

PREAMBLE

The New Albany-Floyd County Consolidated School Corporation recognizes: (a) that education is a basic citizenship right; (b) that students have full rights of citizenship as delineated in the U.S. Constitution and its amendments; and (c) that citizenship rights must not be abridged, obstructed, or in other ways altered, except in accordance with due process of law.

Just as in our democratic society at large, the foundation and success in public school education depends on the balance of individual rights and individual responsibilities. Certain standards of student conduct are necessary to assure that individuals seeking to express their rights do not at the same time infringe upon the rights of others. Self-discipline, which comes from understanding this balance of rights and responsibilities, is essential in any democracy. The schools believe that self-discipline is promoted not only through instruction about our representative form of government, but also through practicing democracy in the schools, in the home, and throughout the community.

Those enjoying the benefits of citizenship in the school community must also accept the responsibilities of school citizenship. A democratic school must have rules and regulations just as must the larger democratic society. It is the responsibility of students, parents, educators and the community to work to establish rules and regulations which promote the best possible learning environment for all those involved in the educational process. Not only should the school environment provide equal opportunity for all, it should also permit the teaching-learning process to proceed in an orderly manner.

In an effort to create a more democratic school society, the Board of School Trustees of the New Albany-Floyd County Consolidated School Corporation has outlined some of the basic rights and responsibilities which will allow self-disciplined students to better govern themselves within the total school environment. These policy statements made by the Board of School Trustees are summarized below under eight main headings: (I) Basic Rights and Responsibilities of Students, (II) Enforcement of Rules and Regulations, (III) Procedure for Handling Suspensions and Expulsions from school, (IV) School Safety Policy, (V) Drug and Alcohol Abuse Policy, (VI) Driver's License Policy, (VII) School Bus Safety Code, and (VIII) Telecommunication.

As set out in Indiana law, I.C. 20-33-8, in all matters relating to the discipline and conduct of students, School Corporation personnel stand in the relation of parents and guardians to the students of the School Corporation. Therefore, School Corporation personnel have the right, subject to Indiana law, to take any disciplinary action necessary to promote student conduct that conforms with an orderly and effective educational system. Students must follow responsible directions of school personnel in all educational settings and refrain from disruptive behavior that interferes with the educational environment.

I. BASIC RIGHTS AND RESPONSIBILITIES OF STUDENTS

1. Freedom of Speech and Assembly

- a.** Students are entitled to express their personal opinions verbally as long as such opinions do not interfere with the freedom of others to express themselves. Students may not use lewd, vulgar, indecent or offensive speech, or engage in lewd, vulgar, indecent or offensive conduct while participating in, or present at, any school activity or any school sponsored extracurricular activity.
- b.** Students have the freedom to assemble peacefully. There is an appropriate time and place for the expression of opinions and beliefs. Conducting demonstrations which

interfere with the operation of the school or classroom is inappropriate and prohibited. All student meetings in school buildings or on school grounds may function only as a part of the formal educational process or as authorized by the school principal. The use of obscenities or personal attacks is prohibited. Violence, threats of violence and possession, use or threatened use of weapons are prohibited.

2. Freedom to Publish

- a. Students are entitled to express their personal opinions in writing, as long as they do not use lewd, vulgar, indecent or offensive language in such writing.
- b. Students may edit, publish, and distribute printed, handwritten, or duplicated matter among their fellow students within the schools. Students must assume the responsibility for the content of such publications or handwritten opinions. The distribution of such material must not interfere with, or disrupt, the educational process, **learning environment, or endanger the safety of student and employees.** Such material must be signed by the authors. Libel, obscenities, and personal attacks as well as lewd, vulgar, indecent and offensive language are prohibited in all material written, edited, published, or distributed by students in school, on school grounds, at any school sponsored functions, or at any time while under the supervision of school personnel.

3. Search and Seizure

- a. A student is presumed to have no expectation of privacy in a school locker, desk or other area assigned to the student, or in the contents of those assigned areas.
- b. The school principal or another member of the administrative staff designated in writing by the principal may search a student's locker or other assigned area at any time.
- c. Other than a general search of student lockers or other assigned areas, any search shall be, where possible, conducted in the presence of the student whose locker is the subject of the search.
- d. A law enforcement officer with appropriate jurisdiction may, at the request of the school principal, assist the school administration in searching such a locker and its contents.
- e. **The principal or designee may search the person or property (including vehicles) of a student, with or without the student's consent, whenever they have reasonable suspicion to suspect that the search is required to discover evidence of a violation of law or of schools rules. The extent and conduct of a search will be governed by the student's age, gender, and the nature of the infraction. Strip searches are prohibited. School authorities may also search a student's person, in exercise of the duty to enforce school rules, if such authorities have a reasonable suspicion that illegal or stolen items are likely to be found on the student's person. School authorities may not conduct "strip searches".**
- f. **Driving to school and utilizing the school parking lot are privileges for student drivers. Any student who parks his/her car in a school parking lot consents to a search of the car if the school administration has reasonable suspicion to do so and or by a drug detecting dog provided by local law enforcement official.**

- g. In an effort to promote a drug-free campus and to protect the safety and health of the district's faculty, staff, and students, the district may routinely partner with the local law enforcement to conduct random searches of lockers, classrooms, and school parking lots. During those partnerships, the board has authorized the use of specially trained dogs to locate and detect the presence of weapons and prohibited drugs on school property.

4. Married Students

- a. It is the responsibility of students who are married to declare their married status at the time of marriage or at the time of enrollment in school.
- b. Married students are subject to all rules and regulations that apply to the entire student body.

5. Pregnant Students

- a. Pregnant students are expected to attend school regularly as are all other students.
- b. If a pregnant student has unusual medical or other problems, there are alternatives to full time school attendance which will fulfill the compulsory attendance requirement during pregnancy.
- c. A pregnant student experiencing medical or other problems which interfere with school achievement should contact her counselor who will refer her to the appropriate central office administrator.

6. Identification

It is the responsibility of all persons, upon request, to identify themselves to proper school authorities in the school buildings, on school grounds, or at school sponsored events.

7. Student Conduct at Events on and off School Grounds and at Other Times When Not at School

- a. The New Albany-Floyd County Consolidated School Corporation has adopted a School Safety Policy governing students who commit, attempt to commit, or threaten aggressive acts toward persons (students, employees or visitors) or property. This Policy applies when a student is on a school bus, on school grounds, off school grounds at a school activity, function or event and while traveling to and from school or a school activity, function or event. This Policy may also apply when a student's conduct is unlawful and may reasonably be considered to be interference with school purposes or an educational function, when such conduct occurs during weekends, holidays, school recesses, or during the summer when a student may not be attending classes or other school functions. Students who commit these acts will be suspended and may be expelled for up to one (1) school year or one (1) calendar year, as set out in Article II, below.
- b. Students are required to observe school rules and regulations and to be subject to the authority of school officials at school events, whether on or off school grounds. Students are required to be courteous and obedient in response to all reasonable orders from school personnel whether on or off school grounds.

8. Gang Activities, Clothing or Accessories

Gangs and gang related activities, clothing and accessories are prohibited on school property at all times. A “gang” is defined in this Policy as any ongoing organization, association or group of three (3) or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts or violations of School Corporation rules and regulations, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in gang activities. Gang signs, symbols and membership activities are also prohibited. Any gang activity, clothing or accessory that can be construed to intimidate, separate or distract students from the primary mission of the schools is prohibited and provides grounds for suspension or expulsion under Article II, herein.

