

## POLICIES

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## **BEHAVIOR RULES AND REGULATIONS**

The New Castle Community School Board has established policies, rules and regulations which apply to all students in the corporation and that, of course, include New Castle Middle School. The Board has defined areas of student conduct that may lead to disciplinary action, suspension and expulsion.

### **THE PROHIBITED AREAS WHICH APPLY TO NCMS STUDENTS ARE:**

1. TOBACCO - Students shall not have smoking materials in their possession or in their lockers at any time. This rule applies to any school function, school buses, or on and adjacent to school grounds.
2. Do not vandalize or steal any school, staff, administrator or student property.
3. Students are not to participate in any act which intimidates, threatens, or disgraces a fellow student, visitor, member of the school staff or an administrator. This includes means of gestures, written material or verbal acts.
4. Causing or attempting to cause physical injury or harm to any other person.
5. Threatening any person.
6. Interfering with school purposes by using, threatening to use, or suggesting that other persons use violence, force, threats, fear or disruptive means.
7. Possessing, using, selling, buying or distributing any alcoholic beverage or drug.
8. Gambling in the school or on school grounds.
9. Knowingly possessing, handling or transmitting any object that can reasonably be considered a weapon or explosive device.
10. No student is to use profanity or be responsible for obscenities in any form which include written, verbal, obscene gestures, signs, posters, pictures, shirts, badges or publications.
11. Students are not to throw any object while at school or attending school functions.
12. No radios, recorders, cassette players or other similar devices are to be brought to school without permission from an administrator. Weapons, firearms and paging devices are prohibited.
13. Students are not to ride mopeds, city bikes, skateboards or similar motorized vehicles to or from school.
14. New Castle Middle School students are not to be in the High School building without permission.
15. Students are not to buy or sell any item at New Castle Middle School without permission of the Administration.
16. Students are not to behave in a disruptive manner while at NCMS. The person causing the disturbance is usually trying, in the wrong way, to get attention, but what he is doing is interrupting learning.

Any staff member who observes any of the above behavior is to notify the administration.

## CHILD ABUSE OR NEGLECT

In compliance with School Board policy and state statute, professional staff members are required to report to the proper legal authorities any sign of child abuse or neglect. The child may suffer from physical abuse and neglect, sexual abuse, and/or emotional maltreatment. Basically, physical abuse is the nonaccidental, physical injury of a child; physical neglect is the failure to provide proper parental care, support medical attention, and education for a child; sexual abuse is any indecent sexual activity; and emotional maltreatment is failure to provide warmth, attention, supervision, and/or normal living experiences for a child.

In this respect, the following may be considered signs of such abuse or neglect:

- A. malnutrition and/or basic deprivation
- B. significant history (siblings abused)
- C. direct parental threats or admission of abuse or neglect (to eighteen (18) years)
- D. symptoms of venereal disease
- E. dental injuries or eye injuries
- F. head injuries
- G. repeated burns or poisoning
- H. scars and bruises in unusual locations (neck, back, buttock, under arms, behind knees, tops and bottoms of feet)
- I. injuries reflecting direct blows or use of instruments

### Procedure for Reporting

All suspected cases are to be reported even if documentation is not available. The law provides protection for the reporting staff member. All staff members are to report to the student's principal who, in turn, shall make an oral report to Children's Protection Service.

It is the responsibility of the Children's Protection Service to investigate possible abuse and/or neglect and prepare a written report within forty-eight (48) hours. School personnel should not pressure the child to divulge information regarding any injury or other circumstances surrounding the abuse and/or neglect. The school need not prove that abuse and/or neglect exists before reporting. They need only suspect that abuse and/or neglect has or is currently occurring.

### Suspected Abuse by Staff Members

If a staff member is suspected of abuse, his/her supervisor should be notified immediately and the matter kept in strict confidence by the reporting person. The supervisor shall follow the Corporation's due-process procedures for dealing with an employee's real or alleged violation of any law or Corporation policy. This procedure does not negate the requirement for the reporting person to report the suspected abuse to the proper agency.

