

Book	Policy Manual
Section	Volume 36, No. 1 for Board Approval
Title	Overview
Code	00
Status	

INDIANA OVERVIEW AND COMMENTS

POLICY UPDATE

VOLUME 36, NUMBER 1

March 2024

This update includes proposed revisions to fifteen (15) policies, two (2) new proposed policies, one (1) technical correction, and the proposed rescission of eleven (11) policies and proposed revisions to four (4) administrative guidelines, revisions to fifteen (15) forms, and two (2) legal alerts. The proposed revisions to current policies, as well as the new policies and revised guidelines that are provided, are the result of our ongoing work with our Indiana clients, as well as our ongoing review of statutory language at the State and Federal levels, court decisions, Office for Civil Rights investigations, et cetera. The revisions recommended in this update are deemed necessary to comply with changes in the law, both State and Federal.

Legislation approved during the last legislative session has been the subject of scrutiny by Neola and its Indiana outside counsel, Karen Glasser Sharp of Lewis Kappes. As is our practice, Neola will make revisions to policies and guidelines impacted by legislation passed in the most recent session of the General Assembly in the update that follows this Fall.

For ease of use, the policies, guidelines, legal documents, and reference documents in this update are organized in numerical order in the sub-folder that has been posted in the School Corporation's BoardDocs platform.

Questions?

Any content-related questions should be directed to your Corporation's associate.

All production-related materials and questions should be directed to the Production Office at 632 Main Street, Coshocton, Ohio 43812 (email: production@neola.com, phone: 800-407-5815, fax: 740-622-2557).

Billing questions should be directed to the Corporate Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (email: accounts@neola.com, phone: 330-926-0514, fax: 330-926-0525).

The Update Material

The proposed new and revised policies included in this update have been thoughtfully prepared and have been reviewed by Lewis Kappes, Neola's outside legal counsel in Indiana, for compliance with Federal and State law, Federal and State Regulatory Agencies, and applicable Federal and State court decisions.

If you make substantive changes to a Neola template or substitute in its entirety a policy or other material of your own drafting, that material should be reviewed by the legal counsel for your Corporation to verify compliance with applicable laws, regulations and court decisions. Neola does not review any Corporation-Specific Material.

If the Corporation authors language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute Corporation-specific edits. Neola does not review Corporation-specific edits to update materials or Corporation-specific policies for statutory compliance. (See "Caveat RE: Corporation-Specific Edits" below.)

If a policy or guideline is marked revision, the proposed revisions will include material to be added and material to be deleted. As you review a revised policy or guideline, you may choose to accept one (1), many, or all of the changes presented.

If a policy or guideline is marked as a replacement, that means there have been enough changes made that instead of showing each individual change, a complete, clean replacement copy has been provided. As you review a replacement policy or guideline, you also should compare the replacement materials to your current policy or guideline to determine if there is some Corporation-specific wording in your current material that you want included in the replacement policy. If so, any wording from the current policy should be added using BoardDocs "Track Changes" tool before returning the replacement policy electronically to the Coshocton production office for processing.

Policies that are to be deleted from the Corporation's Board-adopted Policy Manual require School Board action to rescind the policy.

Your Neola Associate will contact you in the near future to schedule an appointment to review this update and ensure you are current on this and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Submitting Material

The Corporation can incorporate the proposed edits in the Update documents into the Corporation's current policies using "Track Changes" or the editing tool in the BoardDocs platform. Mark the current materials indicating which of the proposed revisions and additions you choose to include and/or to make additional edits, before presenting them to the Board for adoption. After adoption, return the materials on the BoardDocs policy site to Neola for processing and publishing. Please be sure to leave the "track changes" in the marked-up version that you submit to the production office in Coshocton, Ohio.

Please remember to email production@neola.com when you've posted your material and the disposition sheet, so we know to go to your folder and retrieve it and what we can expect to find when we access it.

Please note, even if a Corporation chooses not to include a policy or administrative guideline in their management documents that describe a statutory requirement, the Corporation still is obligated to follow applicable Federal and State laws relating to that policy or guideline.

Caveat RE: Corporation-Specific Edits

Please note also that if the Corporation chooses during any step of the Update process to incorporate Corporation-specific material into a new policy that has been proposed or insert Corporation-specific material into a current policy for which revisions have been proposed in an update issued by Neola, then the Corporation agrees to hold Neola harmless for those Corporation-specific edits and acknowledges that Neola's Warranty for legal challenges to the Corporation-specific language in that policy will be voided. In addition, Neola retains ownership of the text from the original policy template that remains in a policy to which Corporation-specific edits have been made. Corporation-specific materials include the following:

- A. materials from the existing materials for the Corporation that the Corporation requests be incorporated into Neola templates during the drafting process;
- B. new policies or guidelines developed in their entirety by the Corporation, exclusive of Neola;
- C. revisions to or deletions from a Neola template that substantively depart from that template; and

Further, Neola does not advocate the use or incorporation of Corporation-specific materials. Neola will, at the request of the Corporation, incorporate Corporation-specific materials into the licensed materials, with the implicit understanding that the Corporation accepts all risks associated with the decision to request that such Corporation-specific materials be incorporated. Neola reserves the right to, but is not obligated to, advise the Corporation to seek its own legal review of Corporation-specific materials by the school board attorney who represents the Corporation. And Neola retains the copyright to any intellectual property from its template.

Caveat RE: Neola's Warranty

Neola proudly warrants that the content of the policy templates is legally correct.

However, when Federal and State law is amended or new provisions are added to State or Federal law and revision or replacement of an existing policy template is necessitated, the copyright date noted at the end of the policy is updated as well.

Please note, Neola's warranty applies only to the policy template with the most current copyright date. All previous iterations of the policy template are no longer warranted.

Therefore, the material included in each update should be adopted if the Corporation wants assurance that its adopted policies are warranted by Neola.

Notifying Neola of a Challenge to the Legal Accuracy of a Policy

The Neola staff in Indiana is vigilant in providing policy language to our clients that has been vetted for legal accuracy by our outside counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that our outside counsel would have the opportunity to assist in the resolution of such a claim. That can occur only if we are notified immediately upon receipt of such a challenge. Please notify Neola's corporate office (330-926-0514) if an issue arises in which such a review or assistance is necessary. To be eligible for assistance under our warranty we must be notified within ten (10) business days of the receipt of such a challenge.

LEGAL ALERT

Included in this update two (2) legal alerts:

Legal Alert 03 - SEA 72 - Report to IDOE Regarding Instruction on Cursive Handwriting

Legal Alert 04 - update on Injunction of Certain Sections of SEA 251

BYLAWS AND POLICIES

Policy 0164 - Notice of Meetings (New)

This policy has been added to consolidate meeting notice material for ease of use and clarity. It combines material from 0165.1 - Notice of Regular Meetings, 0165.2 Notice of Special Board Meetings, 0165.3 Notice of Emergency Meetings, and 0165.4 - Notice Requirements Established by Other Statutes.

Policy 0164.1 - Regular Meetings (Rescind)

This bylaw has been rescinded and its content consolidated at Policy 0165 - Meetings.

Policy 0164.2 - Special Meetings (Rescind)

This bylaw has been rescinded and its content consolidated at Policy 0165 - Meetings.

Policy 0164.3 - Emergency Meetings (Rescind)

This bylaw has been rescinded and its content consolidated at Policy 0165 - Meetings.

Policy 0164.5 - Member Participation in Meetings Through Electronic Means of Communications (Rescind)

This bylaw has been rescinded and its content consolidated at Policy 0165 - Meetings.

Policy 0164.6 - Meetings During Declared Disaster Emergencies (Rescind)

This bylaw has been rescinded and its content consolidated at Policy 0165 - Meetings.

Policy 0165 - Meetings (Replacement)

This Bylaw has been replaced with consolidated content regarding board meetings formerly found at Bylaw 0164.1 - Regular Meetings, Bylaw 0164.2 - Special Meetings, Bylaw 0164.3 - Emergency Meetings, Bylaw 0164.4 - Meeting of the Board Defined, Bylaw 0164.5 - Member Participation in Meetings Through Electronic Means of Communication, Bylaw 0164.6 - Meetings During Declared Disaster Emergencies, and Bylaw 0165.5 - Series of Meetings. It also clarifies that limitations on attending meetings by means of electronic communication apply to each category of meetings (i.e., 50% of regular meetings, 50% of executive sessions, 50% of work sessions, etc.).

Policy 0165.1 - Notice of Regular Meetings (Rescind)

This bylaw has been rescinded, and its material consolidated at Policy 0164 - Notice of Meetings.

Policy 0165.2 - Notice of Special Board Meetings (Rescind)

This bylaw has been rescinded, and its material consolidated at Policy 0164 - Notice of Meetings.

Policy 0165.3 - Notice of Emergency Meetings (Rescind)

This bylaw has been rescinded, and its material consolidated at Policy 0164 - Notice of Meetings.

Policy 0165.4 - Notice Requirements Established by Other Statutes (Rescind)

This bylaw has been rescinded, and its material consolidated at Policy 0164 - Notice of Meetings.

Policy 0165.5 - Series of Meetings (Gatherings) (Rescind)

This bylaw has been rescinded and its content consolidated at Policy 0165 - Meetings.

Policy 1422.01 - Drug-Free Workplace (New)

This policy, mirroring existing policies at 3122.01 and 4122.01, has been added to reflect drug-free workplace requirements for Administrators.

Policy 1520.08 - Employment of Personnel for Extracurricular Activities (Revised)

This policy has been revised to include sudden cardiac arrest training for a head coach or assistant coach of an athletic activity, marching band leader, a drama or musical leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest (SEA 369).

Policy 1662.01 - Threatening and/or Intimidating Behavior Toward Staff Members (New)

This policy has been added to reflect that all threats to staff should be reported to the principal and cross-references Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities and Policy 3362 Anti-Harassment for investigation of harassment based on a protected class. The language in this policy is shared in Policy 3362.01 and Policy 4362.01.

Policy 3120.08 - Employment of Personnel for Extracurricular Activities (Revised)

This policy has been revised to address sudden cardiac arrest training for a head coach or assistant coach of an athletic activity, marching band leader, a drama or musical leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest (SEA 369).

Policy 3362.01 - Threatening and/or Intimidating Behavior Toward Staff Members (Technical Correction)

Change in Template - a "staff member" to "staff members" and "his/her" to "their".

Policy 4120.08 - Employment of Personnel for Extracurricular Activities (Revised)

This policy has been revised to address sudden cardiac arrest training for a head coach or assistant coach of an athletic activity, marching band leader, a drama or musical leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest (SEA 369).

Policy 4362.01 - Threatening and/or Intimidating Behavior Toward Staff Members (Revised)

This policy has been added to reflect that all threats to staff should be reported to the principal and cross-references Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities and Policy 3362 Anti-Harassment for investigation of harassment based on a protected class. The language in this policy is shared in Policy 1662.01 and Policy 4362.01.

Policy 5340.01 - Student Concussions and Sudden Cardiac Arrest (Revised)

This policy has been revised to include drama or music leaders, in accordance with SEA 369. See also, AG 5340.01 Student Concussions and Sudden Cardiac Arrest.

Policy 5350 - Student Suicide Awareness and Prevention (Revised)

This policy has been revised to reflect that the parent has a right to review education materials on bullying and suicide prevention.

Policy 5517.01 - Bullying (Revised)

In accordance with HEA 1483, we have added provisions that require a school to prioritize the safety of the victim; timetables for reporting of bullying incidents to the parents of both the targeted student and the bully, alleged perpetrator in an expedited manner that is not later than five (5) business days after the incident is reported. Also, The discipline rules must include policies to allow a parent of a child in the Corporation to review any materials used in any bullying prevention or suicide prevention program.

Policy 6320 - Purchasing (Revised)

This policy has been revised to provide comprehensive guidance on purchasing and competitive bidding with respect to all supplies and public works projects. To that end, we have also moved material previously found at Board Policy 6320.01 - Purchasing Using Online Reverse Auctions to this code.

Policy 6320.01 - Purchasing Using Online Reverse Auctions (Rescind)

The policy has been rescinded and its content moved to Policy 6320 - Purchasing.

Policy 7540.02 - Web Content, Apps and Services (Revised)

This policy has been revised to refer to "webpages, websites, and apps and services" and not just to apps and services. In addition, we have omitted the comma after the word "apps" because "apps and services" is a term of art defined in the bylaws. Finally, other language changes remove reference to specified plans to address more generalized language about Corporation plans.

Policy 8210 - School Calendar (Revised)

The policy is being revised to reflect the option of using minutes instead of days to calculate the school calendar. However, please note this is only for Corporations that have requested and been granted a 1003 Flexibility Waiver. Such Corporations should use the newly added option on having been granted the 1003 waiver and then complete the paragraph length of the school year in minutes as opposed to days.

Policy 8400 - School Safety Information (Revised)

This policy has been updated to include optional language regarding Threat Assessment plans if the District chooses to implement such provisions. Also, best practices dictate adopting and implementing these provisions in conjunction with AG8400A.

Policy 8452 - Automated External Defibrillators (AED) (Revised)

This policy has been revised to include provisions addressing a venue specific emergency action plan. Please also see AG 8452 - Use and Maintenance of Automated External Defibrillators.

Policy 8455 - Coach Training, References, and IHSAA Reporting (Revised)

This policy has been revised to address sudden cardiac arrest training for a head coach or assistant coach of an athletic activity, marching band leader, a drama or musical leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest (SEA 369).

Policy 9130 - Public Complaints and Concerns (Revised)

This policy has been revised to provide two options at Level 4, one if the Board offers a hearing and the other if it does not. Additional revisions were made to provide consistency and clarity.

ADMINISTRATIVE GUIDELINES

AG 1521 - Personal Background Checks, References, and Mandatory Reporting (Revised)

This AG has been revised to reflect changes brought forth in SEA 342 impacting criminal history checks, offenses that impact employment, mandatory reporting, and provision of references. It includes the use of third party vendors to complete background checks.

AG 5340.01 - Student Concussions and Cardiac Arrest (Revised)

This AG has been revised to add drama and music teachers to the sudden cardiac arrest plan, as required by SEA 369. See also Policy 5340.01 - Student Concussions and Sudden Cardiac Arrest.

AG 5517.01 - Bullying (Revised)

The AG has been revised to comply with current statute and reflect your Board policy. See Board Policy - 5517.01 - Bullying for additional details.

AG 8452 - Use and Maintenance of Automated External Defibrillators (Revised)

This AG has been revised to include an optional venue specific emergency action plan, as noted in SEA 369. It now identifies all personnel that must be trained in the use of AEDs. In addition, an option exists to define other personnel the Superintendent requires to attend AED training. For Corporations that select to use the option for developing a venue specific plan for AEDs, a subsection is added to provide more details regarding the plan. See also, Policy 8452 - Automated External Defibrillators (AED).

FORMS

Form 1521 F1 - Pre-Employment Requirements (Revised)

This form has been revised to update grammar. List item C. has been revised for the release of liability statement to be inclusive of other persons providing information.

Form 1521 F2 - Request for a Criminal History Records Check (Technical Correction)

Technical correction to update spelling and grammar.

Form 1521 F3 - Expanded Criminal History Check and Expanded Child Protection Index Check Requirements Checklist (Revised)

This form has been revised to reflect changes to expanded criminal history and child protection index checks brought forth in SEA 342. See also, AG1521 - Personal Background Checks, References, and Mandatory Reporting.

Form 3121 F1 - Pre-Employment Requirements (Revised)

This form has been revised to update grammar. List item C. has been revised for the release of liability statement to be inclusive of other persons providing information.

Form 3121 F2 - Request for a Criminal History Records Check (Technical Correction)

Technical correction to update spelling and grammar.

Form 3121 F3 - Expanded Criminal History Check and Expanded Child Protection Index Check Requirements Checklist (Revised)

This form has been revised to reflect changes to expanded criminal history and child protection index checks brought forth in SEA 342. See also, AG1521 - Personal Background Checks, References, and Mandatory Reporting.

Form 4121 F1 - Pre-Employment Requirements (Revised)

This form has been revised to update grammar. List item C. has been revised for the release of liability statement to be inclusive of other persons providing information.

Form 4121 F2 - Request for a Criminal History Records Check (Technical Correction)

Technical correction to update spelling and grammar.

Form 4121 F3 - Expanded Criminal History Check and Expanded Child Protection Index Check Requirements Checklist (Revised)

This form has been revised to reflect changes to expanded criminal history and child protection index checks brought forth in SEA 342. See also, AG1521 - Personal Background Checks, References, and Mandatory Reporting.

Form 5517 F1 - Report of Harassment (Revised)

This form has been revised to comply with current statute and Board policy.

Form 5517 F2 - Alleged Harassment Investigative Report (Revised)

This form has been revised to comply with current statute and Board policy.

Form 5517 F3 - Anti-Harassment Investigation Process - Informal Complaint Procedure (New)

This form has been created to comply with current statute and Board policy.

Form 5517 F4 - Anti-Harassment Investigation Process - Formal Complaint Procedure (New)

This form has been created to comply with current statute and Board policy.

Form 8120 F1 - Volunteer Release Form (Revised)

This form has been updated to reflect current statute. Please see AG1521 - Personal Background Checks, References, and Mandatory Reporting for additional details related to SEA 342.

Form 8120 F2 - Request for a Criminal History Records Check (Technical Correction)

Technical correction to update spelling and grammar.

Form 8120 F3 - Expanded Criminal History Check and Expanded Child Protection Index Check Requirements Checklist (Revised)

This form has been revised to reflect changes to expanded criminal history and child protection index checks brought forth in SEA 342. See also, AG1521 - Personal Background Checks, References, and Mandatory Reporting.

Form 8121 F1 - Contracted Services Release Form (Revised)

This form has been revised to reflect current statute and to update spelling and grammar. See also AG1521 - Personal Background Checks, References, and Mandatory Reporting.

Form 8121 F2 - Request for a Criminal History Records Check (Technical Correction)

Technical correction to update spelling and grammar.

Form 8121 F3 - Expanded Criminal History Check and Expanded Child Protection Index Check Requirements Checklist (Revised)

This form has been revised to reflect changes to expanded criminal history and child protection index checks brought forth in SEA 342. See also, AG1521 - Personal Background Checks, References, and Mandatory Reporting.

COMMENTS

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your Corporation's Board minutes to identify action that results in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the Corporation will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.

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INDIANA OVERVIEW AND COMMENTS

Volume 36, Number 2 September 2024

This update includes proposed revisions to fifteen (15) policies and three (3) technical corrections, and the proposed rescission of two (2) policies, proposed revisions to five (5) administrative guidelines, one (1) new proposed administrative guideline, two (2) technical corrections, two (2) new proposed forms, and the proposed rescission of one (1) guideline. The proposed changes to your manuals are the result of our ongoing work with our Indiana clients, as well as our ongoing review of statutory language at the State and Federal levels, court decisions, Office for Civil Rights investigations, et cetera. The revisions recommended in this update are deemed necessary to comply with changes in the law, both State and Federal.

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For ease of use, the policies, guidelines, legal alerts and reference document in this update are organized in numerical order in the sub-folder that has been posted in the School Corporation's BoardDocs platform.

However, policies from multiple sections are grouped together in this Overview when and if the explanation is the same for the proposed revisions to a group of policies/guidelines.

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notified immediately upon receipt of such a challenge. Please notify Neola's corporate office (330-926-0514) if an issue arises in which such a review or assistance is necessary. To be eligible for assistance under our warranty we must be notified with ten (10) business days of the receipt of such a challenge.

MEMOS AND LEGAL ALERTS

Included with this update is a legal alert on Light Duty. We have had a number of questions about the need to develop a Light Duty policy. Often these are prompted by a school corporation's worker's compensation insurance carrier, which would prefer not to pay for injured employees to remain off work. However, there is no law that requires an employer to offer Light Duty. It is purely optional to provide Light Duty. Consequently, Neola has not developed a policy as it is not required by law nor is it otherwise necessary to maintain the school corporation's operations.

A resolution has been included in this update regarding the emergency paid leave and expanded FMLA leave provisions of the Families First Coronavirus Response Act. Because these are temporary leave provisions that expire on December 31, 2020, rather than amending policies, Neola is offering this resolution for adoption by the Board.

BYLAWS AND POLICIES

After reviewing the proposed revisions to the sixteen (16) current Neola policy templates, 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.

Policy 0164 - Notice of Meetings - Technical Correction

Technical correction to improve the clarity of this sentence by adding "that." The Board shall give public notice by posting a copy of the notice at the administrative offices of the Corporation and by delivering notice to all news media that submit an annual written request for such notice for the next calendar year to the Board on or before December 31 of the preceding calendar year. Also, corrections to legal references/citations.

Policy 0164.4 - Meeting of the Board Defined - Rescinded

The contents of this bylaw were incorporated into Policy 0165 - Meetings in Update Volume 36, Number 1. Therefore, it has been rescinded.

Policy 0165 - Board Meetings - Revised

This policy has been revised to clarify that limitations on attending meetings by means of electronic communication apply to each category of meetings (i.e., 50% of regular meetings, 50% of executive sessions, 50% of work sessions, etc.). It has also been revised to provide clarity regarding calling an emergency meeting of the board.

Policy 0172 - Legal Counsel - Technical Correction

With HEA 1591, IC 20-26-5-44, the superintendent must promptly and fully inform the Board of any matter or related matters involving legal expenses reasonably expected to exceed an amount specified by the governing body. These statutes are addressed in Board Policy 1230 - Responsibilities of the Superintendent. We have made a technical correction to add a cross-reference to Board Policy 1230 and to improve the clarity of the last sentence of this policy.

Policy 1213.01 – Staff-Student Relations – Technical Correction

This policy has been revised to correct the cross reference to Policy 3121.

Policy 1220 - Employment of the Superintendent - Revised

The Board must not enter into a contract with a Superintendent on or after the date of the election of one or more members of the governing body until January 1 of the year immediately following the year of the election. With SEA 212, changes to IC 20-28-8-6(c) result in this policy provision not applying if the membership of the governing body does not change by more than one member as a result of the particular election.

Policy 1230 - Responsibilities of the Superintendent – Revised

I.C. 20-26-5-42.3 requires the Superintendent to notify the Board of any knowledge of the possible criminal activity of current or former employees, and IC 20-26-5-44 requires the Superintendent to notify the Board of legal expenses reasonably expected to exceed an amount specified by the Board.

Policy 1617 - Weapons – Revised

This policy has been revised to accommodate provisions in HEA 1177 and make clear that possession of firearms or weapons by visitors is prohibited except for the possession of a firearm by a person who legally may possess a firearm and has been authorized by the Board to carry a firearm in or on Corporation property.

Policy 2312 - Class Size - Revised

With the repeal of primetime and the statutes necessitating this policy, it has been rendered obsolete.

Policy 2623 - Student Assessment - Revised

This policy has been revised to reflect student reading proficiency changes from SEA 1 that impact curriculum, assessment, remediation, and retention. SEA 1 requires schools to give the IREAD test to students in grade 2. Students who do not pass in grade 2 must be given support in grade 3 to help improve their reading skills. This policy now addresses the retention and remediation process for students who are unable to pass the test after three tries. Further guidance has been provided by the Indiana Department of Education at <https://www.in.gov/doe/students/assessment/iread-3/>

Policy 3217 - Weapons - Revised

This policy has been revised to accommodate provisions in HEA 1177 and make clear that possession of firearms or weapons by visitors is prohibited except for the possession of a firearm by a person who legally may possess a firearm and has been authorized by the Board to carry a firearm in or on Corporation property.

Policy 3220.02- Supplemental Payments for Teachers - Revised

Indiana Code 20-28-9-1.5(e) requires schools to differentiate the amount of salary increase for teachers who have the required Early Literacy Endorsement. This policy has been revised accordingly.

Policy 4217 - Weapons - Revised

This policy has been revised to accommodate provisions in HEA 1177 and make clear that possession of firearms or weapons by visitors is prohibited except for the possession of a firearm by a person who legally may possess a firearm and has been authorized by the Board to carry a firearm in or on Corporation property.

Policy 5136.01 - Technology Resources and Other Electronic Equipment – Revised

In light of changes to Board Policy 5136 in the Special Update, this policy has been revised to distinguish corporation-issued tech from student-owned tech other than PCDs. Best practices dictate adopting and implementing these provisions in conjunction with Board Policy 5136.

Policy 5410 - Promotion, Placement, and Retention – Revised

This policy has been revised to reflect student reading proficiency changes from SEA 1 that impact curriculum, assessment, remediation, and retention. SEA 1 requires schools to give the IREAD test to students in grade 2. Students who do not pass in grade 2 must be given support in grade 3 to help improve their reading skills. This policy now addresses the retention and remediation process for students who are unable to pass the test after three tries. Further guidance has been provided by the Indiana Department of Education at <https://www.in.gov/doe/students/assessment/iread-3/>

Policy 5460 - Graduation Requirements - Revised

This policy has been revised to allow Corporations to reflect that they permit physical education flexibility options. IDOE addressed these options in their Flexibility in Physical Education March 2013 document (<https://www.in.gov/doe/files/phys-ed-alt-credit-memo.pdf>). It has also been revised to include the FAFSA completion and submission requirement established by SEA 167. Beginning this year, a student in their senior year must complete and submit the FAFSA by April 15th, unless the parent/guardian or the student, if the student is an emancipated minor, submits a signed waiver certifying that the student understands what the FAFSA is and declines to complete it, or the student's principal or school counselor waives this requirement for a student or group of students due to the principal or school counselor being unable to reach the parents of the students by April 15 of the school year after documenting at least two (2) reasonable attempts to contact the parents. Principals or school counselors are advised to monitor senior student FAFSA completions and submissions well in advance of the April 15th deadline, in order to document their two reasonable attempts to contact the parents of student who has not yet met the requirement. A template for the waiver of this requirement has been added at 5460f1 - Free Application for Federal Student Aid (FAFSA) Completion Waiver. See also, AG 5460 - Graduation Requirements. Finally, it has been updated to reflect current law regarding alternatives to diplomas for students with disabilities.

Policy 5772 - Weapons - Revised

This policy has been revised to accommodate provisions in HEA 1177 and make clear that possession of firearms or weapons by visitors is prohibited except for the possession of a firearm by a person who legally may possess a firearm and has been authorized by the Board to carry a firearm in or on Corporation property.

Policy 7217 - Possession of Firearms and Weapons by Visitors – Revised

This policy has been revised to accommodate provisions in HEA 1177 and make clear that possession of firearms or weapons by visitors is prohibited except for the possession of a firearm by a person who legally may possess a firearm and has been authorized by the Board to carry a firearm in or on Corporation property.

Policy 7540.03 - Student Technology Acceptable Use and Safety – Technical Correction

This policy has been revised to include legal citations and accurately reference terms of art, such as "apps and services." It has also been revised to improve clarity for easier implementation.

Policy 8400 - School Safety Information - Revised

Prompted by HEA 1177, HEA 1396 and HEA 1492, this policy has been updated to include options regarding School Safety Committees and Threat Assessment plans if the District. Best practices dictate adopting and implementing these provisions in conjunction with Board Policy 7217 and AG8400A. Finally, this policy has been reorganized to group topics and optimize clarity.

ADMINISTRATIVE GUIDELINES

The following guidelines have been revised to support the aforementioned policy changes. It is recommended that the use of these revised guidelines be approved in order to keep the guideline current.

AG 2221 – Mandatory Curriculum – Technical Correction

Technical correction to fix the typographical error, replacing "is" with "if" in the final paragraph.

AG 5200 – Student Attendance – Revised

Technical correction to add "returns" to clarification

AG 5460 - Graduation Requirements – Revised

Technical correction to add "returns" for clarification.

AG 8120 – Personal Background Checks, References, and Mandatory Reporting - Volunteers – Revised

This AG has been revised to reflect changes brought forth in SEA 342 impacting criminal history checks, offenses that impact employment, mandatory reporting, and provision of references. It includes the use of third party vendors to complete background checks.

AG 8121 - Personal Background Checks, References, and Mandatory Reporting - Contracted Services - Revised

This AG has been revised to reflect changes brought forth in SEA 342 impacting criminal history checks, offenses that impact employment, mandatory reporting, and provision of references. It includes the use of third party vendors to complete background checks.

AG 8400 - School Safety Information - Revised

See note on Board Policy 8400 - School Safety Information. There are three (3) versions of this guideline in the update package. Select the version that reflects the threat assessment and intervention training protocol employed by the corporation or most closely resembling the protocol employed by the corporation. Please work with your Neola Associate to ensure any corporation-specific procedures are incorporated.

AG 8400A - Threat Assessment and Intervention [CSTAG] - Revised

AG 8400A - Threat Assessment and Intervention [General] - Revised
AG 8400A - Threat Assessment and Intervention [NTAC] - Revised

See note on Board Policy 8400 - School Safety Information. There are three (3) versions of this guideline in the update package. Select the version that reflects the threat assessment and intervention training protocol employed by the corporation or most closely resembling the protocol employed by the corporation. Please work with your Neola Associate to ensure any corporation-specific procedures are incorporated.

AG 8410 – Characteristics of a School that is Safe and Responsive to all Children – Revised

Changes in statute precipitated by HEA 1429 necessitated a comprehensive review of school safety materials. Several policies and administrative guidelines need to be adjusted, and in some cases recodified, in order to avoid replication or contradiction and to help Corporations avoid confusion when implementing.

AG 8410A – Early Warning Signs of Possible School Violence – Rescind

Changes in statute precipitated by HEA 1429 necessitated a comprehensive review of school safety materials. Several policies and administrative guidelines need to be adjusted, and in some cases recodified, in order to avoid replication or contradiction and to help Corporations avoid confusion when implementing.

FORMS

Form 5460 F1 - Free Application for Federal Student Aid (FAFSA) Completion Opt-Out Waiver - New

Form 8400F1 - Documentation Pertaining to Threat Assessment and Intervention - New

Book	Policy Manual
Section	Volume 36, No. 2 - EDGAR UGG - for Board Approval
Title	EDGAR UGG Overview
Code	00
Status	

INDIANA OVERVIEW AND COMMENTS

EDGAR UGG REVISIONS VOLUME 36, NUMBER 2 SEPTEMBER 2024

This Update is issued to Neola Clients in response to the April 2024 release of revisions to the Uniform Grant Guidance regulations.

This update package consists of the following:

- Revisions to 9 current bylaws/policies; and
- Revisions to 3 administrative procedures.

The Office of Management and Budget (OMB) revised several parts of the OMB Guidance for Grants and Agreements, now called the OMB Guidance for Federal Financial Assistance, located in Title 2 of the Code of Federal Regulations (CFR). When the Office of Management and Budget (OMB) officially released revisions to the Uniform Guidance all Federal agencies, including the Department of Education (ED), were to ensure the 2024 revisions were effective for all Federal awards issued on or after October 1, 2024. However, per ED's guidance, recipients of Federal fiscal year 2024 State-administered formula grants (such as Title I and IDEA-B) issued on or after July 1, 2024, could implement the revised 2024 Uniform Guidance effective July 1, 2024, provided that they have revised any applicable State policies and procedures.

For Federal grants issued prior to July 1, 2024, and the close-out spending and reporting, the earlier regulations and policies should remain in effect through September 30, 2024, unless notified otherwise by the awarding agency or FLDOE.

OMB revised its guidance and the regulations in 2 C.F.R. for the purpose of:

- incorporating statutory requirements and administration priorities;
- reducing agency and recipient burden;
- clarifying sections that recipients or agencies have interpreted in different ways; and
- rewriting applicable sections in plain language, improving flow, and addressing inconsistent use of terms within the guidance.

OMB's revisions are intended to improve Federal financial assistance management, transparency, and oversight through more accessible and easily understandable guidance.

Neola has conducted a thorough review of policy and administrative procedures templates and is providing appropriate revisions and additions in this special update to assist districts in meeting compliance standards put forth by OMB.

Neola is vigilant in providing policy language to clients that has been vetted for legal accuracy by outside legal counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that Neola's counsel would have the opportunity to assist in the resolution of such a claim. Please notify the Neola corporate office if an issue arises in which such a review or assistance is necessary.

Policies in this update have been reviewed by Brustein & Manasevit, PLLC Attorneys at Law, Husch Blackwell LLP, and Lewis Kappes for consistency with Federal and State law, respectively.

Significant work, however, will be necessary for each district to draft and/or revise the required procedures for a variety of functions. Neola will, upon request, process and post districts' procedures/manuals as electronic links to provide for convenient flow from policy to administrative procedures to district procedure.

This Update includes the following documents:

POLICIES

Policy 1130/3113/4113 – Conflict of Interest

Policy 6110 – Grant Funds (Uniform Grant Guidance)

Policy 6111 – Internal Controls

Policy 6112 – Cash Management of Grants

Policy 6114 – Cost Principles – Spending Federal Funds

Policy 6325 – Procurement – Federal Grants/Funds

Policy 6550 – Travel and Expenses

Policy 7310 – Disposition of Surplus Property

Policy 7450 – Property Inventory

ADMINISTRATIVE PROCEDURES

AG 6325 - Procurement - Federal Grants

AG 7450 - Property Inventory

If you have questions about any of these Special Update materials, please contact your Neola Associate. All production-related materials and questions should be directed to the Production Office - Coshocton at 632 Main Street, Coshocton, Ohio 43812 (phone 800-407-5815, email: production@neola.com). Billing and other questions should be directed to the Business Office - Stow at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).

The Superintendent should recommend the adoption of the new, revised, and deleted policies and the Board should approve the Superintendent's recommendation so that the Board's policies are current and compliant.

Training will be provided by BoardDocs and Neola staff and support will be available to those working on this platform prospectively.

Book	Policy Manual
Section	Volume 37, No. 1 for Board Approval
Title	Overview - Volume 37, No. 1 - November 2024
Code	00
Status	

INDIANA OVERVIEW AND COMMENTS

Volume 37, Number 1 November 2024

This update includes proposed revisions to seven (7) policies, two (2) new proposed policy, and proposed revisions to four (4) administrative guidelines. The proposed changes to your manuals are the result of our ongoing work with our Indiana clients, as well as our ongoing review of statutory language at the State and Federal levels, court decisions, Office for Civil Rights investigations, et cetera. The revisions recommended in this update are deemed necessary to comply with changes in the law, both State and Federal.

Legislation approved during the last legislative session has been the subject of scrutiny by Neola and its Indiana outside counsel, Karen Glasser Sharp of Lewis Kappes. As is our practice, Neola will make revisions to policies and guidelines impacted by legislation passed in the most recent session of the General Assembly in the update that follows this Fall.

For ease of use, the policies, guidelines, legal alerts and reference document in this update are organized in numerical order in the sub-folder that has been posted in the School Corporation's BoardDocs platform.

However, policies from multiple sections are grouped together in this Overview when and if the explanation is the same for the proposed revisions to a group of policies/guidelines.

Questions?

Any content-related questions should be directed to your Corporation's associate.

All production related questions should be directed to the Coshocton Production Office at 632 Main Street, Coshocton, Ohio 43812 (email production@neola.com, phone 800-407-5815, fax 740-622-2557).

Billing questions should be directed to the Corporate Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (email mchapman@neola.com, phone 330-926-0514, fax 330-926-0525).

The Update Material

The proposed new and revised policies included in this update have been thoughtfully prepared and have been reviewed by Lewis Kappes, Neola's outside legal counsel in Indiana, for compliance with Federal and State law, Federal and State Regulatory Agencies, and applicable Federal and State court decisions.

If you make substantive changes to a Neola template, or substitute in its entirety a policy or other material of your own drafting, that material should be reviewed by the legal counsel for your Corporation to verify compliance with applicable laws, regulations and court decisions. *Neola does not review any Corporation-Specific Material.*

If the Corporation authors language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute Corporation-specific edits. *Neola does not review Corporation-specific edits to update materials or Corporation-specific policies for statutory compliance.* (See "Caveat RE: Corporation-Specific Edits" below.)

If a policy or guideline is marked revision, the proposed revisions will include material to be added and material to be deleted. As you review a revised policy or guideline, you may choose to accept one, many or all of the changes presented.

If a policy or guideline is marked as a replacement, that means there have been enough changes made that instead of showing each individual change, a complete, clean replacement copy has been provided. As you review a replacement policy or guideline, you should also compare the replacement materials to your current policy or guideline to determine if there is some Corporation-specific wording in your current material that you want included in the replacement policy. If so, any wording from the current policy should be added *using BoardDocs "Track Changes" tool* before returning the replacement policy electronically to the Coshocton production office for processing.

Policies that are to be deleted from the Corporation's Board-adopted Policy Manual require School Board action to rescind the policy.

Your Neola Associate will contact you in the near future to schedule an appointment to review this update and ensure you are current on this and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Submitting Material

The Corporation can incorporate the proposed edits in the Update documents into the Corporation's current policies using "Track Changes" or the editing tool in the BoardDocs platform. Mark the current materials indicating which of the proposed revisions and additions you choose to include and/or to make additional edits, before presenting them to the Board for adoption. After adoption, return the materials on the BoardDocs policy site to Neola for processing and publishing. Please be sure to leave the "track changes" in the marked-up version that you submit to the production office in Coshocton, Ohio.

Please remember to email **production@neola.com** when you've posted your material and the disposition sheet so we know to go to your folder and retrieve it, and what we can expect to find there when we access it.

Please note, even if a Corporation chooses not to include a policy or administrative guideline in their management documents that describes a statutory requirement, the Corporation is still obligated to follow applicable Federal and State laws relating to that policy or guideline.

Caveat RE: Corporation-Specific Edits

Please note also that if the Corporation chooses during any step of the Update process to incorporate Corporation-specific material into a new policy that has been proposed or insert Corporation-specific material into a current policy for which revisions have been proposed in an update issued by Neola, then the Corporation agrees to hold Neola harmless for those Corporation-specific edits and acknowledges that Neola's Warranty for legal challenges to the Corporation-specific language in that policy will be voided. In addition, *Neola retains ownership of the text from the original policy template that remains in a policy to which Corporation-specific edits have been made. Corporation-specific materials include the following:*

- A. materials from the existing materials for the Corporation that the Corporation requests be incorporated into Neola templates during the drafting process;
- B. new policies or guidelines developed in their entirety by the Corporation, exclusive of Neola; and
- C. revisions to or deletions from a Neola template that substantively depart from that template.

Further, Neola does not advocate the use or incorporation of Corporation-specific materials. Neola will, at the request of the Corporation, incorporate Corporation-specific materials into the licensed materials, with the implicit understanding that the Corporation accepts all risks associated with the decision to request that such Corporation-specific materials be incorporated. *Neola reserves the right to, but is not obligated to, advise the Corporation to seek its own legal review of Corporation-specific materials by the school board attorney who represents the Corporation.* And Neola retains the copyright to any intellectual property from its template.

Caveat RE: Neola's Warranty

Neola proudly warrants that the content of the policy templates is legally correct.

However, when Federal and State law is amended or new provisions are added to State or Federal law and revision or replacement of an existing policy template is necessitated, the copyright date noted at the end of the policy is updated as well.

Please note, Neola's warranty applies only to the policy template with the most current copyright date. All previous iterations of the policy template are no longer warranted.

Therefore, material included in each update should be adopted if the Corporation wants assurance that their adopted policies are warranted by Neola.

Notifying Neola of a Challenge to the Legal Accuracy of a Policy

The Neola staff in Indiana is vigilant in providing policy language to our clients that has been vetted for legal accuracy by our outside counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that our outside counsel would have the opportunity to assist in the resolution of such a claim. That can occur only if we are

notified immediately upon receipt of such a challenge. Please notify Neola's corporate office (330-926-0514) if an issue arises in which such a review or assistance is necessary. To be eligible for assistance under our warranty we must be notified with ten (10) business days of the receipt of such a challenge.

MEMOS AND LEGAL ALERTS

Included with this update is a legal alert on Light Duty. We have had a number of questions about the need to develop a Light Duty policy. Often these are prompted by a school corporation's worker's compensation insurance carrier, which would prefer not to pay for injured employees to remain off work. However, there is no law that requires an employer to offer Light Duty. It is purely optional to provide Light Duty. Consequently, Neola has not developed a policy as it is not required by law nor is it otherwise necessary to maintain the school corporation's operations.

A resolution has been included in this update regarding the emergency paid leave and expanded FMLA leave provisions of the Families First Coronavirus Response Act. Because these are temporary leave provisions that expire on December 31, 2020, rather than amending policies, Neola is offering this resolution for adoption by the Board.

BYLAWS AND POLICIES

After reviewing the proposed revisions to the sixteen (16) current Neola policy templates, 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.

Policy 5111 - Determination of Legal Settlement and Eligibility for Enrollment of Students Without Legal Settlement in the Corporation; Proof of Indiana Residency - Revised

This policy has been revised to clarify that all due process procedures applicable to Corporation students who are subject to discipline, including the expulsion procedure in I.C. 20-33-8-19, apply to transfer students during the school year. Additionally, HEA 1380 (2024) amended I.C. 20-26-11-6 to prohibit school corporations from charging transfer students or their parents for transfer tuition or any other fee associated with the transfer.

Policy 5500 - Student Conduct - Revised

This policy has been revised to include provisions addressing academic honesty and optional provisions addressing use of artificial intelligence (AI).

Policy 5610 - Suspension and Expulsion of Students - Revised

Technical corrections to include cross references to Board Policy 5111 - Legal Settlement, Board Policy 5605 - Suspension and Expulsion of Students with Disabilities, Board Policy 8310 - Public Records, Board Policy 8315 - Information Management, and Board Policy 8330 - Student Records and to correct legal citations and punctuation.

Policy 6140 - Depository Agreements – New

This policy has been added to empower Corporations to pass a resolution designating banks, depositories, and digital payment applications (such as Paypal and Venmo) to receive deposits of Corporation funds and/or be utilized to receive payment on behalf of the Corporation for school fees and services.

Policy 6250 - Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership – Revised

Average Daily Membership (ADM) count day consolidation (HEA 1001), as required by I.C. 20-43-4-3, IDOE collects an ADM count of students in both the fall and the spring of each year. In addition to the two ADM count days, Indiana schools are also required to complete a federal Pupil Enrollment (PE) count annually during the fall semester. In order to alleviate multiple count days, HEA 1001 requires the fall ADM count day and the federal PE count to be completed on the same day. As referenced in a memorandum issued on February 19, 2024, IDOE has requested that the Indiana State Board of Education set the 2024-2025 school year ADM count dates. IDOE has requested that SBOE set the fall ADM count day and federal PE count on Monday, October 1, 2024, and the spring ADM count day on February 3, 2025.

Policy 7540.03 – Student Technology Acceptable Use and Safety – Revised

This policy has been revised to include provisions addressing Artificial Intelligence (AI).

Policy 7540.04 - Staff Technology Acceptable Use and Safety - Revised

This policy has been revised to include provisions addressing Artificial Intelligence (AI) and to add prohibitions established by SEA 150 regarding employee use of Corporation Technology Resources and Information Resources to engage in lobbying (as defined in I.C. 2-7-1-9) that is outside the scope of the employee's duties; engage in illegal activity; or violate the Corporation's cybersecurity policy (if applicable).

Policy 7540.09 - Artificial Intelligence – New

This policy has been added to address the use of artificial intelligence (AI) by district staff and students. We anticipate that this policy will evolve as this tool evolves.

Policy 8420 - Emergency Preparedness Plans and Drills – Revised

This policy has been revised to accommodate provisions in HEA 1177 and make clear that possession of firearms or weapons by visitors is prohibited except for the possession of a firearm by a person who legally may possess a firearm and has been authorized by the Board to carry a firearm in or on Corporation property.

ADMINISTRATIVE GUIDELINES

The following guidelines have been revised to support the aforementioned policy changes. It is recommended that the use of these revised guidelines be approved in order to keep the guideline current.

AG 2221 – Mandatory Curriculum – Revised

This AG has been revised to reflect that the cohort of students expected to graduate in 2028 must successfully complete a personal financial responsibility course (SEA 35).

AG 2623 – Testing Program – Revised

This administrative guideline is being revised to comply with SEA 1 and updated notification and intervention requirements.

AG 5610 - Suspension and Expulsion of Students – Revised/Renamed

HEA 1243 allows school corporations to inform students and parents via email of their right to request an expulsion meeting.

AG 6250 – Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership – Revised

In keeping with changes made to Board Policy 6250 - Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership.

FORMS

Form 8400F1 - Documentation Pertaining to Threat Assessment and Intervention - New