9. Policy Against Discrimination and Harassment on the Basis of Race, Sex and Other Protected Characteristics

- a.** It is the Policy of the New Albany-Floyd County Consolidated School Corporation to maintain and operate a learning and working environment that is free from racial discrimination and racial harassment, and discrimination and harassment on the basis of sex (including sexual stereotype nonconformity), age, color, creed, disability, limited English proficiency, family status, national origin or religion; thereby to protect employee and student interest in personal dignity and freedom from humiliation, to make available to the Corporation their full productive capacities, to secure the Corporation against domestic strife and unrest which would menace its democratic institutions, to preserve the public safety, health and general welfare, and to further the interests, rights and privileges of individuals within the Corporation.
- b.** It shall be a violation of this Policy for any employee of the New Albany-Floyd County Consolidated School Corporation to discriminate against or harass another employee or student based upon race, sex (including sexual stereotype nonconformity), age, color, creed, disability, limited English proficiency, family status, national origin or religion. It shall be a violation of this Policy for any student to discriminate against or harass another student or an employee based upon any of the above mentioned protected characteristics.
- c.** The New Albany-Floyd County Consolidated School Corporation does not discriminate on the basis of race, sex, age, color, creed, disability, limited English proficiency, family status, national origin or religion in employment or in the educational programs and activities which it operates, in accordance with applicable state and federal statutes and regulations.
- d.** The School Corporation has appointed the Assistant Superintendent for Administration and Operations, 2813 Grant Line Road, Telephone 542-2106, as Equal Employment/Educational Opportunity Officer to coordinate and carry out its Policies against discrimination and harassment on the basis of any protected characteristic. Any inquiries regarding the School Corporation’s Policies in this matter should be directed to the Assistant Superintendent for Administration and Operations who will investigate all complaints alleging that the School Corporation, an employee or a student has discriminated against or harassed any person on the basis of a protected characteristic. Inquiries concerning the application of any federal civil rights statute or regulation may also be referred to the Regional Director, United

States Department of Education, Office for Civil Rights, Region V, 500 West Madison Street, 7th Floor, Chicago, Illinois 60661.

- e. When a student, a student's parent or guardian, employee, applicant for employment, or a member of the public believes that he or she has been discriminated against or harassed by a School Corporation employee or student on the basis of race, sex, age, color, creed, disability, limited English proficiency, family status, national origin or religion, he or she may file an informal or a formal complaint under the procedure established by the School Corporation to enforce Policies against such discrimination and harassment. He or she may contact the corporation EEO Officer for assistance in processing such a complaint. Copies of the complete Policies, enforcement procedures and the Complaint Report Form are available in the offices of all schools and of the Administrative Services Center, 2813 Grant Line Road, New Albany, Indiana 47150.

10. Human Dignity Policy

It is the policy of the School Corporation that all employees, parents/guardians, students and members of the community are entitled to be treated and are obligated to treat others with courtesy, fairness and decency. Respect for the dignity and worth of every member of the school community must be recognized and promoted in the School Corporation. Accordingly, it is a violation of Board Policy to degrade, demean, harass, haze, bully, stereotype or ridicule any person on the basis of any assumed, perceived or actual characteristic, whether or not such characteristic is listed as a protected characteristic.

11. Charges by a Parent/Student

When a student or his/her parents believe that the student is being improperly treated, or improperly denied participation in any educational function of the School Corporation, or is being subjected to an illegal rule or standard, as provided by the statutes of the State of Indiana or applicable statutes of the United States, or by the Constitutions of the State of Indiana or of the United States, they may file a signed complaint form with the administration and if unable to work out their problems with the administrative staff, they shall be entitled to initiate a conference with the Superintendent or designee by filing a charge with the Superintendent in the same manner as a charge is initiated by the principal under Article III of this Guide.

12. Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

- a. FERPA affords parents and students over eighteen (18) years of age ("eligible students") certain rights with respect to student education records. They are:
 - (1) The right to inspect and review the student's records within forty-five (45) days of the day the School Corporation receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal 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 is inaccurate or misleading. Parents or

eligible students should write the school principal, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading. If the School Corporation decides not to amend the record as requested, the School Corporation will notify the parent or eligible student of the decision and advise them of his/her 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 consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. FERPA allows disclosure of student educational records to school officials without consent. "School officials" include administrators, supervisors, instructors, support personnel, health and medical staff, law enforcement unit personnel, School Board members, persons or companies contacted to perform a special task, or a parent or student serving on an official committee or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest in the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School Corporation disclosed education records without consent to officials of another school corporation in which a student seeks or intends to enroll.

- (4) The School Corporation has classified the following information about individual students as "Directory Information" under FERPA and will release such information, without consent, except as set out below:

Name; address; telephone listing; date and place of birth; school enrolled in; photograph or videotape not used in a disciplinary matter; student work displayed at the discretion of the teacher with no grade displayed; academic majors and minors; participation in any officially recognized activities or sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; recognition of service or achievement; and the most recent previous educational agency or institution attended.

If a parent or guardian does not wish to have some of the above listed Directory Information items pertaining to his/her child released without prior parent's or eligible student's consent, such parent or eligible student must submit a written signed statement indicating that consent must be secured to: Deputy Superintendent, P.O. Box 1087, New Albany, Indiana 47151-1087. Such statement must be submitted not later than October 15 of a school year or within thirty (30) days of the student's initial enrollment for the school year.

- (5) The School Corporation will also release Directory Information to representatives of the U.S. Armed Forces and the service academies of the U.S. Armed Forces unless a parent, guardian or student submits a written, signed request that such information not be released; such request must be submitted to the principal of the student's school not later than the end of the student's sophomore year.

- (6) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School Corporation 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
600 Independence Avenue, S.W.
Washington, D.C. 20202-4605

13. Screening for Health Concerns

In the course of each school year, the School Corporation provides the opportunity for students at some grade levels, or in some programs to be screened for possible health concerns which could adversely affect a student's performance in the educational program of the School Corporation, including, but not limited to hearing and sight. If parents or guardians do not wish to have their child or ward screened for these possible health concerns **because of religious beliefs**, such parents or guardians must submit to the building principal a written signed statement **indicating to** that **the parent objects on religious grounds** effect.

14. Student Insurance

Unless proven negligent, the School Corporation and School Corporation personnel assume no financial responsibility for medical expenses, treatment or damages resulting from injuries sustained by students while participating in any School Corporation sponsored educational program, or practicing for or participating in athletics, or any other school activity. The School Corporation makes student accident insurance available through a commercial insurance carrier; the protection and limitations are stated in the policy. Enrollment in this student accident insurance program is voluntary. If parents decide not to enroll in the student accident insurance program, it is the parents' responsibility to provide appropriate insurance, or to assume the risk of possible financial responsibility inherent in having their child participate in any school activities. Individual schools may request that parents provide the name of the company carrying the family's health and accident insurance, in order for school officials to have this information in cases of medical emergency.

15. Lost, Stolen, or Damaged Student-Owned Property

The School Corporation and School Corporation personnel assume no financial responsibility for lost, stolen or damaged student-owned property while such property is on the school grounds, or is being used at any school related activity off school grounds.

16. Unsupervised Students on School Property

The School Corporation and its employees assume no responsibility for the safety of students who are on school property at times when they are not involved in a school activity under the direct supervision of School Corporation personnel.

17. Self-Administration of Medications (I.C. 20-33-8-13)

Before any prescribed medication or treatment may be administered to any student during school hours, the proper form completed by the student's doctor and parent/legal

guardian must be completed. The medication must be furnished to the school in compliance with appropriate policy on labeling and packaging.

