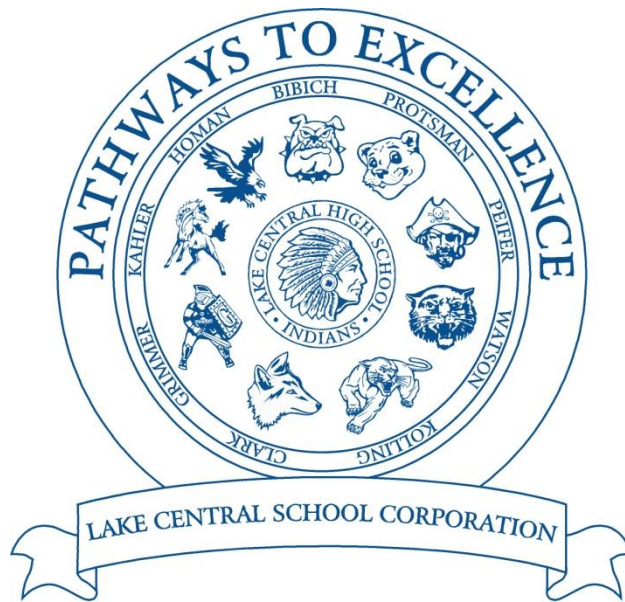


**Student Code of Conduct  
Responsibilities  
Due Process  
Parent/Student Rights**



**2022-2023**

Lake Central School Corporation  
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# STUDENT CODE OF CONDUCT

## INTRODUCTION

The Lake Central School Corporation believes that:

- *Each individual has dignity and worth*
- *Students are our number one priority*
- *We must continually improve and strive for excellence*
- *Everyone can learn*
- *People learn in different ways and at different rates*
- *Teachers are critically important in every student's education*
- *Education is the responsibility of the students, staff, parents and the entire community*
- *School provides a foundation for a lifetime of learning*
- *The total school environment affects learning*
- *Self-esteem is directly related to learning*
- *Educated citizens are essential to a democratic society*

In order to ensure that the beliefs of the Lake Central School Corporation are carried out to their fullest, it is necessary to provide opportunities that support these beliefs. In order to accomplish this it is necessary that a structured system be developed and implemented.

Within any successful system, a series of guiding principles as well as rules and regulations are found. The guiding principles of the Lake Central School Corporation are listed above. The general rules that the corporation, as well as the State of Indiana, have deemed necessary to provide learning opportunities are presented on the following pages. All schools within the corporation are expected to abide by these. In addition, individual schools have established rules and regulations specific to that building. These may be found in the individual School Handbooks.

Please read carefully all of the material since this will help you have a positive school experience.

## 1. WHO CAN CREATE POLICIES, RULES AND REGULATIONS

The Board of School Trustees and the Superintendent of Schools may establish written regulations concerning student conduct. Each principal of his or her school may, also, establish written regulations governing student conduct.

## 2. GROUNDS FOR SUSPENSION OR EXPULSION (Indiana Code 20-33-8-14)

The following are the grounds for student suspension or expulsion, subject to the procedural requirements stated by school corporation rules:

- Student misconduct.
- Substantial disobedience.

Examples of such conduct include but are not limited to:

Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other comparable conduct constituting an interference with school purposes, or urging other students to engage in such conduct such as:

Occupying any school building, school grounds, or part thereof with intent to deprive others of its use.

Blocking the entrance or exits of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of the building, corridor, or room.

Setting fire to or damaging any school building or property.

Prevention of or attempting to prevent by physical act the convening or continued functioning of any school or educational function, or any lawful meeting or assembly on school property.

Continuously and 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 his/her supervision.

Causing or attempting to cause damage to school property or stealing or attempting to steal school or private property.

Intentionally causing or attempting to cause physical injury or intentionally behaving in such a way as could reasonably cause physical injury to any person.

Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student.

Failing in a number of instances to comply with directions of teachers or other school personnel during any period of time when the student is properly under their supervision, where the failure constitutes an interference with school purposes or an educational function.

Falsely accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.

Engaging in any activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function.

Aiding, assisting, or conspiring with another person to violate these student conduct rules or state or federal law.

Violating any rules that are reasonably necessary in carrying out school purposes or an educational function, including, but not limited to:

- Engaging in sexual behavior on school property;
- Disobedience of serious disrespect administrative authority including refusing to follow directions of school employees;
- Willful absence or truant from school in accordance with building policy;
- Engaging in speech or conduct, including clothing, jewelry or hair style, which is profane, indecent, lewd, vulgar or offensive to school purposes;
- Failing to tell the truth about any matter under investigation by school personnel.
- Possessing or using a laser pointer or similar device.
- Dealing in a substance represented to be a controlled substance which shall mean a person who delivers any substance that he represents to be a controlled substance. No student may possess, transmit or consume any substance which the student has reason to believe is, or which has been represented to him/her as, a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind. Students are prohibited from possessing, using, selling, transmitting, consuming, or being under the influence of caffeine based pills, substances containing phenylpropanolamine (PPA), or stimulants of any kind be they available with or without a prescription. Abusing or consuming in excess of the recommended

dosage of any patent or prescription drug with the purpose of creating an intoxicated, drugged, or irrational state or causing physical injury, either to one's self or to other persons.

- Selling or attempting to sell, purchasing or attempting to purchase, a substance alleged by the seller to be marijuana, a controlled substance, a prescriptive drug, an alcoholic beverage, or an intoxicant of any kind within the jurisdiction of the school corporation.
- 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 education function.
- Selling or attempting to sell marijuana or drug paraphernalia in conjunction with restricted activity under this section or for the purpose of causing a violation under this section or any activity forbidden under I.C. 35-48-4. Any violation of this will result in a recommendation by the principal or his designee that the student be expelled.
- Repeatedly refusing to follow the directions of supervising school employees; engaging in acts of serious disrespect to school employees.
- Engaging in immoral conduct forbidden by the laws of the State of Indiana.
- Being willfully absent or truant from school in accordance with building policy.
- Using or possessing tobacco of any form including vape materials.
- Disobeying rules of the Building Handbooks.
- Failing to maintain legal settlement in Lake Central School Corporation's attendance area and no agreement has been made as to transfer or payment of tuition. By statute, if a student's legal settlement changes after the student has begun attending school at Lake Central, the student may complete the current semester or, at the discretion of Lake Central, the current school year without the payment of tuition. Where a student has completed grade 11, that election extends to the end of the following school year in grade.

### **3. SPECIAL PROVISIONS FOR POSSESSION OF A FIREARM, DESTRUCTIVE DEVICE OR DEADLY WEAPON (I.C. 20-33-8-16)**

It is the policy of the Lake Central School Corporation that no student, employee or person may knowingly possess, handle or transmit any object which can reasonably be considered a weapon including, but without limitation, a knife or a firearm, on school premises or at school-related functions without first having secured prior written approval from the building principal. Approval of the building principal is not required for items used in the normal scope of the employee's work.

Violation of this rule banning the possession of weapons or destructive devices on school premises shall constitute grounds for suspension, expulsion, and/or dismissal subject to the procedural provisions set forth in the Lake Central Student Handbook, the applicable collective bargaining agreement, and State Law. Violators of this policy shall also be subject to arrest and prosecution. (Lake Central School Board Policy 0001.5)

The Superintendent shall notify the appropriate law enforcement agency when a student is expelled under this rule.

#### **MANDATORY EXPULSION FOR POSSESSION OF A FIREARM**

The penalty for possession of a firearm or a destructive device: suspension up to 10 days and expulsion from school for at least one calendar year with the return of the student to be at the beginning of the first semester after the one year

period. The superintendent may reduce the length of the expulsion if the circumstances warrant such reduction.

**The following devices are considered to be a firearm under this rule: (I.C. 35-47-1-5)**

- Any weapon frame or receiver which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
- any firearm muffler or firearm silencer
- any destructive device which is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or any similar device.
- any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter
- any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled
- an antique firearm
- a rifle or a shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes

For purposes of this rule, a destructive device is (I.C. 35-47.5-2-4) an explosive, incendiary, or overpressure device that is configured as a bomb, a grenade, a rocket with a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, a Molotov cocktail or a device that is substantially similar to an item described above,

- a type of weapon that may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel that has a bore diameter of more than one-half inch, or
- a combination of parts designed or intended for use in the conversion of a device into a destructive device. A destructive device is NOT a device that although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device.

**EXPULSION FOR POSSESSION OF A DEADLY WEAPON (I. C. 35-31.5-2-86)**

In addition to the previous rule on firearms, a student who possesses, handles or transmits a deadly weapon may be expelled for a period of not more than one (1) calendar year. A deadly weapon includes any weapon or device readily capable of causing serious bodily injury.

**POSSESSING A DEADLY WEAPON**

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

The following devices are considered to be deadly weapons as defined in I.C. 35-31.5-2-86:

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

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

#### **4. JURISDICTION**

The jurisdiction of the school with respect to the foregoing Rules of Conduct shall apply to misconduct on the school grounds, during and immediately before or immediately after school hours;

- On the school grounds at any time;
- Off the school grounds at a school activity, function, or event;
- Traveling to or from school, or a school activity, function, or event, or during the lunch period;
- Engaging in unlawful activity on or off school grounds if the unlawful activity interferes with an educational function or school purpose or if the removal of the student is necessary to restore order or to protect the safety of persons on school property. This applies to unlawful activity which takes place during school holidays, breaks, or vacations, or other periods of time when a student is not attending classes or a school function.

While students may not be under the direct supervision of school officials during these periods, each student shall observe the Rules of Conduct set forth above and shall be subject to the prescribed punishment for such violations.

#### **5. ALTERNATIVE TO EXPULSION**

The student assistance program is a voluntary program for treatment, care, and rehabilitation of secondary students who are in violation of the Lake Central Drug and Alcohol Policy – 3170. Specific details regarding these programs are explained in detail in the student handbook and code of conduct for each individual secondary school.

#### **6. SUSPENSION - DEFINED (Indiana Code 20-33-8-7)**

As used in this article, the term “suspension” means any disciplinary action that does not constitute an expulsion, as defined below, whereby a student is separated from school attendance for a period of not more than ten (10) school days.

The term does not include situations in which a student is:

- Disciplined under I.C.20-33-8-25;
- Removed from school in accordance with I.C.20- 34-3-9; or
- Removed from school for failure to comply with the immunization requirements of I.C.20-34-4-5.

#### **7. PROCEDURES FOR SUSPENSION (Indiana Code 20-33-8-18)**

If a student has committed any of the acts as outlined in Section II of this brochure, the procedures are as follows:

- A principal may suspend a student for not more than ten (10) school days for student misconduct or substantial disobedience (I.C.20-33-8-14), unlawful activity on or off school grounds (I.C.20-33-8-15) or for possession of and/or conduct related to firearms, deadly weapons or destructive devises (I.C.20-33-8- 16). However, the period of suspension may be continued beyond ten school days by the expulsion meeting examiner until the time of the expulsion decision. (I.C.20-33-8-23).

- A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:
  - A written or oral statement of the charges against the student.
  - If the student denies the charges, a summary of the evidence against the student.
  - An opportunity to explain the student's conduct.
- When misconduct requires immediate removal of a student, the meeting under subsection (B) shall commence as soon as reasonably possible after the student's suspension.
- Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:
  - The student's misconduct.
  - The action taken by the principal.

