

NEPOTISM, CONFLICT OF INTEREST, GIFTS, AND USE OF CORPORATION RESOURCES

The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”) employees, officers, and agents is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the Corporation.

Nepotism

The Board of School Trustees of BHMSD believes that careful contemplation should be given to the implications of employing individuals who are related to the Corporation’s policy making and administrative personnel. Nepotism can complicate an employee/employer relationship in several, undesirable aspects. Although hiring relatives is permissible under law, the Board expresses a concern that favoritism should have no influence in the hiring process.

While the Corporation does not prohibit the employment of relatives of current Corporation employees or Board members, it does require that serious and extensive consideration be given to concerns, problems, and consequences relating to such decisions. However, the Corporation shall not employ an individual in a position which results in one (1) relative being in the direct line of supervision of the other relative.

For purposes of this policy, a “relative” is defined as:

- (1) The employee’s spouse
- (2) A parent of the employee or a parent of the employee’s spouse
- (3) A child of the employee or a child of the employee’s spouse
- (4) A sibling of the employee or a sibling of the employee’s spouse
- (5) A stepparent of the employee or the employee’s spouse
- (6) A stepsibling of the employee or the employee’s spouse

Conflict of Interest

A conflict of interest occurs when a Board member or employee knowingly or intentionally may benefit financially from a contract with the Corporation or a purchase made by the Corporation.

Employees shall not engage in, or have a financial interest in (directly or indirectly), any activity that conflicts or raises a reasonable question of conflict with his or her responsibilities to the Corporation.

Any employee who has reason to believe that he or she may have a conflict of interest is required to disclose the potential conflict.

The Board shall not knowingly approve a contract or purchase in which a Board member, Corporation employee, or agent of the Board or their spouse or dependent profits or has a pecuniary interest unless the member, employee, or agent with the profit or pecuniary interest makes the

required written disclosure, and the disclosure is approved by vote of the Board before the Board votes on the contract or purchase. For the purpose of this policy the terms “pecuniary interest” and “profit” have the meaning given to those terms under Indiana law.

A Board member may participate in the discussion on the acceptance of their disclosure; however, a Board member will abstain during the vote on disclosure and the contract or purchase addressed by their disclosure.

A Corporation employee or agent of the Board may be called upon to contribute to or participate in the Board’s discussion on the acceptance of a disclosure and the contract or purchase addressed by their disclosure.

Staff Gifts and Use of Corporation Resources

Employees, officers, and agents of the Board shall not make use of materials, equipment, facilities, or any other resources of BHMSD for any unauthorized purpose. In order to assure that Corporation assets are appropriately safeguarded, the Corporation will employ appropriate methods such as vehicle/equipment use logs. The Superintendent may permit school equipment to be loaned to staff members when such use is directly or peripherally related to their employment and to students when the equipment is to be used in connection with their studies or extracurricular activities. Proper controls shall be established to assure the borrower’s responsibility for, and return of, all such equipment.

Employees, officers, and agents of the Board shall not solicit gifts, travel packages, or other incentives from prospective contractors.

Employees, officers, and agents of the Board should *not* expect or accept gifts for carrying out the duties of his/her position.

Employees, officers, and agents of the Board shall not accept any form of compensation from vendors that might influence their recommendations on or raise a conflict of interest with respect to the purchase of equipment, supplies, or services. In addition, staff members who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the Corporation or a vendor with whom the Corporation is doing business, whereby an individual professional staff member receives compensation in any form for services rendered.

Such compensation includes, but is not limited to cash, checks, stocks, or any other form of securities, and gifts such as electronic equipment, appliances, discount certificates, travel vouchers, tickets, passes, and other such things of more than nominal value. In the event that a staff member receives such compensation, albeit unsolicited, from a vendor, the professional staff member shall notify the Superintendent, in writing, that s/he received such compensation and the compensation has been returned to the vendor.

If a staff member has provided an unusual amount of extra help for a student and the family would like to express appreciation, small non-monetary gifts may be accepted.

The Board acknowledges that gift-giving to staff members as part of holiday celebrations is in keeping with the spirit of such celebrations and gift-giving at the close of an academic year is traditional. In these circumstances, gifts other than money may be accepted; however, teachers should not open gift(s) in class or comment on item(s) in front of students.

The Board authorizes the following people to receive complimentary or reduced rate tickets to interscholastic athletic events or other school related programs and activities:

- Members of the Board
- Administrators
- Regular employees who are issued employee badges
- Community dignitaries or others, as designated by the building principal or Superintendent.

Provision of complimentary tickets is contingent on their availability.

The Superintendent shall develop such procedures as are necessary to provide appropriate safeguards in accordance with this policy, including the development of forms and procedures necessary to make any disclosures required under Indiana law.

I.C. 31-9-2-107

I.C. 2-2.2-1-17

I.C. 20-26-3-4

I.C. 20-26-5-4

I.C. 35-44.1-1-1, 35-44.1-1-2, 35-44.1-1-4, 35-44.1-1-5

I.C. 36-1-20.2

I.C. 36-1-21

2 C.F.R. 200.112, 200.113, 200.318

7 C.F.R. 3016.36(b)(3) and 3019.42

SBOA Uniform Compliance Guidelines Manual for Schools, Chapter 1

Bluffton-Harrison Metropolitan School District

STAFF CONFLICTS OF INTEREST

A conflict of interest occurs when a Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”) employee or Board member knowingly or intentionally benefits financially from a contract with the Corporation, or a purchase made by the Corporation. Many conflicts of interest arise from “innocent” dealings made with good intentions, but the employee did not understand the potential for a conflict. Corporation employees who engage in an impermissible conflict of interest are subject to felony criminal charges and may be subject to discipline, up to and including termination.