Notwithstanding, a student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition if the following conditions are met:

- (a) The student's parent has completed the Student Authority to Possess and Administer Medication form. The authorization must include a statement in writing by a licensed physician that:
 - a. the student has an acute or chronic disease or medical condition for which the physician has prescribed medication.
 - b. the student has been instructed in how to self-administer the medication; and
 - c. the nature of the disease or medical condition requiring administration of the medication.
- (b) the authorization and physician's statement described in subsection (a) must be submitted annually.

18. Enrollment/Residence/Withdrawal

Resident students are those whose legal settlement is within the corporation's geographic boundary. A student's legal settlement will be determined under applicable Indiana law. A student's legal settlement will also determine the student's school attendance area within New Albany-Floyd County School Corporation. The Corporation will accept the transfer of students who do not have legal settlement with the school corporation according to School Board Policy.

19. Parental Involvement/Visitor/Media

The school welcomes and encourages parental visits to school, parent volunteering, and other parental involvement in their student's education. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls.

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

Parents will be involved in the planning, review and improvement of the corporation's Title I programs, and timely responses will be given to parental questions, concerns, and recommendations. Information concerning school performance profiles and their child's individual performance will be communicated to parents.

20. **McKinney Vento**

Children who meet the legal definition of a “homeless” student (McKinney-Vento) will not be denied enrollment based on a lack of proof of residency and will be provided a free appropriate public education in the same manner as all other students of the District. Questions about enrollment of a student who may be considered homeless should be directed to Tony Duffy, the Director of Elementary Ed.

21. **ASBESTOS**

An asbestos management plan is on file in the main office and is available for review by the public.

II. ENFORCEMENT OF RULES AND REGULATIONS

When self-discipline fails, regulations for management of school behavior must be enforced by those directly responsible for the operation of the schools. School staff members will make every effort, individually, collectively, and cooperatively, with appropriate available community resources, to help each student gain acceptable self-discipline standards. The Board of School Trustees of the New Albany-Floyd County Consolidated School Corporation has this legal responsibility. Authority for such action is given in the School Powers Act and the Student Due Process Statute, I.C. 20-33-8, et. seq. The Board of School Trustees has established policy in the Policy Manual of the New Albany-Floyd County Consolidated School Corporation and appointed administrative officers to carry out those Policies as amended.

1. After School Detainment

Students may be detained after school, but only for a reasonable length of time. (A “reasonable length of time” is determined by the child’s age and other factors.) Unusual delays should be reported to the parent by the school by telephone if possible.

2. Restraint and Seclusion

New Albany-Floyd County Consolidated School Corporation has a plan in place for the use of restraint and seclusion to control students only if there is an imminent risk of injury to the student or to another person and in emergency situations.

3. Teacher Temporary Dismissal

A teacher may dismiss a student from participation in any educational function under that teacher’s charge and supervision for a period not to exceed one (1) school day, when a student interferes with the educational function of which the teacher is then in charge.

4. Suspension

A principal or designee may deny a student the right to attend school or to take part in any school function for a period of up to ~~ten (10) five (5)~~ school days in the following instances:

- a. When the school personnel in charge of a student consider the behavior of any student under their supervision to be so serious as to warrant the principal's attention;
- b. When the alleged misconduct constitutes a violation of any of the "Grounds for Expulsion or Suspension". ~~The principal or designee may extend a suspension to a total of ten (10) school days, when the misconduct constitutes a violation of any of the "Grounds for Expulsion or Suspension" and the principal or designee recommends that the student be expelled from the School Corporation.~~

The principal or designee shall provide notice and hold a conference with the student prior to the suspension. ~~During the conference, the student is entitled to the following:~~

1. ~~A written or oral statement of the charges against the student;~~
2. ~~A summary of the evidence against the student; and if the student denies the charges, and~~
3. ~~An opportunity for the student to explain the student's conduct.~~

~~except where~~ If the circumstances or the nature of the misconduct requires immediate removal ~~In such a situation~~, the notice and conference shall follow as soon as reasonably possible after the suspension.

~~Following a student's suspension, the principal or designee shall send a written statement to the parent of the suspended student describing the student's misconduct and the action taken by the principal or designee.~~

5. Expulsion

a. **An expulsion is:**

- (1) A denial of the right of a student to take part in any school function for any period greater than ten (10) school days;
- (2) A separation from school attendance for the remainder of the current semester or current year unless the student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year.

b. ~~Generally, an expulsion will not be longer than the remainder of the school year in which the expulsion took affect if the misconduct occurred during the first semester. If the misconduct occurred ~~D~~ during the second semester of any the school year, a principal may request that an expulsion remain in effect through the following summer session and/or the first semester of the following school year.~~

c. An expulsion for a full school year may be for fewer than the total number of student days in a full school year when such expulsion results in the loss of school credit for two school semesters, or for two school semesters and a summer session.

- d. An expulsion for violation of the rule against knowingly possessing, handling, or transmitting a firearm, while under the jurisdiction of the School Corporation, will be for a full calendar year, as set out in Article II, Section 8, f., below.
- e. The expulsion process offers the opportunity for a student due process meeting (See Article III, below).
- f. An expulsion that takes effect more than three (3) weeks before the beginning of the second semester of a school year must be reviewed before the beginning of the second semester. An expulsion that will remain in effect during the first semester of the following school year must be reviewed before the beginning of the school year. Such reviews shall be conducted by the Superintendent or his/her designee after notice of the review has been given to the student and the student's parent or guardian. The review is limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original expulsion meeting and may lead to a recommendation that the student be reinstated for that semester.
- g. A principal may require a student who is at least sixteen (16) years of age and who wishes to enroll after an expulsion to attend an alternative program.
- h. An expulsion for violation of the Drug and Alcohol Abuse Policy of the School Corporation (See Article V) which occurs during the first semester of a school year shall include the remainder of the school year.
- i. An expulsion for violation of the Drug and Alcohol Abuse Policy of the School Corporation which occurs during the second semester of a school year shall include the following summer session and the first semester of the succeeding school year.

6. Other Disciplinary Actions Which Do Not Constitute a Suspension or An Expulsion

- a. A principal, teacher or other school staff member who supervises students may discipline a student by:
 - (1) Counseling with a student or group of students;
 - (2) Conferencing with a parent or group of parents;
 - (3) Assigning work;
 - (4) Rearranging class schedules;
 - (5) Requiring a student to remain in school after regular school hours to do school work or for counseling;
 - (6) Restricting athletic and other extracurricular activities, including removal from participation in such activities; and
 - (7) Removing a student from any noncredit school activity.
- b. A principal or designee may assign a student to:
 - (1) A special course of study;
 - (2) An alternative educational program; or
 - (3) An alternative school.
- c. A principal or designee may remove a student:
 - (1) From school sponsored transportation;
 - (2) From school, if a student is ill, has a communicable disease, or is infested with parasites (I.C. 20-34-3-9); and
 - (3) From school, for failure to comply with the immunization requirements of I.C. 20-34-4-5

- d. The disciplinary actions listed in this Section do not constitute suspensions or expulsions.