## **8. OTHER COURSES OF ACTION**

The superintendent, principal, and administrative personnel or any teacher of the school corporation are authorized to take any action in connection with student behavior. In addition to the actions specifically provided in this document, other reasonable or necessary actions to help any student, to further school purposes, or to prevent an interference with school processes are authorized. Such actions include counseling with a student or group of students, conference with a parent or group of parents, rearranging class schedules, requiring a student to remain in school after regular school hours to do additional school work or for counseling, in-school suspension or restriction of extracurricular activity. (I.C.20-33-8-25).

## **9. EXPULSION - DEFINED (Indiana Code 20-33-8-3)**

- As used in this article, the term "expulsion" means a disciplinary or other action whereby a student:
  - Is separated from school attendance for a period in excess of ten (10) days; or
  - Is separated from school attendance for the balance of the current semester or the current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or
  - Is separated from school attendance for the period prescribed under IC20-33-8-20, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound education program.
- The term does not include situations when a student is:
  - disciplined under Indiana Code 20-33-8-25;
  - removed from school in accordance with Indiana Code 20-34-3-9; or
  - removed from school for failure to comply with the immunization requirements of Indiana Code 20-34-4-5

*NOTE: The effective date of a proposed expulsion may be deferred under certain circumstances until the next school year.*

In general, the expulsion period for conduct occurring in the first semester may extend to the end of the school year. The expulsion period for conduct occurring in the second semester may extend through summer school and the first semester of the following school year. Notwithstanding the foregoing, the expulsion period for conduct involving firearms or destructive devices shall be for a period of at least one calendar year (with return of the student to be at the beginning of the first school semester after the end of the one year period) and the expulsion period for conduct involving deadly weapons shall be for a period of not more than one calendar year. (I.C.20-33- 8-16, I.C.20- 33-8-20).



## 10. PROCEDURES FOR EXPULSION (I.C.20-33-8-19)

A student who is charged with an offense resulting in an expulsion recommendation has the following rights:

- **Opportunity for Expulsion Meeting**  
Notice to student/student's parent of right to appear at an expulsion meeting will be provided. Failure of the student's parent to timely request and/or appear at the expulsion meeting forfeits all rights administratively to contest and appeal the expulsion.
- **Information Regarding Request for Expulsion**  
The student and the student's parent will be provided with the reason(s) for the expulsion and the procedure for requesting an expulsion meeting.
- **Expulsion Meeting**  
At the expulsion meeting, the principal or designee, will present evidence to support the charge(s) against the student. The student or the student's parent will have the opportunity to answer the charges against the student to present evidence to support the student's position. An attorney may not represent the student at the expulsion meeting, but may be outside the meeting room for consultation during the course of the meeting.
- **Expulsion Determination**  
If an expulsion meeting is requested and held, the expulsion meeting examiner shall make a written summary of evidence heard at the expulsion meeting, and take action found appropriate, including a determination for expulsion and its duration. Such determination must be provided to the student and the student's parent.
- **Appeal to Board of School Trustees**  
The student and student's parent may appeal the expulsion determination by written appeal to the Board of School Trustees. Such appeal must be made within ten days of receipt of the expulsion determination. Failure of the student and student's parent to timely request and/or appear at the appeal meeting forfeits all rights administratively to contest and appeal the expulsion.  
  
The Board of School Trustees will schedule a meeting to consider the written summary of evidence and to hear arguments and any new evidence of the administration and of the student and/or student's parent. The Board, after deliberation, will issue a decision.
- **Judicial Review**  
Judicial review of the determination of the Board of School Trustees is limited to the issue of whether the Board acted without following procedure called for by the student discipline statute. An expulsion continues in effect during the period of judicial review unless the court grants a temporary restraining order and the school corporation was given an opportunity to appear at a hearing regarding the temporary restraining order. (I.C.20-33-8-21; 20-33-8-22).

## 11. SCHOOL BUS DISCIPLINE

- The building principal has the same authority over, and responsibility for, the students when they are on the bus as when they are at school.

- The bus driver will be responsible for a just, fair, and impartial enforcement of all rules and regulations. The building principals are in the best position to help the driver with disciplinary problems.
- Bus drivers have the same rights and responsibilities for student control as does the classroom teacher. This means that the driver can do the following:
  - Suspend a student from riding the bus for one day.
  - Recommend that the principal suspend the student up to five days.
  - Recommend a hearing be held for the permanent removal of a student from riding the bus.
  - Take other reasonable action to carry out the rules and policies of the school as they apply to student transportation.
- A student may be expelled from school for repeated misbehavior on the school bus, just as he can be expelled for repeated classroom misbehavior.
- State Law (I.C.20-27-9) reads that a school district may provide school bus service; the law does not state that the school must provide this service.
- Lake Central Schools will provide school bus service for those students that require such service whose conduct and cooperation permits a safe and orderly bus operation.
- Lake Central Schools will not provide school bus service for those students whose conduct and lack of cooperation does, or reasonably could, endanger the safety of other students, staff or themselves. Failure to provide transportation does not relieve one of the legal obligations for attending school.

## **12. STUDENT IMMUNIZATIONS**

According to Indiana Code (I.C.20-34-4-5), a child may not be permitted to attend school beyond the first day without furnishing the school a written statement of immunization against diphtheria, pertussis (whooping cough), tetanus, measles, rubella, poliomyelitis and mumps, unless:

- The school gives the parents of the child a waiver not to exceed twenty (20) days; or
- The local health department or physician determines that the child's immunization schedule has been delayed due to extreme circumstances and that the required immunizations will not be completed before the first day of school.
- In which case, a written statement and a time schedule approved by the health department or physician is furnished to the school by the parent.

As per Indiana Code, a religious objection does not exempt a child from any testing, examination, immunization, or treatment required under this chapter unless the objection is:

- made in writing;
- signed by the child's parent; and
- delivered to the child's teacher or to the individual who might order a test, an exam, an immunization, or treatment absent the objection.

## **13. MEDICATION POLICY**

### **MEDICATIONS: GUIDE FOR PARENTS LAKE CENTRAL SCHOOL CORPORATION**

Student Health Services provides acute and chronic health care as needed for our students. To assure safe and

effective use of medications, please follow these guidelines which reflect the requirements of State Law and the Indiana State Board of Health recommendations. Students violating these guidelines will be subject to Expulsion Procedures as prescribed in the *Student Code of Conduct*.

The school is required to have on file written permission for the student's parent/guardian AND the written order of a practitioner to give prescription medication.

NO PRESCRIPTION MEDICATION WILL BE GIVEN UNLESS BOTH REQUIREMENTS ARE MET ON AN ANNUAL BASIS.

To meet BOTH requirements you may:

- Use the attached authorization form;
- Use the pharmacy label with the practitioner's instruction (sufficient for the portion related to "written order of a practitioner") plus a parent/guardian written permission note (meets the other requirement if it includes the date, medication name, dosage, time to give, the reason for giving, and your signature).

In order for the school to administer non-prescription medication, written authorization from the parent/guardian must be on file at the school and updated on an annual basis. You may use the attached form to meet that requirement.

*The safe delivery of the medication treatment supplies to the school nurse is the responsibility of the parent/guardian. Only under unusual circumstances should medication be delivered to the school by the student. In such cases, the parent must first inform the school prior to delivery by the student.*

ALL MEDICATION MUST BE SENT IN THE ORIGINAL LABELED CONTAINER!

When filling a prescription, please ask your pharmacist to provide one labeled container for home use and one labeled container for school use. This will greatly enhance your child's receiving doses at both places at the prescribed times.

Medications to be given three times a day can often be given before school, after school, and at bedtime. Please discuss schedules with your doctor or pharmacist. You may also want to discuss the safe use of over-the-counter cold/cough drugs. There are many products available which last six (6) hours or longer which eliminate the need for doses at school. Medication will be stored in the nurse's office and your child should be instructed to go to the nurse's office at the required time. Please discuss schedules with the nurse and classroom teacher, especially the needs of young students.

#### FOR MIDDLE AND HIGH SCHOOL STUDENTS ONLY:

One dose of an over-the-counter medication in the original container may be kept by the student if there is a medication authorization completed by the parent/guardian and filed in the health clinic.

For your convenience medication authorizations may be obtained at your school office. Please contact the school if more forms are needed. If your child has medical needs which you feel may qualify for community financial assistance, please contact your school nurse. We want the best health possible for our students. With your help we look forward to a healthy and safe school year!

Arrangements for the safe delivery of the medication, treatment, and supplies to the school nurse is the responsibility of the parent/guardian.

#### PRESCRIPTION MEDICINE

Prior to the school nurse administering any prescription medication, a written prescription from the child's physician accompanied by the written authorization of the parent/guardian must be on file in the nurse's office and updated on an annual basis.

Only medication in its original container labeled with a date (of a prescription), the student's name and exact dosage will be administered. Medication will be stored and dispensed from the nurse's office.

Students with acute medical conditions may possess one school day's dosage of medication in the original labeled container and self-administer medication with written permission of the physician and the parent/guardian, and with advance

approval from the building principal and school nurse. Permission from the physician must be provided on the physician's prescription pad or letterhead. High school students with acute medical conditions may take home medications given to the school nurse with written permission from their parent/guardian and approval from building principal and school nurse.

#### NON-PRESCRIBED MEDICATION

In order for the nurse to administer non-prescription medication, a written authorization from the parent/guardian must be on file in the nurse's office updated on an annual basis. Only medication in the original container will be administered.

For middle and high school students, one (1) dose of the non-prescription medication in the original container may be kept by the student if there is parent/guardian authorization on file. The safe delivery of the medication/treatment supplies to the school nurse is the responsibility of the parent/guardian. Only under unusual circumstances should medication be delivered to the school by the student. In such cases, the parent must first inform the school prior to delivery by the student.

#### MEDICATIONS/SUPPLEMENTS

In order for the school to administer supplements, including herbal, written authorization from a parent/guardian and a written order of a practitioner must be on file at the school and updated on an annual basis.

The practitioner's order must prescribe that the supplement needs to be given during the school day and the time of day it must be administered with specific dosage amounts.

#### STUDENTS WITH SPECIAL NEEDS

Procedures for the administration of medications or treatments such as inhalers, peak flow meters, insulin injections, blood glucose monitors, bee sting kits, or catheterization, etc. will be determined on an individual basis by a committee of knowledgeable professionals and the parent/guardian. A detailed Health Care Plan will be attached to a student's *I.E.P.* (*Individual Education Plan*) or Section 504 Plan.

### **14. DRUG AND ALCOHOL POLICY**

The use, consumption, possession, or transmission, including by sale, or being affected by any controlled substance, prescription drug, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant or depressant of any kind, including but not limited to over-the-counter medications and substances, any capsule or pill, look-alike drug, nonalcoholic beer, inhalant, or intoxicant of any kind, as well as any apparatus or paraphernalia used or which could be used in connection with the listed substances is prohibited. Consuming any of the listed substances immediately before attending school or a school function or event is prohibited. Using, consuming, possessing, transmitting, or being under the influence of any of the items listed above by any student while subject to school rules will result in suspension, request for expulsion and notification of law enforcement. Selling any of the items listed above will result in suspension, a request for expulsion for the remainder of the semester in which the conduct occurs and the subsequent semester and notification of law enforcement. Any student who arranges to sell or buy drugs at school (even though the actual transaction occurs off school grounds) will be subject to suspension and a request for expulsion, and law enforcement will be notified.