Employees shall not engage or have a financial interest (directly or indirectly), in any activity that conflicts or raises a reasonable question of conflict with his or her responsibilities to the Corporation.

Any employee who has reason to believe that he or she **may** have a conflict of interest is required to disclose the potential conflict to his or her principal or immediate supervisor. The principal or immediate supervisor may counsel the employee on the appropriate next steps, which may include disclosing the conflict of interest to the School Board.

Activities which are Potentially Acceptable through Disclosure

Some potential conflicts of interest may be permissible if the employee provides the appropriate disclosure to the Board. The disclosure must be written and signed under penalties of perjury, then submitted to and accepted by the Board in a public meeting before the Board may approve the contract or purchase in question. If the Board accepts the disclosure, the employee must then submit the disclosure form to the Indiana State Board of Accounts and to the County Clerk. The disclosure form may be found [here](#).

Employees shall appropriately disclose any situation which the employee has reason to believe may fall into one of the categories below:

1. Employees shall appropriately disclose a contract or purchase, current or future, which involves the Corporation employing or paying fees to the employee’s spouse, child, or any other dependent.
2. Employees shall appropriately disclose a contract or purchase which involves the Corporation and may directly or indirectly benefit the employee, but the employee a) does not have the power to make contract or purchases on behalf of the Corporation, *and* b) the contract or purchase is unrelated to the employee’s regular job duties.

If the contract or purchase is ongoing, the employee must re-submit the disclosure form to the Board, State Board of Accounts, and County Clerk every twelve (12) months.

Activities Prohibited at all Times

Some conflicts of interest are prohibited in totality and no disclosure to the Board is able to alleviate the impermissible conflict. The following list is for illustrative purposes and does not limit impermissible conflicts of interest:

- Employees shall not use Corporation materials, equipment, or facilities in private practice.
- Employees shall not accept gifts, favors, services, entertainment, food, or drink that exceed an aggregate value of \$250 in any calendar year from a person or entity desiring to do business or at the time engaged in business with the Corporation.
- Employees may only engage in business, private practice of their profession, rendering of services, or sale of goods or information when doing so would not take advantage of, or compromise, any professional relationship they may have with any student, client, contracted service provider, volunteer, or parents of such students or clients in the course of their employment with the Corporation.
- Employees shall not refer any student or parents of such student for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals.
- Employees shall not require any student or parents of such student to purchase any goods or services provided by an employee, or any specific business or professional practitioner with whom the employee has a financial or familial relationship, as a condition of receiving a grade, credit, promotion, approval, or recommendation. This does not include nominal gifts given by a student or parent to an employee as a gesture of goodwill.
- Employees shall notify Superintendent of honorariums or payments exceeding \$250 received in exchange for speeches, presentations, or articles provided as a representative of the Corporation.

These guidelines shall not prohibit political contributions which are reported in accordance with applicable law. These guidelines shall not prohibit contributions to the Corporation, the Education Foundation, or any other nonprofit associated with the Corporation. These guidelines shall not be interpreted as intending to discourage acts of generosity in usual situations.

Bluffton-Harrison Metropolitan School District



UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT

State Form 54266 (R2 / 6-15) / Form 236
STATE BOARD OF ACCOUNTS

Indiana Code 35-44.1-1-4

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant. "Dependent" means any of the following: the spouse of a public servant; a child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is unemancipated and less than eighteen (18) years of age; and any individual more than one-half (1/2) of whose support is provided during a year by the public servant.

The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. **Name and Address of Public Servant Submitting Statement:** _____

2. **Title or Position With Governmental Entity:** _____
3. a. **Governmental Entity:** _____
b. **County:** _____
4. **This statement is submitted (check one):**
 - a. ☐ as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or
 - b. ☐ as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.
5. **Name(s) of Contractor(s) or Vendor(s):** _____

6. **Description(s) of Contract(s) or Purchase(s)** *(Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.):*

7. **Description of My Financial Interest** *(Describe in what manner the public servant or "dependent" expects to derive a profit or financial benefit from, or otherwise has a pecuniary interest in, the above contract(s) or purchase(s); if reasonably determinable, state the approximate dollar value of such profit or benefit.):*

(Attach extra pages if additional space is needed.)

8. **Approval of Appointing Officer or Body** *(To be completed if the public servant was appointed by an elected public servant or the board of trustees of a state-supported college or university.):*

I (We) being the of
(Title of Officer or Name of Governing Body)

and having the power to appoint
(Name of Governmental Entity)

the above named public servant to the public position to which he or she holds, hereby approve the participation to the appointed disclosing public servant in the above described contract(s) or purchase(s) in which said public servant has a conflict of interest as defined in Indiana Code 35-44.1-1-4; however, this approval does not waive any objection to any conflict prohibited by statute, rule, or regulation and is not to be construed as a consent to any illegal act.

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<div></div>	<div></div>
Elected Official	Office

9. **Effective Dates** *(Conflict of interest statements must be submitted to the governmental entity prior to final action on the contract or purchase.):*

<div></div>	<div></div>
Date Submitted <i>(month, day, year)</i>	Date of Action on Contract or Purchase <i>(month, day, year)</i>

10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed: _____
(Signature of Public Servant)

Date: _____
(month, day, year)

Printed Name: _____
(Please print legibly.)

Email Address: _____

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here https://gateway.ifionline.org/sboa_coi/ which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.