## **CONTROL OF BLOOD-BORNE PATHOGENS**

The New Castle Community School Corporation seeks to protect those staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The Superintendent or his designee shall implement an Exposure Control Plan which will:

- A. Identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials.
- B. Provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling.
- C. Ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment.
- D. Establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure.
- E. Provide for record-keeping of all of the above which complies with both Federal and State laws.

Adopted:

April 12, 1993

## CONTROL OF BLOOD-BORNE PATHOGENS

### Exposure Control Plan

The following guidelines provide for the Corporation's compliance with Federal regulations for protecting staff members against exposure to blood pathogens and other infectious material which can cause exposure to Hepatitis B and/or HIV viruses.

#### A. Exposure Determination

Staff members in the following job classifications have responsibilities for which they could reasonably anticipate exposure to blood and other potentially infectious materials:

- \* school nurses
- \* day custodians
- \* evening custodians assigned to the Fieldhouse complex and the NCMS physical education complex.
- \* special education teachers and instructional assistants who work with students who are prone to biting, scratching, and other actions that can cause bleeding or exposure to saliva and other body fluids.
- \* school staff who have been designated to provide first aid and special health care when and if necessary.

All other New Castle Community School Corporation employees may make a vaccination request based on job requirements. The determination will be made by the superintendent or his designee.

#### B. Inoculation

Each of the staff members in the above-named categories shall be offered free vaccination with the Hepatitis B vaccine after training and within the (10) days after reporting for duty at the start of the school year or when employed.

The superintendent or his designee shall determine the procedure, vaccinations, and the necessary follow-up testing shall be administered. The superintendent or his designee shall:

1. Arrange a schedule for vaccinations which makes it possible for the staff members to be vaccinated during their work time.
2. Obtain the necessary information concerning the safety, administration, and benefits of the vaccine so that each staff member can be properly informed prior to making a decision as to whether or not he/she wishes to be vaccinated.
3. Ensure that the results of post-vaccination testing are properly recorded and kept confidential.

If a staff member declines, a waiver form shall be completed and placed in the staff member's confidential file.

If the staff member chooses to be vaccinated, the staff member shall report in accordance with the schedule.

### C. Precautions

Each of the staff members in the "at-risk" categories identified above are to be trained in the procedures of properly handling body fluids. The instructor is to be someone knowledgeable about blood-borne pathogens and other potentially infectious materials, how they may be transmitted in a school setting, vaccinations, and the precautionary procedures. At the completion of the training, each staff member is to sign a confirmation of the date and content of the training and that he/she understands the content.

#### UNIVERSAL PRECAUTIONS

Procedures for handling spilled blood and body fluids:

- 1) Put on disposable gloves (latex or vinyl)
- 2) Use paper towels to absorb spill
- 3) Place used towels in leak-proof plastic bag (Extensive spills-use RED plastic bag)
- 4) Flood area with bleach solution \*alcohol, or a dry sanitary absorbent agent  
\*(1 Part bleach to 10 parts water)
- 5) Clean area with paper towels, vacuum, or broom and dustpan
- 6) Place used towels, vacuum cleaner bag, or waste in a leak-proof plastic bag
- 7) Remove gloves - pull inside out
- 8) Place used gloves in bag and tie
- 9) Wash hands with soap/water for 10 seconds

#### ROUTINE PROCEDURES

Procedures for reducing transmission of communicable diseases and/or infections in the New Castle Community School Corporation:

- 1) Cleaning up, after a child has an accident or injury at school. Blood, vomitus, urine, or other body fluids should be treated cautiously
  - a. Disposable gloves should be worn. (Gloves are available in first aid and custodial areas)
  - b. Area involved in spills should be disinfected with bleach solution (1 part bleach to 10 parts water) or another disinfectant
  - c. Disposable towels and soaked items used should be disposed of in plastic lined waste container
  - d. Good hand washing after exposure should be observed.
- 2) First Aid Area: - Rubber gloves should be worn when cleaning area. All washable surfaces should be washed with bleach solution or disinfectant, daily

- 3) Restrooms: (Custodial) - Rubber gloves should be worn when cleaning area. All washable surfaces should be washed with bleach solution or disinfectant, daily
- 4) Hand washing Equipment: (Custodial) - All soap dispensers should be filled with soap and in workable condition.
- 5) Waste Containers: (Custodial) - All wastebaskets in high risk (first aid, restrooms, custodial area, kitchen, and designated special education rooms) must be lined with plastic bags and changed daily.
- 6) Non-disposable cleaning equipment: (Custodial) dust pans, buckets, mops, etc. should be thoroughly rinsed in disinfectant solution after cleaning up body fluids.