7. Application of the Grounds for Expulsion or Suspension

The grounds for expulsion or suspension, set out below, apply when a student is:

- a. On a school bus;
- b. On school grounds immediately before, during and immediately after school hours and at any time when the school is being used by a school group;
- c. Off school grounds at a school activity, function, or event, or;
- d. Traveling to or from school or a school activity, function, or event. The grounds for expulsion or suspension may also apply when a student's conduct is unlawful and may reasonably be considered to be interference with school purposes or an educational function when such activity occurs during weekends, holidays, school recesses, or during the summer when a student may not be attending classes or other school functions.
- e. The grounds for bullying may be applied regardless of physical location of the bullying behavior when a student demonstrating bullying behavior and the targeted student attend a school within the Corporation.

8. Grounds for Expulsion or Suspension are:

The following are the grounds for student suspension or expulsion, subject to the procedural requirements, set out below:

- (1) Student misconduct; and
- (2) Substantial disobedience.

The following enumeration is illustrative of the type of conduct prohibited by this Section. This list is not exhaustive.

- a. Use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or other conduct, constituting an interference with school purposes, or urging other students to engage in such conduct:
 - (1) Occupying any school building, school grounds, or part thereof with intent to deprive others of its use;
 - (2) Blocking the entrance or exit of any school building or corridor or room therein with intent to deprive others of lawful access to or exit from, or use of, the building or corridor or room;
 - (3) Setting fire to or substantially damaging any school building or property;
 - (4) Making bomb threats, false 911 calls, false fire alarms or throwing smoke bombs, fireworks or other comparable conduct;
 - (5) Firing, displaying or threatening use of firearms, explosives, or other weapons on school premises for any unlawful purpose.
 - (6) Preventing or attempting to prevent by physical act the convening or continued functioning of any school or education function, or of any lawful meeting or assembly on school property;
 - (7) Intentionally making noise or acting in any manner so as to interfere with the ability of any teacher or any other school personnel to conduct the educational

function under their supervision. This subparagraph shall not, however, be construed to make any particular student conduct a ground for expulsion where such conduct is constitutionally protected as an exercise of free speech or assembly or other right under the Constitution of Indiana or the United States.

- (8)** Discriminating or harassing on the basis of race, sex or other protected characteristic in violation of the Policies described in Article I, Section 12, above.
 - (9)** Possessing, handling or transmitting a knife or any object that can reasonably be considered a weapon, is represented to be a weapon, or looks like a weapon.
 - (10)** Violating the School Safety Policy (Section IV).
- b.** Causing or attempting to cause damage to school property, stealing or attempting to steal school property.
 - c.** Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
 - d.** Causing or attempting to cause physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief that it was necessary to protect oneself and/or another person is not a violation of this rule.
 - e.** Engaging in any kind of aggressive behavior that does physical or psychological harm to another person or urging of other students to engage in such conduct. Prohibited conduct includes coercion, harassment, hazing, or other comparable conduct.
 - f.** Engaging in 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.
 - g.** A student will be expelled for a full calendar year for knowingly possessing, handling, or transmitting a firearm, deadly weapon, and/or destructive device as defined by Indiana law, while under the jurisdiction of the School Corporation. Under I.C. 35-47-1-5, a “Firearm” means any weapon that is capable of or designed to or that may readily be converted to expel a projectile by means of an explosion. Under I.C. 35 – 31.5-2-86-41-1-8, a “Deadly Weapon” means 1) a loaded or unloaded firearm; 2) a destructive device weapon, device, 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; 3) an animal that is readily capable of causing serious bodily injury, and used in the commission or attempted commission of a crime; or 4) a biological disease, virus, or organism that is capable of causing serious bodily injury. Under I.C. 35-47.5-2-4, a “Destructive Device” means 1) an explosive, incendiary, or overpressure device that is configured as a bomb, grenade, rocket with a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge or more than one-quarter (1/4) ounce, mine, molotov cocktail or device that is substantially similar to an item previously described; 2) 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 (11/2) inch; or 3) a combination of parts designed or intended for use in the conversion of a device into a destructive device. A student expelled under this provision will not be

reenrolled in the School Corporation until the beginning of the semester following the end of the expulsion. The length of the expulsion may be reduced by the Superintendent or designee, if the circumstances warrant such reduction.

- h.** Threatening (whether specific or general in nature) injury to persons or damage to property or intimidating any person for any purpose, including obtaining money or anything of value regardless of whether there is a present ability to commit the act.
- i.** 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 of another person or persons or damage property when the student has information about such actions or plans.
- j.** It shall be grounds for an immediate expulsion for any student to knowingly transmit or attempt to transmit any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol or other intoxicant, or a stimulant, or a depressant, whether such substance is sold with or without prescription or is contained on the list of controlled substances issued by the federal government or the state of Indiana.
 - (1)** It shall be sufficient grounds to prove transmitting a substance governed by this regulation if the provider transmits a substance which closely resembles such a substance, or which he/she represents to be such a substance.
 - (2)** It is a violation of this Policy for a student to transmit paraphernalia used with any of the substances listed herein.
 - (3)** A charge of transmitting a substance covered by this subsection shall include a charge of possession of such substance.
- k.** It shall be grounds for an immediate ten (10) day suspension pending expulsion for any student to knowingly possess, use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol or other intoxicant, or a stimulant, or a depressant, whether such substance is sold with or without prescription or is contained on the list of controlled substances issued by the federal government or the state of Indiana.
 - (1)** It shall be sufficient grounds to prove possession or use of a substance governed by this regulation if the student uses or possesses material which closely resembles such a substance or which he/she represents to be such a substance.
 - (2)** It is a violation of this Policy for a student to possess paraphernalia used with any of the substances listed herein.
 - (3)** Use of medication by a student when such medication has been prescribed for that student by a health care provider authorized by law to prescribe medication does not violate this rule, provided such medication is used by the student in accordance with the School Corporation policy governing the use of prescription drugs while under the jurisdiction of school authorities.
 - (4)** First time offenders determined to be in possession or under the influence of a prohibited substance, as set out herein, shall be immediately suspended for five (5) days pending expulsion; however, an alternative to expulsion shall be offered, by the school administrator to the student and his/her parents or guardian. A student is eligible for participation in this alternative program only one (1) time at each level of instruction (elementary, middle, and high) during his/her total enrollment in the New Albany-Floyd County Consolidated School Corporation.

- (5) Second or repeat offenders determined to be in possession or under the influence of a chemical substance, as set out herein shall be immediately suspended pending expulsion without being offered the alternative educational program.
 - (6) This program shall attempt to assist students in maintaining responsible behavior so that they may successfully complete school after experiencing the consequences of their violation of this Policy.
 - (7) If this alternative is chosen by the student and parents or guardian, the student must attend all sessions of the program. Any cost for the alternative program will be the responsibility of the student's parents or guardian.
 - (8) If a student enrolls in the alternative program and then withdraws or otherwise fails to satisfactorily complete the program, the building administrator shall immediately resume the expulsion process for such student.
 - (9) If the student or his/her parents or guardian do not choose to participate in the alternative educational program, the building administrator shall immediately resume the expulsion process for such student. Such student may also be referred to the proper authorities.
- l. Intending to cause intoxication, euphoria, excitement or a similar condition, ingesting or inhaling, or attempting to ingest or inhale the fumes of model glue or a substance containing toluene, acetone, benzene, N-butyl nitrite or other similar substances.
 - m. Possessing, using, distributing, or selling tobacco, nicotine-containing products, or electronic cigarettes.
 - n. Engaging in a violation of criminal law which constitutes a danger to other students, or constitutes an interference with school purposes or an educational function.
 - o. Violating or repeatedly violating any rules that are reasonably necessary in carrying out school purposes or an educational function, including, but not limited to:
 - (1) Engaging in of sexual harassment of a student or staff member;
 - (2) Disobedience of administrative authority;
 - (3) Engaging in speech or conduct that is profane, indecent, lewd, or refers to illegal activity;
 - (4) Violation of the Corporation's acceptable use of technology policy or rules;
 - (5) Violation of the Corporation's administration of medication policy or rules.
 - p. 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 such failure constitutes an interference with school purposes or an educational function.
 - q. Excessive truancy or absence from school without the knowledge and consent of both the parent and the school.
 - r. Excessive cutting of classes and/or tardiness to classes.
 - s. Living outside of the New Albany-Floyd County Consolidated School Corporation attendance area without approval of the Corporation.
 - t. 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.
 - u. Falsely accusing any person of sexual harassment, or violating a school rule, and/or state or federal law.