NO TOBACCO

The Board of School Trustees of the Bluffton-Harrison Metropolitan School District prohibits the use of tobacco in any form and the use of e-cigarettes or “vaping” in any building owned or leased by Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”), on Corporation property, in Corporation owned or operated vehicles, or at any school-related events

The Superintendent is directed to develop rules and regulations to enforce this Policy. These rules shall include provisions consistent with state law regarding the posting of notice, requesting persons to refrain from using tobacco in violation of this Policy, and removing from Corporation buildings or property persons who refuse to comply with the Policy after being requested to do so.

Pursuant to state law, persons who violate this Policy commit a criminal infraction punishable in an action brought by the prosecuting attorney.

I.C. 7.1-5-12-4

I.C. 7.1-5-12-7

I.C. 7.1-5-12-12

20 U.S.C. 6081 et. seq.

Bluffton-Harrison Metropolitan School District

NO TOBACCO

The Board of School Trustees of Bluffton-Harrison Metropolitan School District prohibits the use of tobacco in any form and the use of e-cigarettes or “vaping” in any building owned or leased by Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”), on Corporation property, or in Corporation owned or operated vehicles. Pursuant to and in administration of Corporation *Policy A250*, the following rules and regulations have been adopted:

1. The use of tobacco in any form and the use of e-cigarettes or “vaping” in any building owned or leased by the Corporation (“School Building”), on Corporation property, or in Corporation owned or operated vehicles are prohibited. This prohibition covers all students, employees, parents, patrons, vendors, visitors, and other third parties.
2. Pursuant to state law and Board policy, conspicuous signs will be posted at the public entrance of each School Building designating that the use of tobacco and e-cigarettes is prohibited on Corporation property, including parking lots, athletic facilities, etc.
3. If a Corporation staff member violates this policy, he or she will be subject to discipline, up to and including termination. If a Corporation student violates this policy, he or she will be subject to discipline, up to and including expulsion.
4. If a person who is not an employee of the Corporation violates this policy, the building administrator will inform the person of the policy and request that person refrain from use of tobacco or e-cigarette. If the person does not comply with that request, then the building administrator may take steps necessary to remove the person from the School Building or Corporation property. Building administrators shall not use physical force to remove persons but shall call security officers to accomplish that removal.
5. Each administrator/supervisor assigned to manage a School Building has the authority and duty to enforce this prohibition.

Bluffton-Harrison Metropolitan School District

PARENTAL ACCESS TO INSTRUCTIONAL MATERIAL AND SURVEYS

The Board of School Trustees of Bluffton-Harrison Metropolitan School District respects the privacy rights of parents and students. No student shall be required, without prior written consent of the student (if an adult, or an emancipated minor) or, if an unemancipated minor, their parents, to participate in any personal analysis, evaluation, or survey that reveals attitudes, habits, traits, opinions, beliefs, or feelings concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. religious beliefs, affiliations, or practices of the student or the student's parent;
3. mental or psychological conditions of the student or the student's family;
4. sexual behavior or attitudes;
5. illegal, anti-social, self-incriminating, or demeaning behavior;
6. critical appraisals of other individuals with whom the student has a close family relationship;
7. legally recognized privileged or confidential relationships, such as those of lawyers, ministers, or physicians; or
8. income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation by contacting the building principal. The Corporation will post a copy of each personal analysis, evaluation, and survey personal analysis, evaluation, or survey conducted by a third-party vendor that reveals, identifies, collects, maintains, or attempts to affect attitudes, habits, traits, opinions, beliefs, or feelings on the school corporation's website.

Parents have the right to inspect, upon request, all instructional materials used as part of the educational curriculum of the student. Instructional materials include teachers' manuals, student texts, films, tapes, or other digital materials. The term does not include academic tests or assessments.

Further, parents of minor unemancipated students, and adult/emancipated students, as applicable, will be provided with two requests for written consent before a personal analysis, survey, or evaluation provided by a third party vendor that reveals, identifies, collects, maintains, or attempts to affect attitudes, habits, traits, opinions, beliefs, or feelings is administered or distributed by the school to the student. The consent form must accurately summarize the contents and nature of the

personal analysis, evaluation, or survey that will be provided to the student, include an explanation of the reasons that the school corporation or qualified school is administering the personal analysis, evaluation, or survey, and indicate that a parent of a student or an adult/emancipated minor student has the right to review and inspect all materials related to the personal analysis, evaluation, or survey. The written consent form may be sent in an electronic format.

If the parent of the student or the adult/emancipated student, as applicable, does not respond to the written request provided by the school corporation within twenty-one (21) calendar days after receiving the request, the school corporation shall provide the parent of the student or an adult/emancipated minor student, a written notice requesting that the parent of the student or the adult/emancipated minor student indicate, in a manner prescribed by the school corporation, whether the parent or student consents to the personal analysis, evaluation, or survey; or declines the personal analysis, evaluation, or survey. If the school corporation does not receive a response within ten (10) days after the notice, the student will receive the personal analysis, evaluation, or survey unless the parent or the adult/emancipated student subsequently opts out of the personal analysis, evaluation, or survey for the student.

If the school uses a third-party vendor for such a survey or evaluation, the third-party vendor and the school corporation may not record, collect, or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student. Any contract with the third-party vendor must contain a breach of contract clause if the vendor fails to comply with this policy. If a student does not participate in the personal analysis, evaluation, or survey, the school corporation or qualified school shall provide the student with alternative academic instruction during the same time frame that the personal analysis, evaluation, or survey is administered.

