



The Excel Center of West Central Indiana

Student Handbook

2024-2025

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*When referencing The Excel Center in this handbook it refers to The Excel Center of West Central Indiana

I. THE EXCEL CENTER OF WEST CENTRAL INDIANA MISSION, VISION, AND VALUES

Our Mission

To improve the quality of life for people in West Central Indiana through education and personal growth.

Our Vision

To create a stronger community by engaging people through education to achieve greater success.

Our Values

Respect

Treat all stakeholders, people served, students, and staff in a courteous manner.

Integrity

Behave responsibly and professionally, while maintaining safety as a priority.

Service

Strive to exceed the expectations of all stakeholders, students, staff, and the community.

Growth

Constantly seek better ways to do our work and accomplish our mission.

Stewardship

Ethically operate our school and thoughtfully manage our educational resources.

II. SCHOOL DAY SCHEDULE

The instructional days for Excel Center students are Monday-Friday. These days include classes, transition periods or breaks, and time for lunch. Mondays through Thursdays include classes, transition periods or breaks, and time for lunch. Fridays are comprised of curriculum or educationally-related activities under the direction of staff members. The school day may change to reflect the needs of the enrolled students for any given 8-week term.

III. SERVICES

Free Tuition

The Excel Center is a free, public charter school that gives students living in Indiana the opportunity to earn an Indiana Core 40 high school diploma.

Transportation

The Excel Center makes every reasonable effort to ensure that students have reliable access to the school facility. Where available, students are provided with free access to public transportation.

Childcare

The Excel Center provides access to free childcare so that students may routinely attend class with the peace of mind that their children are safe and well-supervised. Childcare will be provided on-site.

Life Coaching

Each student is assigned a life coach. Our life coaches are compassionate and trained professionals who address life barriers and issues that may have caused students to not complete high school in the traditional manner. Coaches are responsible for keeping students engaged and motivated to earn their high school diplomas.

College & Career Planning

In addition to high school coursework, the school will provide significant support for students to establish (1) career pathways in growth industry sectors in the local region and (2) effective transitions into postsecondary education and credentialing opportunities. This support will extend past the students graduating from The Excel Center.

Special Education

Special Education Services are provided to students of any age who have a diagnosed disability or impairment using an Individualized Education Plan (IEP) or a 504 plan. Services include academic and behavioral assistance from the Special Education Instructor, accommodations, transition services, and related services (Speech Pathology, Occupational Therapy, and Physical Therapy) when appropriate. Excel Center staff will guide students through the process of receiving services and will make every reasonable effort to serve students with disabilities and impairments. See the Special Education Instructor for more information or guidance.

English Language Learner

English Language Learner Services are provided to English learners so that they may attain English proficiency. English fluency is tested upon enrollment and an Individualized Language Plan (ILP) is developed based on language proficiency. Instructional accommodations are made as needed on an individual basis to help with English language development. Language acquisition is then monitored through periodic assessments and reports are provided to students throughout the year. See the English Language Learner Coordinator or Lead Instructor for more information or guidance.

IV. POLICIES & EXPECTATIONS

Graduation Requirements

Diploma Requirement

The Excel Center offers a curriculum that supports the state and local graduation requirements. Indiana's Core 40 curriculum provides the academic foundation all students need to succeed in college or post-secondary education path. Graduation plans are individualized to each student's postsecondary goal to satisfy course and credit requirements and either pass the Graduation Qualifying Exam (GQE) or complete the Graduation Pathways.

The approved designations of diplomas are Core 40, Core 40 with Academic Honors, Core 40 with Technical Honors, and the General Diploma. The graduation requirements can be found on the following pages for each diploma designation. Graduation pathways correspond to the credit requirements for each diploma designation along with ensuring students are prepared for what comes next after high school.

Indiana Core 40 Diploma

Course and Credit Requirements	
English/ Language Arts	8 credits Including a balance of literature, composition, and speech.
Mathematics	6 credits (in grades 9-12) 2 credits: Algebra I 2 credits: Geometry 2 credits: Algebra II <small>Or complete Integrated Math I, II, and III for 6 credits. Students must take a math course or quantitative reasoning course each year in high school.</small>
Science	6 credits 2 credits: Biology I 2 credits: Chemistry I or Physics I or Integrated Chemistry-Physics 2 credits: any Core 40 science course
Social Studies	6 credits 2 credits: U.S. History 1 credit: U.S. Government 1 credit: Economics 2 credits: World History/Civilization or Geography/History of the World
Directed Electives	5 credits World Languages Fine Arts Career and Technical Education
Physical Education	2 credits
Health and Wellness	1 credit
Electives*	6 credits <small>(College and Career Pathway courses recommended)</small>
40 Total State Credits Required	

Schools may have additional local graduation requirements that apply to all students.