Exception: A student with a chronic disease or medical condition may possess and self-administer prescribed medication for the disease/condition only if the student's parent/guardian has filed a written authorization with the building principal or his designee stating that the student is authorized to possess and self-administer the prescribed medication. The written authorization must be filed annually. The written authorization must include a statement prepared/signed by a licensed physician stating:

- That the student has an acute or chronic disease or medical condition for which the physician has prescribed medication;

- That the nature of the disease or medical condition requires *emergency administration* of the medication; and
- That the student has been instructed in how to self-administer the medication.

Students under this limited exception are responsible for the safe-keeping and proper administration of their medications. For all other situations involving student medications, refer to the Health Services section and contact the school nurse for proper procedures.

#### 15. SEARCH AND SEIZURE (I.C. 35-33-5)

School authorities may seize any contraband, substances, or article that is illegal, or any material or object which violates a school rule or poses a hazard to the safety and good order of the school. Students are not to bring these items to school or to any school-sponsored function.

- **Authority to Conduct a Search** - The law allows school authorities to search students, their lockers, their motor vehicles and personal property when they have reasonable suspicion that a particular student is in possession of something prohibited by school rules or by law. The Administration reserves the right to rely on anonymous tips that are given on a good faith basis to conduct school searches.
- **Locker/Storage Area Inspections (IC 20-33-8-32)** – All lockers and other storage areas provided for student use on school premises remain the property of the school district and are subject to inspection, access for maintenance and search. No student shall lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by school authorities. Unapproved locks shall be removed and destroyed.
- **Personal Searches** – A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched when a school authority has reasonable suspicion to believe that the student is in possession of illegal, unauthorized or contraband items.
- **Motor Vehicle Searches** – Motor vehicles which are driven by students and parked on or near school property during regular school hours or during school activities are subject to being searched when school officials have reasonable suspicion that the vehicle contains illegal, unauthorized or contraband items.

#### 16. ANTI-HARASSMENT POLICY (Policy 5517)

It is the policy of Lake Central School Corporation to maintain a learning environment that is free from unlawful harassment. Such conduct includes unwelcome physical, verbal or nonverbal conduct which has the purpose or effect of interfering with your educational performance, of creating an intimidating, hostile or offensive learning environment, or of interfering with your ability to participate in or benefit from a class or educational program or activity and is based on your sex, race or color (for example, racial slurs, nicknames implying stereotypes, epithets or negative references relative to racial customs), national origin (for example, negative comments regarding customs, manner of speaking, language, surnames or ethnic slurs), religion (for instance, negative comments about religious traditions, clothing, surnames or religious slurs), disability (for instance, negative comments about speech pattern, movement, physical impairments or appearances) or any other unlawful basis. This applies to all programs and activities occurring on school property or at another location if the conduct occurs during a school-sponsored activity or event.

**If you believe you have experienced harassing conduct of this nature or you have observed another student experience such conduct, you are encouraged to promptly report incidents of harassing conduct to your principal or to any teacher, guidance counselor, dean, assistant principal, activity sponsor, or coach, with whom you are comfortable.** Making such a report in good faith will not affect your grades, class assignment, or status and will be investigated in a confidential manner, consistent with the School Corporation's legal obligations.

A student committing such conduct is subject to discipline consistent with school policy. A student retaliating against a student who has made a good faith report of such conduct or against a student who participated in the investigation of such conduct is subject to disciplinary action consistent with school policy. A student who knowingly makes a false report of such conduct in an attempt to demean, harass, or embarrass that individual shall be subject to disciplinary action consistent with school policy.

## 17. SEXUAL HARASSMENT POLICY (Policy 5517)

It is the policy of Lake Central School Corporation to maintain a learning environment that is free from sexual harassment. This applies to all programs and activities occurring on school property or at another location if the conduct occurs during a school-sponsored activity or event.

Sexual Harassment. For the purpose of this policy, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment if:

- Submission to the conduct is made either an explicit or implicit condition of the student's status in class, an educational program or activity.
- Submission to or rejection of the conduct by the student is used as a basis for educational decisions affecting the student; or
- The conduct has the purpose or effect of substantially interfering with the student's educational performance, creating an intimidating, hostile, or offensive learning environment, or of interfering with the student's ability to participate or benefit from a class or an educational program or activity.

Sexual harassment can take different forms depending on who is doing the harassing and the nature of the conduct. It may involve a school employee, another student or a volunteer to the school. Both male and female students can be victims of sexual harassment and the harasser and the victim can be of the same sex. It can occur in any school program or activity and take place on school grounds, on a school bus or, in certain circumstances, off school grounds. The conduct can be verbal – including in person, in writing, by phone, or through email, texts and other forms of electronic communications, nonverbal, or physical. Examples of conduct that may constitute sexual harassment include, but are not limited to:

- Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- Physical assault
- Threats or insinuations that a student's academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extracurricular programs or events, or other conditions of education may be adversely affected by not submitting to sexual advances.
- Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a student's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts or other electronic forms of communication.
- Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the educational environment, which may embarrass or offend students.
- Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to the student.
- Remarks speculating about the student's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- Inappropriate boundary invasions by a school employee or volunteer into a student's personal space and personal life.

**If you believe you have been subjected to or have experienced this sort of conduct or if you have observed another student experience this sort of conduct, you are encouraged to report it *immediately* to your principal or to any teacher, guidance counselor, dean, assistant principal, activity sponsor, or coach, with whom you are comfortable.** Making such a report in good faith will not affect your grades, class assignment, or status and will be investigated in a confidential manner, consistent with the School Corporation's legal obligations.

A student committing such conduct is subject to discipline consistent with school policy. A student retaliating against a student who has made a good faith report of such conduct or against a student who participated in the investigation of such conduct is subject to disciplinary action consistent with school policy. A student who knowingly

makes a false report of such conduct in an attempt to demean, harass, or embarrass that individual shall be subject to disciplinary action consistent with school policy.

#### **18. BULLYING - (I.C. 20-33-8-0-2)**

It is the policy of the Lake Central School Corporation to maintain a learning environment that is free from harassment, intimidation, and bullying.

"Bullying" means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors, that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:

- Places the targeted student in reasonable fear of harm to the targeted student's person or property;
- Has a substantially detrimental effect on the targeted student's physical or mental health;
- Has the effect of substantially interfering with the targeted student's academic performance; or
- Has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.

The term (bullying) may not be interpreted to impose any burden or sanction on, or include in the definition of the term, the following:

- Participating in a religious event.
- Acting in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial danger.
- Participating in an activity consisting of the exercise of a student's rights protected under the First Amendment to the United States Constitution or Article I, Section 31 of the Constitution of the State of Indiana, or both.
- Participating in an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults.
- Participating in an activity undertaken at the prior written direction of the student's parent.
- Engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

The following are Indiana Code regulations regarding bullying in Indiana public schools

SOURCE: IC 20-26-5-34.2; (13)

Sec. 34.2. A school corporation shall provide training to the school corporation's employees and volunteers who have direct, ongoing contact with students concerning the school's bullying prevention and reporting policy adopted under IC 20-33-8-13.5.

SOURCE: IC 20-30-5-5.5; (13)

Sec. 5.5. (a) Not later than October 15 of each year, each public school shall provide age appropriate, research based instruction as provided under IC 5-2- 10.1-12(d)(1) focusing on bullying prevention for all students in grades 1 through 12.

- The department, in consultation with school safety specialists and school counselors, shall prepare outlines or materials for the instruction described in subsection (a) and incorporate the instruction in grades 1 through 12.
- Instruction on bullying prevention may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of bullying prevention and intervention.

SOURCE: IC 20-33-8-13.5; (13)

Sec. 13.5. (a) Discipline rules adopted by the governing body of a school corporation under section 12 of this chapter must:

- Prohibit bullying; and include:
  - Provisions concerning education, parental involvement, and intervention
  - A detailed procedure for the expedited investigation of incidents of bullying that includes:
    - Appropriate responses to bullying behaviors, wherever the behaviors occur;
    - Provisions for anonymous and personal reporting of bullying to a teacher or other school staff
    - Timetables for reporting of bullying incidents to school counselors, school administrators, the superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;
    - Discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; and
    - Discipline provisions for false reporting of bullying; and
  - A detailed procedure outlining the use of follow-up services that includes:
    - Support services for the victim; and
    - Bullying education for the bully.
  - The discipline rules described in subsection may be applied regardless of the physical location in which the bullying behavior occurred, whenever:
    - The individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation; and
  - The discipline rules described in above must prohibit bullying through the use of data or computer software that is accessed through a:
    - Computer;
    - Computer system; or
    - Computer network
  - This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section. Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.
  - A record made of an investigation, a disciplinary action, or a follow-up action performed under rules adopted under this section is not a public record under IC 5-14-3.
  - The department shall periodically review each policy adopted under this section to ensure the policy's compliance with this section.

The following information is also included in defining and dealing with "Bullying" at Lake Central.

#### Identifying Individual/parties involved:

**Kids who Bully:** These children engage in bullying behavior towards their peers. There are many risk factors that may contribute to the child's involvement in the behavior. Often, these students require support to change their behavior and address any other challenges that may be influencing their behavior

**Kids who are Bullied:** These children are the targets of bullying behavior. Some factors put children at more risk of being bullied, but not all children with these characteristics will be bullied. Sometimes, these children may need help learning how to respond to bullying.

#### Other Contributors

Even if a child is not directly involved in bullying, they may be contributing to the behavior. Witnessing the behavior may also affect the child, so it is important for them to learn what they should do when they see bullying happen. Roles kids play when they witness bullying include:

- **Kids who Assist:** These children may not start the bullying or lead in the bullying behavior, but serve as an "assistant" to children who are bullying.
- **Kids who Reinforce:** These children are not directly involved in the bullying behavior but they give the bullying an audience. They will often laugh or provide support for the children who are engaging in bullying.
- **Outsiders:** These children remain separate from the bullying situation. They neither reinforce the bullying behavior nor defend the child being bullied. Some may watch what is going on but do not provide feedback about the situation to show they are on anyone's side.



## **19. EXTRACURRICULAR ACTIVITIES, ATHLETICS AND STUDENT DRIVER DRUG TESTING PROGRAM**

The Lake Central School Corporation is committed to providing a safe and orderly learning environment. Concerted effort has been taken to secure the facilities and manage the behavior of the student population. However, an ominous intruder, substance abuse, also presents a serious risk to the safety and well-being of the school community.

In an effort to address this growing concern, a program of deterrence will be instituted as a pro-active approach to the maintenance of a drug-free school. Because substance abuse poses such an immediate threat to student drivers and because students involved in extracurricular activities and athletics represent Lake Central and are expected to set positive examples for their peers, a program of deterrence has been instituted as a pro-active approach to a drug-free school and student well-being. Extracurricular activities are those activities NOT falling within the scope of the regular curriculum (i.e. clubs, dance group, cheerleaders). Band and choir are part of the regular curriculum and, therefore, are considered co-curricular.

### **Purpose**

The purpose of this program is three fold: (1) to provide for the health and safety of students; (2) to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use drugs detrimental to their health; and (3) to encourage students who use drugs to participate in drug treatment programs.

### **Introduction**

The effective date of this program is October 1, 2006. The program does not affect the current policies, practices or rights of the Lake Central School Corporation regarding student drug and/or alcohol possession or use, where reasonable suspicion is established by means other than drug testing through this policy. It applies only to extracurricular activities, athletics, and student drivers and is designed to create a safe, drug free environment for students and assist them in getting help when needed. No student shall be expelled or suspended from school as a results of any certified "positive" test conducted by his/her school under this program.

