciplinary action may result from violations of the anti-harassment policy. Violations of this policy may be reported to teachers and administrators. The school strongly encourages students to report immediately. The school will make prompt and fair action to investigate any report and to stop harassment.

### **STUDENT RESPONSIBILITIES**

Any student who has knowledge of harassment or bullying or feels s/he has been a victim of bullying is encouraged to immediately report his/her concerns to an administrator or supervisor.

### **TEACHER RESPONSIBILITIES**

1. Teachers must take action and respond if a student complains of harassment or if inappropriate conduct is observed or reported.
2. Minor incidents may require counseling by the teacher. This may be enough to stop the harassment if it is a one time event.
3. Repeated or severe incidents should be reported to the principal. **ADMINISTRATOR RESPONSIBILITIES**
  1. Disseminate school harassment policy to larger school community and parents.
  2. Take immediate and corrective action to stop harassment and remedy any hostile environment that may have been created.

3. The response should take into consideration the age and maturity level of the student or students involved in the incident.

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

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

### **SEARCH AND SEIZURE ON SCHOOL PREMISES OR DURING A SCHOOL ACTIVITY**

1. As used in this section, “reasonable cause for a search” means circumstances which would cause a reasonable person to believe that the search of a particular person, place, or thing will lead to the discovery of:
  - (a) evidence of a violation of the student conduct standards contained in the student handbook;
  - (b) anything which because of its presence presents an immediate danger of physical harm or illness to any person.
2. All lockers and other storage areas provided for student use on school premises remain the property of the school corporation and are subject to procedures as listed:
  - (a) inspection;
  - (b) maintenance; and
  - (c) search, pursuant to this section.

No student shall lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by the principal of the school in which the locker or storage area is located. Unapproved locks shall be removed and destroyed.
  - (d) A school corporation must provide each student and each student’s parent a copy of the rules of the governing body on searches of students’ lockers and locker content.
  - (e) A student who uses a locker that is the property of the school corporation is presumed to have no expectation of privacy in that locker or the locker’s contents.
  - (f) A principal may, in accordance with the roles of the governing body, search a student’s locker and the locker’s contents at any time.
  - (g) A law enforcement agency having jurisdiction over the geographic area having a school facility containing a student’s locker may:
    - i. at the request of the school principal; and

- ii. 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.
- 3. The principal, or other member of the administrative staff designated in writing by the principal and acting at the direction of the principal, may search the person of a student during a school activity if the principal has reasonable cause for a search of that student. Searches of the person of a student shall be limited to:
  - (a) searches of the pockets of the student;
  - (b) any object in the possession of the student such as a purse or briefcase; and/or (c) a "pat down" of the exterior of the students' clothing.

Searches of the person of a student, which require removal of clothing other than footwear, a coat and/or jacket, shall be referred to a law enforcement officer in accordance with subsection C of this section. Searches of the person of a student shall be conducted in a private room by a person of the same sex as the student being searched. At least one but not more than three additional persons of the same sex as the student being searched shall witness but not participate in the search. At the request of the student to be searched, an additional person of the same sex as the student designated by the student, and then reasonably available on school premises shall witness the search. The parent or guardian of any student searched shall be notified of the search as soon as reasonably possible.

- 4. The privilege of bringing a student-operated motor vehicle onto school premises is hereby conditioned on written consent by the student driver, the owner of the motor vehicle and the parent or guardian of the student to allow search of that motor vehicle when there is reasonable cause for a search of that motor vehicle. Refusal by a student, parent or guardian, or the motor vehicle owner to provide or allow access to a motor vehicle, shall be cause for termination without further hearing of the privilege of bringing a motor vehicle onto school premises. The principal or a member of the administrative staff designated in writing by the principal may request a law enforcement officer to search a motor vehicle on school premises, subject to subsection G of this section.
- 5. Anything found in the course of a search conducted in accordance with this section which is evidence of a violation of the student conduct standards contained in the student handbook may be:
  - (a) seized and admitted as evidence in any suspension or expulsion proceeding if it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing;
  - (b) returned to the parent or guardian of the student from whom it was seized; and/or
  - (c) destroyed if it has no significant value, or turned over to any law enforcement officer in accordance with subsection G.
- 6. Anything found in the course of a search conducted in accordance with this section which by its presence presents an immediate danger of physical harm or illness to any person may be seized and: (a) returned to the parent or guardian of the student from whom it was seized; (b) destroyed; or (c) turned over to any law enforcement officer in accordance with subsection G.
- 7. The principal, or a member of the administrative staff designated in writing by the principal, may request the assistance of a law enforcement officer to:
  - (a) search any area of the school premises, any student, or any motor vehicle on school premises;
  - (b) identify or dispose of anything found in the course of a search conducted in accordance with the section; or
  - (c) utilize trained dogs for a search.