* Specifies the number of electives required by the state. High school schedules provide time for many more electives during the high school years. All students are strongly encouraged to complete a Career Academic Sequence (selecting electives in a deliberate manner) to take full advantage of career exploration and preparation opportunities.

Core 40 with Academic Honors (minimum 47 credits)

For the **Core 40 with Academic Honors** diploma, students must:

- ❖ Complete all requirements for Core 40.
- ❖ Earn 2 additional Core 40 math credits.
- ❖ Earn 6-8 Core 40 World Language credits (6 credits in one language or 4 credits each in two languages).
- ❖ Earn 2 Core 40 fine arts credits.
- ❖ Earn a grade of “C” or better in courses that will count toward the diploma.
- ❖ Have a grade point average of a “B” or better.
- ❖ Complete one of the following:
 - Complete AP courses (4 credits) and corresponding AP exams,
 - Complete IB courses (4 credits) and corresponding IB exams,

- Earn a combined score of 1200 or higher on the SAT critical reading and mathematics sections,
- Score a 26 or higher composite on the ACT,
- Complete dual high school/college credit courses from an accredited postsecondary institution (6 transferrable college credits) or,
- Complete a combination of an AP course (2 credits and corresponding exam) or an IB Standard Level course (2 credits and corresponding exam) and dual high school/college credit course(s) from an accredited postsecondary institution (3 transferrable college credits).

Core 40 with Technical Honors (minimum 47 credits)

For the **Core 40 with Technical Honors** diploma, students must:

- ❖ Complete all requirements for Core 40.
- ❖ Complete a career technical program (8 or more related credits).
- ❖ Earn a grade of “C” or better in courses that will count toward the diploma.
- ❖ Have a grade point average of a “B” or better.
- ❖ Recommended: Earn 2 additional credits in mathematics and 4-8 credits in World Languages for a 4-year college admission.
- ❖ Complete two of the following, one must be the 1st or 2nd option:
 - Score at or above the following levels on WorkKeys: Reading for Information – Level 6; Applied Mathematics – Level 6; Location Information – Level 5,
 - Complete dual high school/college credit courses in a technical area (6 college credits),
 - Complete a Professional Career Internship course or Cooperative Education course (2 credits),
 - Complete an industry-based work experience as part of a two-year career technical education program (minimum 140 hours),
 - Earn a state-approved, industry-recognized certification.

Indiana General High School Diploma

To graduate with less than a Core 40 diploma, the following formal opt-out process must be completed:

- ❖ The student, the student’s parent/guardian, and the student’s counselor (or another staff member who assists students in course selection) meet to discuss the student’s progress.
- ❖ The student’s career and course plan are reviewed.
- ❖ The student’s parent/guardian determines whether the student will achieve greater educational benefits by completing the general curriculum or the Core 40 curriculum.
- ❖ If the decision is made to opt out of Core 40, the student is required to complete the course and credit requirements for a general diploma, and the career/academic sequence the student will pursue is determined.

General Diploma Requirements

Course and Credit Requirements (Class of 2016 & Beyond)	
English/Language Arts	8 credits Credits must include literature, composition, and speech
Mathematics	4 credits (in grades 9-12) 2 credits: Algebra I or Integrated Mathematics I 2 credits: Any math course <i>General diploma students are required to earn 2 credits in a <u>Math</u> course or a Quantitative Reasoning (QR) course during their junior or senior year. QR courses do not count as math credits.</i>
Science	4 credits 2 credits: Biology I 2 credits: Any science course <i>At least one credit must be from a Physical Science or Earth and Space Science course</i>
Social Studies	4 credits 2 credits: U.S. History 1 credit: U.S. Government 1 credit: Any social studies course
Physical Education	2 credits
Health and Wellness	1 credit
College and Career Pathway Courses	6 credits Selecting electives in a deliberate manner to take full advantage of college and career exploration and preparation opportunities
Flex Credit	5 credits Flex Credits must come from one of the following: <ul style="list-style-type: none"> • Additional elective courses in a College and Career Pathway • Courses involving workplace learning such as Cooperative Education or Internship courses. • High school/college dual credit courses • Additional courses in Language Arts, Social Studies, Mathematics, Science, World Languages or Fine Arts
Electives	6 credits Specifies the minimum number of electives required by the state. High school schedules provide time for many more elective credits during the high school years.
40 Total Credits Required Schools may have additional local graduation requirements that apply to all students	

Certificate of Completion

Ind. Code § 20-35-4-11, which deals with special education programs and services, permits a school corporation to issue “diplomas or certificates of graduation” to students with disabilities completing special educational programs approved by the state superintendent and the state board. Please note that this language is a grant of authority to a school corporation and not a designation of a title for a document. This is because a diploma may not be issued to a student with a disability that is different from a diploma provided to a student without a disability; and because a student is not eligible to graduate from high school unless the student meets the requirements of Ind. Code § 20-32-4.