No student will be penalized academically for testing positive for banned substances. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities in the absence of legal compulsion by valid and binding subpoena or other legal processes, which the Lake Central School Corporation Board of School Trustees will not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent, legal guardian, or custodian will be notified before response is made by the Superintendent, to the extent permitted by such subpoena or legal process.

### **Supporting Data**

In June 2002, the U.S. Supreme Court ruled to allow random drug tests for all middle and high school students participating in competitive extracurricular activities. Congressional findings in the Safe and Drug-Free Schools and Communities Act of 1994 [20 United States Code 7101 et seq.]

Indiana Code 20-1-1-4-9.2 that directs this School Corporation to plan for and maintain drug free schools.

Indiana Code 20-1-04-9.1 that directs this School Corporation to provide instruction concerning the harmful effects of illegal drugs.

Indiana Code 20-34-3 sets forth health measures to be governed by school officials. Most specifically, Indiana Code 20-34-3-9 establishes the responsibility of schools to assist children found to be ill or in need of treatment.

Lake County, Indiana due to its demographic advantage is the home of a crossroad of major thoroughfares connecting all parts of the US and, thus, is an important vein for drug transport.

The Lake Central School Corporation has implemented various programs to prevent substance abuse among its students and is committed to a pro-active philosophy.

Neighboring school corporations have also enacted drug testing policies that have resulted in a reduction of cases of drug abuse and fostering a school culture that resists drug abuse.

Students who participate in athletics and other voluntary extracurricular activities are representatives of the school system and are role models for other students.

The opportunity for a student to drive to school and park on school grounds is a privilege and carries with it responsibilities to assure the safety of other students as well as himself/herself.

Drug use increases the risk of sport-related injuries to the athlete, his/her teammates and opponents.

### **Scope**

This policy applies to all Lake Central School Corporation students in grades 7-12 who are issued student parking permits and/or who participate in school sponsored extracurricular activities and/or athletics. These programs are privileges afforded to our students.

### **Drug Education**

The administrator in charge of parking permits and the sponsor or coach of each extracurricular activity or sport will require the attendance of all prospective participants at one or more drug education session. Each prospective participant shall receive a copy of this policy and the policy will be explained to him/her at that time. An education presentation will also be made to educate the students about the harmful effects and consequences of alcohol and other drug abuse. Students will receive information as to where they can seek professional help, if needed, for a use or abuse problem.

### **Consent Form**

It is mandatory that each student in grades 7-12, prior to being issued a parking permit or allowed to participate in extracurricular or athletics, sign and return the "consent form". Failure to comply will result in non-participation.

Such students shall be provided with a "consent form", a copy of which is attached hereto, which shall be dated and signed by the participant and by the parent/guardian. In doing so, the student is consenting to participate in the drug-testing program at the Lake Central School Corporation.

### **Banned Substances**

For the purpose of this Policy, the following substances or their metabolites that can be tested are considered illicit or banned for Lake Central School Corporation students.

Alcohol	Amphetamines/Methamphetamines/Ecstasy	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolite

### **Testing Standards**

LSD	Marijuana Metabolites	Methadon
Methaqualon	Opiates	Hydrocodones
Phenc	Propoxyphene	Oxycodon

	Screen Cut-Off	Confirmatory
Marijuana	50	15
Barbiturates	300	200
Opiates	300	300
Codeine	2000	2000
Morphine	2000	2000
6-Acetylmorphine (6-am)	10	10
Benzodiazepines	300	200
PCP (Phencyclidine)	25	25
Cocaine Metabolites	300	150
Amphetamines/Methamphetamines	1000	500
Methadone	300	200
Methaqualone	300	200
Propoxyphene	300	200
Hydrocodones	300	200
Oxycodones*	300	200

\*May be tested

\*\*If the test for Amphetamines is positive, the lab will check for Methamphetamines. If Methamphetamines are found, the lab will check for ecstasy.

### **Testing Procedures**

- The selection of participants to be tested will be done randomly by the testing company. Selections will be made from time to time throughout the school year. The students' ID numbers will be entered into a computer and randomly selected by the Testing Company. Testing may occur any day Monday through Friday throughout the school year and during summer school. This variable schedule will keep students conscious of the possibility of being tested at any time during the year. Even after being tested, the student remains in the testing pool.
- No student will be given advance notice or early warning of the testing. In addition, the chain of custody procedure will be observed to eliminate invalid tests or outside influences.
- Upon being selected for a urinalysis test under this policy, a student will be required to provide a sample of "fresh" urine according to the quality control standards and policy of the testing company conducting the urinalysis.
- All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to 40 ounces of fluid over a period of 3 hours. If still unable to produce a specimen within three hours, the student will be taken to the principal's office and told he/she is no longer eligible for any of the extracurricular activities, athletics or a parking permit. In addition, the parent/guardian will be telephoned and informed that the student is unable to produce a sample for the testing procedure and that he/she may be tested at a later date to be reinstated for eligibility.
- All specimens registering below 90 degrees or above 100 degrees Fahrenheit will be invalid. There is a temperature strip on the specimen cups indicating the validity of the urine specimen. If a temperature out of range occurs, another specimen must be given by the student.
- If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for extracurricular activities, athletics or a parking permit for the remainder of the school year. This will be reported to the parent/guardian.
- Immediately after the specimen is taken, and the chain of custody process completed, the student may return to class with an admit slip or pass with the time he/she left the collection site. The principal/principal's designee must time and sign the pass.
- The specimens will then be sent to the laboratory by the testing company. Each specimen will be tested for the banned substances listed in this policy. Also, "performance enhancing" drugs such as steroids may be tested.
- The laboratory selected must follow the standards set by the Department of Health and Human Services.

### **Chain of Custody**

- The testing company will conduct the test, set up the collection environment, and guarantee specimens and supervise the chain-of-custody.
- The principal/principal's designee will be responsible for escorting the student to the collection site. The student should bring all materials with him/her to the collection site and should not be allowed to go to his/her locker. The principal/principal's designee should not bring all the students drawn from the pool to the collection site simultaneously. Calling four or five students at a time allows the collections to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class.
- Before the student's urine is tested by the laboratory, the student must complete the chain of custody form which may be required by the testing laboratory.
- A sealed specimen cup will be opened in view of the student. The cup will be given to the student for the void and sealed specimen vial will remain in control of the urine collector. The student will initial the vial label after it has been placed over the bottle. The seal will be broken only by the lab testing the specimen.
- If the seals are tampered with or broken after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible to submit another sample. The student will remain eligible subsequent to a retest.
- The student will be instructed to remove all coats and wash his/her hands in the presence of the urine collector prior to entering the restroom. The commode will contain a blue dye so the water cannot be used to dilute the sample and the faucets will be sealed. The door will be closed so that the student is by himself/herself in the restroom to provide a urine specimen. The urine collector will wait outside the restroom. The student will have four minutes to produce a urine specimen.
- After it has been sealed, the specimen will be transported to the testing laboratory by courier. The laboratory will report the results back to the testing company's MRO and the results will then be transmitted to the principal/principal's designee.
- Confidentiality will be protected throughout the chain of custody process. The MRO report for the urinalysis will be mailed back to the principal/principal's designee.

### **Test Results**

- This program seeks to provide needed help for students who have a certified "positive test".
- The principal/principal's designee will be notified of a student testing "positive". The MRO will first notify the student and his/her parent/guardian. The student or his/her parent/guardian may submit any documented prescription, explanation, or information which will be considered in determining whether a "positive" test has been satisfactorily explained to the MRO. In addition, the student or parent/guardian may appeal by requesting that the urine specimen be tested again by the certified laboratory. The cost of a retest will be the financial responsibility of the student or his/her parents/guardians.
- If the test is verified "positive", the principal/principal's designee will meet with the student and his/her parent/guardian. The student and parent/guardian will be given a list of names of counseling and assistance agencies from which the family may choose. Student drivers will have their parking privileges revoked and athletes should refer to the Code of Expectations for information regarding their penalty. Drug abuse counseling will not be required but will be strongly recommended.
- A "follow up" test will be requested by the principal/principal's designee after such an interval of time that the substance previously found would normally have been eliminated from the body. If this "follow up" test is negative, the student will be allowed to resume extracurricular activities and/or driving to school. If the student is an athlete, he/she is subject to the school's athletic code as determined by the athletic director. If a second "positive" result is obtained from the "follow up" test, or any later test of that participant, number two (#2) and number three (#3) (Test Results) will be followed. In addition, the Lake Central School Corporation reserves the right to continue testing at any time during the remaining school year any participating student who tested "positive" and did not make satisfactory explanation.
- Information on a certified "positive" test result will be shared on a "need to know" basis with the student's principal, coach or sponsor. The results of "negative" tests will be kept confidential to protect the identity of all

students being tested.

- MRO reports will be returned to the principal/principal's designee. Names of students tested will not be kept in open files or on any computer. MRO reports will be locked and secured in a location that is only accessible to the principal/principal's designee and separate from the student's regular file.

### **Financial Responsibility**

- Under this policy, Lake Central School Corporation will pay for all initial random drug tests and all initial "follow up" drug tests.
- A request on appeal for another test of a "positive" urine specimen is the financial responsibility of the student or his/her parent/guardian.
- Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student or his/her parent/guardian.

### **Confidentiality**

Under this drug testing program, any staff, coach, or sponsor of the Lake Central School Corporation who has knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved unless legally subpoenaed. Once again, this will underscore the Lake Central School Corporation's commitment to confidentiality with regard to the program.

The testing company may not release any statistics on the rate of positive drug tests to any person, organization, or media without the written consent of the Lake Central School Corporation. However, the testing company will provide the Building Principal with an annual report indicating the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

Administrative Regulation 6038 is the adopted method to be followed for collecting the specimen used in the Student Drug Testing Program and sets forth the responsibilities of the Medical Review Officer.

### **Counseling Requirement**

Because the Random Drug Testing Program has been established as a deterrent, students are strongly urged to seek the following help:

- Undergo a substance abuse assessment by a licensed substance abuse professional acceptable to the Superintendent's designee. All costs for that assessment will be borne by the student.
- Provide the school principal with written certification by the licensed substance abuse professional that the substance abuse assessment has been completed.
- Undergo counseling/treatment or other intervention, if any, as recommended by the licensed substance abuse professional. All costs for that counseling/treatment or intervention will be borne by the student. The Board of Education will not specify requirements of any such counseling/treatment or intervention, as this will be based on the student's individual needs. The Board of Education's interest is that the student receives whatever assistance is appropriate for the particular individual.

Under this drug testing program, any staff, coach, or sponsor of Lake Central School Corporation who has knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved unless legally subpoenaed. Once again, this will underscore the Lake Central School Corporation's commitment to confidentiality with regard to the program.

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Because the Random Drug Testing Program has been established as a deterrent, students are strongly urged to seek the following help:

- Undergo a substance abuse assessment by a licensed substance abuse professional acceptable to the Superintendent's designee. All costs for that assessment will be borne by the student.
- Provide the school principal with written certification by the licensed substance abuse professional that the substance abuse assessment has been completed.
- Undergo counseling/treatment or other intervention, if any, as recommended by the licensed substance abuse professional. All costs for that counseling/treatment or other intervention will be borne by the student. The Board of Education will not specify requirements of any such counseling/treatment or intervention, as this will be based on the student's individual needs. The Board of Education's interest is that the student receives whatever assistance is appropriate for the particular individual.

