

STUDENT RIGHTS and RESPONSIBILITIES

A UNIFORM CODE OF CONDUCT
FOR ALL STUDENTS
PRE-K THROUGH ADULT EDUCATION

The handbook provides the key provisions of board policy. The board policy manual should be consulted for the full text of a particular policy. If the provisions of the handbook contradict board policy, the board policy prevails.

27th EDITION
July 2009

METROPOLITAN SCHOOL DISTRICT
of
WARREN TOWNSHIP

975 NORTH POST ROAD
INDIANAPOLIS, INDIANA 46219

PHONE: 869-4300

All non-speaking or limited English proficient/families can obtain information in their home/primary language regarding Student Rights & Responsibilities and school activities by contacting the Office of Elementary Instruction at 869-4300.

영어를 잘하지 못하는 학생이나
가족들은 교육국 학생처(869-4300)로
연락하시면 한국어로 된 학생의 권익,
책임, 기타 과외 활동에 대한 필요한
정보를 얻으실 수 있습니다.

Tất cả những học sinh/gia đình không nói
hoặc là không biết nhiều tiếng Anh có
thể có những tin tức bằng tiếng mẹ đẻ
hoặc tiếng nói chính yếu có liên quan
đến Quyền Lợi & Trách Nhiệm Của Học Sinh
và những hoạt động của nhà trường bằng
cách liên lạc với văn phòng về Dịch Vụ
Của Học Sinh ở số 869-4300 .

Toda aquellas personas (estudiantes y familiares) que no dominen
el inglés y desean obtener información en su idioma sobre los
Derechos y Responsabilidades del Estudiante o sobre las actividades
de la escuela pueden comunicarse con la oficina de
Servicio al Estudiante al 869-4300 .

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The Metropolitan School District of Warren Township is committed to equal opportunity. It does not discriminate on the basis of age, race, color, religion, sex, disabling conditions, or nation origin, including limited English proficiency.

No person is excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination on such basis under any educational program or student activity

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I. BOARD OF EDUCATION MESSAGE

The information on the following pages was compiled by a committee of students, parents and school personnel representing the high school, the middle schools and the elementary schools. It was also approved by the Superintendent and the School Board and is in concert with the Metropolitan School District of Warren Township School Board Policy.

The School Board, by adopting this code of student conduct, is indicating to students, parents, staff and the community our desire to provide a positive atmosphere for learning. It is our intent to ensure that students' rights are respected and preserved during the pursuit of their education and to encourage self-discipline in this endeavor. When it is necessary for staff to take corrective action, it is to be done justly and fairly. This written document outlines the framework that will be used in the Warren Township Schools. It is governed by the Board of Education and the laws of the State of Indiana and the United States. It also outlines acceptable and unacceptable behavior allowing the students to adjust to the school environment in an acceptable way. The Board of Education expects the atmosphere in each school to be positive for all students and supports all fair action necessary to provide this positive atmosphere. The Board also encourages the public to read this document and to be aware of the rights and responsibilities of Warren Township students.

Board of Education
MSD of Warren Township

II. PHILOSOPHY

METROPOLITAN SCHOOL DISTRICT OF WARREN TOWNSHIP
PHILOSOPHY OF DISCIPLINE

In applying the school district's Code of Discipline, the following philosophy of discipline must be considered and implemented simultaneously.

DISCIPLINE IS:

- * the process of establishing and maintaining a productive learning environment. Its goal is to provide an educational atmosphere free of disruption so that teachers can teach and students can learn..

AS A SCHOOL DISTRICT WE BELIEVE:

- * effective discipline is a key attribute of effective learning. It is founded upon respect for and the dignity of each individual.

- * effective discipline and learning begins with the family.
- * a sound system of discipline is a responsibility of the classroom teacher and takes a preventive approach.
- * effective discipline is crucial to a safe and productive learning environment.
- * students are ultimately responsible for their own behavior; therefore, discipline should be a growth-oriented experience, taking into account the development needs of the student.
- * sound discipline includes a support system that promotes a positive student attitude and self-image.
- * discipline standards should be fairly and consistently enforced throughout the school system.
- * exposure to a sound discipline management system moves students toward appropriate, independent decision-making resulting in self-discipline.

III. THE PARENTS' ROLE

Many times, parents ask how they can help their children in school. Our school system actively encourages parents to talk with their children's teachers and administrators to discuss their children's progress at school and ways parents can help. The parents, more than anyone else, can help the children do well in school and develop acceptable school behavior. The following are general suggestions.

- * Keep in contact with the school concerning your student's progress.
- * Become aware of your student's program and class schedule in order to offer assistance and support.
- * Discuss report card and homework assignments.
- * Ensure that your student is in daily attendance in school and promptly report and explain an absence or tardiness to the school.
- * Bring to the school's attention any problem or condition that might affect your student's overall achievement and behavior.
- * **Maintain up-to-date home, work, and emergency phone numbers for the school.**
- * Provide your student with the resources and supplies necessary to complete classwork and homework.
- * Know that a good breakfast is vital to learning.
- * Discuss the overall and long-lasting effects of truancy.
- * Talk with your student regarding school and call the school regarding any questions or problems.
- * Seek any changes at school in an orderly and approved manner.

When the home and school cooperate with each other, a good environment for learning will be established and the student will learn in a positive and rewarding manner.

PARENTS' RESPONSIBILITIES:

1. Providing phone numbers of the home and place of employment so parents can be contacted.
2. Securing copies of the school calendar and being aware of the beginning and ending dates of the semester and on which dates report cards are distributed.
3. Requiring their children to attend school regularly and encouraging punctuality to school and classes.
4. Discouraging their children from leaving school because of minor health problems.
5. Talking to their children regarding school and if there are problems or questions, calling the school.
6. Seeing that children have the required materials and supplies.
7. Becoming aware of their children's programs and classes in which homework is assigned and offering assistance and support.
8. Being aware of their children's friends and activities in and out of school.

Research indicates a positive correlation between attendance and grades. Parents are encouraged to maintain a close contact with the school so that a joint effort might be made to prevent the development of attendance and discipline problems.

IV. DUE PROCESS

Due process is guaranteed individuals by the Fourteenth Amendment to the Constitution. Due process in education implies:

- * rules and regulations of schools are published and distributed;
- * students know and understand these rules and regulations;
- * when a student is believed to have violated a rule or regulation, he or she is confronted with this belief and given the opportunity to respond to the accusation;
- * when rules or regulations are violated, certain consequences will occur;
- * if expulsion from school is a recommended consequence, a hearing may be requested.
- * a student's right to privacy and confidentiality be upheld.

V. RIGHTS AND RESPONSIBILITIES

A. EDUCATION

STUDENTS' RIGHTS

Students with legal settlement in MSD of Warren Township have a right to a public education beginning with kindergarten and extending through the twelfth grade. This right extends to all students, including married students, students with a child or children, or handicapped students regardless of the handicapping condition. Attendance in school is mandatory in Indiana from age seven or from time of official enrollment until the age of eighteen. No student shall be subjected to corporal punishment, suspended, or expelled from the MSD of Warren Township without due process of law being implemented. However, a student's immediate removal may be necessary to restore order or to protect persons where the student's presence in school would constitute an interference with an educational function or school purposes.

B. FREE SPEECH AND EXPRESSION

STUDENTS' RIGHTS

Students may express publicly or privately, in writing or orally, their opinions, concerns or ideas.

STUDENTS' RESPONSIBILITIES

It is a joint responsibility of the student and parent or guardian to see that the student attends school regularly:

1. To be on time to school and each class assignment.
2. To have appropriate supplies, texts, and/or equipment on hand when required for class.
3. To have assignments prepared.
4. To understand and obey rules and regulations.
5. To accept authority of school personnel.
6. To seek help when it is needed.
7. To have the parent or guardian notify the school of the student's absence.
8. To obtain and complete assignments for all absences.
9. To complete all assigned work without unauthorized assistance, i.e. cheating.