Additionally, 511 IAC 7-43-4(h) requires that the IEP of a student entering grade 9 or becoming 14 years of age must contain documentation regarding whether the student will pursue a high school diploma, as defined in 511 IAC 6-7.1-1(e), or a certificate of completion. The term “certificate of completion” is not further defined but is interpreted to be a document awarded to a special education student who is not capable of earning a diploma but completes the public school educational program prescribed in the student’s IEP. The term “Certificate of Completion” may only be used to refer to a document awarded for completion of the special educational program outlined in a student’s IEP and may not be used in any other circumstances.

Graduation Pathways

With the passage of Graduation Pathways, students are now able to individualize their graduation requirements to align with their postsecondary goals. No longer must all students fit into the same academic mold, but rather, they can choose the options that best meet their secondary needs and aspirations. Students can create pathways that serve their educational interests and prepare them for postsecondary educational and career opportunities. Overall, this ensures that students are truly prepared to be successful in whatever they want to pursue after high school.

Students must satisfy at least one option from each of the three boxes to graduate.

Graduation Requirements	Graduation Pathway Options
1) High School Diploma	Meet the statutorily defined diploma credit and curricular requirements.
2) Learn and Demonstrate Employability Skills ¹ (Students must complete <u>at least one</u> of the following.)	Learn employability skills standards through locally developed programs. Employability skills are demonstrated by <u>one</u> the following: <ul style="list-style-type: none">• Project-Based Learning Experience; OR• Service-Based Learning Experience; OR• Work-Based Learning Experience.²
3) Postsecondary-Ready Competencies ³ (Students must complete <u>at least one</u> of the following.)	<ul style="list-style-type: none">• Honors Diploma: Fulfill all requirements of either the Academic or Technical Honors diploma; OR• ACT: College-ready benchmarks; OR• SAT: College-ready benchmarks; OR• ASVAB: Earn at least a minimum AFQT score to qualify for placement into one of the branches of the US military; OR• State- and Industry-recognized Credential or Certification; OR• Federally-recognized Apprenticeship; OR• Career-Technical Education Concentrator⁴: Must earn a C <u>average</u> in at least two non-duplicative advanced courses (courses beyond an introductory course) within a particular program or program of study; OR• AP/IB/Dual Credit/Cambridge International courses⁵ or CLEP Exams: Must earn a C <u>average</u> or higher in at least three courses; OR• Locally created pathway that meets the framework from and earns the approval of the State Board of Education.

Local Requirements

Senior Seminar

Senior Seminar is a course designed for students who are 1 or 2 terms away from graduating from The Excel Center. This course will prepare a student for whether they are going to college or are career-bound. In this course, students will complete the necessary activities to prepare for life after The Excel Center. Every activity in this course has a purpose that directly relates to their future, regardless of whether they attend college, begin a career immediately, or do both. This course ensures that each Excel Center graduate is adequately prepared for the next step following graduation. Students will develop the tools necessary to obtain high-quality employment and will develop and sharpen the skills that employers are looking for. In addition, students will learn the steps to complete applications for college FAFSA (Free Application for Federal Student Aid). Successful completion of this course could lead to job referrals and will aid in recommendations for graduation.

College & Career Readiness

An Excel Center graduation requirement includes students obtaining a postsecondary-ready competency before graduation. This requirement encourages the pursuit of a postsecondary education by providing the skills and knowledge needed for greater career opportunities whether first in the workplace or

attending college.

Non-discrimination Policy

It is the policy of The Excel Center not to discriminate based on race, color, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, protected veteran status, or any other characteristic protected under applicable law. No person is excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination on such basis under any educational program or student activity.

Anti-Harassment Policy

The Excel Center is committed to providing an educational and professional environment that is free from sexual harassment, as well as harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, protected veteran status, or any other characteristic protected under applicable law.

Harassment of students inside of our schools is not tolerated. Harassment is any unwelcome conduct, either verbal, non-verbal, visual, and/or physical, related to characteristics protected by law that is sufficiently severe or pervasive to unreasonably interfere with an individual's performance; creates an intimidating, hostile or offensive learning environment; or adversely affect an individual's learning opportunities.