**Lake Central School Corporation Extracurricular/Driving Consent Form**

I have received, read and understand the policy entitled "Lake Central School Corporation Extracurricular Activities, Athletics and Student Driver Drug Testing Program." I, \_\_\_\_\_, want to participate in this program, and in the extracurricular/athletic/driving programs of Lake Central School Corporation. Therefore, I voluntarily agree to be subject to the terms of the testing program for the current school year and throughout summer school. I accept the method of obtaining urine specimens, testing, and analyses of such specimen, and all other aspects of the program. I agree to cooperate in furnishing urine specimens that may be required from time to time.

I further agree and consent to the disclosure of the sampling, testing, and results provided for this program. This consent is given pursuant to all State and Federal Privacy Statutes, and is a waiver of rights to nondisclosure of such test records and results only to the extent called for under the program.

I, also, understand that once I have tested "positive" I can be retested at any time during that school year.

Date: \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Parent /Guardian Signature

I, \_\_\_\_\_ have decided **not** to participate in any extracurricular activities, athletic, and student driver programs sponsored by the Lake Central School Corporation for the remainder of this school year. In order for me to participate in these programs at a later date, I understand, that I must consent to the terms of the Drug Testing Program and submit a signed consent form.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

## STUDENT DRUG TESTING COLLECTION PROCESS

The following procedures for student drug testing collection are developed pursuant to Board Policy 5530.01 Lake Central School Corporation Extracurricular Activities, Athletics and Student Driver Drug Testing Program.

### Implementation

- Contracted Testing Company. The drug testing program is implemented on behalf of the school corporation by a testing company that is an independent agency or entity operating under the contract with the Board of Education. As per Board Policy, the laboratory must be certified under the auspices of Health & Human Services (HHS) under the National Lab Certification Program (NLCP).
- Role of school system employees. Lake Central personnel shall not assist with the actual testing or physical collection of the samples, shall have no access to the test samples, and shall not select the students who will be randomly selected. These functions will be carried out by the contracted testing company. The principal or the principal's designee will be expected to call students from class or practice and assist with coordinating testing as needed.
- Random Selection. Eligible students will be randomly selected for testing by the contracted testing company using the following double-blind process:
  - The Superintendent's designee shall maintain a list of all eligible students who have signed Consent Forms. The list shall be updated prior to each testing date.
  - Each eligible student on the list shall have an ID number.
  - The Superintendent's designee shall provide the contracted testing company with a list of the students' numbers and names categorized by school.
  - Prior to each testing date, the Superintendent's designee will confirm with the contracted testing company as to the number of students who will be tested.
  - If a student declines to be tested, a replacement selection will be drawn at that time. A student who is absent on the testing date will be tested on the next testing date scheduled.
  - The Superintendent's designee will review the randomly generated list of students' names and will notify each school about which students are to be tested.
  - Select students shall be pulled from class for testing on the day of the test. There shall be no advance notification of which students will be tested.
  - Documentation of the selection process shall be maintained.
- Absences. A student who is present at school on the day of testing and later leaves campus (or cuts class) without a valid excuse shall be considered as having refused to be tested.
- Refusal to Test. A refusal to be tested on the test date shall result in the same consequences as a positive test.
- Frequency of Test. Random drug testing will be conducted at least monthly during the academic year. The dates of testing will not be publicized in advance.
- Location of Test. To the extent possible, the testing will occur at every middle and high school on the same dates.
- Number of Students Tested. Approximately ten (10%) to fifteen (15%) percent of eligible students at each secondary school will be tested in the course of a year. The Superintendent or the Superintendent's designee shall determine what number of percentages of students are tested each month. At least five students shall be tested at each location on each testing date.
- Urine Tests. Testing will be by urine specimen.
- Confidentiality. All test results will be strictly confidential, including the maintenance of the sample throughout the collection and testing process. All reported results will be maintained by the Principal or the Principal's designee in a locked file cabinet. Disclosure of test results will be limited to those who have a need to know in order to implement his policy. When under this policy a student becomes ineligible to participate in any extracurricular activities, athletics, or drive to school. The principal shall inform the particular sponsor, coach or the administrator in charge of the student driving privileges that the student is ineligible.



- Collection Process.
  - The urine collector will ask the student for his/her picture ID. The ID# will be written on the chain of custody form by the urine collector.
  - The student will be instructed to remove his/her coat, vest or sweater. Purses, bags or other items will not accompany the student into the restroom. The student will empty his/her pockets and put all items into a lockbox. The box will be locked in their presence. The key will remain with the urine collector and the box will accompany the student and remain with them the entire time.
  - The student will wash his/her hands with liquid soap and dry them.
  - The restroom will already have been secured by the urine collector. This means that the toilet water will have a bluing agent in it, all water sources will be taped securely, and any items such as soap or disinfectant will have been removed.
  - The urine collector will open the sealed specimen collection cup in view of the student. The specimen vial will remain sealed and in the control of the urine collector.
  - The urine collector will take the student into the restroom and explain the procedure. The procedure is that the student is not to flush the toilet or turn the water on and that the cup needs to be filled at least to the 30ml line. Once the void has been completed, the student must open the door promptly, because the urine will lose its temperature within 4 minutes.
  - The student will provide a urine sample using the collection cup. The student will be alone in the restroom for the void.
  - Once the student has completed the process and opened the restroom door, the urine collector will enter.
  - The collector will check the collection cup for a proper temperature, which is 90-100 degrees and check for signs of tampering. (If tampering is suspected a second specimen will be requested). Once that has been done, the collector will open the sealed vial and pour the specimen into it and close it. The collector will also look around the restroom to ensure that the student has not left any paraphernalia that might have been used to tamper with the sample.
  - The collector and the student will then proceed to complete the chain of custody paperwork. The specimen will remain in view of both the collector and the student until properly sealed. The student will initial the vial label once it has been placed over the vial and the collector has dated it. The student will complete the donor section of the form. This includes their signature, printing their name, birth date, home phone number, and the current date. The specimen will be sealed for transport in the specimen bag. The student will be given the donor copy of the form.
  - The student will be sent back to class.
  - The collector will take all bagged specimens and transport them to the lab using a courier service.
  - The principal will be notified immediately if any student refuses to give a urine sample.
  - A copy of the chain of custody will be sent with the Medical Review Officer (MRO) Report to the principal.

#### **Medical Review Officer**

The Medical Review Officer (MRO) will review all results of urine drug testing. Any urine specimen testing positive for banned substances will be handled in the following manner:

- The MRO determines if any discrepancies have occurred in the Chain of Custody.
- Depending on the substances found in the urine, if necessary, the MRO will contact the parent/guardian/custodian to determine if the student is on any prescribed medication from a physician.
- If the student is on medication, the MRO must be informed by the student or parent of such. The MRO must verify this with the prescribing physician or pharmacy. Failure to provide such requested information will be considered a positive result.
- The MRO will then determine if any of the prescribed medications caused the positive drug screen.
- Finally, the MRO, based on the information given, will certify the drug test results as positive or negative and report this to the Building Principal, initially reporting positive results by phone. The MRO will also notify the Principal that a drug test returned was positive.

- For example, a drug screen positive for codeine may be ruled negative by the MRO when he/she receives a letter from the treating physician that the student has been prescribed Tylenol with codeine as a pain medication following tooth extraction; or, if the student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a parent gave the student one of their pills), this would likely be ruled as a positive drug test by the MRO.
- Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the MRO.
- The MRO will complete the final review on the drug testing custody and control form and return the appropriate copy to the Building Principal in a confidential manner.

### **Pick-Up Process**

The testing company is responsible for seeing that specimens are delivered to or picked up by the testing laboratory and the Chain of Custody form properly annotated.

## **20. CODE OF EXPECTATIONS**

Student conduct during the regular school day, during school related activities, and at other times is subject to the provisions of the Lake Central High School "Code of Conduct". In addition, the conduct of students who wish to participate in school sponsored athletic programs and extracurricular activities are subject to this Code of Expectations. Because participation in such activities is a privilege, the Code of Expectations addresses conduct beyond that applicable to students in general, to further the expectations, purpose, and integrity of athletic or other extracurricular activities.

The Code of Expectations is a four year commitment. Once signed, the Code applies to the student's entire athletic/extracurricular career at Lake Central High School on a 24/7/365 basis to conduct both at school and off school grounds. Applicable penalties will be applied whenever the conduct is discovered. That is, Lake Central administration reserves the right to fully investigate conduct which potentially violates the Code whenever evidence is provided, even if the conduct occurred during prior seasons or school years (e.g., conduct occurring during a student's freshmen year may result in a penalty during the student's senior year if not discovered/reported until that time).

Academic Achievement – Extracurricular activities are open to all full time students; however, IHSAA rules require a student to pass 5 classes per quarter. In addition, a student is only eligible to participate in IHSAA sanctioned athletics during the first four years of high school. Once high school has begun, a student has eight semesters to complete eligibility. A student whose 20<sup>th</sup> birthday occurs prior to or on the scheduled date of the IHSAA state finals in a sport shall be ineligible. (See athletic director or coach for additional information on IHSAA related qualification and rules).

Attendance – One half day (two periods) of school attendance is required for participation in practices, matches, or performances for all extracurricular and athletic programs. Exceptions include attendance at funerals, required court appearances, college visitation, etc. Any participant suspended (out-of-school) or suspended pending expulsion from school will not be allowed to practice, compete or participate. When a student is absent from school for more than 5 days, a doctor's note must be received before participation in athletic programs may resume.

**Students involved in any athletic program or extracurricular activity will be subject to the following expectations:**

**It is expected** that the individual rights of all must be respected and all teammates and participants treated equally. Hazing, harassment, including but not limited to verbal, physical or sexual harassment, intimidation or initiation of athletes or participants in extracurricular activities will not be tolerated.

**It is expected** that athletes and participants in extracurricular activities will not possess, use, consume or be under the

influence of tobacco products, alcohol, controlled substances nor shall they possess related paraphernalia. Substance abuse poses an immediate threat to students and because students involved in athletics and extracurricular activities represent Lake Central High School, they are expected to set positive examples for peers. A program of deterrence has been instituted as a pro-active approach to a drug-free school and student well-being. The purpose of this program is to provide for the health and safety of students and to undermine the effect of peer pressure by providing another legitimate reason for students to refuse to use drugs, alcohol and tobacco which are detrimental to their health. Violation of these expectations, including detection through the random drug testing program will result in the consequences listed below.

**It is expected** that athletes and participants in extracurricular activities will adhere to standards of decorum and behavior at the highest level as representatives of Lake Central High School. Theft, acts of violence, fighting, poor classroom behavior, and unlawful conduct will not be tolerated.

**It is expected** that athletes and participants in extracurricular activities follow rules established for that activity, including but not limited to those regarding tardiness to team or activity meetings, absences from practice, events, or meetings, disrespect to coach or activity sponsor, acts of unsportsmanlike conduct, and verbal abuse of others involved in the activity.

**It is expected** that during any athletic season, an athlete will only participate on one team (unless mutually agreed upon by the two head coaches involved). If an athlete quits a sport once games have started, that athlete will not be allowed to participate (either at practice or in competition) for any other team during that season. An athletic team has completed its season when that team has advanced one week into tournament play. This rule can be waived at the coach's discretion. An athlete must finish the season in good standing in order to letter, attend banquets, and receive athletic awards. Uniforms, equipment, and other obligations must be met or turned in before moving to the next sport.