STUDENTS' RESPONSIBILITIES

To see that such declarations do not interfere with an educational function or school purposes, present a hazardous condition, contain vulgarities, libelous or slanderous components as defined by law, or advocate violation of a law or school rule except by due process

C. SAFE SCHOOL ENVIRONMENT

STUDENTS' RIGHTS

Students should be provided a safe school environment in which to learn.

STUDENTS' RESPONSIBILITIES

To monitor one's own behavior so that harm to self or to others is not instigated. To consult adult staff members when the safety of individuals or property is threatened.

D. PERSONAL PROPERTY

STUDENTS' RIGHTS

Students have the right to feel that they and their personal belongings are secure within the educational setting. Lockers remain the property of the MSD of Warren Township. The principal or designee may request law enforcement officials to assist the school administration in searching the locker and its contents. A student may be searched by the principal or designee when there is reasonable suspicion that the student possesses any item that violates school code, school conduct or any item that will cause harm to that student or any other person. The MSD Warren Township is a semi-public campus and as such, students' automobiles shall be subject to searches.

STUDENTS' RESPONSIBILITIES

It is a joint responsibility of the student and parent or guardian to see that the student keeps personal property in appropriate places:

1. To keep locker combinations confidential.
2. To not transport, transmit or keep any materials or items that would be violations of school code, disruptive, dangerous or illegal, to school property.
3. To respect the property rights of all others.

E. INDIVIDUAL FAIR TREATMENT AND RESPECT

STUDENTS' RIGHTS

Students have the right to expect courtesy, fairness, and respect from school personnel and other students.

STUDENTS' RESPONSIBILITIES

To treat all others involved in the educational process with courtesy, fairness, and respect.

F. DRESS AND GROOMING HABITS

STUDENTS' RIGHTS

Students may dress and groom themselves in any manner that is not disruptive to the educational environment or dangerous to themselves or others. **The exception to this right is in "Uniformly Dressed" schools.** These schools have Board of Education approval to determine the type of dress, including the color, that students may wear at school. Students and parents will be notified of this dress policy upon enrollment into the school. Each school may provide a more specific list of prohibited items.

STUDENTS' RESPONSIBILITIES

Students must dress and exhibit grooming appropriate for the educational activity while following the dictates of good taste. Student attire (*tops, shirts, pants*) should cover the entire body. Belts on pants need to be properly secured at the waist with no visible undergarments (*no sagging*). The school prohibits anything it deems to be or have the potential to be disruptive, distracting, provocative, provoking, and/or intimidating that rises to the level in the school's view as having a detrimental effect on the safe and educational atmosphere in the school environment, including any item that promotes gangs, sex, violence, drugs, alcohol, or illegal activity. Students must wear required safety devices or uniforms that insure the students' safety and/or unrestricted movement.

NOTE: Caps, headcovers, belts, insignia, emblems, shirts, any attire, and/or other trappings identified or associated or possibly associated with gangs or that are disruptive to the educational environment **will not be worn** in school or on school premises. Students observed wearing such items will be asked to remove them. The wearing of such items may be cause for suspension. Repeated wearing of such items after official warning SHALL result in suspension or expulsion from school in accordance with statutory due process procedures.

G. PRIVACY

STUDENTS' RIGHTS

Students' educational records will be protected, and any disclosure will be consistent with legal requirements specified in the Family Educational Rights and Privacy Act and Student Due Process.

STUDENTS' RESPONSIBILITIES

To keep school personnel promptly informed about changes in addresses, phone numbers, emergency contacts, etc. To provide proper identification to school personnel/security upon request.

The occasion may arise where a student's name, picture, or work may be published in school publications, newsletters or on an MSD of Warren Township Website. Parents of students in grades 6-12 who do not want their child's name, picture, or work published should notify their child's school in writing. Parent of students in grades K-5 will be asked to sign a permission form giving the school permission.

H. FACILITIES, FACULTY AND CURRICULUM APPROPRIATE TO NEEDS

STUDENTS' RIGHTS

Students' right to a public education assumes that a diversified curriculum will be taught by appropriate licensed teachers in clean, safe, and equipped school facilities.

STUDENTS' RESPONSIBILITIES

To contact the appropriate persons and to use appropriate channels to make needs known.
To not destroy, mutilate, or mar school property.

I. EXTRACURRICULAR ACTIVITIES

STUDENTS' RIGHTS

Students who express an interest in and meet the qualifications for any extra-curricular activity may not be denied participation on the basis of age, sex, race, color, creed, national origin, handicapping condition or financial status..

STUDENTS' RESPONSIBILITIES

To be enrolled in school and to be familiar with and understand all participation extracurricular handbooks and rules of participation.

J. CIVIL RIGHTS COMPLIANCE OFFICER

The MSD Warren Township Civil Rights Compliance Officer is:
Assistant to the Superintendent for Secondary Instruction
975 North Post Road • Indianapolis, IN 46219
(317) 869-4300

VI. TYPES OF INAPPROPRIATE BEHAVIOR DEFINED

Schools, just as in all of society, need rules and regulations to protect the rights of all students. Students have a right to know what is expected of them. School rules are written to describe limits of student behavior. To enforce reasonable rules in a consistent manner is to improve the educational climate for the student to enjoy. Grounds for suspension or expulsion apply when a student is on school grounds before or during school hours; after school hours or at any other time when the school is being used by a school group; off school grounds at a school activity or event; and/or at a school bus stop, traveling to or from school or a school activity or event. A student's degree of involvement for violating any type of inappropriate behavior may be considered.

The following list contains types of misconduct that can lead to disciplinary action, including suspension and expulsion:

NOTE: THIS LIST INCLUDES EXAMPLES OF, AND BY NO MEANS EXHAUSTS ALL TYPES OF, STUDENT MISCONDUCT.

- Code 1. General Classroom Disruption/ Disorderly Conduct**
Behavior that produces distractions, frictions, disturbances, or that interferes with the functioning of the teacher, the students, or the class.
- Code 2. Use of Abusive Language**
Written language, spoken language, or physical gestures that are offensive, obscene, or vulgar.
- Code 3. Inflammatory Actions/ Disorderly Conduct/Withholding Information**
Language, gestures or actions that can create a disturbance i.e. (*hand and gang signals and symbols, placing a false 911 call, etc...*) Withholding of information about student misconduct and/or the withholding of information that may threaten the safe and orderly educational environment is a violation of this code.
- Code 4. Unexcused Absences/Excessive Absences**
Absences from school or class without authorization or approved reason.
Excessive absences without approved authorization by school officials.
- Code 5. Tardiness/Lateness**
Being late beyond the scheduled beginning of a school day or class without authorization or approved reason is a violation of school policy.
- Code 6. Smoking/Possession of Smoking Materials**
Possessing, using or transmitting smoking material or tobacco products (*i.e. cigarettes, lighter, chewing tobacco, etc.*)
- Code 7. Loitering/Out of Assigned Area**
A student's unauthorized presence in an area.
- Code 8. Defiance of School Personnel's Authority**
A verbal or non-verbal refusal to comply with a reasonable request from school personnel. Failing in a substantial number of instances to comply with directions of teachers or other personnel where the failure constitutes an interference with school purposes or an educational function (*i.e. habitual offender; refusal to provide proper identification to school personnel/security upon request*).
- Code 9. Disruption on the School Bus or Unauthorized Passage on the Bus**
Any misconduct or violation of school codes or bus safety rules on the school bus, disrespect to the driver, or vandalism to the bus.
- Code 10. Trespassing**
Remaining on the school property without authorization (*including while under suspension or expulsion/expulsion or attending school function or event without authorization.*)

Code 11. *General Disruption of the Orderly Educational Process/Disorderly Conduct/Terroristic Threats or Acts*
Behavior that seriously disrupts any school activity or the orderly operation of the school. Some examples include major fights, boycotts, sit-ins and walk-outs, blocking entrances, placing a false 911 call, and unauthorized gatherings. Terroristic threat-shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience. Terroristic act-shall mean an offense against property or involving danger to another person.

Code 12. *Gambling*
Participation in games of chance for money and/or other things of value (*possession of dice*).

Code 13. *Fighting*
Aggressive, physical conflict between two or more individuals.