#### D. Post-Exposure Evaluation and Follow-up

Whenever a staff member has significant contact with blood or other potentially infectious material, he/she shall immediately contact the building principal and complete an exposure report form which will be sent immediately to the Director of Nursing. The Corporation shall offer the staff member a confidential medical evaluation by a physician designated by the Superintendent or his designee.

The source person or parents of the source person who caused the exposure shall be contacted promptly to obtain permission for the testing of the source person's blood for Hepatitis B and HIV viruses either in cooperation with their physician.

The exposed staff member shall be informed of Federal and State laws concerning confidentiality and the test results of the source person. (If a student, with the parents' consent).

The staff member's blood should then be tested with his/her consent. The staff member shall also receive post-exposure treatment, if so indicated by the health care professional.

The health care professional conducting the medical evaluation shall be provided:

1. A copy of the Federal regulations concerning the Exposure Control Plan.
2. A copy of the New Castle Community School Corporation exposure report.
3. The results of the source's blood test.
4. A copy of the staff member's medical records.

The health care professional shall, within five (5) days after the evaluation provide the corporation with a written opinion containing:

- a. A recommendation for Hepatitis B vaccination, if the staff member has not

already been vaccinated.

- b. confirmation that the staff member has been adequately informed of the evaluation results and any further evaluation or treatment deemed necessary.

The staff member shall be given a copy of the written opinion within fifteen (15) days after receipt by the Corporation. The original opinion shall be filed in the staff member's confidential file.

#### E. Medical and Training Records

Medical records of the staff members shall be identified by name and social security number and include any and all results of the status to Hepatitis B, examinations, testing, follow-up care, and written opinions. All such information shall be kept in the staff member's confidential files and retained for the period of their employment plus thirty (30) years.

Training records shall include the dates and content of the training, the name and qualifications for the instructors, and the names and job titles of the staff members. Each staff member's training record shall be kept in his/her personnel file for three (3) years after the training date.



### **DATA ABOUT INDIVIDUAL STUDENTS**

Student information is available to the staff through the guidance department. Each teacher should obtain the information basic to the understanding of the students in their class from the guidance files by the end of the second week.

The cumulative folder for each student is filed in the general office. These folders **MAY NOT** be taken from the office area. If a teacher would like to check the cumulative record, the office staff will provide access to the information.

The counselors are available for information and help in individual problem cases. Health records are in the health center. All teachers should be aware of any hearing or vision problems in students. These cases should be referred to the school nurse. A wise teacher learns all he/she can about his/her students.

Student information should not be released without prior permission of parent/guardian. If someone is asking for information about a student, please refer the person to the counselors and/or administrators.

## DRUG ABUSE

### **A PROFILE FOR ACTION IN CASE OF SUSPECTED DRUG AND/OR ALCOHOL ABUSE:**

The behavior of a student who has taken a drug can manifest itself in a variety of ways. There are times when this behavior can be quite obvious and, thus, disturbing and possibly detrimental to the student himself or to others. At other times, the behavior can suggest that a student is having a drug effect but this behavior will not cause him to draw undue attention to himself. These profiles for action are designed to give direction for handling cases where the more noticeable and disturbing behavior is evident and when the student is not capable of functioning properly in the classroom or in school. It should be kept in mind that there are causes other than the illegal use of drugs which may produce behavior of a similar nature: epilepsy, allergies, diabetes and other disorders are often medicated with drugs which produce similar effects. This outline will serve to give direction to staff members for the handling of students who demonstrate behavior of a questionable nature. In all cases, since drugs are only suspected and not confirmed, discretion and ethical-professional behavior must be exercised by all school personnel. A good rule to apply in these cases would be for each person involved to ask himself: (1) who needs to be aware of this incident, (2) who is responsible for making them aware, and (3) what action on my part is necessary for the over-all well-being of the individual student and school. This will eliminate the gossip-type discussion that might occur in these cases and, thus, protect the student.