**It is expected** that all athletes and participants in extracurricular activities use transportation provided by the school corporation. Traveling with the team/group is part of the athlete/participant's obligation to his/her teammates/co-participants and coaching staff/sponsor. Not riding with the team/group should only be done in a family emergency or a situation where undue hardship is caused by traveling with the team/group. In order for an athlete/participant to travel to or from an event by means other than the team/group transportation, he/she must bring a note signed by a parent/guardian stating with whom the athlete/participant will travel. The athlete/participant will only be released to his/her parent/guardian or another athlete/participant's parent/guardian if both the parent/guardian and driving parent/guardian submit signed notes for approval. Friends, relatives or other students ARE NOT ACCEPTABLE as travel alternatives. This note must be in the athletic office with the activity sponsor, as applicable no less than 24 HOURS PRIOR TO THE TRIP.

**Consequences for violation of these expectations are as follows:**

<b>Type One Violation</b>	<b>Occur</b>	<b>Penalty</b>
Being arrested for/testing positive/or possessing, using consuming, or being under the influence of a controlled substance, or possession of paraphernalia	1 <sup>st</sup>	Expulsion from athletics extracurricular activities for 365 days and athletic/extracurricular activity probation for remainder of career. By self- reporting and completion of an evaluation program, a student may practice but not compete in contests. One cannot self- report prior to a school drug testing procedure.
	2 <sup>nd</sup>	Permanent expulsion from athletic and extracurricular participation.
<b>Type Two Violation</b>		
Possessing, using consuming, or being, under the influence of alcohol	1 <sup>st</sup>	33% of current, next, or combined seasons or extracurricular term. <b>Example:</b> If 20% of a season remains when violation occurs 13% of the next season ineligible
	2 <sup>nd</sup>	Expulsion from athletic/extracurricular activities for 365 Days
	3 <sup>rd</sup>	Permanent expulsion from athletic and extracurricular
<b>Type Three Violation</b>		
Possession and/or use Of tobacco	1st	25% of contests for that season or combined seasons/extracurricular term <b>Example:</b> same as alcohol except 25%
	2nd	One full season/extracurricular term; <b>Example:</b> 5 football games played when violation occurs. Penalty would be 50% of remaining season and 50% of the next sport season in which the athlete participates.
	3 <sup>rd</sup>	Permanent expulsion from athletic and extracurricular participation

<b>Type Four Violation</b>		
Unlawful conduct disruptive conduct, hazing, harassment, non-traffic misdemeanor	All	Determined by principal athletic director, class assistant, principal, and head coach

**Combination of Offenses.** Any combination of two of type 2, 3, and 4 violations will result in at least 50% loss of season/extracurricular activity term; any combination of three of these violations will result in permanent expulsion from athletic/extracurricular participation. The second or third offense can be from any category (type 1,2,3 or 4).

**Carry over Penalty.** An athlete/extracurricular activity participant must complete the entire season/activity periods in which there is a penalty assessed in order to complete his or her suspension. Example: A fall athlete gets caught for drinking in January. The athlete decides to go out for a spring sport to serve the 33% penalty. After 5 contests the athlete quits the team. It would not count for completion of the penalty.

**Penalty Assessment.** The method used to determine the number of games for a suspension will be varsity total games allowed for a sport. Varsity scrimmages will be counted. Penalty will use scheduled games whether played or canceled and any calculated suspension of .5 contests or more will be rounded up.

**Practice/Travel While Suspended.** Individual coaches and sponsors will determine whether an athlete/participant is allowed to practice and travel (no overnight) with team/group during a suspension.

**Parent Assistance.** Any parent seeking help or assistance involving his/her child's use of drugs, alcohol, or tobacco, prior to a report or investigation by the school or any involvement with law enforcement, should contact school administration. As a result, the athlete/participant will receive a lesser consequence than what is outlined above. This consequence may include an athletic/ participation suspension, drug counseling, and random drug testing. In the case of an athlete, the athletic director and principal will determine the severity of the consequence. In the case of an extracurricular activity participant, the principal will determine the severity of the consequence.

**Self-Reporting.** Athletes and extracurricular activity participants are encouraged to seek help and to self-report. An athlete or participant can reduce the penalty for a first offense under the alcohol or tobacco provision by 75% if he/she reports the conduct to the Athletic Director, Head Coach, or Sponsor prior to the school's investigation of the conduct and the student successfully completes a substances abuse program. Agencies and counseling resources are attainable from our liaison person in the high school guidance office.

Any counseling or services will be at the expense of the parent or guardian.

Reduction of penalty through self-reporting can only be implemented on a first offense.

**Counseling.** An athlete/extracurricular activity participant who did not self-report and who is found to have violated the Code under the alcohol or tobacco provision for the first time will be offered the opportunity to reduce his/her penalty by 40% by the successful completion of a substance abuse program. Agencies and counseling resources are attainable from our liaison person in the high school guidance office. Any counseling or services will be at the expense of the parent or guardian. Reduction of penalty through counseling can only be implemented on a first offense.

**Appeals.** Participants may appeal suspensions. All appeals must be submitted in writing within five days after

a penalty has been assessed. This request should be submitted to the Athletic Director or his/her Principal, as applicable. A committee consisting of at least the athletic director, one high school administrator, and one varsity coach/activity sponsor, as applicable, will be formed to consider any unique circumstances and to review penalties when deemed appropriate

**I have read and understand the previous requirements for participation in a Lake Central High School athletic and or extra- curricular activity and understand that these expectations and the consequences apply throughout my career as a participant at Lake Central. I authorize Lake Central High School to investigate and obtain information and records from law enforcement agencies, the probation department, or any other sources regarding any arrest, indictment, or other formal charges against the below athlete or participant for an act which Lake Central High School determines would be in violation of any of the rules and regulations stated in the Code of Expectations. This authorization includes but is not limited to factual circumstances surrounding any arrest, the nature of the charges, investigation related to charges and disposition of charges, if any. Pictures posted on the internet may be used as evidence provided an investigation can corroborate the date any photograph was taken.**

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**Athlete/Participant Signature**

**Date**

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**Parent/Guardian Signature**

**Date**

## 21. PEST CONTROL POLICY 8432

*In an attempt to assure proper control of any pesticides that might be used on corporation premises, these procedures are established. "Pesticide" for application of these regulations only is defined as a fungicide used on plants, an insecticide, a herbicide, or a rodenticide. Manufactured enclosed paste or gel bait insecticide are not subject to the provisions of these regulations when used where students and staff members do not have access to the bait.*

*The intent of this regulation is to prevent exposure of staff members and students to pesticides*

- *Pesticides will be applied only by a certified pesticide applicator or individuals operating under their supervision in school buildings or on school grounds. The certified pesticide applicator shall train non-certified staff members who apply pesticides. The training must include:*
  - *A review of the corporation's pest control policy;*
  - *A review of the label instructions for the pesticides to be used;*
  - *Methods to determine when an application of a pesticide is necessary;*
  - *Methods to minimize potential pesticide exposure to students, teachers and staff;*
  - *Activities that are prohibited; and*
  - *Written documentation of the training..*
- *When possible, pesticide applications will be done during non-instructional time or during vacation periods.*
- *When inspections are conducted by an independent contractor, the contractor shall contact the building administrator no later than 48 hours prior to the scheduled inspection to discuss any problems with pests so that the contractor may inform the building administrator what pesticides will be applied on the date of the scheduled inspection. The building administrator will then implement the notification requirements of the pest control policy and its regulations.*
- *An emergency application of pesticides is defined as when an application of pesticides is necessary to eliminate an immediate threat to human health and where it is impractical to obtain the services of a certified pesticide applicator provided such emergency application does not involve a restricted use pesticide. Restricted use pesticides may be used only by certified applicators or under their supervision*
- *On an annual basis, the Board shall provide the staff members of each school and the parents of each child enrolled in each school with a written copy of the Board's policy on pesticide applications, the name and telephone number of the school contact person for pest control information, and a request form to be placed on a list for advanced notice. This information shall be given in the form of a provision in the student and staff handbooks. This information shall also be provided to the parents of any child who transfers into a school during the school year. A request for such notice may be made at any time during the school year.*
- *Parents and staff members may register for prior notice of pesticide applications. Each school principal shall maintain a registry of persons requesting such notice. Prior to the application of pesticides within any building or on school grounds, the parents and staff members who have registered for prior notice shall receive a mailing no later than two [school] days prior to the application when students or staff members will be present during the pesticide application. School nurses and principals shall receive prior notice of all pesticide applications.*
- *The aforementioned notice shall include the (1) name of the active ingredient of the pesticides anticipated to be applied if part of a routine scheduled services, (2) location of the application, (3) date of application, (4) approximate time and length of the application and (5) name and telephone number of the school administrator or his/her designee who may be contacted for further information.*
- *Any pesticide application is prohibited when children are in the room or on school grounds in or near*

*the area to be treated.*

- *If an emergency application is necessary to eliminate an immediate threat to human health, no person may enter the area of such application until it is safe to do so according to the provisions on the pesticide label.*
- *In cases of an emergency application, prior notice is not required. Notice will be given to those persons who have previously requested notice of pesticide applications as soon as possible after such application.*
- *A copy of the records of each pesticide application at a school shall be maintained for at least ninety days. The records shall contain the following information:*
  - *Date and time of the inspection and pesticide application;*
  - *Pests found during inspection;*
  - *Brand name and active ingredient of pesticide(s);*
  - *EPA registration number of pesticide(s);*
  - *Areas treated;*
  - *Name of applicator; and*
  - *Source for obtaining information on the pesticide label(s), material safety data sheet(s), and/or fact sheet(s) for end use concentrations.*

*The school principal upon request will make available the pesticide application information listed above for at least ninety days from the date of application.*

- *Whenever practical, non-chemical controls shall be used. The least toxic formulations and safest methods of application will be selected when there is a choice of pesticide products and comparable effectiveness*
- *Storage of pesticides will be kept to a minimum. All pesticide label storage instructions will be following explicitly. All such products and the application equipment will be stored away from food products or occupied rooms in a locked area clearly marked as containing pesticides.*
- *All pesticide products will have complete label instructions and will remain in the original container. The material Safety Data Sheet will be on file and readily available to any employee who must handle such materials or who may have been exposed to the product. This information shall also be available to any member of the public upon request.*
- *All applications of pesticides will be made in strict compliance with label instructions.*
- *School corporation employees responsible for handling and applying pesticides shall have specific pesticide training.*
- *Training for school employees to become certified pest control applicators is available. The corporation may provide for financial support of such training for employees designated by the Superintendent or his/her designee as needing such training. Such financial support will be subject to the availability of budgetary funds and the approval of the Board.*
- *The Superintendent or his/her designee shall be the contact person for providing information regarding pesticide application activities at the school site, including but not limited to giving oral and written notification, supervising the sending of notifications required by school policy, and regulations and maintaining records of pesticide applications..*



**School Contact Person for Pest Control**

**Bill Ledyard, Director of Facilities 219-365-8507 Extension 2921**

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Yes, I would like to be given advanced written notice of pest control application in my child's school.

Parent's Name

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Parent's Address

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Child's School

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Child's Name

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**Return form to your child's principal.**

## **22. STUDENT RECORDS AND DIRECTORY INFORMATION**

Parents and/or students of the age of majority have the right of access and review of their student's record file and to an interpretation of the record by a school official. They have the right to a hearing should they desire to challenge any part of the file.