The provisions of this policy concerning personal analyses, evaluations, and surveys conducted by third party vendors do *not* apply to:

1. An academic test or academic assessment, scoring keys, or other tools directly related to measuring a student's academic performance in understanding a particular curricular subject matter, as prescribed by the Indiana Department of Education.
2. A career aptitude or career interest survey.
3. An assessment or screening instrument administered by a third party employed, licensed school psychologist, or social worker, clinical social worker, marriage and family therapist, or mental health counselor licensed under IC 25-23.6, *if* the third party provider is referred by school personnel in a crisis situation in which the school personnel and the third party provider reasonably believe that the student is in immediate danger of self-harm, harming another person, or experiencing harm resulting from abuse or neglect.
4. An assessment, screening instrument, or evaluation survey administered by a third party employed licensed school psychologist, or social worker, clinical social worker, marriage and family therapist, or mental health counselor licensed under IC 25-23.6; who has received a consent for services from a student, if the student is an adult or emancipated minor, or parent of a student, if the student is an unemancipated minor.

5. A survey or evaluation administered to a student of a school by a third party vendor that gauges or attempts to gauge student satisfaction with or participation in the school's programming, technology platform, or approved curriculum.

Parents or eligible students may utilize the procedure for grievances in guideline C225-R if they have concerns regarding the implementation of this policy as to a personal analysis, survey, or evaluation provided by a third party that reveals, identifies, collects, maintains, or attempts to affect attitudes, habits, traits, opinions, beliefs, or feelings.

Human Sexuality Curriculum

Before a school may provide a student with instruction on human sexuality, the school must provide the parent of the student or the student (if an adult, or an emancipated minor), with a written request for consent of instruction. A consent form provided to a parent of a student or a student must accurately summarize the contents and nature of the instruction on human sexuality that will be provided to the student and indicate that a parent of a student or an adult or emancipated minor student has the right to review and inspect all materials related to the instruction on human sexuality. The written consent form may be sent in an electronic format. The parent of the student or the student (if an adult, or an emancipated minor), may return the consent form indicating that the parent of the student or the adult or emancipated student either consents to or declines instruction.

If a student does not participate in the instruction on human sexuality, the school shall provide the student with alternative academic instruction during the same time frame that the instruction on human sexuality is provided.

If the parent of the student or the student (if an adult, or an emancipated minor), does not respond to the written request provided by the school within twenty-one (21) calendar days after receiving the request, the school shall provide the parent of the student, or the student (if an adult, or an emancipated minor), a written notice requesting that the parent of the student, or the student (if an adult, or an emancipated minor), indicate, in a manner prescribed by the school, whether the parent of the student or the adult or emancipated student either consents to or declines instruction.

A notice provided to a parent of a student or a student must accurately summarize the contents and nature of the instruction on human sexuality that will be provided to the student and indicate that a parent of a student or an adult or emancipated minor student has the right to review and inspect all materials related to the instruction on human sexuality. The notice may be sent in an electronic format. If the school does not receive a response within ten (10) days after the notice, the student will receive the instruction on human sexuality unless the parent or the adult or emancipated student subsequently opts out of the instruction for the student.

Personal Information

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

Notice to Parents

The Superintendent is directed to provide notice directly to parents of students enrolled in the Corporation of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the Corporation, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the topics described in the first paragraph of this policy are scheduled or expected to be scheduled.

For purposes of this policy, the term “parent” includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

IC 20-30-5-17

IC 20-26-21-1 et sec.

20 U.S.C. §1232h(c)

34 C.F.R. §98.3

Bluffton-Harrison Metropolitan School District

PROCEDURE FOR GRIEVANCE INVOLVING THIRD PARTY SURVEY

Policy C225, in accordance with Indiana Code 20-26-21-6, requires a grievance procedure for resolving concerns related to administration of personal analysis, evaluation or surveys of students. A parent or guardian of a student, or an adult or emancipated student, may file a grievance regarding such analyses, evaluations, or surveys, as follows:

1. The parent or guardian or adult/emancipated student shall submit a complaint in writing to the superintendent or superintendent's designee, setting forth the specific nature of the complaint regarding the potential violation of I.C. 20-26-21. Those reasons would include:

- that the school corporation is using a third-party vendor and that the school corporation and/or the vendor are recording, collecting, and/or maintaining responses or results of individual students;
- that the school corporation has failed to notify and seek permission from the parent/guardian or adult/emancipated student regarding the survey;
- that the school corporation has failed to post the personal analysis/evaluation/survey and provide an explanation of the reasons for administering; or
- that the school corporation has failed to provide a student with appropriate alternative academic instruction during the time frame the personal analysis/evaluation/survey was administered when consent was not provided.

2. The superintendent, or his/her designee, shall respond to the grievance within twenty-one (21) calendar days providing specific information regarding the complaint.

Bluffton-Harrison Metropolitan School District

BLUFFTON MIDDLE SCHOOL**Consent Form for Formal Classroom Instruction on Human Sexuality**

Dear Parent/Guardian:

Your student is enrolled in a course that includes instruction on topics related to human sexuality. In compliance with Indiana law, you are receiving this consent form prior to the beginning of instruction on human sexuality. As part of the middle school curriculum, the instruction of human sexuality may include a discussion of abstinence until marriage and specialize in providing fun and interactive activities for teens.

Pursuant to Indiana law, you have the right to review and inspect all materials, including teachers' manuals, curricular materials, films or other video materials and tapes, related to the instruction on human sexuality.