Code 14. *Vandalism*
To destroy, deface, or attempt to destroy or deface township or personal property regardless of intent. (willful, malicious, or accidental) The student will be liable to pay for restitution.

Code 15. *Harassment/Hazing, Defamation of Character/Bullying*
Harassment of any form, whether verbal or physical, including homebased web sites and computer misuse against another person based on age, color, creed, disability, gender, marital status, national origin, race, religion, or of sexual nature, will subject a student to timely and appropriate discipline. False accusations made of one's character.

Code 16. *Simple Assault, Threats of Violence, Bullying*
A threat or attempt to do bodily harm to another, with or without physical contact or intentionally causing or attempting to cause physical injury to any person. Bullying, as an overt, repeated act designed to harass, ridicule, intimidate or humiliate another student and/or written threats is a violation of this code. Self-defense as a restrained and/or non-aggressive action undertaken on the reasonable belief that it was necessary to protect some other person does not, however, constitute a violation of this provision.

Bullying

- a. Bullying is prohibited by the MSD of Warren Township. Students who commit any acts of bullying are subject to discipline including but not limited to suspension, expulsion, arrest, and/or prosecution.
- b. Definition: Bullying is defined as overt, repeated acts or gestures, including:
 1. verbal or written communication transmitted;
 2. physical acts committed; or
 3. any other behaviors committed;
by a student or group of students against another student with the intent to harass, ridicule, humiliate, or harm the other student. Cyberbullying is defined as repeated misuse of technology to harass, intimidate, bully, or terrorize another person.
- c. Applicability: This rule applies when the bullying student is:
 1. on school grounds immediately before or during schools hours, immediately after school hours, or at any other time when the school is being used by a school group;
 2. off school grounds at a school activity, function, or event;
 3. traveling to or from school or a school activity, function, or event; or
 4. using property or equipment provided by the school.

Code 17. *Offensive Touching/Inappropriate Conduct/Offensive Remarks*
Intentionally touching another person, either with part of the body or with any instrument, thereby causing offense or alarm to the other person and or a public show of affection or sexual acts is a violation of this code. Written language, spoken language, and physical gestures that are offensive, obscene, or vulgar.

Code 18. Extortion

To obtain or attempt to obtain money, goods, or information from another by force or threat of force.

Code 19. Use of or Withholding Information About Drugs/Alcohol/Paraphernalia and Look-alikes

Possessing, using, transmitting, or being under the influence of any non-authorized prescription medication, over-the-counter drug, stimulant, inhalant, depressant, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind. Use of drug authorized by a medical prescription from a physician is not a violation of this code. (*Students must follow administration of medication guidelines found in Section XVII of the Student Rights & Responsibilities Handbook.*) Engaging in the unlawful selling of a controlled substance or engaging in a criminal law violation that constitutes a danger to other students or constitutes an interference with school purposes or an educational function is a violation. 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 is a violation. Possession, use or transmission of paraphernalia, i.e. pipes, clips, rolling papers, inhaling devices, etc. is a violation. Withholding of information about student(s) possession, use and/or transmission of drugs, alcohol, paraphernalia and look-alikes is a violation of this code.

Code 20. Theft/Counterfeiting

Taking the property of the school or another person or attempting to take the property without permission. Possession of stolen property. Possession and/or transmission of bogus bills (*counterfeit legal tender*). Attempting to sell or exchange bogus bill and/or attempting to duplicate money.

Code 21. Fire and Explosives

Possession, use, and/or transmission of fire, explosive devices/ materials, fireworks or lighters is a violation. Setting of fires and/or use of device or materials that cause a fire is a violation. An attempt to detonate or use devices or materials that can cause a fire is a violation. Possession of materials that can be used to make or construct explosive devices of any kind (*including but not limited to Molotov Cocktails, pipe bombs, smoke bombs*) is a violation. Look-alike versions of any kind of explosive, explosive device, or any kind of explosive material is a violation of this code.

Code 22. Weapons/Use of an Object as a Weapon. Knowledge of Deadly or Dangerous Weapons

Possession of a handgun, fire arm, knife, blades, Chinese Throwing Star, brass knuckles, stun gun, look-a-like gun/knife or any instrument that expels a projectile through pressurized cartridges or springs, as well as any spot marker gun (*such as paint guns*), explosives, ammunition, MAY RESULT IN ARREST. Any object that is used to threaten, harm, or harass another may be considered a weapon. This includes but is not limited to padlocks, chemical spray or aerosol sprays of any kind, pens, pencils, laser pointers, jewelry etc. Intentional injury to another can be a felony and/or a cause for Civil action. Because the School Board believes that students, staff members, and visitors are entitled to function in a safe school environment, students are required to report knowledge of deadly or dangerous weapons or threats of violence to the school administration. Failure to report such knowledge of petitions or plans is a violation of this code.

Code 23. Electronic Devices/Computers

Section One: Unless she/he has prior written consent from a school official, a student may not use or possess unauthorized electronic devices on school property during the school hours. Unauthorized electronic devices include but are not limited to gaming devices, music players, pagers, cell phones, cameras and PDAS. Electronic devices like calculators are permitted for legitimate use in academic and school-sponsored extracurricular activities. Unauthorized items may not be brought to school and are subject to confiscation. The school corporation is not responsible for these electronic devices and will not pursue the theft, loss, damage or disappearance of these devices, confiscated or otherwise.

Section Two: Inappropriate use of, or inappropriate or unauthorized access to, computer hardware,

software, web sites, servers, or any other aspect of technology affiliated with the school corporation is a violation of this code. This section includes, but is not limited to district-owned desktop and handheld computers, laptops, data management programs and other technology-related hardware or software used in schools. Violators of this Section that cause damage to district-owned property shall be financially responsible for repair or replacement.

Section Three: Students may not use technology to bully, threaten, intimidate, harass, ridicule, and/or humiliate other students or staff. Use of technology as described in this Section that is off school property and not in transit to or from school property or at a school sponsored activity may be considered a violation of this Section if the activity is unlawful.

Section Four: While on school property or at a school sponsored activity, students may not send, share, view, or possess images, text messages, emails or other media of a sexually provocative nature in electronic or any other form, including the memory or display of a cell phone or other electronic device.

Code 24. Dress/Grooming

Students may not dress or groom themselves in a manner that is disruptive to the educational function and school purpose. (see page 5)

Code 25. Legal Settlement Violation

A student may be expelled from school if the student's legal settlement is not in the attendance area of the school corporation where the student is enrolled. Intentionally giving false legal settlement information to school officials may result in an extended period of expulsion and a retroactive tuition charge.

Code 26. Cheating/Lying, False Statements, Forgery, Plagiarism

Attempting to complete assigned work with unauthorized assistance. Unauthorized use of electronic devices, i.e. text messages, cell phone/ camera phones, etc. is a violation of this code. Intentionally withholding information or giving false information to school officials, i.e. placing a false 911 call, giving false information about residency is a violation.

VII. CONSEQUENCES OF INAPPROPRIATE BEHAVIOR

The superintendent, principal, administrative personnel, or any teacher of the school corporation shall be authorized to take any action in connection with student behavior reasonably desirable or necessary to help any student, to further school purposes or to prevent any interference therewith, including such actions as:

Sec. 1. Indiana Code 20-33-8-25(b) An administrator may take disciplinary action in addition to suspension and expulsion that is necessary to ensure a safe, orderly and effective educational environment. Disciplinary action under this section may include the following:

1. Counseling with a student or group of students.
2. Conferences with a parent or group of parents.
3. Assigning additional work.
4. Rearranging class schedules.
5. Requiring a student to remain in school after regular school hours to do additional school work or for counseling.
6. Restricting extracurricular activities.
7. Removal of a student by a teacher from that teacher's class for a period not to exceed:
 - a. one (1) class period for middle school or high school students; or
 - b. one (1) school day for elementary school students; if the student is assigned regular or additional school work to complete in another school setting.
8. Assignment by the principal of:

- a. a special course of study;
 - b. an alternative educational program; or
 - c. an alternative school.
9. Assignment by the principal of the school where the recipient of the disciplinary action is enrolled of not more than one hundred twenty (120) hours of service with a nonprofit organization operating in or near the community where the school is located or where the student resides.
 10. Removal of a student from school sponsored transportation.
 11. When a student physically assaults a school district employee, the principal of the school where the student is enrolled shall make a referral of the student to the juvenile court having jurisdiction over the student. Incidents constituting a criminal violation of law must be reported to a law enforcement agency.