The above student behavior falls within the responsibility of New Castle Middle School staff when such conduct occurs:

- a. On the school grounds during and immediately before and after school hours.
- b. On the school grounds at any time when the school is being used by any school or group, or
- c. Off the school grounds at a school activity, function or event.

The symptoms of drug abuse vary according to the type of drugs, previous physical condition of the user, and comparisons with unusual behavior patterns.

A KEY SYMPTOM is a sudden and completely inexplicable change in behavior. Staff members of the school must exercise extreme caution in relating symptoms to possible drug abuse.

Sudden changes in behavior might include, but are not restricted to:

- a. Periods of excessive sluggishness
- b. Excessive giggling
- c. Excessive nervous energy
- d. Tendency to withdraw
- e. Glassy eyes

## DRUG ABUSE (Continued)

### GUIDELINES FOR TEACHERS

If a teacher observes a student in the hallway, cafeteria, classroom, etc., who appears to be under the influence of drugs and who is not functioning properly, the teacher should:

- a. Accompany the student to the Health Center as quickly and discreetly as possible and present the student personally to the school nurse. If the nurse is not in the Health Center, the teacher should call an administrator or counselor to come to the Health Center.
- b. Describe to the nurse the behavior observed and then return to teacher's assigned location.
- c. Give a written statement of the incident to the administration.

In cases where the student will not willingly accompany the teacher to the Health Center, the teacher should:

- a. Send another teacher or reliable student to get assistance from the office.
- b. Encourage the student to remain in the classroom or the building, exercising good judgment and reasonable restraint.
- c. Keep the student under observation until assistance arrives.

### GUIDELINES FOR NURSE:

The nurse on duty in the Health Center should:

- a. Isolate as quickly as possible any student who she suspects is under the influence of drugs whether the student is brought to the Health Center by a staff member or comes of his own free will.
- b. Call an administrator to the Health Center immediately.
- c. Post the student health record based on the student's statement, teacher's description of behavior and the nurse's observation.
- d. In emergency cases where it is the judgment of the nurse that hospitalization is necessary, the same guidelines should apply as for handling other emergencies where hospitalization or a physician's attention is deemed necessary.

### GUIDELINES FOR ADMINISTRATORS:

The administrator should:

- a. Be thoroughly acquainted with the guidelines provided for other staff members in this outline and give appropriate assistance as deemed necessary and outlined above.
- b. Assist in accompanying students to the Health Center when a request is made.

**DRUG ABUSE**  
**(Continued)**

- c. Contact the home and notify the parents in cases of suspected drug and/or alcohol abuse.
- d. If appropriate, notify law enforcement officer.
- e. Notify parent or guardian to be present during interrogation of any student by police officer.
- f. Maintain disciplinary records on all students who demonstrate the type of behavior mentioned in this memo.
- g. Notify parents that parent conference must be held before a decision regarding re-admittance is made. A physician's statement may be requested. The Student Assistance Program may be appropriate.

# Indiana Code for High Ability Students

## IC 20-36

### ARTICLE 36. HIGH ABILITY STUDENTS

#### IC 20-36-1

##### Chapter 1. Definitions

#### IC 20-36-1-1

##### Application

Sec. 1. The definitions in this chapter apply throughout this article.

*As added by P.L.1-2005, SEC.20.*

#### IC 20-36-1-2

##### "Domain"

Sec. 2. "Domain" includes the following areas of aptitude and talent:

- (1) General intellectual.
- (2) General creative.
- (3) Specific academic.
- (4) Technical and practical arts.
- (5) Visual and performing arts.
- (6) Interpersonal.

*As added by P.L.1-2005, SEC.20.*

#### IC 20-36-1-3

##### "High ability student"

Sec. 3. "High ability student" means a student who:

- (1) performs at or shows the potential for performing at an outstanding level of accomplishment in at least one (1) domain when compared with other students of the same age, experience, or environment; and
- (2) is characterized by exceptional gifts, talents, motivation, or interests.