This form is to request your consent to provide your child instruction on human sexuality. Should you choose to decline instruction on human sexuality for your child, the school will provide your child with alternative academic instruction during the same time frame that the instruction on human sexuality will be provided. Please read this consent carefully, select one option, and return the signed consent to the main office of Bluffton Middle School. We request that you return this consent within twenty-one (21) days of your receipt of this consent form.

If you have any questions regarding the material taught or if you would like to review/inspect materials, please contact Bluffton Middle School at 260-824-3536.

Student Name: _____

This form serves as the:

_____ First Notice Date of Notice: _____

_____ Second Notice Date of Notice: _____

Please Check:

_____ Consents to the Instruction _____ Declines Instruction

Signature

Date

****If the school does not receive the signed form within ten days of your receipt of the second notice, the student will receive the instruction on human sexuality unless the parent, or the adult or emancipated minor student, subsequently opts out of the instruction for the student.**

*****This form may be duplicated and added to the district's annual registration process as directed by the Superintendent or his/her designee.**

BLUFFTON HIGH SCHOOL**Consent Form for Formal Classroom Instruction on Human Sexuality**

Dear Parent/Guardian:

Your student is enrolled in a course that includes instruction on topics related to human sexuality. In compliance with Indiana law, you are receiving this consent form prior to the beginning of instruction on human sexuality. As part of the high school curriculum, the instruction of human sexuality may discuss the following topics in various courses:

- healthy relationships, violence/abuse in relationships, impact of alcohol/drug use on pregnancy, sexually transmitted diseases
- human body systems, meiosis (formation of egg and sperm cells), fertilization of eggs in different phyla, viewing of embryos
- pregnancy, abstinence, live childbirth, child abuse and neglect
- teen pregnancy, marriage, roles/responsibilities

Pursuant to Indiana law, you have the right to review and inspect all materials, including teachers' manuals, curricular materials, films or other video materials and tapes, related to the instruction on human sexuality.

This form is to request your consent to provide your child instruction on human sexuality. Should you choose to decline instruction on human sexuality for your child, the school will provide your child with alternative academic instruction during the same time frame that the instruction on human sexuality will be provided. Please read this consent carefully, select one option, and return the signed consent to the main office at Bluffton High School. We request that you return this consent within twenty-one (21) days of your receipt of this consent form.

If you have any questions regarding the material taught or if you would like to review/inspect materials, please contact Bluffton High School at 260-824-372.

Student Name: _____

This form serves as the:

_____ First Notice Date of Notice: _____

_____ Second Notice Date of Notice: _____

Please Check:

_____ Consents to the Instruction _____ Declines Instruction

Signature

Date

**If the school does not receive the signed form within ten days of your receipt of the second notice, the student will receive the instruction on human sexuality unless the parent, or the adult or emancipated minor student, subsequently opts out of the instruction for the student.

***This form may be duplicated and added to the district's annual registration process as directed by the Superintendent or his/her designee.

STANDARD OF CARE AND SUPERVISION OF STUDENTS

All Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”) employees and volunteers shall uphold the highest standards for supervision, control, and protection of students commensurate with their assigned duties and responsibilities. All employees and volunteers shall establish and maintain professional boundaries with students that are consistent with their legal, professional, and ethical duty of care for students.

The following expectations will be enforced:

- A. An employee shall *immediately* report to law enforcement or child protective services any suspected child abuse or neglect. An employee shall immediately report to a building administrator any knowledge of criminal organization (gang) activity and shall immediately report to the Title IX coordinator any report of student sexual harassment or assault.
- B. Employees shall set a positive example for students in words and actions. This includes, but is not limited to, refraining from use of profanity, demeaning statements, and any other communications that set an inappropriate example for students.
- C. An employee shall not associate with students at any time in any manner that may give the appearance of impropriety or is not consistent with an employee’s role as an exemplar. This includes, but is not limited to, the employee’s involvement in any situation that could be considered abusive or sexually suggestive, or involves harmful substances such as illegal drugs, alcohol, or tobacco. Further, employees shall not communicate with students by electronic means except on School-approved applications for educational purposes. Any sexual or otherwise inappropriate conduct with a student, including improper personal communications, will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.
- D. If a student approaches a teacher or other employee to seek advice, to ask questions, or to discuss personal matters, including but not limited to friendships, social relationships, sexual behavior, substance abuse, mental or physical health, and/or family relationship, etc., the employee must be mindful of their responsibility to serve as a mentor and exemplar to the student and avoid communications of a peer-to-peer nature. Any employee who perceives that a student is in need of services from a certified or licensed professional for mental health assessment, diagnosis, and treatment of the student's stated problem shall report the matter to their supervisor. Under no circumstances should an employee attempt, unless properly licensed and authorized to do so, to provide counseling, assess, diagnose, or treat the student's problem or behavior, nor should any such employee inappropriately disclose personally

identifiable information concerning the student to third persons not specifically authorized by law.

- E. An employee or volunteer shall not electronically transmit any personally identifiable image of or information on a student(s) without the prior approval of BHMSD administration and the student's parent, where applicable.
- F. All employees and volunteers shall follow established school safety procedures and protocols. An employee or volunteer shall immediately report to a building administrator any accident, safety hazard, knowledge of threats of violence, or other potentially harmful situation they detect.
- G. An employee shall not transport students in a private vehicle without the prior approval of the principal and notification to district administration.
- H. A student shall not be required to perform work or participate in activities detrimental to their health or welfare.