Short-Term Removal: Administrative placement of a student away from regular activities and or probationary agreements between school and students and/or parents are allowable in cases of reassignments, suspensions and expulsions.

Out-of-School Suspension: Any disciplinary action whereby a student is separated from school attendance for a period of ten (10) days or less if no hearing for expulsion is initiated and prior to the date of the expulsion hearing in certain circumstances. Due process procedures must be followed.

PRE-K/ELEMENTARY SCHOOL:

For the student’s educational benefit, it is expected that all missed work will be made up. Credit will be given for work made up during absences due to suspension. The amount of time allowed for work to be made up will be left up to the discretion of the building principal.

MIDDLE/HIGH SCHOOL:

For the student’s educational benefit, it is expected that all missed work will be made up. The student will receive an “F” grade for any tests or work in the class or classes from which he/she is unexcused, truant, or suspended.

Expulsion: Disciplinary action whereby a student:

1. Is separated from school attendance for a period of more than 10 days
2. Is separated from school attendance for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit in the current semester or current year. Any expulsion that will remain in effect during the first semester of the following school year must be reviewed by the examiner before the beginning of the school year.
3. Suffers a penalty that automatically prevents his or her completing within the normal time his or her over-all course of study in any school in the school corporation. Due process procedures must be followed.

VIII. SUSPENSION AND EXPULSION

A. Definitions

“School purposes” refers to the purposes for which a school corporation operates, including:

1. to promote knowledge and learning generally;
2. to maintain an orderly and efficient education system;
3. to take any action under the authority granted to school corporations and their governing bodies by law.

“Educational function” means the performance by a school corporation, or its officers or employees, of an act or a series of acts in carrying out school purposes.

“Expulsion” means disciplinary action whereby a student:

1. is separated from school attendance for a period of time ranging from 11 days to the balance of the current semester and/or the following semester or calendar year unless a student is permitted to complete required examination in order to receive a credit for courses taken in the current semester or current year;

2. suffers a penalty that automatically prevents his or her completing within the normal time his or her overall course of study in any school in the school corporation.

“**Suspension**” means any disciplinary action that does not constitute an expulsion under Section Ten of this chapter, whereby a student is separated from school attendance for a period:

1. of ten (10) days or less if no hearing for expulsion is initiated; and
2. prior to the date of the expulsion hearing in certain circumstances.

The term does not include situations in which a student is assigned a special course of study, enrolled in special classes or given home-bound instruction as authorized or required by law, or removed from athletic activities, non-credit school activities, or school provided transportation.

B. Indiana Code granting schools the authority to suspend &/or expel students

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

1. The following are the grounds for student suspension or expulsion.
 - a. Student misconduct.
 - b. Substantial disobedience.
2. The grounds for suspension or expulsion apply when a student is:
 - a. On school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group;
 - 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.

*** 20-33-8-15 Unlawful activity.** In addition to the grounds specified in Section 8, a student may be suspended or expelled for engaging in unlawful activity on or off grounds if:

1. The unlawful activity may reasonably be considered to be an interference with school purposes or an educational function; or
2. The student’s removal is necessary to restore or protect persons on school property; including an unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

*** 20-33-8-16 Possession of firearms and deadly weapons.**

A student who is:

1. Identified as bringing a firearm to school or on school property; or
2. In possession of a firearm on school property; must be expelled for a period of at least one (1) calendar year, with the return of the student to be at the beginning of the first school semester after the end of the one (1) year period.

*** 20-33-8-17 Student’s legal settlement not in attendance area.**

A student may be expelled from school if the student’s legal settlement is not in the attendance area of the school cooperation where the student is enrolled.

C. Additional Grounds for Expulsion

1. If the student has a dangerous communicable disease that poses a substantial threat to the health or safety of the school community, or if the student has failed to receive the required tests and immunizations.
2. When a student’s immediate removal is necessary to restore order or to protect persons on school corporation property.

D. Procedures for Suspension

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; and
 - 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 the 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.

E. Procedures for Expulsion

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

SECTION 1

1. The superintendent (*or designee*) may conduct an expulsion hearing or may appoint one of the following persons to conduct the expulsion hearing:
 - a. legal counsel
 - b. a member of the administrative staff who did not expel the student and was not involved in the events giving rise to the expulsion.
2. An expulsion may take place only after the student and the student's parent(s) are given notice of their Right to Appear at an Expulsion hearing conducted by the superintendent or the person designated above. Failure by a student or a student's parent to appear at this meeting will be deemed waiver of rights administratively to contest the expulsion or to appeal to the school board.
3. The Notice of their Right to Appear at the expulsion hearing will be in writing, delivered by certified mail or by personal delivery, and contain the reasons for the expulsion and the date, time, place and purpose of the hearing.
4. At the expulsion hearing, 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.
5. The person conducting the expulsion hearing will make a written summary of the evidence heard at the hearing, take any action found to be appropriate, and give notice of the action taken to the student and the student's parent(s).

The Board of Education of the MSD of Warren Township voted at its regular meeting of July, 2006, that it will not hear any appeal of any expulsion. This does not preclude parents/guardians pursuing action in the civil courts.

SECTION 2

1. A student who is at least sixteen (*16*) years of age and wishes to re-enroll after an expulsion, may be required by the school principal to attend one or more of the following:
 - a. An alternative school or alternative educational program;
 - b. Evening classes; and/or
 - c. Classes established for students who are at least sixteen (*16*) years of age.

F. Special Education Students/IDEA Article 7

Special Education Students and Other Students Suspected of Being Disabled

If there is a situation that appears to warrant a recommendation of expulsion of a special education student, a Case Conference meeting must be held per Title 511 IAC 7-15-2, and the Individuals with Disabilities Education Act (*IDEA*), 20 USC 1415, Sec. 615. Procedural Safeguards, to determine whether the student's behavior is a manifestation of the identified disability. If the Case Conference committee determines the behavior is not a manifestation of the student's disability, then the regular due process procedures should be followed. If it is determined the behavior is a manifestation of the student's disability, the Case Conference committee should consider revision of the student's Individual Education Plan, including a functional behavioral assessment, development of a behavior plan, and review of the student's placement.

When a recommendation for expulsion is being made for a student, and school staff or the parent suspect a disability may exist, as defined by IDEA and 511 IAC Article 7, an expedited evaluation is to be conducted to determine whether a disability exists.

Special education students may receive ten (10) days of suspension in a school year. Additionally, alternative placements may be arranged through the case conference process pending consideration of expulsion when the student is a substantial disruption or danger to self or others.

For Specific and more detailed information please contact the Special Education Office at 869-4400.

IX. SCHOOL BUS CONDUCT AND SAFETY RULES

These rules are designed to promote safety on the buses at all times because the safety of all students is our top priority. School bus transportation is a privilege. If transportation privileges are denied, parents or guardians are responsible for getting the child to and from school. To promote a safe, orderly, efficient and enjoyable bus ride to and from school, all students must follow the rules listed below:

A. At the Bus Stop

1. Be on time (*10 minutes before bus arrival*). Board only your assigned bus, only at your regularly assigned stop, unless special permission is received in advance.
2. Stay out of the street and away from the road.
3. Respect surrounding property while waiting for the bus.
4. Board the bus after it has come to a complete stop and the driver has opened the door.
5. Enter the bus one at a time without pushing other students.