*As added by P.L.1-2005, SEC.20.*

#### IC 20-36-2

##### Chapter 2. Programs for High Ability Students

#### IC 20-36-2-1

##### State resources program; grants for high ability programs

Sec. 1. (a) The department shall establish a state resources program using designated state resources that:

- (1) supports school corporations in the development of local programs for high ability students;
- (2) enables educational opportunities that encourage high ability students to reach the highest possible level at every stage of the students' development; and
- (3) provides state integrated services that include the following:
  - (A) Information and materials resource centers.

- (B) Professional development plan and programs.
  - (C) Research and development services.
  - (D) Technical assistance that includes the following:
    - (i) Student assessment.
    - (ii) Program assessment.
    - (iii) Program development and implementation.
  - (E) Support for educators pursuing professional development leading to endorsement or licensure in high ability education.
- (b) In addition to the program established under subsection (a), the department shall use appropriations to provide grants to school corporations for programs for high ability students under section 2 of this chapter in an amount determined by the department that is based upon a set minimum amount increased by an additional amount for each student in the program. A school corporation's program must align with the strategic and continuous school improvement and achievement plans under IC 20-31-5-4 for the schools within the school corporation. A school that receives a grant under this subsection shall submit an annual report to the department that includes the following:
- (1) The programs for which the grant is used.
  - (2) The results of the programs for which the grant is used, including student general assessment results, program effectiveness, or student achievement.
- As added by P.L.1-2005, SEC.20. Amended by P.L.84-2007, SEC.2.*

#### **IC 20-36-2-2**

##### **School corporation high ability programs; criteria**

Sec. 2. A governing body shall develop and periodically update a local plan to provide appropriate educational experiences to high ability students in the school corporation in kindergarten through grade 12. The plan must include the following components:

- (1) The establishment of a broad based planning committee that meets periodically to review the local education authority's plan for high ability students. The committee must have representatives from diverse groups representing the school and community.
  - (2) Student assessments that identify high ability students using multifaceted assessments to ensure that students not identified by traditional assessments because of economic disadvantage, cultural background, underachievement, or disabilities are included. The assessments must identify students with high abilities in the general intellectual domain and specific academic domains. The results of an assessment under this subdivision must be recorded with the student test number assigned to a student.
  - (3) Professional development.
  - (4) Development and implementation of local services for high ability students, including appropriately differentiated curriculum and instruction in the core academic areas designated by the state board for each grade consistent with federal, state, local, and private funding sources.
  - (5) Evaluation of the local program for high ability students.
- As added by P.L.1-2005, SEC.20. Amended by P.L.84-2007, SEC.3.*

## RESPONSE OF STAFF AFTER A YOUTH SUICIDE

Staff members are encouraged to allow for the expression of grief in their classes in whatever way and to whatever extent they are comfortable. The guiding principle is to return to the normal routine within each class and within the school as soon as possible.

The teachers are asked to dispel rumors whenever and wherever possible and to discourage any "glorification" of the death. For example, if a student is heard to say, "I wouldn't have the guts to kill myself!" the teacher can respond, "Suicide is not a brave act! It is far more courageous to go on living and to face your problems each day as you and I do."

Review the known facts and dispel rumors.

Help students separate reality from fantasy and de-mythologize the suicide act.

Encourage students to express their reactions in whatever way is appropriate for them. (ALL responses are acceptable, from severe upset to no reaction whatsoever.)

Discuss possible guilt or feelings of responsibility that students may be having.

Ask students to be supportive of one another and to ESCORT any friend who is upset to the guidance office.

Reassure students that any adult in the building is available to help in an emergency or is willing to listen.

Encourage students to discuss their feelings with their parents.

As we ready to cope with the aftermath of a student suicide when it occurs? And it will occur. Will we know how to inform the staff and students in our school about the death? Are we ready to deal with the rumors that will sweep through the school? Will we know what to do if we are asked to deliver a eulogy or plan a memorial program for the deceased?