Parents and students have the right to refuse permission to the schools to make public any portions of "Directory Information" but they must notify the school principal in writing of those parts they do not wish made public. Directory information is as follows: Name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of the athletic teams, dates of attendance, awards received and the most recent educational institution attended by the student.

Within fifteen (15) days following the publishing of the Annual Notice to Parents, directory information listed above may be released unless written notice to the contrary is received by the school principal.

## **23. COMPLIANCE PLAN FOR SECTION 504 OF THE REHABILITATION ACT OF 1973**

The Compliance Plan serves students, parents, employees, applicants for employment and programs within the Lake Central School Corporation, hereinafter referred to as "Lake Central."

- Lake Central assures students, parents, applicants for employment, and employees that it will not discriminate against any individual.
- The following is designated as the Section 504 compliance coordinator:

Director of Human Resources  
Lake Central School Corporation  
8260 Wicker Ave.  
St. John, IN 46373

- Parents are provided procedural safeguards which are included in the "Notice of Parent/Student Rights in Identification, Evaluation and Placement."
- An impartial hearing and appeal are provided upon request. Procedures are detailed in the "Notice of Parent/Student Rights in Identification, Evaluation and Placement".
- Notice to students, parents, employees and general public nondiscrimination assurance and parent/student rights and identification, evaluation and placement will be disseminated annually in the following manner:
  - Announcement in local school systems; and
  - Posted notice in each public school building

Additionally, the notice will be included in the Student Services Professional Handbook and disseminated to each principal for inclusion in each Student/Parent Handbook.

- Lake Central has established the following local grievance procedure to resolve complaints of discrimination with regard to employment:
  - An alleged grievance under Section 504 must be filed in writing fully setting out the circumstances giving rise to such grievance.

- Such claims must be made in writing and filed with the following individual:  
Rebecca Gromala, Director  
Student Services  
Lake Central School Corporation  
8260 Wicker Ave.  
St. John, IN 46373
- A hearing will be conducted according to the procedures outlined in the regulations implementing the Family Educational Rights and Privacy Act (FERPA).
- The coordinator(s) will appoint a hearing officer who will conduct the hearing within a reasonable time after the request was received.
- The coordinator(s) shall give the parent, student, or employee reasonable advance notice of the date, time and place of the hearing.
- The hearing may be conducted by any party, including an official of the local school district or the Student Services department, who does not have a direct interest in the outcome of the hearing.
- The local school district shall give the parent, student, or employee full and fair opportunity to present evidence relevant to the issues raised under Section 99.21 of FERPA. The parent, student, or employee may, at their own expense, be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
- The local school district shall make its decision in writing within fifteen (15) days after the hearing.
- The decision must be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision.

Ref: FERPA 34 CFR Part 99  
EDGAR 34 CFR 76.734 IDEA 34CFR300.560-576

- Lake Central, through Student Services, will conduct an extensive annual “child find” campaign with the goal to locate and identify all Section 504 qualified disabled individuals (ages 0 to 21) who reside within the participating school district.
- Lake Central, through Student Services, will inform all disabled persons and their parents or guardian, of the district’s responsibilities and procedural safeguards under Section 504, as well as those under Indiana Special Education Regulations (Article 7) and the Individuals with Disabilities Education Act (IDEA).

## **24. NOTICE OF PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT OF DISABLED INDIVIDUALS**

### **Section 504 of the Rehabilitation Act of 1973**

#### **PARENT NOTICE**

### **SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Lake Central School Corporation has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the school system.

The Lake Central School Corporation has the responsibilities under Section 504, which include the obligations to identify, evaluate, and, if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial Hearing Officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to: 1) inspect and review his/her child's educational records; 2) make copies of these records; 3) receive a list of the individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate or violates the child's rights; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are questions please feel free to contact the Director of Human Resources, Section 504 Coordinator, Lake Central School Corporation, Phone No. (219) 365-8507.

In compliance with procedural requirements of Section 504 of the Rehabilitation Act of 1973, the following **Notice of Parent/Student Rights in Identification, Evaluation and Placement** shall be utilized in the Lake Central School Corporation.

The following lists of rights are given to ensure the parent's awareness of regulations about the evaluation of and/or special instruction which may be offered to his/her child. Should the parent have any questions, contact the Lake Central School Corporation at (219) 365-8507 or the West Lake Special Education Cooperative at (219) 865-1171. The parent also has the right to meet with the Superintendent or designee and/or the local Board to resolve objections to either evaluation or educational placement.

- Organizations and agencies which the parent may contact to obtain assistance with evaluation/placement questions include, but are not limited to the following:

#### **FEDERAL**

Office for Civil Rights  
55 Erie View Plaza, Room 300  
Cleveland, Ohio 44104  
(216) 522-7636

#### **STATE**

Indiana Department of Public Welfare  
Division of Services for Crippled Children  
238 South Meridian St., 5th Floor Indianapolis, Indiana 46225 (317) 232-4283

Department of Human Services Division of Vocational Rehabilitation 251 North Illinois Street, Box 7083  
Indianapolis, Indiana 46207  
(317) 232-6500, 1-800 545-7763

#### **INSOURCE**

833 Northside Blvd. Bldg#1 Rear South Bend, Indiana 46617-2993 1-800- 332-4433, (219)234-7101

Council of Volunteers and Organizations for the Handicapped 3319 Cossell Drive

Indianapolis, Indiana 46224 Indiana Department of Mental Health 117 East Washington Street  
Indianapolis, Indiana 46204  
(317) 232-7800

Indiana State Board of Health Division of Child Specialty Services  
P.O. Box 1964  
Indianapolis, Indiana 46206  
(317) 633-0286,  
TDD (317) 633-0859

Indiana Protection and Advocacy Commission 850 North Meridian Street Suite 2C  
Indianapolis, Indiana 46204  
1-800-622-4845, V/TDD (317)  
232-1150

The Commission for the Handicapped 1330 West Michigan Street  
P.O. Box 1964  
Indianapolis, Indiana 46204  
(317) 633-0286,  
TDD (317) 633-0859

TDD - For the hearing impaired. (219) 864-2380 Relay Indiana - For the hearing

impaired  
(800) 743-3334

#### **LOCAL**

Lake Central School Corporation 8260 Wicker Ave. St. John, Indiana 46373 (219) 365-8507

#### **LOW COST LEGAL SERVICES**

Lake County Bar Association Referral Services (219) 738-1905  
Legal Services of Northwest Indiana, Inc. (219) 932-2787  
Hyatt Legal Services (219) 838-0500

**AMERICANS WITH DISABILITIES ACT RECRUITMENT, ADVERTISEMENT,  
APPLICATION, AND  
EMPLOYMENT NOTICE OF NON-DISCRIMINATION**

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities because of their disabilities. The ADA applies to this corporation. Therefore, we intend to ensure that individuals with disabilities who are employed by the Lake Central School Corporation, as well as persons applying for jobs with us, are treated fairly and given opportunities equal to those of others working or seeking to work here.

The ADA prohibits discrimination against people with disabilities in every aspect of employment:

- Recruitment, advertising, and job application procedures;
- Hiring, upgrading, promotion, demotion, transfer, layoff, termination, right of return from lay-off, and rehiring;
- Rates of pay or any other form of compensation and changes in compensation;
- Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
- Leaves of absence, sick leave, or any other leave;
- Fringe benefits by virtue of employment, whether or not administered by the employer;
- Selection and financial support for training, including apprenticeships, professional meetings, conferences and other related activities and selection for leaves of absence to pursue training;
- Activities sponsored by the employer including social and recreational programs;
- Any other term, condition or privilege of employment.

The ADA requires that we not exclude or isolate persons with disabilities; be willing to modify the format of applications (such as printing copy in enlarged print or on audiotape) or to offer assistance in completing them; hold testing and interviewing in accessible locations (so people who use wheelchairs can participate, for example); provide accurate information about the abilities and skills of individuals with disabilities when conducting test and interviews; provide reasonable accommodations so that an individual with a disability can perform the essential functions of his or her job; and engage in other actions that will make it easier for people with disabilities to participate in the life of the corporation.

We at the Lake Central School Corporation are committed to complying with these ADA requirements. We encourage all employees to help us achieve this objective. If you believe that you or someone else has been discriminated against on the basis of disability, or if you have questions, concerns, or suggestions related to the ADA, call the Assistant Superintendent, Section 504/ADA Coordinator at (219) 365-8507.

The ADA does not require that we give preferential treatment to individuals with disabilities or lessen our qualification standards.

The law does require that we consider reasonable modifications regarding how qualified individuals with disabilities demonstrate their abilities and skills, and do the essential functions of their jobs. We should all work together to see that such opportunities are available for persons with disabilities.

- The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right to:
  - Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability;

- Have the school district advise you of your rights under federal law;
- Receive notice with respect to identification, evaluation, or placement of your child;
- Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school related activities;
- Have your child educated in facilities and receive services comparable to those provided non-disabled students;
- Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA-PL.101-476), Indiana Special Education Regulation (Article 7) or regular education intervention modifications outside of special education under Section 504 of the Rehabilitation Act of 1973.
- Have an evaluation, education and placement decision made based upon a variety of information sources, and by persons who know the student, evaluation data and placement options;
- Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
- Have your child given an equal opportunity to participate in non-academic and extracurricular activities offered by the district;
- Examine all relevant records relating to decisions regarding your child's identification, evaluation, education program, and placement;
- Obtain copies of education records at a reasonable cost unless the fee would effectively deny you access to the records;
- A response from the school district to reasonable requests for explanations and interpretations of your child's records;
- Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing.
- Request mediation or an impartial Due Process Hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you at the parent's expense.
- Hearing requests must be made to the local Superintendent of schools. The following details the procedure:
  - If the parent/guardian disagrees with the identification, evaluation, educational placement or with the provisions of a free, appropriate public education for his/her child, the parent/guardian may make a written request for a hearing to the local Superintendent of schools, indicating the specific reason(s) for the request.
  - The local school district may initiate a hearing regarding the identification, evaluation, or education placement of the student or the provision of a free appropriate public education to the student. The local school district shall notify the parent of the specific reason(s) for the request.
  - Such hearings shall be conducted within twenty (20) instructional days after the request, unless the Hearing Officer grants an extension, and at a time and place reasonably convenient to the parent. Upon receipt of the parent's or local school district's request for a hearing, the State Superintendent of Public Instruction shall designate the independent Hearing Officer. The local school district shall bear all costs pertaining to the hearing, including the transcription, Hearing Officer's fee and expenses; but shall not be responsible for the fees and expenses incurred by the parent/guardian except for those detailed below. The parent involved in a hearing shall be given the right to have the child who is the subject

of the hearing present, and/or open the hearing to the public, and be represented by legal counsel or other representative.