B. On the Bus

1. Fighting is prohibited.
2. Smoking is prohibited.
3. Students may be requested to wear a seat belt.
4. Obey the driver promptly and respectfully.
5. Be seated, facing forward, and stay in assigned seat. No standing or sitting on knees while the bus is in motion.
6. Keep all books and materials on your lap or contained in a backpack. Keep all pencils and pens in book bags or pockets at all times.
7. Be courteous and do not use profane language.
8. Speak in soft voices.
9. Pushing, shoving, scuffling, or tripping are forbidden.
10. Keep all belongings inside the bus.
11. Throwing objects inside or outside the bus is not allowed.
12. Eating, drinking and gum chewing is prohibited.
13. Keep all electronic devices, i.e. games, CD players, music devices, cell phone/camera phones, pagers, etc. in book bags or pockets. These items are not to be used on the bus.
14. Treat bus seats and equipment with care and respect.
15. Students are requested not to bring pets on the bus. (*hamsters, guinea pigs, etc.*)
16. Bus windows are not to be opened without permission from the Bus Driver. Windows are only to be put down three (3) notches, or when the top of the window is parallel to the black line on side of bus.
17. Putting any part of your body outside the windows is strictly forbidden including head, hair, hands and feet.

C. Leaving the Bus

1. Leave the bus only at your regularly assigned stop unless special permission is received in advance.
2. Exit the bus when it comes to a complete stop and the door has been opened by the driver.
3. Wait your turn and do not push when leaving the bus.

4. Once off the bus, clear the area immediately. If crossing the street, wait for a signal from the bus driver before crossing in front of the bus, then walk quickly across the street.
5. Kindergarten students must have a 3rd grade or older sibling with them or a parent or designated adult must be in view for the driver to release the student from the bus. When an older sibling or parent are not available to receive a kindergartener at the bus stop, the student will be returned to school. Parents of children repeatedly returned to school may be subject to penalties including child care fees and/or loss of bus privileges.

D. Discipline Plan*

***Severe Clause:** Fighting, smoking, unauthorized departure from bus, abusive language, carrying weapons or vandalizing the bus, are examples of behavior that may result in an immediate bus suspension and/or suspension from school.

Habitual Offender: Anyone receiving [*three (3) or more violations*], may be given a bus suspension.

1. First Violation Driver fills out School Bus Conduct Violation Report, stating specific bus rule violation, and has student sign violation report. The driver then gives a copy to student for parent/guardian signature, and calls parent/guardian to ask for their help. This call is **mandatory** and a record of the call must be noted on the violation form. Specific information must be included:
 - a. Individual driver talked with on telephone.
 - b. Date and time of conversation.
 - c. What the parent/guardian will do to help correct the bus behavior of the student.
 - d. **Must be done** before any referrals are written (*other than for *Severe Clause Referrals*).
2. First Referral When 1st Referral is given to administrator a copy of 1st Violation Report must be attached with specific information as stated under First Violation (other than for *Severe Clause Referrals).
The dean or administrative assistant's options are:
 - a. Counsel with parent(s), student, and bus driver.
 - b. Bus suspension
 - c. Other
3. Second Referral The dean or administrative assistant's options are:
 - a. Counsel with parent(s), student, and bus driver.
 - b. Bus suspension
 - c. Other
4. Third Referral Recommended ***minimum*** three (3) day suspension and contact with parents.
5. Fourth Referral Recommended bus suspension for the remainder of the school year.

E. Student Safety Responsibilities for Mini-Buses

1. All bus rules as listed above apply to mini-bus students.
2. Students will fasten seat belts and remain seated with seat belts fastened until instructed by driver.
3. If the mini-bus student will not be attending school, a parent call is requested as soon as possible to cancel transportation and a call is requested to resume transportation.

F. After-School Activity Transportation

This transportation privilege may be terminated for committing any of (*but not limited to*) the following violations listed below:

1. Defying/disobeying any bus drivers instruction or reasonable request.
2. General bus disruption.
3. Use of abusive language and/or gestures.
4. Failure to provide proper/correct name and identification upon request.

X. ATTENDANCE

The student is to be at school every day unless he or she has a legal excuse for not attending. The School Board policy contains a complete list of legal excuses, which include illness, medical appointments, death in the family and participation in certain non-school activities. Failure on the part of the parent or guardian to report an absence will result in the absence being classified as unexcused. Students with a substantiated PS (*present but suspended*) code on their attendance cards will not be eligible for Perfect Attendance awards.

Indiana law provides as follows:

It is unlawful for a parent to fail to ensure that his child attends school as required under our compulsory attendance statutes (IC 20-33-2-27);

It is unlawful for a parent to fail, neglect or refuse to send his child to a public school for a full term as required under our compulsory attendance statutes unless the child is being provided with instruction equivalent to that given in public schools (IC 20-33-2-28);

It is unlawful for a parent to fail or refuse to produce a certificate of the incapacity of a child, signed by an Indiana physician or by an individual holding a license to practice osteopathy or chiropractic in this state or by a Christian Science practitioner who resides in Indiana and is listed in the Christian Science Journal, and within six (6) days after it is demanded, where the parent does not send the child to school because of that child's illness or physical or mental capacity (IC 20-33-12-18); and

It is unlawful for a person having the care of a dependent, whether assumed voluntarily or because of a legal obligation, who knowingly or intentionally deprives the dependent of education as required by law (IC 35-46-1-4).

A child is required to attend school until the date on which he reaches the age of eighteen (18). If the parent or other person having the care of a dependent under the age of eighteen (18) is charged and convicted of any of the offenses outlined above, it could result in imprisonment for a term of six (6) months to four (4) years and a fine of One Thousand (\$1,000.00) to Ten Thousand (\$10,000.00) Dollars. The penalty would depend upon the offense charged.

1. Excessive absences whether they be excused or unexcused may result in one or more of the following actions: parent conferences, warning letters, legal notice and a demand for a physician's note, or the filing of charges. Charges may include one or more of the following:
 - a. Educational Neglect
 - b. Failure to Ensure
 - c. Criminal Charges
 - d. Status Offense (*Educational Neglect*) (*Truancy*)
2. Five (5) days of absences is considered excessive. School officials may be in contact with parents to communicate attendance concerns.
3. Attendance shall be taken twice during each full student instructional day, once in the morning session and once in the afternoon session. A student in attendance during any part of the day, up to and including one-half (1/2) of the day, shall be counted as one-half (1/2). A student in attendance for more than one-half (1/2) of the day shall be counted as one (1). 511 IAC 1-3-3
4. Schools may implement plans and procedures to promote good attendance for their students.

PRE-K/ELEMENTARY SCHOOL

For the student's educational benefit, it is expected that all missed work will be made up. Credit will be given for work made up during "unexcused" absences. The amount of time allowed for work to be made up will be left up to the discretion of the building principal.

MIDDLE/HIGH SCHOOL

For the student's educational benefit, it is expected that all missed work will be made up. The student may receive an "F" grade for any tests or work in the class or classes from which he/she is unexcused, truant, or suspended. A percentage penalty will not be deducted from a student's grade for unexcused absence, unless a regularly established daily percentage grade for participation is given.

Participation in extracurricular activities, for the day(s) of the absence(s) and the weekend if the unexcused absence is on Friday, will be prohibited.

XI. RESIDENCY AND CUSTODY

RESIDENCY REQUIREMENTS: STUDENTS

The following persons between the ages of five (5) by the designated legal date and twenty one (21) may attend the schools in this corporation providing:

Proof of residency has been established by providing the school the following required documentation

1. Own (*VERIFICATION MUST INCLUDE ONE ITEM FROM BOTH SECTIONS a & b WITH GUARDIAN'S NAME AND ADDRESS*)
 - a. Closing Document, Warranty Deed, Monthly Mortgage Payment Statement, Quit Claim Deed, Lease to Buy, Current Year Tax Bill & Homestead Property Claim
 - b. Current Power & Light and/or Gas Bill
2. Rent (*VERIFICATION MUST INCLUDE ONE ITEM FROM BOTH SECTIONS a & b WITH GUARDIAN'S NAME AND ADDRESS*)
 - a. Current Lease
 - b. Current Power & Light and/or Gas Bill (*30 days for new lease*)
 - c. The school will need to verify your status from the landlord or apartment complex.
3. Lives with
 - a. Temporary Residency Form/Financial Responsibility Form
 - b. Verify owner or renter
 - c. Landlord statement if renter
 - d. Previous place of entry is empty
 - e. Employer verification form or statement
4. Home Under Construction
 - a. Home Under Construction form (45 days)
 - b. Purchase Agreement- for home under construction only (*must state date of possession.*)
5. If a student's legal settlement is changed after the student has begun attending school in a school corporation in any school year, the effective date of change may: at the election of the parent be extended until the end of the semester; or at the discretion of the school, until the end of that school year. However, that election where a student has completed grade 11 in any school year, shall extend to the end of the following school year in grade 12. I.C. 20-26-11-2 (7-8) (A) (B)

If it is determined that a junior does not have legal settlement in Warren, then senior rights will not be granted.

