

# INDIANA OVERVIEW AND COMMENTS

Policy Update

## **Volume 32, Number 1**

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### **BYLAWS AND POLICIES**

After reviewing the proposed revisions to the twenty-five (25) current Neola policy templates and one (1) new proposed policy making any choices provided therein, the Superintendent should recommend the adoption of the new and revised material, and the Board should approve the Superintendent's recommendation so that the Corporation's policies are legally consistent and correct.

If one or more of the current templates to which revisions are proposed as a result of recent changes in the Indiana Code or Federal law and included in this update are not among the policies previously adopted by the Board for the Corporation, Neola recommends that the Corporation reconsider the material and adopt those templates as new policies for the Corporation.

#### **Bylaw 0151.1 – Board of Finance of the School Corporation – Revised**

Revisions to Bylaw 0151.1 Board of Finance are being made in response to Senate Enrolled Act 549. This legislation, which passed during the 2019 legislative session, requires the superintendent to prepare a report which assesses the financial condition of the school corporation and share it with the Board of Finance during its annual meeting. The fiscal and qualitative indicators to be included in the statement of financial condition report are outlined in I.C. 20-19-7-4.

It is strongly advised that the proposed revision to this bylaw be recommended by the Superintendent and adopted by the Board so the Corporation's annual meeting of the Board of Finance meets statutory requirements.

#### **Policy 0142 - ELECTION/APPOINTMENT OF MEMBERS AND ELIGIBILITY TO SERVE, TERM OF OFFICE, VACANCIES AND FILLING A VACANCY**

This is a local change – not NEOLA. This corrects the language that would allow a board member to retain their seat if they move out of their residential district and remain within the Corporation district.

#### **Policy 1520 – Employment of Administrators in Addition to the Superintendent – Revised**

Policy 1520 has been revised due to Senate Enrolled Act 281, which changed the contract term for contracts with principals and assistant principals and put limits on contract buyouts for administrative contracts.

It is advised that the proposed revision to this policy be recommended by the Superintendent and adopted by the Board so the Corporation's policy meets the statutory requirements of current law.

#### **Policy 1520.08 – Employment of Personnel for Extracurricular Activities – Revised**

#### **Policy 3120.08 - Employment of Personnel for Extracurricular Activities – Revised**

#### **Policy 4120.08 - Employment of Personnel for Extracurricular Activities – Revised**

#### **Policy 8120- Volunteers – Revised**

#### **Policy 8455 – Coach Training, References, and IHSAA Reporting - Revised**

These policies have been revised in response to House Enrolled Act 1209, which added new sections to the Indiana Code, including I.C. 20-26-14-2.5, I.C. 20-26-14-8, and I.C. 20-26-14-9, regarding Indiana High School Athletic Association (“IHSAA”) coaching certification, background checks, and reports required to be made to IHSAA for certain inappropriate behavior by coaches.

Neola recommends that the Superintendent make a recommendation to the Board to adopt the proposed revisions to these policies and that the revised policies be adopted by the Board in order for the Board’s policies to meet the recent statutory changes and remain compliant with current State law.

#### **Policy 3220.01 – Teacher Appreciation Grants – Revised**

This policy has been revised to include changes made to Teacher Appreciation Grants by House Enrolled Act 1001, including the option to set aside up to twenty percent (20%) of the total grant received as a supplemental payment to teachers with less than five (5) years of service who are rated as effective or highly effective.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation’s policy meets the statutory requirements of current law.

#### **Policy 3220.02 – Supplemental Payments for Teachers – Revised**

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This policy has been revised to address House Enrolled Act 1002. This new legislation adds one more optional category of teacher who may receive a supplemental payment. This added option increases the categories of teachers who may receive a supplemental payment from three categories to four categories.

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This policy revision is adding an option and therefore should be recommended by the Superintendent to the Board and adopted by the Board only if the option is desired in the local policy statement.