Regular employees who are issued employee badges and who fail to follow this policy shall be subject to discipline up to and including termination. Volunteers who fail to follow this policy shall be subject to revocation of volunteer privileges. Some violations may subject employees or volunteers to criminal prosecution.

I.C. 31-33-5

Criminal Organization Policy

Bluffton-Harrison Metropolitan School District

EMPLOYEE ETHICS

All Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”) employees shall uphold the highest ethical standards in their working relationships. Employees shall establish and maintain professional boundaries with students and colleagues. Employees are expected to treat all individuals with respect and courtesy.

Employees shall aim to protect the health, well-being, and safety of students and coworkers. Employees are expected to maintain the privacy of student information, except for circumstances where employees have a legal duty or professional obligation to report.

Employees shall set a positive example for students in words and actions. This includes, but is not limited to, refraining, while in the presence of students, from use of profanity, demeaning statements, and any other communications that set an inappropriate example for students.

Employees are expected to perform their assigned duties and responsibilities commensurate with their represented competence and expertise.

Employees shall not use their employment position to advance a private economic, political, or religious agenda. This does not limit an employee’s constitutionally protected rights as a citizen.

Bluffton-Harrison Metropolitan School District

EMPLOYEE DISCIPLINE

The Superintendent, or his or her designee, shall have the authority to discipline, including to suspend an employee, with or without pay, when in the judgment of the Superintendent or designee the employee has violated Corporation policy, procedures, a supervisor's directive, or whose actions are deemed detrimental to school purposes. This authority may also include notification to a teacher of the recommendation for non-renewal or dismissal and facilitation of a conference or hearing with the Board. Any suspension of an employee shall comply with applicable due process requirements. In the case of the Superintendent, the Board shall determine whether suspension with or without pay is appropriate.

I.C. 20-28-9-21 and 22

Bluffton-Harrison Metropolitan School District

CRIMINAL ORGANIZATION ACTIVITY

Prohibited Conduct

The Bluffton-Harrison Metropolitan Schol District (“BHMSD” or “Corporation”) prohibits criminal organization activity and similar destructive or illegal group behavior on school property, or school buses, or at school-sponsored functions.

The Corporation prohibits reprisal or retaliation against individuals who report suspected criminal organization activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or others with reliable information about criminal organization activity and similar destructive or illegal group behavior.

Definitions

“Criminal Organization”: a formal or informal group with at least three members that specifically either:

- (1) promotes, sponsors, or assists in; or
- (2) participates in; or
- (3) requires as a condition of membership or continued membership or has as one of its goals;

the commission of a felony or an act that would be a felony if committed by an adult or a battery offense included in IC 35-42-2.

“Criminal Organization activity”: a student who knowingly or intentionally actively participates in a criminal organization, or a student who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal organization.

Procedures for Reporting and Investigating

Corporation employees are required by law to report any incidence of suspected criminal organization activity, criminal organization intimidation, or criminal organization recruitment to the principal and school safety specialist.

The principal or designee shall conduct a thorough and complete investigation for each report of suspected criminal organization activity.

Each school within the Corporation shall record the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender. Each school shall report this information to the Superintendent or his or her designee, who shall submit a written report to the Indiana Department of Education by June 1 of each year.

Consequences

A confirmed incident of criminal organization activity is a violation of the Corporation's code of conduct. The principal or his or her designee shall respond to criminal organization activity, according to the parameters described in the Corporation's code of student conduct and policy.

Intervention Services

The principal may provide intervention or relevant support services to a student involved in, or suspected of being involved, in criminal organization activity. The following types of services, including family support services, are available: counseling, establishing training programs to reduce criminal organization activity and enhance school climate, enlist parent cooperation and involvement, community and faith-based organizations and civic groups, after-school programs developed in collaboration with other stakeholders, school sanctioned/facilitated extra-curricular activities, or other appropriate action.

The Superintendent or his or her designee shall ensure that notice of this policy appears in the student handbooks and on the Corporation's website.

I.C. § 20-19-3-12

I.C. § 20-26-18 *et. seq.*

I.C. § 20-33-9-10.5

I.C. § 35-45-9-1

Bluffton-Harrison Metropolitan School District

SCHOOL VISITORS AND PARENT-FAMILY ENGAGEMENT

TITLE I POLICY

The Bluffton-Harrison Metropolitan School District (“BHMSD” or “Corporation”) will involve parents and families in jointly developing, and agreeing on, the Corporation’s policy and local plan in accordance with the guidelines below. Each Title I school will create a building-specific parental and family engagement plan in accordance with the guidelines and each of the students participating in Title I program will receive a copy of the parental and family engagement policy and plan guidelines.

I. Policy Guidelines

- a. Involve parents in jointly developing the Corporation’s policy and local plan and in the process of school review and improvement;
- b. Provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;
- c. Build the schools’ and parents’ capacity for strong parental involvement by providing parents with the following, if appropriate:
 - i. Providing assistance to parents of children served as appropriate, in understanding such topics as the State’s academic content standards and student academic achievement standards, and how to monitor a child’s progress and work with educators to improve the achievement of their children.
 - ii. Providing materials and training to help parents to work with children to improve their children’s achievement, such as literacy training and using technology, as appropriate to foster parental involvement.
 - iii. Coordinate and integrate parent involvement programs with the activities of Head Start and public preschools that encourage and support parents in more fully participating in the education of their children.
 - iv. Educate educators with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the school.
 - v. Ensure that information related to school and parent programs, meetings, and other activities encourage and support parents in more fully participating in the education of their children.
 - vi. Other reasonable support for parental involvement activities under section 1118 as parents may request.