- v. While on school grounds during school hours, knowingly possessing or using a laser pointer, and electronic paging device, a handheld portable telephone, CD player, MP3 player, camera, or any other electronic communication device in a situation or for a purpose not related to a school activity or an educational assignment without permission from the school principal or designee.
- w. 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. Images suspected to violate criminal laws will be referred to law enforcement authorities.
- x. Text messaging inappropriate comments, pictures or videos that contain sexual, humiliating, harassing or threatening messages.
- y. Engaging in sexual activity that may include, but is not limited to, the showing of breasts or genitals.
- z. Taking, recording, displaying and/or distributing pictures (digital or otherwise), video or audio recordings without the consent of the student or staff member in a situation that is unrelated to a school purpose or function.
- aa. Aiding, assisting, agreeing or conspiring with another person to violate these student conduct rules or state or federal law.
- bb. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
- cc. Engaging in pranks or other similar activity that could result in harm to another person.
- dd. Violating any school conduct rule the building principal establishes and give notice to students and parents.
- ee. Engaging in bullying which 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 behaviors committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student, creating for the targeted student an objectively hostile school environment that:
 - (1) places the targeted student in reasonable fear of harm to his or her person or property;
 - (2) has a substantially detrimental effect on the targeted student's physical or mental health;
 - (3) has the effect of substantially interfering with the targeted student's academic performance; or
 - (4) has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, or privileges provided by the school

III. PROCEDURE FOR HANDLING SUSPENSIONS AND EXPULSIONS FROM SCHOOL

The Board of School Trustees of the New Albany-Floyd County Consolidated School Corporation has provided a procedure for the handling of student suspensions and expulsions

from school. The basic premise of this policy is fairness. A full text of the procedure required by Indiana Law is available in the Administrative Services Center, 2813 Grant Line Road, New Albany, Indiana 47150, upon request. The following is a summary of that procedure.

1. A principal or designee may suspend a student from school for a period not to exceed ~~five (5)~~ **ten (10)** school days. ~~unless expulsion is also recommended, in which case the suspension may be for ten (10) school days.~~ The principal or designee shall send a written statement to the student's parents describing the student's conduct, misconduct or violation of any rule or standard and the reasons for the action taken. The principal or designee shall make a reasonable effort to hold a conference with the parents before or at the time the student returns to school. A student may be suspended from school pending a meeting on his/her expulsion.
2. If, after an investigation, the principal or designee decides that expulsion is warranted for any student, he/she shall file a written charge with the Superintendent requesting that the student be expelled.
3. If the student has an ~~identified designated handicap or~~ **identified designated handicap or** disability and is receiving special education services in the School Corporation, the principal or designee will contact the Director of Student Support Services to schedule a causal relationship case conference at the time he/she submits a written charge to the superintendent. If the case conference committee determines that no causal relationship exists, under Article 7, the principal or designee may proceed with the expulsion recommendation.
4. When a principal or designee recommends to the Superintendent that a student be expelled from school, the following procedures will be followed:
 - a. The Superintendent may conduct an expulsion meeting, or may appoint one of the following persons to conduct the expulsion meeting:
 - (1) A member of the administrative staff who did not recommend that the student be expelled and who was not involved in the events giving rise to that recommendation; or
 - (2) Legal counsel.
 - b. The Superintendent or the person appointed to hold the expulsion meeting may continue the suspension of a student for more than the ten (10) school day period of the principal's suspension and until the time of the expulsion decision, if he/she determines that the student's continued suspension will prevent or substantially reduce the risk of:
 - (1) Interference with an educational function or school purpose; or
 - (2) A physical injury to the student, other students, school employees or visitors to the school. However, a student may not be suspended from school pending an expulsion meeting on a student's legal settlement in the School Corporation.
 - c. An expulsion will not take place until the student and the student's parent or guardian are offered the opportunity to request an expulsion meeting conducted by the Superintendent or the person designated by the Superintendent.
 - d. The opportunity to request an expulsion meeting will be in writing, delivered by certified mail or by personal delivery and contain the reasons for the recommended expulsion and the length of expulsion recommended. For purposes of this provision,

a notice of opportunity to request an expulsion meeting or notice of the action taken at an expulsion meeting is effectively given at the time the notice is delivered personally or sent by certified mail to a student and the student's parent or guardian.

- e. Failure by a student or a student's parent or guardian to request or to appear at an expulsion meeting shall be deemed a waiver of all rights administratively to contest the expulsion or to appeal it to the Board of School Trustees.
- f. The Superintendent or the person designated to hold an expulsion meeting may issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at an expulsion meeting.
- g. At the expulsion meeting, the principal or designee will present information to support the charges against the student. The student, parent or guardian will have the opportunity to answer the charges against the student, and to present information to support the student's position.
- h. If an expulsion meeting is held, the person conducting the expulsion meeting will make a written summary of the evidence heard at the meeting, take any action found to be appropriate and give notice of the action taken to the student and the student's parent or guardian, by certified mail or personal delivery.

~~5. Within ten (10) days of receipt of notice of the decision of the person conducting the expulsion meeting, the student or the student's parent or guardian may submit a written appeal to the Board of School Trustees. If an appeal is properly made, the Board of School Trustees must consider the appeal unless the Board votes not to hear 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 parent or guardian. The Board of School Trustees will then take any action deemed appropriate and will give notice of the action taken, by certified mail or personal delivery, to the student and the student's parent or guardian.~~

65. Under Indiana law, judicial review of the Board of School Trustee's action, by the Circuit or Superior Court of Floyd County is limited to the issue of whether the Board of School Trustees acted without following the procedure required by the student due process statute, I.C. 20-33-8 et. seq.

IV. SCHOOL SAFETY POLICY

The New Albany-Floyd County Consolidated School Corporation has adopted proactive Safety Policy governing students who commit, attempt to commit, or threatened aggressive acts toward persons (students, employees, or visitors) or property. This Policy applies when a student is on a school bus, on school grounds, off school grounds at a school activity, function, or event, and while traveling to and from school or a school activity, function, or event. This Policy may also apply when a student's conduct is unlawful and may reasonably be considered an interference with school purposes or an educational function, when such conduct occurs during weekends, holidays, school recesses, or during the summer when a student may not be attending classes or other school functions. Students who commit these acts will be suspended and may be expelled for up to one school year or one calendar year, in the case of firearms violations. Students will also be referred to the probation office or the prosecutor's office as required or appropriate.

The School Safety Policy is implemented at each specific level of instruction (elementary, middle and high), and will not follow the student to the next level of instruction.