Harassment can take many forms. Harassment includes, but is not limited to, the following actions and situations:

Verbal: epithets, slurs, negative stereotyping; threatening, intimidating, or hostile acts that infer race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, protected veteran status, or any other characteristic protected by federal, state, or local law or ordinance,

Non-verbal: written or graphic material that degrades, intimidates, or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, protected veteran status, or any other characteristic protected by federal, state, or local law or ordinance that is displayed or circulated; or

Physical: unwelcome physical contact that degrades intimidates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, protected veteran status, or any other characteristic protected by federal, state, or local law or ordinance.

Conduct of a harassing nature exists if such conduct meets any one or a combination of the following criteria:

- ❖ If you are required to submit to the conduct as either an express or implied qualification for a grade or a requirement of your educational relationship,
- ❖ If submission to, or rejection of, the conduct is used as a basis for educational

decisions affecting you; or

- ❖ If the conduct has the purpose or effect of unreasonably interfering with your educational performance, or creating an intimidating, hostile, or offensive educational environment.

“Sexual harassment” refers to conduct of a sexual nature, that is unwelcome, offensive, and has the purpose or effect of unreasonably interfering with a student’s work performance or creating an intimidating, hostile, or offensive educational environment. Examples include unwelcome sexual advances or flirtations, requests for sexual favors, unnecessary touching, displaying lewd or degrading pictures or sexual objects, jokes of a sexual nature, and other verbal or physical conduct of a sexual nature when:

- ❖ Submission to such conduct is made either explicitly or implicitly a term or condition of education (e.g., a teacher or support member tells a student to commit a sexual act in exchange for a grade),
- ❖ Submission to or rejection of such conduct by a student is used as a basis for educational decisions affecting such student (e.g., a teacher or support member fails a student because the student refused to engage in sexual behavior); or
- ❖ Such conduct has the purpose or effect of unreasonably interfering with a student's work performance or creating an intimidating, hostile, or educational environment (e.g., a student is subject to repeated and unwelcome sexual or derogatory jokes or unwelcome obscene or pornographic material or other forms of harassing conduct).

The Excel Center will not tolerate harassment related to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, protected veteran status, or any other characteristic protected by federal, state, or local law or ordinance by any teacher, support member, administrator, or group, manager, supervisor, co-worker, client, supplier, or visitor.

Anyone who participates in harassing conduct of this nature will be subject to disciplinary action. Any student or non-employee participating in harassing conduct of this nature will be requested to leave the premises immediately and may be subject to further legal action.

Reporting Procedure for Discrimination or Harassment

While The Excel Center encourages students to communicate directly with their teachers to make it clear their behavior is unacceptable, offensive, or inappropriate, The Excel Center does not require students to do so. They must, however, notify the administration of any conduct believed to violate Non-Discrimination or Non-Harassment Policies. A prompt investigation will follow, and the situation will be appropriately addressed.

Any student who wants to report an incident of discrimination or sexual or other unlawful harassment should promptly report the matter to the Director of their school. If the Director is unavailable or the subject is uncomfortable reporting his or her concern to the Director (e.g., if the concern pertains to that individual) or otherwise believes it would be inappropriate to report concerns to, or if the student believes a reported concern was not resolved to his or her satisfaction, the student should go outside of the Directors chain of command and contact the Chair of the Goodwill Workforce Enterprises Board of Directors.

Search and Seizure

According to judicial standards under the 4th Amendment, students may be subject to reasonable searches of their vehicles, jackets, pockets, shoes, socks, electronic devices, book bags, purses, or other similar or related items they possess at school.

Acceptable Use Policy for Electronic Resources

In making decisions regarding student access to the Internet, The Excel Center considers its stated educational mission, goals, and objectives. Electronic information research skills are fundamental to preparing citizens and future employees.

The Purpose of school-provided Internet access is to facilitate communications in support of research and education. Students utilizing school-provided Internet access must first have the permission of and must be supervised by The Excel Center's professional staff. Students utilizing school-provided Internet access are responsible for good behavior online just as they are in a classroom or other area of the school. The same general rules for behavior and communication apply. Access is a privilege, not a right, and entails responsibility.

All Excel Center students are responsible for their actions and activities involving the school's computers, electronic devices, network, and Internet services, and for their computer files, passwords, and accounts. These rules provide general guidance concerning the use of school computers and other electronic devices and provide examples of prohibited uses. The rules and guidelines detail the acceptable use of electronic information resources under which students will be held accountable. The rules do not attempt to describe every possible prohibited activity. Students and parents who have questions about whether a particular activity is prohibited are encouraged to contact a teacher or building administrator. These rules apply to all school computers and all school-provided electronic devices wherever used, and all uses of school servers, Internet access, and networks regardless of how they are assessed.