- d. To the extent feasible and appropriate, coordinate and integrate parent and family engagement strategies with other federal, state, and local programs, including public preschool programs, and conduct other activities that encourage and support parents in more fully participating in the education of their children;
- e. Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parental and family engagement policy in improving the academic quality of the schools served with Title I, Part A funds, including the following:
 - i. Identifying barriers to greater participation by parents in parental involvement activities, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
 - ii. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers, and
 - iii. Strategies to support successful school and family interactions.
- f. Use the findings of the evaluation to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy; and
- g. Involve parents in the activities of the participating schools, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the Corporation to adequately represent the needs of the population served by the Corporation for the purposes of developing, revising, and reviewing the parent and family engagement policy.

II. Expectations of Parent and Family Engagement

- a. Parents and families of participating students be provided with frequent and convenient opportunities for full and ongoing participation in the Title I program.
- b. The Title I program must be designed to assist students to acquire the competencies and achieve the goals established by law, as well as the goals and standards established by the Corporation. These goals and standards must be shared with parents in a manner that will enable them to (1) participate in decisions concerning their child's education and (2) monitor and improve the educational achievement of their child.

This policy will be incorporated into the local plans, which is submitted to the State Board.

SCHOOL VISITOR POLICY

The Corporation welcomes and encourages visits to school by parents, guardians, and others, but in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls. Disruptions to the educational environment will not be tolerated.

Visitors must register at the school office and seek permission to see a student or employee, participate in an activity, or observe. All visits are subject to the approval of the Superintendent, building principal, or designee. The prohibitions and expectations governing classroom observations are equally applicable to online instruction. Specifically, visitors are reminded:

- Visitors are to be silent observers and not create any kind of disturbance or distraction.
- Statements and actions of other students (or statements by an instructor to other children) are to be maintained in confidence.
- Instruction and services may not be recorded in any manner (audio, video, cell phone, use of Alexa, etc.) unless first receiving approval from the Principal and instructor.

Persons seeking to provide professional services, including observations, are not permitted without the express consent of the Superintendent, building principal, or designee.

The Superintendent, building principal, or designee has the authority to prohibit the entry of any person onto school property, or to expel any person, when there is reason to believe the presence of the individual would be detrimental to the good order of the school. If the individual refuses to leave the school grounds or creates a disturbance, the School administrator or designee is authorized to request assistance from law enforcement to remove the individual.

The Superintendent is authorized to develop administrative guidelines to promulgate this policy.

20 U.S.C. § 6318(a)(2)

Bluffton-Harrison Metropolitan School District

SCHOOL VISITORS

While the Board of School Trustees of Bluffton-Harrison Metropolitan School District values the role of parents and relatives in a student's education, students are to focus on learning during the school day and school should be a place free of family issues, if possible. Parents in acrimonious relationships should remember to focus on the best interest of their child in allowing the child to concentrate on his or her education.

For children whose parents live apart, and unless the Corporation has been provided with evidence that there is a court order, statute statute, or legally binding document related to such matters as divorce, separation, or custody that specifically restricts or revokes these rights:

- a) Each parent is responsible to establish a relationship with their child's school.
- b) Each parent should obtain school information on their own without depending on the other parent.
- c) A parent shall not interfere with the right of the other parent to communicate directly with Corporation personnel concerning a child.
- d) A parent shall not interfere with the right of the other parent to communicate directly with Corporation personnel concerning a child's school activities.
- e) The Corporation will list the custodial parent as the primary contact and will list the noncustodial parent as secondary contact on school records, unless instructed differently by both parents.

Access to a Student's Education Records

In accordance with the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232(g) and 34 C.F.R. Part 99, a "parent" of a student includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian. In the case of parents who live apart or are unmarried, this definition and rights within apply to either parent, unless the Corporation has been provided with evidence that there is a court order, state statute, or legally binding document related to such matters as divorce, separation, or custody that specifically revokes these rights.

Access to a Student During the School Day

The principal of a building may deny visitors at any time if he or she believes the visitor's access to a student during the school day will cause a disruption to the educational environment.

Both custodial and non-custodial parents have a right to visit a student at school and remove a student from school, unless the custodial parent provides the principal of the student's school with a court order that specifically addresses the time and place of visitation by the non-custodial parent and does not specifically allow visitation with the child at school by the non-custodial parent. When a custodial parent produces such an order, the Corporation will not permit the non-custodial parent to visit the student at school until the non-custodial parent produces a more recent order of the same court permitting visitation at school. All parents and visitors, regardless of custodial status, are permitted to visit only if it does not present an actual or reasonably foreseeable disruption to the educational environment.

The Board does not guarantee that it will verify that a student rides the proper school bus or will only be released to the custodial parent.

Indiana Parenting Time Guidelines can be accessed at:

<http://www.in.gov/judiciary/rules/parenting/>

Bluffton-Harrison Metropolitan School District

I.C. 20-33-7-2

PUBLIC RECORDS

The Board of School Trustees of Bluffton-Harrison Metropolitan School District recognizes its responsibility to maintain and protect the public records of the Board and to make these records available for inspection and the purchase of copies in compliance with the Indiana Access to Public Records Act ("APRA").