CUSTODY REQUIREMENTS:

1. Any student living with his or her parents including adoptive parent, legal guardian or parent to whom custody of the minor is awarded pursuant to a court order within the Warren School Corporation may attend Warren Schools.
2. Any student living with a divorced parent within the Warren School Corporation, where no court order has been made establishing the custodial parent, where both parents have agreed on the parent or person with whom the student will live, or where the parent granted custody of the student has abandoned the student, may attend Warren Schools.

3. Any student who is living with another person (*not a parent*) who resides in the Warren School Corporation for the primary purpose of attending school in the corporation may NOT attend school in Warren Township. Legal guardianship or custodianship established solely for the purpose of attending school in the school corporation is illegal.
4. A student who is married and living with a spouse who resides within the Warren School Corporation may attend Warren Schools.
5. A student whose parents can provide evidence they are living outside of the United States by reason of education or job assignment and who have placed the student in the home of another person who resides within the boundaries of the Warren School Corporation may attend school in Warren Township.
6. A student who is emancipated, if he or she resides within the Warren School Corporation may attend school in Warren Township.
7. Any student with respect to which tuition transfers have been determined and paid in compliance with IC 20-26-11-6 may attend school in Warren Township.
8. Parent/legal guardian of students who attend school in Warren Township but whose legal settlement is found to be outside of the school's attendance area can be held accountable for retroactive payment of tuition during the time of their child's illegal enrollment.
9. A student with a home currently under construction and due to be completed within 45 days may enroll in school in Warren Township.
10. Rules regulating residency and transfer eligibility in accordance with IC 20-8.1-6.1 will be strictly enforced.
11. Any person found not in compliance may appeal in accordance with Student Due Process procedures as stated in Section 10 of the Indiana Code.

XII. DRUG POLICY

The MSD of Warren Township is concerned about any student who chooses to abuse chemical substances and will facilitate the process by which students receive help through prevention education and community referral services. The corporation believes in the American Medical Association position that chemical dependency is a disease of major proportion in our society, and that it is chronic in nature, progressive and treatable. The corporation believes that the prevention and elimination of illicit chemical use and abuse is an appropriate activity for the public schools.

It is a violation of the disciplinary code to possess, use and/or distribute controlled substances, alcohol, marijuana, stimulants, depressants, hallucinogens, inhalants, look-a-like drugs, or to possess or provide to any person items used for storage, processing, delivery or consumption. Examples include but are not limited to: pipes, rolling papers, clips, or any other inhaling devices.

The penalties of suspension, expulsion and referral and notification of law enforcement will be applied at school, within 1000 feet of the school property as per Indiana Criminal Code 35-48.4-4 and at school-related functions or activities.

Students that have violated this disciplinary code as their first offense may be subject to a drug referral treatment program as an alternative to expulsion subject to the principal's recommendation to the Superintendent through the student due process procedure. Referral is at the discretion of the school and is not automatically available.

PRE-K/ELEMENTARY SCHOOLS

When students have violated the drug policy, they will be subject to the following disciplinary action:

FIRST OFFENSE:

1. The designated building administrator will contact the parent(s) and student.
2. Appropriate recommendations will be made, (*i.e. alternatives, suspension, expulsion*).
3. Proper legal authorities will be notified in compliance with ICC 35-48-4-4.

SECOND OFFENSE:

1. The designated building administrator will meet with the parent(s) and student.
2. The student will be suspended or expelled.
3. Proper legal authorities will be notified in compliance with ICC 35-48.4-4.

SECONDARY SCHOOLS

When students have violated the drug policy during their career in Warren Township they will be subjected to the following disciplinary action:

FIRST OFFENSE:

The student may be subject to a suspension accompanied by a recommendation to the Superintendent for not more than two (2) semesters (*including the semester when the conduct occurred*).

Upon review of the student's discipline record and the circumstances of the violation, the principal may at his/her discretion, recommend to the Superintendent that the student involved be given the option to enroll in an educational or counseling program of at least ten (10) hours duration and complete a drug assessment, which includes a laboratory analysis except where the service provider deems it unnecessary. Where fees for service are involved, parents must accept responsibility for payment. The school can request a waiver of hearing rights which would allow the school position to be sustained if expulsion were recommended.

The service provider must be approved by the school district and both the program and drug testing results must be shared with the school upon the student's satisfactory completion. Failure to satisfactorily complete the designated program and provide negative drug tests results as requested by the service provider within a specific time frame established by the principal will result in an immediate recommendation for expulsion from school. Also, in lieu of the principal recommending expulsion the student and his/her parents shall consent to having the student drug tested by the school and/or a service provider of the school's choosing for a time period determined by the principal but not to exceed the semester when the misconduct occurred and the subsequent semester ("*deferral period*"). The student shall have five (5) days prior notice of the drug testing and shall not be tested more than two (2) times during the deferral period.

The principal may authorize the student's return to school after no less than five (5) days and no more than ten (10) days of absence providing drug assessment results are presented or are pending due to a delay caused by a service provider, and a satisfactory evidence of enrollment and active participation in an educational or counseling program is presented.

The student may enter the drug referral program following the waiver of hearing rights or the conduct of a hearing in which the school's position is sustained. The student's recommendation for expulsion will be held in abeyance while he/she is participating in the alternative program. Students will be expected to make up all assignments missed for credit for the duration of the excused absence. Days of suspension cannot be made up.

The designated building-level substance abuse coordinator is to be notified of the first offense of the student and is to work in conjunction with the designated administrator for discipline in meeting with parents, making appropriate recommendations, assisting in referral for assessment and providing follow-up monitoring and support upon the student's return from treatment.

SECOND OFFENSE AND SUBSEQUENT OFFENSES**WITHIN A STUDENT'S CAREER IN WARREN TOWNSHIP:**

The student will be subject to a ten (10) day suspension accompanied by a recommendation to the Superintendent for his/her expulsion from school for not more than two (2) consecutive semesters (*including the semester when the conduct occurred*). Re-enrollment after the period of the expulsion requires the representation of evidence that the student has received professional intervention to assist with the substance involvement if specified by the hearing examiner or by the principal if no hearing is held. (IC 20-33-8-25)

Dealing:

Dealing is defined as knowingly supplying or intentionally distributing unauthorized drugs, narcotics, alcohol or look-a-like substances to others.

FIRST OFFENSE:

Recommendation for expulsion to the Superintendent at the secondary level.

STUDENT DRUG TESTING POLICY (grades 6-12):

The Administration and staff shall have the authority to require any student to submit to a chemical test of the student's breath or urine if the Administration and staff have "reasonable suspicion" (*as defined below*) the student is using or is under the influence of alcohol, marijuana or any controlled substance (*as defined by Indiana law*) while:

1. On school grounds, immediately before, during and immediately after school hours and at any other time when the school is being using by a school group or for a school function;
2. Off school grounds at a school activity, function or event; or
3. Traveling to or from school or a school activity, function or event.

The Administration and staff have the authority to require any student participating in athletics or other student activity programs, and any student issued a parking permit, to submit to testing if the Administration has reasonable suspicion to believe the student has violated rules adopted by the school prohibiting such students from using, or being under the influence of alcohol, marijuana or any controlled substance. Reasonable suspicion may arise from the following supportive indicators:

1. A student's behavior, in conjunction with physical appearance and/or odor, indicates the possible use of alcohol, marijuana or any controlled substance.
2. The student possesses drug paraphernalia, alcohol, marijuana, or any controlled substance.
3. Information communicated to an Administrator by a teacher, staff member, parent, other adult or a student indicating a student is using, possessing or under the influence of alcohol, marijuana or any controlled substance. (*Any such report will be investigated by the Administration and will be substantiated by other indicators, if deemed necessary*)

A chemical test of the student's breath and/or urine will be conducted in accordance with the adopted procedures.