1. It shall be grounds for an immediate ten days suspension pending expulsion for any student to possess, handle, use, threaten to use, demonstrate the intent to use or transmit weapons, firearms, or explosives. Except in instances involving firearms, upon the recommendation of the building principal, first-time offenders may be given the option of participating in an approved educational/counseling program outside the school corporation. The cost of such outside educational/counseling program shall be the responsibility of the student and the student's parents or guardians. The School Corporation may consider a reduction in the length of the expulsion upon satisfactory completion of this program.
2. A student will be expelled for a full calendar year for possessing, handling, or transmitting a firearm, as defined by Indiana law, while under the jurisdiction of the school corporation. Under I.C. 35-47-1-5, a "firearm" means any weapon that is capable of or designed to or that may readily be converted to expel a projectile by means of an explosion. A student expelled under this provision will not be re-enrolled in the school corporation until the beginning of the semester following the end of the expulsion. The length of expulsion for possession, handling, or transmitting a firearm may be reduced by the superintendent, if the circumstances warrant such a reduction.
3. First-time offenders who threaten or commit aggressive acts toward persons or property and who are not in possession of and have not handled, used, threatened to use, or transmitted weapons, firearms or explosives shall be immediately suspended for up to five school days. Such students shall also be required to meet with the school counselor upon returning to school.
4. The remainder of this Policy notwithstanding, when a first-time offender has engaged in violent conduct or has continued to demonstrate aggressive behavior after being told by a school employee to cease and desist (students must be able to immediately demonstrate restraint and self-control) such student may be suspended for ten school days pending expulsion. The students may, upon the recommendation of the building principal, be given the option of participating in an approved educational/counseling program outside the School Corporation. The cost of such outside educational/counseling program shall be the responsibility of the student and the student's parents or guardians. The Superintendent may consider a reduction in the length of the expulsion upon satisfactory completion of this program.
5. Second offenders who threaten or commit aggressive acts toward persons or property and who are not in possession of and have not handled, used, threatened to use or transmitted weapons, firearms or explosives shall be immediately suspended up to ten school days. Such conduct shall also be grounds for expulsion; however, an educational/counseling alternative to expulsion provided by an approved outside agency may be offered by the building principal to the student and his/her parents or guardians. If the educational/counseling alternative is offered, required documentation must be presented upon return to school.
 - a. This program will be designed to assist students in successfully managing and resolving conflicts in a nonviolent and non-aggressive manner, so that they may

successfully complete school after experiencing the consequences of their violation of this policy.

- b. If the outside educational/counseling program is chosen by the student and parents or guardians the student must attend all sessions of the program. Any cost for this program will be the responsibility of the student and the student's parents or guardians.
 - c. If the student enrolls in the outside educational/counseling program and then withdraws or otherwise fails to satisfactorily complete the program, the building administrator shall immediately resume the expulsion process for such student.
 - d. If the student or his/her parents or guardians do not choose to participate in the outside educational/counseling program, the building administrator shall immediately resume the expulsion process for such student. Such student may be referred to the Floyd County Probation Office for any appropriate action.
6. Students who threaten or commit aggressive acts on more than two occasions shall be immediately suspended for ten school days pending expulsion.
 7. If a student's behavior is a criminal act, in addition to school discipline, the school will also notify the proper authorities.

V. DRUG AND ALCOHOL ABUSE POLICY FOR STUDENTS COMMON QUESTIONS

What do students and their parents need to know?

1. When is this Policy in effect?
 - The Policy is in effect for any student on a school bus at any time; on the school grounds during school hours, immediately after school hours or at any other time when the school is being used by a school group; or while off the school grounds at an educational activity, function or event.
2. What are the grounds for expulsion relating to drug and alcohol abuse?
 - Any student who transmits (gives or sells) or attempts to transmit any drug or alcohol to someone else will be immediately suspended and the process for expelling that student from school will begin.
3. What if a student tells someone a substance is a drug when it is actually something else?
 - If a student transmits (gives or sells) or attempts to transmit any substance to someone else which he/she represents to be a drug or alcohol, he or she will also be immediately suspended and the process for expelling that student from school will begin.
4. What if a student needs to take medicine at school which has been prescribed by a doctor?
 - Use of medication by a student when such medication has been prescribed by a health care provider authorized by law does not violate this rule: however, such medication must be used by the student in accordance with School Corporation policy governing the use of prescription drugs while under the jurisdiction of school authorities.
5. What if a student comes to any school activity while under the influence of drugs or alcohol?

- If a student possesses, uses or is under the influence of drugs or alcohol on school property or at a school function, he or she will be suspended from school and the process for expelling that student will begin.
6. Are students who are caught for the first time given any consideration?
 - A first time offender (a student caught for the first time in possession of or under the influence of drugs or alcohol) may be offered an alternative to expulsion by the school administrator.
 7. What is the alternative for a first time offender?
 - The alternative to expulsion for first time offenders is an intensive educational/counseling program which must start before the end of the student's suspension. These classes will be held outside of the regular school day.
 8. Who pays for the alternative education/counseling program?
 - If the alternative educational/counseling program is chosen by the student and his/her parents, any cost of the program is the responsibility of the family.
 9. What if the student finds it inconvenient to attend the educational/counseling program?
 - If a student chooses the educational/counseling program as an alternative to expulsion, he/she must attend all sessions of the program.
 10. What happens if a student attends one or two sessions and then drops out of the program?
 - If a student begins but does not complete the scheduled sessions, the process for expelling that student will be resumed by the building administrator.
 11. Will this alternative program be offered to a student each time he or she enrolls in a different school in the Corporation?
 - The educational/counseling program as an alternative to expulsion will be offered only one time while a student is enrolled in the New Albany Floyd County Consolidated School Corporation.
 12. If a student or parent does not understand these rules or has other questions, who can they ask?
 - School principals, assistant principals and counselors are available to discuss any questions and/or provide explanation.

PROCEDURE FOR FIRST TIME OFFENDERS OF THE DRUG AND ALCOHOL POLICY

If, after an investigation, the principal or designee decides the student violated the Drug and Alcohol Policy and had drugs or alcohol ~~in~~ in his/her possession or was under the influence of drugs or alcohol, or transmitted drugs or alcohol to other students, ~~then~~ the principal will suspend the student ~~for five days~~. up to 10 days pending expulsion. The parent will be offered a waiver of due process that will require the student to attend the drug counseling program provided by the school corporation. If the parent signs the waiver, the suspension will be reduced to 3 days.

During the five day suspension, the parent must sign their child up for drug counseling using a participating agency on the New Albany Floyd County Consolidated School Corporation's approved list or another agency approved by the Superintendent or Designee.

~~Parent(s) must return to the principal the Referral Form completed by the agency's personnel. A waiver may be signed and the student may return to school.~~

~~If the parent chooses not to sign the waiver, the principal will file for expulsion, suspending the student for an additional five days or until an expulsion hearing can be scheduled.~~

THE PROCEDURE FOR SECOND TIME OFFENDERS OF THE DRUG AND ALCOHOL POLICY AND STUDENTS WHO TRANSMIT DRUGS OR ALCOHOL TO OTHER STUDENTS.