- During the pendency of an administrative or judicial proceeding, unless the local school district, and the parent of the child agree otherwise, the child involved in the proceeding shall remain in his/her present educational placement. If there is a dispute regarding this present placement, the Hearing Officer shall order an interim placement. The present educational placement of the child shall include normal grade advancement if the proceedings extend beyond the end of a school year. If the issue involves an application for initial admission to school, the child, with the consent of the parent, shall be placed in the school until the completion of the proceedings. In the absence of an agreement, the Hearing Officer shall determine the child's placement during the proceedings.
- The child and the parent shall have the right to legal counsel and/or other representation of their own choosing. The local school district shall inform the parent of any free or low-cost legal services available in the area, if the parent requests the information, or if the local school district initiates a hearing. The decision of the Hearing Officer shall be based solely upon the evidence presented at the hearing. The school shall bear the burden of proof as to the appropriateness of any placement, transfer, or the denial of the same.
- A tape recording or other verbatim record of the hearing shall be made and transcribed, and, upon request, shall be made available to the parent or the parent's representative, at local school district's expense. At a reasonable time prior to the hearing, during school hours, the parent or the parent's representative shall be given access to all records of the local school district, and any of its agents or employees, pertaining to the child, including all tests and reports upon which the proposed action may be based. The parent or the parent's representative shall have the right to compel the attendance, to confront, or to cross-examine any witness who may have the evidence upon which the proposed action may be based. The parent or the parent's representative and local school district shall have the right to present evidence and testimony, including expert medical, psychological, or educational testimony. Introduction of any evidence at the hearing that has not been disclosed to both parties at least five (5) days before the hearing is prohibited, subject to the discretion of the Hearing Officer. Within fifteen (15) instructional days after the hearing, the Hearing Officer shall render a decision in writing. Such decision shall include findings of fact, conclusions of law, and orders, if necessary, which will be binding on all parties. The dated decision shall be sent by mail to the parent and the Superintendent of the school, and shall contain **Notice of Right to Appeal** the decision. The decision shall be implemented no later than twenty (20) instructional days following the date of the decision, unless review is sought by either party. Should the parent/guardian be represented by legal counsel and ultimately prevail on the issues at administrative and/or judicial proceedings, the parent/guardian may be entitled to payment of all or part of the attorney fees and the cost incurred by the parent/guardian.

- Request a review (appeal) of the hearing should you not prevail. The following details the procedure:
  - A petition to review (appeal) the decision of a Hearing Officer may be made by any party to the hearing. The request must be in writing, filed with the Department of Education and the opposing party, be specific as to the objections, and be filed within twenty (20) instructional days of the date the Hearing Officer's decision is received. A Board of Appeals shall conduct an impartial review of the record as a whole and may, at its election, conduct its review with or



without oral argument. Such review shall be conducted within twenty (20) instructional days of the receipt of the Petition for Review, unless either party requests an extension of time or the Board, on its own motion, extends the timelines.

- The Board shall ensure a transcription is prepared of its review and made available through the Department of Education upon request of any party.
  - Any party disagreeing with the decision of the Board of Appeals may appeal to a civil court with jurisdiction.
  - A parent represented by legal counsel during the proceedings of a Due Process Hearing, appeal or civil action may be entitled to reimbursement for legal fees if the parent ultimately prevails.
- Ask for payment of reasonable attorney fees if you are successful on your claim.
  - File a local grievance to resolve complaints of discrimination.
  - The procedure is as follows:
    - An alleged grievance under Section 504 must be filed in writing, fully setting out the circumstances giving rise to such grievance.
    - Such claims must be made in writing and filed with the following individual:

Director of Human Resources  
Lake Central School Corporation  
8260 Wicker Ave.  
St. John, IN 46373

- A hearing will be conducted according to the procedures outlined in the regulations implementing the Family Educational Rights and Privacy Act (FERPA).
- The coordinator(s) will appoint a Hearing Officer who will conduct the hearing within a reasonable time after the request is received.
- The coordinator(s) shall give the parent, student, or employee reasonable advance notice of the date, time, and place of the hearing.
- The hearing may be conducted by any individual, including an official of the local school district who does not have a direct interest in the outcome of the hearing.
- The local school district shall give the parent, student, or employee full and fair opportunity to present evidence relevant to the issues raised. The parent, student or employee may at their own expense, be assisted or represented by individuals of his or her choice, including an attorney.
- The local school district shall make its decision in writing within fifteen (15) days after the hearing.
- The decision must be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision.

## **25. CIVIL RIGHTS ASSURANCE OF EQUAL OPPORTUNITY AND NONDISCRIMINATION**

The Lake Central School Corporation has a policy of providing equal opportunity. All courses are open to all students regardless of race, religion, color, sex, disabling conditions, or national origin, including limited English proficiency.

Educational services, programs, instruction, and facilities will not be denied to anyone in the Lake Central School Corporation as the result of his or her race, religion, color, sex, disabling conditions, or national origin, including limited English proficiency. For further information, clarification, or complaint please contact the following person:

Director of Human Resources and Student Services  
8260 Wicker Avenue  
St. John, IN 46373  
(219) 365-8507

Any information concerning the above policies may be obtained by contacting the corporation superintendent:

Dr. Lawrence Veracco, Superintendent  
Lake Central School Corporation  
8260 Wicker Avenue  
St. John, IN 46373  
(219) 365-8507

## **26. Terrorism Policy (IC 35-47-12-1)**

*The Board recognizes the danger that terroristic threats and acts present to the safety and welfare of corporation students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.*

*A terroristic threat is defined as a threat to commit violence against person or property communicated with the intent to create fear and intimidation, to cause evacuation of a building, to cause serious public inconvenience, or to cause serious educational disruption, in reckless disregard of the risk to person or property.*

*A terroristic act is defined as an act potentially or in fact causing serious bodily harm or substantial property damage.*

*The Board prohibits any student or employee from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board Member, community member or school building.*

*Staff members and students shall be responsible for immediately informing a building administrator regarding any information or knowledge relevant to a possible or actual terroristic threat or act. It is that administrator's responsibility to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act.*

*When a building administrator has evidence that a student or employee has made a terroristic threat or committed a terroristic threat or committed a terroristic act, the following guidelines shall be applied:*

- *The building administrator shall immediately suspend the student and recommend expulsion.*
- *The building administrator shall promptly report the incident to the Superintendent.*
- *The building administrator shall promptly report the student to law enforcement officials.*
- *The building administrator shall immediately contact security if the student attempts to return to school premises pending expulsion or during expulsion.*

*In the case of exceptional students, the corporation will take all steps necessary to comply with the Individuals with Disabilities Education Act.*

## **27. Internet Student Users Policy (School Board Policy 7540.03)**

*In making decisions regarding student access to the Internet, the Lake Central School Corporation considers its own stated educational mission, goals and objectives. Electronic information research skills are now fundamental to the preparation of citizens and future employees. Access to the Internet enables students to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The Corporation expects the faculty to blend thoughtful use of the Internet throughout the curriculum and provide guidance and instruction to students in its use.*

*With prior permission from parents, students utilizing District-provided Internet access must be supervised by a Lake Central School Corporation staff member. Students utilizing school-provided Internet access are responsible for good behavior on-line just as they are in a classroom or other areas of the school. The same general rules of behavior and communications apply.*

*The purpose of District-provided Internet access is to facilitate communications in support of research and education. To remain eligible as users, students must use this service in a manner that is supportive of and consistent with the educational objectives of the Lake Central School Corporation. Access is a privilege, not a right. Access entails responsibility.*

*Users should not expect that files stored on school-based computers will always be private. Electronic messages and files stored on school-based computers may be treated like school lockers. Administrators and faculty may review files and messages to maintain system integrity and ensure that users are acting responsibly.*

*It is not acceptable to use Internet for any purposes which violate U.S., state or local laws.*

*It is not acceptable to use Internet to interfere with or disrupt network users, services or equipment. Such interference or disruption includes, but is not limited to: distribution of unsolicited advertising; propagation of computer worms or viruses; or using the network to make unauthorized entry into other computational, information, or communication devices or resources.*

*The intentional transmission or accession of defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material is prohibited.*

*The security of the system is a high priority. Therefore, a student may not let others use his/her assigned password or otherwise attempt to log-in in violation of an individual participant's security.*

*Vandalism on the network or the connected networks is strictly prohibited.*

*A student may not violate copyright, or otherwise use another person's intellectual property without prior approval of the author or proper citation.*

***In an effort to maintain a safe learning environment, students are prohibited from entering Internet "chat rooms."***

*In the event that the guidelines provided herein are violated, appropriate disciplinary action will be taken.*

*The Lake Central School Corporation makes no warranties of any kind either expressed or implied, for the computer networks, and the Internet access it is providing. The Corporation will not be responsible for any damages users suffer, including -*

*- but not limited to -- loss of data resulting from delays or interruptions in service. The Corporation will*

*not be responsible for the accuracy, nature or quality of information stored on Corporation diskettes, hard drives, or servers or for the accuracy, nature, or quality of information gathered through Corporation-provided Internet access. The Corporation will not be responsible for personal property used to access Corporation computers or networks or for the Corporation-provided Internet access. The Corporation will not be responsible for unauthorized financial obligations resulting from Corporation-provided access to the Internet.*

*The Lake Central School Corporation makes the complete Internet policy and procedures available on request for review by all parents, guardians and other members of the community; and provides parents and guardians the option of requesting for their children alternative activities not requiring Internet use.*

## **28. METAL DETECTOR POLICY**

(School Board Policy 9160)

### **USE OF HAND-HELD METAL DETECTORS**

*A critical component of an effective learning system is a safe and orderly environment free of violence and fear. In an effort to provide this setting for Lake Central students, the Board of School Trustees authorizes the use of hand-held metal detectors to check a student's person or personal effects as follows:*

- A. School officials may conduct metal detector checks of groups of individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class, school bus, or school-related group; on every third {or other random number} individual entering the school, school-related event or activity).*
- B. If a school official has reasonable suspicion to believe a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.*
- C. A student's failure to permit a metal detector check as provided by this policy will be considered as insubordination and an interference with school purposes. Such a refusal will be considered grounds for disciplinary action including suspension and/or expulsion. A refusal will also be considered as reasonable suspicion by school officials of a weapon's violation and result in law enforcement officials being called to school to investigate.*
- D. The Superintendent shall develop procedures for implementing this policy.*

### **ACADEMIC CODE OF HONOR**

A student is guilty of academic dishonesty when he or she engages in any illegal or improper activity for the purpose of improving a grade or a test score. This includes, but is not limited to:

- Any form of cheating (i.e. giving or receiving answers for any type of test or quiz without the teachers' authorization), or;
- Plagiarizing (i.e. submission of term papers, reports, etc. that are not original works by the student unless otherwise authorized by the teacher).

Academic dishonesty will be dealt with at two different disciplinary levels and is based on the severity of the act.

The teacher will handle Level One violations. Students caught cheating will receive a zero (0) on the test or quiz. Students found guilty of a Level One violation will be ineligible for National Honor Society or Junior Honor Society for their next eligible year.

Examples of a Level One violation:

- Looking on another's test or quiz
- Using electronic devices or other secretive method to give answers on a test or quiz
- Taking substantial information from another source, but not crediting the source

The principal will handle Level Two violations. Students found guilty of a Level Two violation will receive a zero (0) on the test, quiz or written assignment and may be subject to suspension or a request for expulsion. Students found guilty of a Level Two violation will be ineligible for National Honor Society or Junior Honor Society for their next two eligible years. Examples of a Level Two violation:

- A second Level One violation:
- Taking papers from the Internet, other publications, other students and/or people
- Taking any test or part of any test to use or give to others

## 29. VERIFICATION PAGE

(Please detach, sign and have your child return this page to the school's main office.)

My signature affixed below indicates I have received a copy of the *Lake Central School Corporation Student Code of Conduct, Responsibilities, Due Process and Parent/Student Rights*.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Parent Guardian/Printed Name

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Student's Name/Grade

\_\_\_\_\_  
Date