If any student tests positive, disciplinary action may be taken as outlined by the MSD of Warren Township Student Rights & Responsibilities Handbook.

Student's privileges granted by the school, such as parking or student activity programs, are subject to restriction of those privileges as outlined by the Student Rights & Responsibilities Handbook and/or the respective athletic and student activity program handbook/guides.

A student's refusal to submit to the chemical test will result in the administration's proceeding with the appropriate disciplinary action. If a parent or guardian refuses to allow the test to be administered to their child, the disciplinary action will be taken as if the test were positive.

XIII. GRIEVANCE PROCEDURE

This handbook protects student rights by providing students with guidelines within which these rights may be enjoyed. Any recognition of student rights, however, must also recognize that administrators and teachers have rights and duties. The teacher must maintain a good environment for learning. Administrators are responsible for overseeing the entire educational program.

Occasionally, a student or parent may think that school officials have improperly denied a student participation in an educational program or subjected the student to an illegal rule or standard. Any problem or question of a student or parent who thinks the student has been treated unfairly should be immediately brought to the attention

of the teacher, school building officials, central office officials or the School Board. All efforts will be made to resolve this problem and explain fully what has happened to the student.

BEHAVIOR REVIEW:

In cases involving disciplinary, behavioral concerns, a parent/guardian may request, and as a result, the Principal may call for a *Behavior Review*. If called for, a Behavior Review will offer an opportunity to consider alternatives and options involving the student. A Behavior Review may determine “next steps” for the student. Each Behavior Review will be moderated by the school corporations’s Hearing Officer.

If these informal efforts to solve the problem do not satisfy the student or parent(s), then the student or the parent(s) may file a formal complaint with the Superintendent. This complaint will be handled in the same manner as a complaint against a student and may result in a hearing at which the student and school officials will present their views. This section does not entitle a student or parent to initiate a hearing involving a grade or grades given the student for courses taken. For further explanation of the process, please contact the Hearing Examiner at 869-4300.

The MSD Warren Township Anti-Harassment Complaint Coordinator is:

The Assistant to the Superintendent for Secondary Instruction
975 North Post Road • Indianapolis, IN 46219
(317) 869-4300

HARASSMENT CONCERNS:

Notify appropriate school officials about any and all harassment concerns. This notification should be both verbal and written. Please be specific including names, circumstances, location and all pertinent information. School officials will investigate.

XIV. QUESTIONING OF STUDENTS

Pupils shall not be questioned in school or their persons, personal effects, or lockers be searched other than by school-employed personnel and shall not be removed from school or school-related activities by non-school personnel except in the following situations:

1. The parents have consented to this action. Such consent shall be effective only if it is given with knowledge of the possible consequences of the consent.
2. By persons with police authority pursuant to a court order or other legal process, provided that the parents are notified as soon as reasonably possible, and if reasonably possible, before carrying out such order, (*except in cases of child abuse*).
3. By persons with police authority who are investigating or enforcing law related to:
 - a. criminal conduct occurring on school grounds, where the conduct has caused an immediate and direct disruption of the operation of school or such function.
 - b. criminal conduct creating an immediate and direct disruption of students coming to or going from a school function.
4. By persons with police authority in cases of suspected child abuse.

XV. ACCESS TO RECORDS (*Family Rights & Privacy*)

Parents and eligible students (*18 years of age*) may review their present and past school records. Upon request to the principal, arrangements will be made for parents or eligible students to review and discuss their educational records. The principal (*or designee*) will be present during the review to answer questions and interpret data. If a

parent or eligible student questions the validity of any educational record, the person may ask for a meeting with the Superintendent (*or designee*) to discuss the correction. If the conference with the Superintendent (*or designee*) does not meet with the satisfaction of the parent or eligible student, the person may request a further hearing into the matter. Complete procedures for inspection, fee schedules, location and identification of school officials for education records are listed in the School Board policy.

During a student's school career, the school corporation is required by law to collect and record data concerning the student. The School Corporation recognizes that the collection, maintenance, and limited dissemination of such data is essential for accomplishing student purposes. However, the school system desires to preserve to the extent possible the rights of privacy to the students and parents and to afford students and their parents the right to correct inaccurate information contained in the records. Therefore, this policy is designed to protect the students and their parents and the school and also to comply with the provisions of the Family Educational Rights and Privacy Act of 1974.

DIRECTORY INFORMATION

Each year the Corporation will provide notice to students and their parents of its intent to make available, upon request, certain information known as "directory information". The Board designates as "student directory information subject to availability": a student's name; address; telephone listings; electronic mail addresses; date and place of birth; photograph; major field of study; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; awards received; listings on an honor roll; or scholarships.

Directory information shall not be provided to any organization for profit-making purposes. The Superintendent may allow access to a school campus or give students' directory information to organizations that make students aware of educational or occupational options.

The Superintendent is required to give recruiting representatives of the U.S. Armed Services and the Indiana Air, Army National Guard and the service academies of the armed forces of the United States access to the high school campus and student directory information (*student's name, address, and listed or published telephone number*) when requested to do so.

The School Corporation is required to notify the parent and student that either one may request that the information not be released by the School corporation to the military recruiting representatives. The notification is to include the process necessary to complete this requirement.

The parent or student must make the request in writing at the end of the student's sophomore year in high school. This is a one-time opt-out opportunity. If the student opts-out in his/her sophomore year and later changes his/her mind a revocation may be made.

Parents and adult students may refuse to allow the Corporation to disclose any or all such "directory information" upon written notification to the Corporation within ten (*10*) school days after receipt of the Corporation public notice.

Whenever parental consent is required for the inspection and/or release of a student's health or educational records or for the release of directory information, either parent may provide such consent unless specifically stated otherwise by court order.

The Corporation may disclose "directory information" on former students without student or parental consent.

Students and parents have a right to:

1. Inspect and review the student's education records;
2. Request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
3. Consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;
4. File a complaint of Corporation noncompliance with the Department of Education and

5. Obtain a copy of the Corporation's policy and administrative guidelines on student record. Legitimate Educational Interests of School Officials. In appropriate cases, the School Corporation need not obtain consent or otherwise notify students or their parents when a school official has a legitimate educational interest in educational records. "School Officials" include but are not limited to board members, faculty, administrators, clerical assistants, professional employees, support staff (including medical staff and law enforcement unit personnel) and agents of the School Corporation such as independent contractors performing functions on the behalf of the School Corporation (i.e. attorneys, auditors). A school official has "legitimate educational interest" in accessing or reviewing a student's educational records if it is necessary to: (a) fulfill the school official's contractual and/or professional responsibilities; (b) perform tasks related to a student's education or discipline; (c) provide a service or benefit relating to the student or student's family, such as health care, counseling, career development, or financial aid; or (d) maintain safety and security on campus. Information released pursuant to this provision does not permit the school official to transmit, share, or otherwise disclose any or all of the information to a third party. Also, if the school official has access the records through the school's main office and/or school record custodian then a record shall be kept memorializing the request and disclosure.

As per the amended Protection of Pupil Rights Amendment (*PPRA*) under the No Child Left Behind Act (*NCLB*) of 2001, if a parent or student believes his/her rights under *PPRA* and *FERPA* have been violated, he/she should address all complaints to:

MSD Warren Township Protection of Pupil Rights Compliance Office
975 North Post Road • Indianapolis, IN 46219
(317) 869-4300

XVI.

ASSISTANCE FOR TEXTBOOKS, SUPPLIES AND FEES

Indiana law provides that parents who meet the financial eligibility standards for receiving free and reduced meals under the National School Lunch Program and who make proper application to the school district are not required to pay the fee for school books, supplies, or other required class fees. Such fees shall be paid by the school corporation after the determination of financial eligibility is made. A separate application must be completed for each student. The application form and eligibility standards may be obtained through any of the schools or through the MSD of Warren Township, 975 North Post Road, Indianapolis, Indiana 46219, telephone 869-4300.