When a young person commits suicide, or suffers any kind of tragic death, the principal of a school is confronted immediately with serious problems; verifying what happened, containing the information, protecting the privacy of the family, helping students cope with the death, communicating beyond the school, bringing the resources of the community to bear on the problem, dealing with parent, and minimizing the possibility that other students may imitate the behavior and take their own lives. The first 48 hours are crucial.

A time-line listing specific things for a principal to do during the first 48-hours is described below: (many other things may need to be done, as needs arise).

**First Hour:**

- Protect privacy of family
- Verify the death
- Notify superintendent
- Convene school Crisis Management Team
- Announce the death to students and staff
- Notify teachers of faculty meeting to implement crisis plan
- Direct media to central office

**Second Hour:**

- Make counselors available to students
- Provide rooms for students to meet in small groups

**Third Hour:**

- Contact community resources

**Fourth Hour:**

- Hold faculty meeting to initiate crisis plan
- Identify students about whom faculty are concerned

**Next day:**

- Hold small group meetings with students
- Announce funeral arrangements

**SUGGESTIONS:**

1. Do not refer to the death as a suicide unless family so designates.
2. Verify the death by contacting the police or coroner, do not call the family.
3. Prepare a formal statement to be read to the students. Inform the students only after the staff has been informed.
4. If reporters come to the school, do not inform them that death has been verified. Request them to leave the school grounds. Provide extra staff for after school duty if the media is still present. No one should talk to the press.
5. Refer all inquiries to designated person.
6. Do not glorify the death in any way. If students feel the need to contribute in some way, recommend the following: Contribute to the high school hotline, CMHS, Big Brothers/Big Sisters, or any other acceptable organization.
7. Do not fly the flag at half mast. Do not observe a moment of silence. Do not have a memorial service.
8. To not overlook staff members. They may have needs of their own.

**FUNERAL ARRANGEMENTS:**

1. Do not announce that anyone is free to attend the funeral.
2. Do not dismiss school during the funeral.



3. Students with parent permission will be allowed to attend the funeral with an excused absence.
4. Send a delegation of staff members to the funeral.

### **THE THIRD DAY**

Try to get back to normal, but do not forget some students still need help. Severely disturbed students should be directed to school counselors/administrators for guidance for additional help.

### **GRIEF**

When a loved one is lost through suicide, the emotional impact is often devastating. The grief process is often intensified by the guilt and stigmatization of the death being a suicide. School staff will have to deal with people in the beginning stages of grief, and you may feel the impact of their emotions being directed at you. School personnel are often overwhelmed with these emotions. Understanding of what's happening can be helpful.

In the first few days, or weeks, and recurring off and on for a long time, the survivors are likely to feel SHOCK. They may feel disbelief and numbness and behave as if nothing has happened or in a mechanical manner. They may keep repeating, "I just can't believe it."

In the second state, CATHARSIS, the shock will begin to wear off, and the beginning of realization of what has happened and what it implies will occur. Crying is as common as the initial feelings of guilt and anger. Anger is often overwhelming, and directed at everyone, especially the people who have told them of the death. It is important to remember not to take it personally, as it is not meant personally.

In later stages, the depression, preoccupation with the loss, and intense feelings of guilt and anger must be worked through until the person finally comes to terms with the loss. Some people never come to terms with the loss.

The amount of guilt that a survivor of suicide feels is far greater than the amount felt by the survivors of other deaths. They may continually ask themselves, "What did I do wrong?" "Why wasn't I there?" The emphasis on "What I did" distinguishes it from other types of death. This is especially true of parents who survive the suicide of a child.

In summary, the anger felt by suicide survivors may be immense and directed at everyone. THEY MAY BE ANGRY AT SCHOOL PERSONNEL WHOM THEY THINK DID NOT DO ENOUGH, at police who should have gotten there more quickly, or at the people who told them of the death or the means of death. It is not anger directed at anyone personally, but at everyone. Time, a helping hand, and a nonjudgmental attitude are helpful to the bereaved. Pathological grief is identified by the intensity and duration of the grief. If the bereaved is unable to carry out the usual living activities after a period of time, outside help may be needed.