#### **Policy 5111 – Determination of Legal Settlement and Eligibility for Enrollment of Students Without Legal Settlement in the Corporation – Revised**

This policy has been revised to reflect the option for parents, adult students, and juvenile courts conducting certain proceedings to elect to extend the date of the student’s withdrawal from the Corporation to the end of the semester and the Corporation’s option to elect to extend the date of the student’s withdrawal from the Corporation to the end of the school year.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation’s policy meets the requirements of current law.

#### **Policy 5111.01 – Homeless Students - Revised**

Revisions to this policy were completed to address the changes made by Senate Enrolled Act 464, particularly training required for staff regarding homeless students.

Neola recommends that the Superintendent make a recommendation to the Board to adopt the proposed revisions to this policy and that the revised policy be adopted by the Board in order for the Board’s policy to meet the recent statutory changes and remain compliant with current Federal and State law.

#### **Policy 5223 – Released Time for Religious Instruction – Revised**

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Revisions to this policy have been made to reflect the new provisions found in Senate Enrolled Act 373. Some revisions address new requirements which clarify currently existing parts of the policy.

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SEA 373 also makes available an option for school corporations to provide high school students with credit for coursework completed during release time for religious instruction. Therefore, such an option has been added

~~to the policy template. This optional language should be considered only if the Corporation desires to include such an option for students to earn credit. If not, the option should not be adopted by the Board.~~

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~~It is advised that the Superintendent recommend revisions which clarify existing language in the policy to the Board, and that the Board approve the recommendation so that the policy remains current with existing law.~~

### **Policy 5335 – Care of Students with Chronic Health Conditions – Revised**

This policy has been revised to include examples of chronic health conditions and to incorporate the training on seizure disorders required by House Enrolled Act 1089.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board in order to clarify what is meant by a chronic health condition and so the Corporation's policy meets the statutory requirements of current law.

### **Policy 5600 – Student Discipline - Revised**

The student discipline policy has been revised to reflect 2018 legislation in House Enrolled Act 1421 pertaining to development of a model policy on equitable discipline. The changes include a reference to the obligation to work with parents to develop/review the student code of conduct periodically following the State adoption of a model policy and an option to request assistance from the State Department of Education regarding implementation and professional development.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation's policy meets the requirements of current law.

### **Policy 5610 – Suspension and Expulsion of Students - Revised**

This policy has been revised to reflect changes made by Senate Enrolled Act 29 pertaining to the requirement that students complete work during periods of suspension and expulsion and providing an option for allowing students to complete tests quizzes missed during suspension and expulsion.

Neola recommends that the Superintendent make a recommendation to the Board to adopt the proposed revisions to this policy and that the revised policy be adopted by the Board in order for the Board's policy to meet the recent statutory changes and remain compliant with current State law.

### **Policy 6220 – Budget Preparation – Revised**

Revisions to this policy have been made in response to House Enrolled Act 1003. If a school corporation passes a School Safety Referendum (Tax Levy and/or Debt Service), these newly developed budget funds should be added to the budget preparation process and are being added as options to the Budget Preparation policy.

Also, the policy is revised to include the new requirement of reporting to the Board at the time of budget preparation the total transfer, if any, from the school corporation's Education Fund to the Operations Fund.

It is recommended that the Superintendent recommend the revised policy to the Board, and that the Board take action to approve the revised policy to remain current with Indiana law.

### **Policy 6230 – Budget Hearing – Revised**

This policy has been revised in response to House Enrolled Act 1003 which now requires the Superintendent to disclose at the annual budget hearing whether the transfer from the Education Fund to the Operations Fund will be more than 15%.

It is recommended that the Superintendent recommend the adoption of this policy revision to the Board. The Board should approve the recommendation to maintain language which is consistent with current state statutes.