The Board directs the Superintendent to assert any exemption required to protect information that must be kept confidential pursuant to I.C. 5-14-3-4(a); and the Board authorizes the Superintendent to assert any discretionary exemption to the APRA found in I.C. 5-14-3-4(b). As such, pursuant to the Family Educational Rights and Privacy Act (FERPA), the Corporation shall not disclose records which contain a student's personally identifiable information without the prior written consent of the parent or eligible student. In accordance with FERPA and Indiana Public Access Counselor Opinion, the Corporation shall not disclose information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Procedures for Request for Public Records

A request to inspect and/or purchase copies of a public record in the custody of the Board must be made in writing and submitted on the appropriate form in person, by e-mail, facsimile, or USPS mail to the BHMSD Administration Building at 805 East Harrison Street, Bluffton, IN 46714 on a regular business day between 8:00 a.m. and 3:00 p.m. Such a request submitted outside of the regular business hours shall be received at the beginning of the next regularly scheduled workday. For a personnel file request, complete form H150-E1. For a general public records request, complete form H150-E2.

The requesting party shall be required to describe the records sought with reasonable particularity. The Corporation may request clarification if the request does not provide information which enables it to search for, locate, and retrieve the records. The Corporation shall acknowledge the request within seven (7) business days of receipt.

After the Corporation has reviewed the request, the Corporation will inform the requester in writing if the request is denied or granted. If the request is denied, the Corporation will provide the statutory citation and authority for not disclosing the record, as well as the name and title of the person responsible for the denial. If the request is granted, the Corporation will inform the Requester of the estimated fees to be paid.

Whether or not the Requestor seeks copies of the requested records, the Corporation may charge a search fee for any time spent searching for records that are in an electronic format that exceeds five (5) hours. This search fee shall not exceed the lesser of:

1. the hourly rate of the person making the search; or
2. twenty dollars (\$20) per hour.

Search and/or copying fees shall be paid to the Corporation before any record is copied, disclosed, or made available for inspection. Fees may be paid by cash or money order payable to the Corporation. After receiving the fee, the Corporation shall make the requested records available within a reasonable amount of time, depending on the complexity and size of the request.

If a requester elects to review and inspect the record(s) in person, he or she will work with the Corporation in good faith to schedule a time for inspection. Records may be inspected only at the office or location where they are regularly maintained, during regular business hours, in the presence of a Corporation staff member.

The Corporation shall comply with I.C. 5-14-3-7 and shall take into account the other duties to be performed by Board employees with custody of the requested record(s) and shall not cause or permit a material interference with the regular discharge of the other functions or duties of the Corporation or its employees.

Limited Access to Requests for Lists of Persons

The Board will not create or provide copies of lists of names and addresses (including e-mail addresses) unless the Board is required by law to publish and disseminate the list to the public. However, if the Board has created a list of names and addresses of persons (excluding e-mail addresses), it will permit a person to inspect and make memoranda abstracts from the list unless access to the list is prohibited by law. The Board prohibits disclosures of any records to any commercial entity for commercial purposes or to any individual or entity for political purposes. In addition, records may not be used by individuals or entities for commercial purposes or political purposes.

Fees for Purchasing Copies of Public Records

The Board establishes the following fee schedule for purchase of a copy of public records. These fees will be uniform at all purchasers.

Copies shall be prepared by a Corporation employee and provided to a requesting party upon payment of a fee which is the greater of:

- A. Ten cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies; or
- B. The actual cost of copying the document. "Actual cost" means the cost of paper and the per-page cost for use of copying or facsimile equipment and does not include labor costs or overhead costs.
- C. Certification of document five dollars (\$5.00).
- D. The Board will charge a fee for providing a duplicate of a computer tape, computer disc, microfilm, or similar or analogous record system containing a public record in the custody of the Corporation. The fee shall not exceed the sum of the:
 - i. The Corporation's direct cost of supplying the information in that form; and
 - ii. The standard cost of selling the same information to the public in the form of a publication if the Corporation has published the information and made the publication available for sale.

I.C. 5-14-3(a)

Family Educational Rights and Privacy Act (FERPA)

I.C. 5-14-3-7

I.C. 5-14-3-8

I.C. 5-14-3

I.C. 5-15-6

Indiana Public Access Counselor Opinion, March 17, 2014

Bluffton-Harrison Metropolitan School District

REQUEST FOR PERSONNEL FILE ACCESS

INSTRUCTIONS: This form is for use in requesting the personnel file of a current or former employee and can *only* be completed by the employee or the employee's authorized representative. A request for personnel file access will be processed in accordance with *Policy H150* and in compliance with Indiana Access to Public Records Act (APRA). This form must be completed in writing and submitted, by e-mail, facsimile, or USPS mail to the BHMSD Administration Building, 805 East Harrison Street, Bluffton, IN 46714 on a regular business day between 8:00 a.m. and 3:00 p.m.

Date _____

Name of Employee or Representative Requesting on Behalf of Employee (Circle One)

If this request is being made by the employee's authorized representative, what is the employee's name? _____

If this request is limited to only a portion of the personnel file, please describe with reasonable particularity the type of personnel file record(s) you are seeking:

If the request is granted, the Corporation will notify the requester when the requested records are available at the BHMSD Administration Building. Please consult *Policy H150* for additional information.

FOR OFFICE USE ONLY

Date received _____

Acknowledged _____

Copies provided _____

REQUEST FOR PUBLIC RECORDS

Requestor Name

Company Name

Street Address

City, State, Zip

Telephone

Email

Public record
requested (please
identify in detail)

Signature_____ Date_____ Time_____

DO NOT WRITE BELOW – FOR OFFICE USE ONLY

Date and time request received _____

By _____

Granted in full ☐ Granted
Record(s) enclosedDenied in full ☐ Denied

Reason for denial:

Granted in part ☐ Granted in part

Reason for partial denial:

Approving: