



2011-2012
EVANSVILLE VANDERBURGH SCHOOL CORPORATION
STUDENT CONDUCT RESPONSIBILITIES AND POLICIES

EVSC MISSION STATEMENT - Equity and Excellence for all Children

STUDENT CONDUCT RESPONSIBILITIES

Safe Learning Environment

The EVSC is committed to a safe learning environment.

The EVSC strives to provide a safe environment for all children by prohibiting the following items and actions from school properties, activities, and buses.

Alcohol: Possessing, using, transmitting or being under the influence of any alcoholic beverage is prohibited. Any substance which is represented to be alcohol is prohibited. (IDOE Code 01)

Drugs: Possessing, using, transmitting or being under the influence of any drug that is not used in accordance with doctor's orders is prohibited. (Note: Student shall surrender any prescription or non-prescription drugs in the original container to the school nurse or teacher upon arrival at school.) Any substance/chemical which is represented to be (or looks like) drugs/paraphernalia, or is not used for its intended purpose, is also prohibited. (IDOE Code 02)

Tobacco: Possessing, using, and/or transmitting tobacco or tobacco products is prohibited. (IDOE Code 07)

Weapons: No student shall possess, handle, or transmit any firearms, deadly weapons, destructive devices, or dangerous instruments, as defined in Indiana Codes 20-33-8-16 and 35-47-5-2.5, on school property. Look-alike weapons of any kind are also prohibited. (IDOE Code 03-06)

Intimidation/Bullying/Harassment: No student shall intimidate, harass, bully, or threaten other students or school personnel in any form or manner as defined by Indiana Codes 35-45-2 and 22-33-8-0.2. (IDOE Code 13)

Fighting: Fighting is prohibited. (IDOE Code 11)

Battery: Battery as defined by I.C. 35-42-2-1 is prohibited. (IDOE Code 12)

Verbal aggression and profanity: Verbal aggression and profanity are prohibited. (IDOE Code 14)

Forming groups who associate closely, such as a group engaging in antisocial, delinquent and/or criminal behavior: Forming groups who associate closely, such as a group engaging in antisocial, delinquent and/or criminal behavior, is forbidden. Use of signals related to membership in groups is prohibited. Writing gang signs or symbols on your person at school is prohibited. This includes gang-related tattoos. (IDOE Code 10)

Orderly Learning Environment

The EVSC is committed to providing an environment that is conducive to student learning.

By encouraging regular attendance and appropriate behaviors, EVSC is providing an environment that is conducive to student learning.

Attendance: Multiple data sources show that regular school attendance is one of the most important factors related to student success. Student attendance is defined in IC 20-33-2. Additional information will be provided by individual schools. (IDOE Code 16)

Dress Code: Appropriate dress and personal grooming are required of each student as a vital part of maintaining the educational environment. Modes of grooming or styles of attire which detract from a good teaching/learning situation are not acceptable. It is required that coats and backpacks are secured in lockers upon arrival to school and remain there until the end of the school day. Extremes shall be avoided in all areas of dress and grooming including body piercing. (Body piercing, except for ears, is prohibited in elementary and middle schools.) All decisions about appropriate dress and grooming will be made by the schools' administrators. Students in violation of the dress code will be asked to correct the violation prior to returning to the classroom and could face further disciplinary action. See individual school websites for modified uniform policies. (IDOE Code 15)

Unauthorized Items: Students shall not bring equipment or other objects to school or school activities which can be considered disruptive and/or are being used in the educational process without permission from school personnel. (IDOE Code 15)

Defiance: Defiant behavior is prohibited. Defiance is defined as failing to comply with directions of teachers or other school personnel during any period of time when the student is properly under their supervision and/or the behavior constitutes an interference with school purposes or an educational function. (IDOE Code 15)

Violation of State and Federal Law: Engaging in any activity forbidden by the laws of Indiana or federal government is prohibited. (IDOE Code 10)

Search and Seizure: The EVSC has the responsibility and the right to conduct a search to ensure the safety of all students.

All lockers and other storage areas provided for student use on school premises remain the property of the school corporation and are provided for the use of the student. Lockers are subject to inspection, access for maintenance, and search. No student shall lock or otherwise block access to any locker or storage area except with a lock provided by or approved by the principal of the school in which the locker or storage area is located. Unapproved locks shall be removed and destroyed.

Student searches are only conducted by the principal or principal’s designee. Searches of the student shall be limited to: A) searches of the pockets of the student, and/or B) any object in the possession of the student such as a purse or backpack, and/or C) a patdown of the exterior of the student's clothing.

Student searches which require removal of clothing other than shoes, socks, coat or jacket shall be referred to a law enforcement officer.

The principal or principal’s designee may search a motor vehicle on or near school property or which has been driven to a school event.

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DISCIPLINE POLICY

The Student Conduct Responsibilities outlined above are designed to assist students to become responsible citizens and ensure order and safety in the EVSC schools. Student misconduct or disobedience may be addressed by one or more of the following actions: counseling, parent conference, detention, restriction of extra-curricular activities, suspension of privileges, suspension from class, suspension from school, suspension from the school bus, expulsion from school, referral to juvenile court, community service, or other reasonable disciplinary action at the discretion of school officials.

In accordance with the provisions of Indiana Code 20-33-8, the Board of School Trustees authorizes administrators and staff members to take the following actions:

REMOVAL FROM CLASS OR ACTIVITY-TEACHER: An Elementary teacher has the right to remove a student from his/her class or activity for up to one (1) school day. A Middle School or High School teacher has the right to remove a student from his/her class or activity for up to five (5) school periods. In multi-period classes, the suspension may be for the length of the class, i.e. two or three periods.

SUSPENSION FROM SCHOOL-PRINCIPAL: A school principal (or designee) may deny a student the right to attend school or take part in any school function for a time of up to five (5) school days or

ten (10) school days with approval. Suspended students are not allowed on any EVSC property and may not attend any EVSC sponsored activity.

EXPULSION: In accordance with the due process procedures defined in statute, a student may be expelled from school for a period no longer than the remainder of the current semester plus the following semester, with the exception of a violation of the weapons rule listed under the grounds for Suspension and Expulsion in this policy which will result in a one year expulsion. Expelled students are not allowed on any EVSC property and may not attend any EVSC sponsored activity.

IC 20-33-8-14

Grounds for suspension or expulsion

Sec. 14. (a) The following are the grounds for student suspension or expulsion, subject to the procedural requirements of this chapter and as stated by school corporation rules:

- (1) Student misconduct.
- (2) Substantial disobedience.

(b) The grounds for suspension or expulsion listed in subsection (a) apply when a student is:

- (1) on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group;
- (2) off school grounds at a school activity, function, or event; or
- (3) traveling to or from school or a school activity, function, or event.

As added by P.L.1-2005, SEC.17.

IC 20-33-8-15

Unlawful activity by student

Sec. 15. In addition to the grounds specified in section 14 of this chapter, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if:

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

As added by P.L.1-2005, SEC.17.

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EVSC NON-DISCRIMINATION POLICY

It is the policy of the Evansville Vanderburgh School Corporation not to discriminate on the basis of race, color, religion, gender, sexual orientation, veteran status, national origin, age, limited English proficiency, or disability in its programs or employment policies as required by the Indiana Civil Rights Law (I.C.22-9-1), Title IV and Title VI (Civil Rights Act of 1964), the Equal Pay Act of 1973, Title IX (Educational Amendments), and Section 504 (Rehabilitation Act of 1973).

Questions concerning compliance with these laws should be directed to the Chief Diversity Officer of the Evansville Vanderburgh School Corporation, 951 Walnut Street, Evansville, IN 47713, Phone number: 435-8451.

THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

FERPA allows schools to disclose certain "directory" information without student or parental consent. This information could include a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. FERPA requires that parents and eligible students have the right to request the school NOT disclose his information. If any EVSC parents or eligible students wish to have information withheld during the 2011-2012 school year, they must notify their school administrator by **August 26, 2011**.

To see full FERPA information, go to
<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

HARASSMENT

It is the policy of the Evansville Vanderburgh School Corporation to maintain a learning and working environment that is free from sexual harassment, or other harassment based on race, color, age, religion, national origin, disability, or any other reason protected by law.

It shall be a violation of the policy for any employee, student, or agent of the Evansville Vanderburgh School Corporation to harass another employee, student, or agent through conduct or communications of a sexual nature or other protected basis. The use of the term "employee" also includes non-employees and volunteers who work subject to control of school authorities.

Statement amended by Board of School Trustees July 29, 2002

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PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, AND PLACEMENT **Section 504 of the Rehabilitation Act of 1973**

The following is a description of the rights granted by federal law to students with handicaps. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to the following:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her handicapping condition.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with nonhandicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided nonhandicapped students.
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA), and/or general education interventions/modifications outside of special education under Section 504 of the Rehabilitation Act.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources and by persons who know the student, the evaluation data, and placement options.
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment,

it shall notify you within a reasonable time and advise you of the right to a hearing.

14. Request mediation, grievance, or an impartial due process hearing or appeal related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. The costs for these due process procedures will be borne by the school corporation. You and the student may take part in the hearing and have an attorney represent you. Requests for mediation should be made to the school principal. Requests for grievance, hearing, or appeal should be made to the Chief Diversity Officer.
15. Request a review (appeal) of the hearing should you not prevail.
16. Ask for payment of reasonable attorney fees if you are successful on your claim.

The person in this district who is responsible for assuring that the district complies with Section 504 is the Chief Diversity Officer (435-8451).

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TECHNOLOGY USAGE AGREEMENT

The Evansville Vanderburgh School Corporation is pleased to offer its students access to the Internet. The Internet is an electronic highway connecting hundreds of thousands of computers and millions of individual users all over the world. This computer technology is a part of everyday life in most businesses and organizations and by allowing students and staff to access and use resources from distant computers, communicate and collaborate with other individuals and groups around the world, we are better preparing them for the global society in which we live and work. The Internet is a tool for life-long learning.

Families should be aware that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate, sexually explicit, or otherwise potentially offensive to some people. In addition, it is possible to purchase certain goods and services via the Internet which could result in unwanted financial obligations for which a student's parent or guardian would be liable.

While the District's intent is to make Internet access available in order to further educational goals and objectives, students may find ways to access other materials as well. The District will institute technical methods or systems to regulate students' Internet access. However, those methods may not necessarily result in compliance with the District's Technology Usage Agreement Policy. That notwithstanding, the District believes that the benefits to students of access to the Internet exceed any disadvantages. Ultimately, however, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources.

Toward that end, the Evansville Vanderburgh School Corporation has included below the District's policy and procedures concerning use of on-line services for your review. NOTICE: This policy and all its provisions are subordinate to local, state, and federal statutes.

Disclaimer concerning use of on-line services

The EVSC, its employees and agents, make no warranties of any kind, whether expressed or implied, concerning the on-line access it is providing. Furthermore, the EVSC will not be responsible for:

1. any damages suffered by a user, including but not limited to loss of data resulting from delays or interruptions in service, or computer "viruses";
2. the accuracy, nature, or quality of information stored on diskettes, hard drives or servers provided by the EVSC;
3. the accuracy, nature or quality of information gathered through the on-line access provided by the EVSC;
4. personal property used to access computers, networks or the on-line access provided by the EVSC;
5. unauthorized financial obligations of a student, or his or her parent or guardian, resulting from the on-line access provided by the EVSC.

Rules of on-line network etiquette

1. Be polite. Do not be abusive in your messages to others.
2. Use suitable language. Do not use profanity, vulgarities, sexually-oriented or other inappropriate language.
3. Do not reveal your personal address or phone number, or that of anyone else.
4. Remember that electronic mail messages are not guaranteed to be private. Those who operate the various on-line services have access to all messages and can report to the authorities messages which support illegal activities.
5. Do not use the network in a way that would disrupt the use of the network by others.
6. Assume that all communications, programs, and information which are accessible on-line are private property. As such, do not download any files without prior authorization.
7. Do not upload or download any software unless you're sure it is free from any computer virus.

List of prohibited uses of the on-line services

The following uses of any on-line services are prohibited by the EVSC. Moreover, this prohibited activity may be illegal and subject the offending user to criminal prosecution.

1. Do not access, upload, download, or distribute pornographic, obscene or sexually explicit materials.
2. Do not transmit pornographic, obscene, abusive or sexually explicit materials, or "stalk" or harass others.
3. Do not use the network to violate local, state or federal statutes.
4. Do not vandalize, damage or disable or "hack" the files of others. Creation of a "virus" is considered vandalism.
5. Do not access the files, information, or software of others without prior authorization.
6. Do not upload, download or otherwise use copyrighted material or other intellectual property of others without prior authorization. Copyright violations can result in fines or imprisonment.
7. Do not purchase any goods or services through any on-line service.