If after an investigation, the principal or designee decides that student violated the Drug and Alcohol Policy **for a second time** and had **drugs or alcohol** in his/her possession, **was** under the influence **of drugs or alcohol**, or transmitted **drugs or alcohol** to other students, the principal will suspend the student for ten days pending expulsion, **consistent with expulsion procedures outlined in Section III.**

~~1.~~

~~2. The principal will send a written statement and charge to the student's parent(s) describing the student's conduct, misconduct, or violation of the rule.~~

~~3. The principal also sends this written statement and charge to the Superintendent requesting an expulsion hearing.~~

~~4. The Superintendent may conduct an expulsion meeting, or may appoint one of the following persons to conduct the expulsion meeting:~~

~~a) A member of the administrative staff who did not recommend the student be expelled and who was not involved in the events giving rise to that recommendation; or~~

~~b) Legal counsel.~~

~~2. The Superintendent or designee may continue the suspension of a student for more than the ten (10) school day period or until the time of the expulsion meeting. Every effort will be made to conduct an expulsion hearing during this 10 day period.~~

~~NOTE: If the student is disabled, the school will schedule a causal relationship case conference. The case conference will determine placement.~~

VI. Driver's License Policy

This Policy, adopted by the board of School Trustees, is designed to comply with the Indiana law I.C. 9-24-2 and 20-33-8, as amended, which amended Indiana driver's license law to invalidate an operator's license or permit and to prohibit the issuance of an operator's license or permit to a student less than eighteen (18) years of age, under the conditions set out in this Policy.

1. DEFINITIONS, FOR PURPOSES OF THIS POLICY.

- a. "Cutting Class" refers to a student's absence from an assigned class period during a school day without the knowledge and consent of the student's parent and/or the school; a student is cutting class, unless both the parent and the

school approve of the student's absence from class. Three (3) instances of cutting class, whether on one (1) school day, or cumulative over more than one (1) school day, is a truancy from an entire school day, provided that no more than one (1) truancy may be accumulated on any one (1) school day, and provided that no more than three (3) instances of cutting class on a single school day is one (1) day of truancy.

- b. "Suspension" means an out-of-school suspension and does not include an assignment to the Suspension Alternative Laboratory (SAL).
 - c. "Truancy" refers to a student's absence from school without the knowledge and consent of the parent and/or the school; i.e., a student's absence is a truancy unless both the parent and the school approve of the student's absence from school. A student who commits truancy is a truant. A suspension or expulsion for any reason is not truancy; however, absences due to suspension or expulsion are excused, and work missed may not be made up.
 - d. "Habitual Truant" refers to a student who has been truant for a period of:
 - (1) **Ten Five (10)** or more **consecutive** days **at any time** during a school year;
 - ~~(2) A cumulative total of ten (10) or more days within one (1) school year, with no instance of five (5) or more consecutive days of truancy;~~
 - ~~(3) A cumulative total of fifteen (15) or more days over a period encompassing any portion of two (2) or more school years.~~
 - e. "Operator's License or Permit" includes an operator's license, learner's permit, temporary motorcycle learner's permit, motorcycle operator's endorsement, motorcycle operator's license, or any other license or permit issued by the Indiana bureau of Motor Vehicles to operate a motorized vehicle in the State of Indiana.
 - f. "Parent" includes any person or agency legally responsible for a student.
 - g. "Principal" includes any designee of the principal.
 - h. "Student Guide" refers to the New Albany-Floyd County Consolidated Schools Student Guide for Student Rights and Responsibilities, Enforcement of Rules and Regulations and Due Process Procedures, as adopted by the Board of School Trustees and, from time to time amended.
 - i. "Superintendent" includes any designee of the Superintendent.
2. Indiana law prohibits the issuance of an operator's license, or permit and invalidates any existing license or permit, if a person less than eighteen (18) years :
- a. Is under a second suspension from school for the school year;
 - b. Is under an expulsion from school;
 - c. Is a habitual truant; or
 - d. Withdraws from school before graduating in an effort to circumvent the sanctions listed in this subsection or for any reason other than financial hardship.

3. When a student, who is at least fourteen (14) years of age, but less than eighteen (18) years of age, is suspended for the first time in a school year, the parent and the student will be informed of the consequences of a second suspension under this Policy.
4. The opportunity for an expulsion meeting will be offered, when a student is charged with conduct for which expulsion is recommended.
5. A student whose operator's license or permit has been denied or invalidated under the terms set out above, will become eligible for an operator's license or permit, or to have such a license or permit revalidated upon one of the following events:
 - a. The student becomes eighteen (18) years of age;
 - b. One hundred eighty (180) days after the student is suspended, or the end of a semester during which the student returns to school, whichever is longer;
 - c. Thirty (30) days after a student resumes school attendance following an expulsion.
 - d. The expulsion is reversed through the student due process procedures set out in the Student Guide; or
 - e. If 2 (d) above applies, the student in good standing has re-enrolled in school and attended for thirty (30) days.
2. When a student has been suspended twice or expelled, the student's principal will communicate the pertinent information to the Indiana bureau of Motor Vehicles. The student's principal will, at the appropriate time as set out in subsection 5 above, provide such student the information necessary for the student's operator's license or permit to be revalidated by the Indiana Bureau of Motor Vehicles.
3. If a principal has reason to believe that a student is withdrawing from school in order to avoid a second suspension in a school year or an expulsion, the principal shall proceed with the suspension or the recommendation for expulsion and notify the Indiana Bureau of Motor Vehicles.
4. If a student less than eighteen (18) years of age withdraws from school before graduating for any other reason than financial hardship, the principal of the student's school will report the student's withdrawal under I.C. 20-33-2-21 and I.C. 20-33-2-11 and the student's operator's license or permit will be invalidated, or the student will not be eligible to receive such a license or permit.
 - a. When a student seeks to withdraw, the principal will hold an exit interview and will determine the reason for the student's withdrawal. If the principal determines that the reason for withdrawal is not financial hardship, the student and the student's parent will receive a copy of the determination.
5. Nothing contained in this Policy shall limit disciplinary action under the Corporation's attendance policy for any individual instance of truancy or cutting class.
 - a. The student who has been truant and the parent of such student will be informed of each truancy and the consequences of additional trancies under this policy.

6. The parent of a student charged by a principal with being a habitual truant will receive notice of such charges and may request a meeting under the provisions of the School Corporation's student due process procedures set out in the Student Guide.
7. The Superintendent acting on behalf of the board of School trustees, will inform the student and the student's parent of his/her determination, and if he/she determines that a student is a habitual truant, he/she will submit, to the Indiana Bureau of motor Vehicles, the pertinent information concerning the student's ineligibility to be issued an operator's license or permit.
8. The Superintendent will provide the principal of each secondary school in the Corporation a copy of each list of habitual truants and will provide the principal of the student's school a copy of the official determination for inclusion in the student's education record.
9. The attendance record of a student who has been found to be a habitual truant shall be reviewed by the principal of the student's school at the end of each school year during which the student is designated a habitual truant.
 - a. In reviewing the student's attendance record, the principal will decide whether or not the student's attendance has improved to the degree that the student should no longer be designated a habitual truant and should become eligible to be issued an operator's license or permit upon fulfilling all other requirements for such license or permit, and the principal shall submit a recommendation to the Superintendent on this matter.
 - b. The Superintendent, acting on behalf of the Board of School trustees, will notify the student and the student's parent of the principal's recommendation and will offer the opportunity for a meeting under the School Corporation's student due process procedures, set out in the Student Guide.
 - c. The Superintendent, acting on behalf of the board of School Trustees, will inform the student and the student's parents of his/her determination, and if he/she determines that a student is no longer a habitual truant, he/she will submit, to the Indiana Bureau of Motor vehicles, the pertinent information concerning the student's eligibility to be issued an operator's license or permit.
 - d. The decision of the Superintendent, under subsection © C, immediately above, may be appealed in accordance with the School Corporation's student due process procedures, in the Student Guide.
 - e. If a student who has been designated a habitual truant, and who remains ineligible to obtain an operator's license or permit, withdraws from the School Corporation for any reason, the student's former principal in the School Corporation shall have no authority or duty to conduct a review of such student's attendance record; conversely, if such a student moves or transfers to the School Corporation, or to another school in the School Corporation, the principal of the school in which the student is newly enrolled shall conduct the appropriate review.
 - f. A determination that a student is no longer a habitual truant shall not cause the number of truancies to be erased for purposes of considering a charge that a student is a repeat habitual truant under this Policy.