XVII.

ADMINISTRATION OF MEDICATION

While acting within the scope of his duties, no employee, volunteer or any member of the MSD of Warren Township is permitted to prescribe or recommend any type of medication, drugs, or any substance of a medical nature for internal consumption for any individual. School personnel may cooperate with parents and doctors for the health and welfare of children under the following procedures, as approved by the Superintendent, building principal or the principal's designee:

1. All medications (*prescription and non-prescription*) to be given during school hours need:
 - a. Written parental/guardian consent indicating:
 1. amount of medication to be given
 2. time medication is to be given
 3. how long medication is to be given

It is the parent/guardian's responsibility to notify the school nurse or school office staff of any changes or when the medication is discontinued.

- b. Prescription medication is to be in a currently dated **PHARMACY LABELED CONTAINER**. (*The pharmacy label serves as the physician's written consent.*)
- c. Non-prescription (*over-the-counter*) medication (*i.e. cough drops, Tylenol, etc.*) is to be in the **ORIGINAL SEALED CONTAINER** it was purchased in. Dosage is not to exceed the manufacturer's recommendation.
2. The nurse or school office staff must be notified of all medication brought into the school.
3. It is the child's responsibility to come to the location where the medication is kept to receive the medication. Students should not have medication, whether prescription or over-the-counter, in their possession at school.
4. School personnel cannot be expected to administer medication that requires skills beyond their qualification.
5. Parents who do not wish to comply with the above procedure may come to the school and administer the medication.
6. A school corporation may send home medication that is possessed by a school for administration during school hours or at school functions if the student's parent/guardian provides written permission for the student to receive the medication.

Students who need emergency medication (*i.e. asthma inhalers, bee sting kits, etc.*) should have an annual physician's written statement on file indicating if the medication should be carried by the student. It is recommended that the student also keep additional emergency medication in the nurse's office to be sure the medication is available if needed.

SELF-ADMINISTRATION OF MEDICATION

A student may possess and self-administer emergency medication for chronic diseases or medical conditions provided the student's parents files a written authorization with the principal. The written authorization must be filed annually. A physician's written statement must be included with the parent's authorization.

The physician's statement must be filed annually and include the following information:

1. An acute or chronic disease or medical condition exists for which the medication is prescribed.
2. The student has been given instruction as to how to self-administer the medication.
3. The nature of the disease or medical condition requires emergency administration of the medications.

The School or School Board is not liable for civil damages as a result of a student's self-administration of medication for an acute or chronic disease or medical condition except for an act or omission amounting to gross negligence or willful and wanton misconduct. I.C. 20-33-8-13

XVIII. NETWORK AND INTERNET ACCESS AGREEMENT FOR STUDENTS

MSD of Warren Township has established a computer network and is pleased to offer Internet access for student use. This will allow student access to a variety of Internet resources. **For student to use the Internet, students and their parents or guardians must first read and understand the following acceptable use policy (AUP).**

The purpose of this agreement is to provide Network (*Local Connections*) and Internet access, hereinafter referred to as Network, for educational purposes to the student. As such, this access will (1) assist in the collaboration and exchange of information, (2) facilitate personal growth in the use of technology, and (3) enhance information gathering and communication skills.

The intent of this agreement is to ensure that Students will comply with all Network and Internet acceptable use policies approved by the Corporation.

In exchange for the use of the Network resources at school, I understand and agree to the following:

1. The use of the Network is a privilege which may be revoked by the Corporation at any time and for any reason. Appropriate reasons for revoking privileges include, but are not limited to, the altering of system software, installation of unauthorized programs, the willful and intentional placing of unauthorized information,

computer viruses, or harmful programs on or through the computer system in either public or private files or messages. The Corporation reserves the right to remove files, limit or deny access, and refer the student for other disciplinary actions.

2. The Corporation reserves all rights to any material stored in files on Corporation equipment and will remove any material which the Corporation, at its sole discretion, believes may be unlawful, obscene, pornographic, abusive, or otherwise objectionable. Students will not use their Corporation approved computer account/access to obtain, view, download, or otherwise gain access to, distribute, or transmit such materials. The Corporation uses filtering software to limit access to unlawful, obscene, pornographic, abusive, or otherwise objectionable material. Any attempt by a student to circumvent, disable, or interfere with this software is grounds for termination of Network privileges.
3. All information services and features contained on Corporation or Network resources are intended for the private use of its registered users and any use of these resources for commercial-for-profit or other unauthorized purposes (*i.e. advertisements, political lobbying*), in any form, is expressly forbidden.
4. The Corporation and/or Network resources are intended for the exclusive use by their registered users. The Student is responsible for the use of his/her account/password and/or access privilege. Any problems which arise from the use of a Student's account are the responsibility of the account holder. Use of an account by someone other than the registered account holder or accessing another person's account without permission is forbidden and may be grounds for loss of access privileges. Proper access to the Corporation Network resources requires use of a valid login at all times.
5. Any misuse of the account will result in suspension of the account privileges and/or other disciplinary action determined by the Corporation. Misuse shall include, but not limited to:
 - a. Intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users;
 - b. Misrepresenting other users on the Network;
 - c. Disrupting the operation of the Network through abuse or vandalizing, damaging, or disabling the hardware or software;
 - d. Malicious use of the Network through hate mail, harassment, profanity, vulgar statements, or discriminatory remarks;
 - e. Interfering with others use of the Network;
 - f. Extensive use for non-curriculum-related communication (*i.e. use not directly or indirectly related to the Corporation Curriculum*);
 - g. Installation or storage of software programs or scripts (*including Freeware and Shareware, music, communications and file transfer software such as, but not limited to: Napster, Napigator, Gnutella, FTP, ICQ, AOL, AOL/IM, Yahoo/IM, MSN or any other program or script unless the software is part of a district programming class assignment*);
 - h. **Unauthorized down-loading, copying, or use of licensed or copyrighted software or plagiarizing materials;**
 - i. **Allowing anyone to use an account other than the account holder;**
6. The use of Corporation and/or Network resources are for the purpose of support of the academic program.
7. The Corporation and/or Network does not warrant that the functions of the system will meet any specific requirements the user may have, or that it will be error free or uninterrupted; nor shall it be liable for any direct or indirect, incident, or consequential damages (*including lost data, information, or time*) sustained or incurred in connection with the use, operation, or inability to use the system. Support for student use of Network services shall be during normal business hours.
8. The Student will diligently delete old files on a daily basis from the personal (*home*) directory to avoid excessive use of the electronic disk space.
9. The Corporation and/or Network will periodically make determinations on whether specific uses of the Network are consistent with the acceptable-use practice. The Corporation and/or Network reserves the right

to log Internet use to monitor electronic file space utilization by users.

10. The Student may not transfer files from information services and electronic bulletin board services. The student may, however, transfer data files that match district approved software (*Word and Excel for example*) to and from their home directories. For each file received through a file transfer, the Student agrees to check the file with a virus detection program before opening the file for use. Should the Student intentionally transfer a file, shareware, or software which infects the Network with a virus and causes damage, the student may be liable for any and all repair costs to make the Network once again fully operational and may be subject to other disciplinary measures as determined by the Corporation.
11. The Student may not transfer files, shareware, or software from information services and electronic bulletin boards at any time. The Student will be liable to pay the cost fee of any file, shareware, or software transferred, whether intentional or accidental.
12. The Student may only log on and use the Network under the immediate supervision of a staff member and only with his/her authorized account number.
13. The Corporation reserves the right to log computer use and to monitor file server space utilization by users. The Corporation reserves the right to remove a user account on the Network to prevent further unauthorized activity.

In consideration for the privileges of using the Corporation and/or Network resources and in consideration for having access to the information contained on the Network, I hereby release the Corporation, Network, and their operators and administration from any and all claims of any nature arising from my use, or inability to use the Corporation and/or Network resources.