Where law enforcement officers respond to such a request, no school employee shall assist or otherwise participate in any search conducted.

Item B-1: This is limited to the principal or other members of the administrative staff designated in writing by the principal. Therefore, each principal shall designate the following positions:

- A. Superintendent
- B. Assistant Superintendent
- C. Administrative Assistant
- D. Assistant Principal

Item B-2: No designation is necessary and may include a member of the administrative staff or teacher.

Item C-2: The statute and case precedent (Highland Case) is very restrictive. Please note the limits for searches of the person by school personnel in C-1, 2, 3. The first sentence following C-3 should read subsection G and refers to law enforcement officers procedure. The following remainder of this paragraph refers to C-1, 2, 3, procedures (searches of the person). For item C, the following written designations are considered defensible and should be made by the principal: A. Superintendent

- B. Assistant Superintendent
- C. Administrative Assistant
- D. Assistant Principal
- E. Female nurse, counselor, teacher

Item G: This provides for such situations as bomb threats and other searches including search of a person beyond the limits of C-1, 2, 3. Please note the last sentence which totally removes the principal and the other school employees from the case. Written designations for section G should be the following:

- A. Superintendent
- B. Assistant Superintendent
- C. Administrative Assistant D. Assistant Principal

All written designation should state the name and position of the person being listed. All persons being designated should receive a copy of the written document. A total set of designation letters shall be filed with the Superintendent.

## **NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY INSTITUTIONS**

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

(1) The right to inspect and review the student's education records within 45 days 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.

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

Parents or eligible students who wish to ask the School to amend a record should write to the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and 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.

(3) The right to privacy of personally identifiable information 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 outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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

Family Policy Compliance Office  
U.S. Department of  
Education 400 Maryland  
Avenue, SW Washington, DC  
20202-8520

## **RELEASE OF DIRECTORY INFORMATION**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Rush County Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Rush County Schools may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Rush County Schools to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want Rush County Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within 30 days after receipt of the "Message to Parents". Rush County Schools has designated the following information as directory information: a student's name; grade; address; telephone number; photograph; date and place of birth; major field of study; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; awards received; listing on an honor roll, or scholarships.

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

### **RCS SCHOOL BOARD POLICY #8432**

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

This notice serves as the annual notice of the pest control policy to parents and staff. For information regarding pest control, you may contact Tim Hancock, Director of Maintenance, at 765-932-4186. Mr. Hancock will establish a registry of parents and staff members that wish to receive advance notice of all pesticide use and provide notice to those listed on the registry. A written record will be maintained for ninety (90) days of any pesticide applications.

The Corporation will provide notice to those in the registry at least two (2) school days prior to the date and time the pesticide application is to occur unless an emergency is declared. The notice will include the date and time of the pesticide application, the general area where the pesticide is to be applied and the telephone number to contact for more information.

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

## **UNAUTHORIZED USE OF SCHOOL PROPERTY**

Any student or other person that is found on school grounds or in school buildings at any time outside of school hours or without permission of the proper authorities shall be subject to prosecution in the Circuit or Juvenile Court.

## **CONCERNS/COMPLAINT PROCEDURE**

It is the policy of the Board to afford every individual having a complaint an orderly procedure for filing such a complaint so that he may have his complaint properly and carefully attended to, and in order that any person in respect of whom such a complaint is made may be properly protected. The procedure is as follows. Persons wishing to register a complaint or concern in regard to disciplinary action, including corporal punishment, should first discuss the matter with the individual teacher involved. If not satisfied, the discussion should continue with the building administrator. If further discussion is desired, it should be directed to the central administrative office. Unresolved matters may be appealed to the Board of

School Trustees. The procedure for appeal in cases of suspension and expulsion is contained in the student Due Process Manual as adopted by the Board of School Trustees as per IC 20-33-8-19. Further information can be found regarding public complaints and concerns by accessing the RCS School Board Policy #9130

## **SCHOOL LUNCH**

Cafeterias are provided in each school with hot lunches prepared daily by an excellent staff. Special federal support programs are made available to qualifying students.