#### **Policy 6520 – Payroll Deductions – Revised**

~~This policy has been revised in response to Senate Enrolled Act 99. An additional deduction that may be made on an employee's paycheck has been passed into law. Therefore, an option has been added to the policy template.~~

~~If this new option is desired by the Corporation, the Superintendent should make a recommendation to the Board for approval of the policy revision.~~

#### **Policy 7300 – Disposition of Real Property - Revised**

This policy has been revised due to House Enrolled Act 1641, which amended I.C. 20-26-7-1 and added I.C. 20-26-7.1 as a new chapter regarding vacant property and making it available to charter schools.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation's policy meets the requirements of current State law.

#### **Policy 7440.03 – Small Unmanned Aircraft Systems - New**

Policy 7440.03 is a new, optional policy that enables School Boards to prohibit or permit the use of small unmanned aircraft systems ("sUAS"), commonly known as drones. Clients in several states have continued to request such a policy. Many of them are of the belief that the FAA has "relaxed" regulations for the operation of drones by school corporations. That is not correct. Drones operated by Corporation personnel or by others authorized to do so by the Corporation must comply fully with the FAA regulations established by 14 CFR Part 107.

The proposed policy enables the Board to take a policy position by selecting from two options: (1) the Board prohibits sUAS's on property owned or leased or contracted for by the Board; or (2) the Board permits sUAS's on property owned or leased or contracted for by the Board, if authorized by the Superintendent and only in compliance with 14 CFR Part 107.

It is recommended that, if the Corporation desires to have a policy on sUAS, the Superintendent recommend that the Board adopt this policy and that the Board choose which option it elects and adopt the new policy to provide direction and ensure compliance with Federal law.

#### **Policy 8310 – Public Records - Revised**

This policy has been revised to reflect the changes in statute based on House Enrolled Act 1629. This House Enrolled Act sets the statutory provisions for charging fees for time spent searching electronic records in response to a request for public records.

It is recommended that the Superintendent recommend the adoption of this policy revision to the Board. The Board should approve the recommendation to maintain language which is consistent with State statutes.

#### **Policy 8400 – School Safety - Revised**

Policy 8400 has been revised to include provisions pertaining to school safety specialists and incorporate the changes in the law made by House Enrolled Act 1063, namely bleeding control kits.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation's policy meets the requirements of current State law.

**Policy 8405 – Environmental Health and Safety Issues – Indoor Air Quality, Animals in the Classroom, and Idling Vehicles on School Property - Revised**

Revisions were made to this policy to incorporate the changes in the law made by Senate Enrolled Act 632 regarding radon testing and to ensure compliance with best practices by requiring the Corporation comply with the Indiana State Department of Health's manual of best practices for managing indoor air quality at schools.

It is recommended that the Superintendent recommend the revised policy to the Board, and that the Board take action to approve the revised policy to remain current with Indiana law and compliant with best practices.

**Policy 8420 – Emergency Preparedness Plans and Drills – Revised**

This policy has been revised in response to House Enrolled Act 1004, which revised State law on school safety with respect to disaster drills, including the requirement to conduct an active shooter drill near the beginning of the school year.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation's policy meets the requirements of current State law.

**Policy 8462 – Child Abuse and Neglect - Revised**

The policy language has been revised to clarify that school personnel are required to notify the Department of Child Services if child abuse or neglect is suspected. Additionally, the Corporation ~~may~~ **shall** decide that local law enforcement also should be notified. Finally, the revision allows flexibility for administration to decide whether to notify parents.

It is recommended that the Superintendent make a recommendation to the Board to adopt these changes and that the Board adopt the revised policy so that school personnel understand their legal obligations under State law.

**Policy 8600 – Transportation - Revised**

The policy has been revised to reflect changes in State law pertaining to school bus safety made by Senate Enrolled Act 2 and the current State law on use of school buses.

It is advised that the proposed revisions to this policy be recommended by the Superintendent and adopted by the Board so the Corporation's policy meets the requirements of current State law.