## **POLICY ON SEXUAL HARASSMENT**

### **I. THE POLICY**

- A. It is the policy of the New Castle Community School Corporation to maintain a learning and working environment that is free from sexual harassment.
- B. It shall be a violation of this policy for any employee of the New Castle Community School Corporation to harass another employee or student Through unwelcome conduct or communications of a sexual nature as defined in Section II. It shall also be a violation of this policy for students to harass other students or employees through unwelcome conduct or communication of a sexual nature as defined in Section II. The use of the term "employee" also includes non-employees and volunteers who work subject to the control of school authorities.

### **II. DEFINITIONS**

#### **A. Sexual Harassment**

Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by an employee to a student, when made by any employee to another employee when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or;
2. Submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual, or;
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or educational environment, or;
4. Denial of an employment or educational opportunity of others may occur because another employee or a student submits to unwelcome requests for sexual favors made by a supervisor or teacher which results favorably for that particular employee or student.

B. Unwelcome Conduct of a Sexual Nature

1. Conduct of a sexual nature may include verbal or physical sexual advances and/or comments regarding physical or personality characteristics of a sexual nature
2. Verbal or physical conduct of a sexual nature constitutes sexual harassment when the allegedly harassed employee or student has indicated by his or her conduct or verbal objections, that it is unwelcome
3. An employee -- An employee shall also include volunteers and/or non-employee over which the school corporation has some degree of control of their behavior while on school property.

III. Examples of Sexual Harassment

Sexual harassment, as set forth in Section II may include but is not limited to the following:

1. Verbal harassment or abuse
2. Repeated remarks to a person with sexual or demeaning implications
3. Unwelcome touching
4. Pressure for sexual activity
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, promotion, and/or salary increase

IV. Specific Prohibitions

1. Administrators and supervisors
  - a.) It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment or when the subordinate's acquiescence will result in preferential treatment.
  - b.) Administrators and supervisors who either engage in sexual harassment tolerate such conduct by other employees shall be subject to disciplinary actions, as described below.

## 2. Non-administrative and Nons-supervisory Employees

- a.) It is sexual harassment for any non-administrative and/or non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to disciplinary actions as described below.

### v. Complaint Procedures

- A. Any person who alleges sexual harassment by any employee or student in the school corporation may use the complaint procedure explained below in Section V.C. or may complain directly to his or her immediate supervisor building principal, or the Title IX complaint designee of the school corporation. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's statue nor will it affect future employment, grades or work assignment.

- B. The right to confidentiality, both of the complainant and/or the accused, will be respected consistent with the school corporation's legal obligations and the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

### C. Reporting Sexual Harassment

All reports of sexual harassment shall be handled in the following manner:

- a.) Reports must be in writing on forms supplied by the corporation (if a verbal complaint is made, the school official should file a written report which then will be signed by the complainant).
- b.) Reports must name the person(s) charged with sexual harassment and state the facts.
- c.) Reports must be presented to the principal/director where the alleged conduct took place. The principal/director shall inform the superintendent, or his/her designee, of all filed reports.
- d. The principal/director who receives a report shall thoroughly investigate the alleged sexual harassment.

- e.) The report and the results of the investigation will be presented to the superintendent. The superintendent shall review the report and make a recommendation to the Board of School Trustees of any action he or she deems appropriate.
- f.) The Board of Trustees may consider the report and the superintendent's recommendation in executive session. The board may take any action it deems appropriate. The alleged victim's name will not be released to the public unless required by law.

#### VI. SANCTIONS FOR MISCONDUCT

- A. A substantiated charge against an employee in the school corporation shall subject such employee to disciplinary action including but not limited to reassignment, suspension or discharge.
- B. A substantiated charge against a student in the school corporation shall subject that student to disciplinary action including suspension and/or expulsion consistent with the student rules and regulations and Indiana law.

#### VII. FALSE REPORTING

Any person who knowingly files false charges against an employee or a student in an attempt to demean, harass, abuse or embarrass that individual shall be subject to disciplinary action consistent with school policy and the student rules and regulations and Indiana law.

#### VIII. NOTIFICATION OF THIS POLICY

Notice of the policy will be circulated to all schools and departments of the New Castle Community School Corporation and incorporated in employee and student handbooks or folders and posted.