### **Board Policy #8500- FOOD SERVICES**

The Board will provide cafeteria or serving facilities in all schools where space and facilities permit and food service for the purchase and consumption of lunch for all students.

The Board also will provide a breakfast program in accordance with procedures established by the State Department of Education.

The Food Service program will comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program. In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

Substitutions to the standard meal requirements shall be made, at no additional charge, for students who are certified by a licensed physician to have a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b. To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the student's diet; and
- C. the food(s) to be omitted from the student's diet and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

On a case-by-case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not "disabled persons," but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

On a case-by-case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not identified as having a disability but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and

B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

For students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

The operation and supervision of the food-service program is the responsibility of the Building Cafeteria Manager. Food services will be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board will assist the program by furnishing available space, initial major equipment, and utensils.

### **Meal Charges**

Lunch sold by the Corporation may be purchased by students, staff members and community residents in accordance with the procedures established by the Superintendent.

The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

The Board recognizes that circumstances may result in a student's need to charge lunch or breakfast on occasion and shall permit such charges.

Adult community residents shall not be permitted to charge meals.

The Superintendent shall develop procedures regarding meal charges, which shall be implemented by the Cafeteria Managers. This procedure will provide direction so that students attending Corporation schools who do not have funds in their account or on-hand to cover the cost of their meal at the time of service are treated consistently, parents of students who charge meals are notified when a student charges a meal, and efforts are made to collect the charges made by students so that the unpaid charges are not classified as "bad debt" at the end of the school year.

Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of \$15.00.

If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to his/her negative lunch account balance.

Furthermore, if a student has a significant negative lunch account balance, the student shall not be permitted to charge any à la carte food or beverage items.

Any significant negative lunch account balance should be pursued for collection before it is determined to be uncollectible pursuant to Policy [6151](#).

The Board's policy and Superintendent's procedure related to meal charges shall be distributed in writing to all households at the start of each school year and to households transferring to the school or Corporation during the school year. Additionally, the Board's policy and Superintendent's procedure related to meal charges shall be distributed to all Corporation staff responsible for policy enforcement, including Corporation food service employees, accounting staff, and all other staff involved in enforcing any aspect of the meal charge policy at the beginning of the school year. If the Corporation contracts with any third party to provide food services, the Board policy and Superintendent's procedure also must be distributed to the contractor and its employees working in the Corporation schools.

A lunch account becomes inactive after 4 weeks with no deposits or withdrawals. An inactive lunch account that has a positive balance of \$10.00 or less may be received back into the school lunch fund where the School Lunch Program funds are maintained. An inactive lunch account that has a nominal negative account balance of \$10.00 or less may be offset against the positive balances in the Fund; provided, however, that if the parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.

## Bad Debt/Uncollectible Debt

**Significant negative lunch account balances that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the Corporation for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the Corporation general fund or other State or local funding to make that reimbursement.**

Once the uncollectible/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b). Any related collection costs, including legal costs, arising from such bad debt after they have been determined to be uncollectible also are unallowable.

Bad debt may be removed from accounts receivable in accordance with Policy [6151](#).

In accordance with Federal law, Building Cafeteria Manager will take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request.

A periodic review of the food-service accounts will be made by the Director of Finance. Any surplus funds from the National School Lunch Program will be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from à la carte foods may accrue to the Food Service program.

With regard to the operation of the Corporation Food Service program, the Superintendent shall require the:

- A. maintenance of sanitary, neat premises free from fire and health hazards;
- B. preparation of food that complies with Federal food safety regulations;
- C. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy [1130](#), Policy 1214, Policy [3113](#), Policy 3214, Policy [4113](#), Policy 4214, and Policy [6460](#));
- D. accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- E. safekeeping and storage of food and food equipment pursuant to USDA regulations;
- F. regular maintenance and replacement of equipment.

No foods or beverages, other than those associated with the Corporation's food-service program, are to be sold during food service hours. The Corporation's food service program will serve only food items and beverages as determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans. Any competitive food items and beverages that are available for sale to students à la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period shall also comply with the current *Nutrition Standards for the National School Lunch and School Breakfast Programs*, and the USDA *Smart Snacks in Schools* regulations. Foods and beverages unassociated with the food-service program may be vended subject to the limitations of State law in accordance with the rules and regulations set forth in Policy [8540](#).

The Superintendent will require that the Food Service program serve foods in the schools of the Corporation that are wholesome and nutritious and reinforce the concepts taught in the classroom.