10. For purposes of this Policy, when a student enrolls in the School Corporation and the student's attendance and disciplinary records are obtained from the student's previous school(s), the principal of the newly enrolled student shall treat such records as if the conduct of the student recorded therein had occurred with this School Corporation. Similarly, the principal shall recognize a previous school's designation or determination of truancy and habitual truancy, as well as any suspension or expulsion.

VII. School Bus Safety Code

As are parents and students, the New Albany-Floyd County Consolidated School Corporation and its officials, the transportation fleet and the school bus drivers, are interested in obtaining optimum safety for all the students who ride busses. It takes the earnest cooperation of students, parents, principals, and bus drivers to achieve this prime goal in pupil transportation.

All school children, while being transported on a school bus, shall be under supervision, direction, and control of the school bus driver, and shall be subject to the discipline of the bus driver and the governing body of the school corporation.

The following rules have been instituted for the safety and comfort of our children and the efficient operation of our bus fleet.

Students must do the following:

1. Be at their bus pickups on time. An early start will assure this.
2. Wait their turns to load and unload the bus. Avoid standing or playing on the road while waiting for the bus.
3. Obey the bus driver (and bus monitors) promptly and cheerfully. Realize they have a big responsibility and that it is their job to help.
4. Knowing that bus transportation is scheduled to move students from one point to another safely and in conformance with a definite schedule, students must understand that anything that can be done to maximize safety should be their concern.
5. Watch their steps getting to and from the stop and on and off the bus. Where there are no sidewalks, students should walk on the edge of the road facing oncoming traffic.
6. Show consideration for the property where their bus stops are located. Damage and destruction at "stops" result in the discontinuance of these "stops."
7. Nothing (arms, hands, heads, books, etc.) shall be allowed to protrude from open windows on the bus. Windows may only be opened or closed with the permission of the bus driver. Feet should be kept on the floor at the seats and not protrude into aisles of the bus.
8. Horseplay, littering, loud and boisterous conduct on the bus will not be allowed. This type of conduct distracts a driver and may result in a serious accident endangering every person on the bus.

VIII. TELECOMMUNICATION

Student Access to the Internet

Users are legally bound to the terms and conditions of the Telecommunications Use Agreement. It is assumed that users have read the terms and conditions carefully and understand their significance including the understanding that any violation of these regulations is unethical, may constitute a criminal offense, that accessers' privileges may be revoked and school disciplinary action may be taken as well as appropriate legal action.

If a parent or guardian does not authorize the school to make Internet access available to their student, it is the parent's responsibility to inform the school in writing. Alternate activities of a suitable educational nature not requiring Internet access will be assigned to students whose parents have informed the school not to make Internet access available to their student.

NEW ALBANY-FLOYD COUNTY CONSOLIDATED SCHOOL CORPORATION TELECOMMUNICATIONS USE AGREEMENT

The New Albany-Floyd County Consolidated School Corporation firmly believes that there is a wealth of information and interaction on the worldwide computer network that will provide valuable resources for our students. With access to computers and people from all over the world through Internet, it is impossible to control access to all materials found on the Internet, and an industrious user may discover controversial information. Sponsoring teachers will instruct and supervise their students in acceptable use of the Internet and proper Internet etiquette.

The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. Access to the Internet through school machines requires responsible, efficient, ethical, and legal utilization of Internet resources. Users violating any of these provisions may be disciplined, and their access to Network and Internet services terminated and future access denied.

INTERNET-TERMS AND CONDITIONS

1. **Acceptable Use** – Internet and Network access must be in support of education and research and consistent with the educational objectives of this School Corporation. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, infringement of any copyrighted material, threatening or obscene material, or material protected by trade restrictions. Users may not access, upload, or download sexually explicit materials. Internet and Network access may not be used for commercial activities.
2. **Privileges** – The use of the New Albany-Floyd County Consolidated School Corporation telecommunications service is a privilege, not a right, and inappropriate use will result in a cancellation of all privileges. Assignments that require Internet access will have a faculty sponsor who will instruct and monitor student activity on the Internet. The sponsor and the Network administrators will deem what is inappropriate use and their decision is final. Parents, faculty sponsors, administration, faculty, or staff may request that further account privileges be denied, revoked, or suspended for any violation of this policy.
3. **Network Etiquette** – Users are expected to abide by the generally accepted rules of Internet etiquette. These include, but are not limited to, the following:

- A. Be polite. Do not be abusive in messages to others.
 - B. Use appropriate language. Offensive or vulgar messages, such as messages that contain sexual or racial comments are strictly prohibited, in conformity with the School Corporation's existing Policies, rules, and regulations governing harassment and discrimination. Illegal activities are strictly forbidden.
 - C. Do not reveal personal address or telephone number, or those of other students or colleagues.
 - D. E-mail is not guaranteed to be private. System Operators may have access to all e-mail. Messages relating to or in support of illegal or improper activities will be reported to the proper authorities.
 - E. Do not use the Internet or Network in such a way that would disrupt the use of the Internet or Network by other users.
 - F. All communications and information accessible via the Internet should be assumed to be private property and safeguarded by copyright laws.
 - G. Word messages carefully and be brief.
 - H. Passwords may not be shared except with the teacher/supervisor and the System Operator.
 - I. Users may not access another person's files or account without their permission.
4. Warranties – The New Albany-Floyd County Consolidated School Corporation makes no warranties of any kind, whether expressed or implied, for the service it is providing. The New Albany-Floyd County Consolidated School Corporation will strive to provide error-free, dependable access to the computing resources associated with Network and Internet use. However, this School Corporation is not responsible for any damages suffered due to loss of data resulting from delays, non-delivery, mis-deliveries, or service interruptions. Use of any information obtained via the Internet is at the user's risk. The New Albany-Floyd County Consolidated School Corporation specifically denies any responsibility for the accuracy or quality of information obtained through these Network and Internet services.
 5. Security – Security on any computer system is a high priority, especially when the system involves many users. If a user feels that he/she can identify a security problem on the network, he/she must notify a sponsoring teacher or a system administrator. Do not demonstrate the problem to others. Do not use another individual's account without permission from that individual. Attempts to log on to the network as a system administrator will result in disciplinary actions. Any user identified as a security risk or having a history of problems with other computer systems will be denied access to the Internet services.
 6. Vandalism – Vandalism will result in cancellation of privileges and possible disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data or another user of other networks that are connected to the New Albany-Floyd County Consolidated School Corporation wide area network. This includes, but is not limited to, the uploading or creation, or distribution of computer viruses. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the Internet.

The Director of Technology and Instructional Services shall develop and maintain a Technology Manual setting forth additional rules, policies, and procedures for effective management of the School Corporation's Wide Area Network and technological services.

The Board of School Trustees firmly believes that broad educational opportunity should be a right for all children. Educational experiences are provided not only in the regular classroom, but also by a comprehensive extracurricular activities program. Therefore, removal from the extracurricular activities or from the classroom as a disciplinary measure is resorted to only when self-discipline fails.

It is the sincere hope of the Board of School Trustees that this Guide will be helpful to students, parents, and teachers in the effort to promote more democratic schools and continued good relations between students and teachers.