Students should not expect that files stored on school-based computers will always be private. School administrators and staff may review files and messages to maintain system integrity and ensure that students are acting responsibly.

Prohibited Uses

Unacceptable uses of school electronic resources include, but are not limited to, the following:

1. **Accessing or Communicating Inappropriate Materials** – Students may not access, submit, post, publish, forward, download, scan, or display defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing, bullying, and/or illegal materials or messages.
2. **Illegal Activities** – Students may not use the school's computers, electronic devices, networks, or Internet services for any illegal activity or in violation of any Board policy/procedure or school rules. The Excel Center administrators, teachers, employees, and agents assume no responsibility for the illegal activities of students while using school computers or school-issued electronic resources.
3. **Violating Copyrights or Software Licenses** – Downloading, copying, duplicating, and distributing software, music, sound files, movies, images, or other copyrighted materials without the specific written permission of the copyright owner is prohibited, except when the use falls within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC) and content is cited appropriately.

4. Plagiarism – Students may not represent in their work any materials obtained on the Internet (such as term papers, articles, music, etc.). When using other sources, credit must be given to the copyright holder.
5. Misuse of Passwords/Unauthorized Access – Students may not share passwords; use teachers' or other students' passwords; access or use the teachers' or other students' accounts; or attempt to circumvent network security systems.
6. Malicious Use/Vandalism – Students may not engage in any malicious use, disruption or harm to the school's computers, electronic devices, network, and Internet services, including but not limited to hacking activities and creation and/or uploading of computer viruses.
7. Avoiding School Filters – Students may not attempt to or use any software, utilities, or other means to access Internet sites or content blocked by the school filters.
8. Unauthorized Access to Blogs/Social Networking Sites, Etc. – Students may not access blogs, social networking sites, etc. prohibited by building administration. Teachers and students using authorized social networking sites for educational purposes or activities shall follow the age requirements and legal requirements that govern the use of social networking sites in addition to the guidelines established in this policy.
9. Wasting System Resources – Students shall not use the network in such a way that would waste system resources or disrupt the use of the network by others. This includes but is not limited to printing, file storage, online games, and video/audio streaming not directly related to educational projects, as determined by the supervising instructor, or building administrator.
10. Unauthorized Equipment – Students may not attach unauthorized equipment, including personal laptops, tablets, and handheld devices, to the school network without permission for the administration.

Student Safety

Students may not post images of other students or children in the drop-in center or reveal personal information, including a home address and phone number, about themselves or another individual on any unsecured electronic medium, such as websites, blogs, podcasts, videos, wikis, or social networking sites. If students encounter dangerous or inappropriate information or messages, they shall notify a teacher or school administration immediately.

The use of cameras in any type of electronic device is strictly prohibited in the calm down/mother's room and restrooms.

Additional Rules for Electronic Devices Issued to Students

1. Electronic devices loaned to students shall be used only for educational purposes that directly relate to a school project or assignment unless otherwise explicitly authorized by the building administration.
2. Students are responsible for the proper care of electronic devices while on school property including costs associated with repairing or replacing the device. School owned devices are not to leave school premises under any circumstances.
3. Students must report a lost or stolen device to a teacher or school administration immediately. If a device is stolen, a report should also be made immediately to the police.
4. The device configuration shall not be altered in any way by the students. No software applications shall be installed, removed, or altered on the device unless permission is explicitly given by the school administration.
5. The device is to be used only by the student to whom it is issued. The person to whom the

device is issued will be responsible for any activity or action performed on the device.

6. The device must be returned in acceptable working order by the end of each school day and whenever requested by the school.

Terms of Use

Any violation of The Excel Center Acceptable Use Policy and rules may result in loss of school-provided access to the Internet. Additional disciplinary action may be determined at the building level in keeping with existing procedures and practices regarding inappropriate language or behavior. When and where applicable, law enforcement agencies may be involved.

Parent/Guardian Responsibilities (Minors)

Internet access allows students and staff to use education resources from different sources, communicate and collaborate with other individuals and groups around the world, and significantly expand their available information base. The Internet is a tool for lifelong learning.

Parents/guardians should be aware that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate, or 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.

Disclaimer

The Excel Center will not be responsible for any damages students suffer, including, but not limited to, loss of data resulting from delays or interruptions in service. The school will not be responsible for the accuracy, nature, or quality of information gathered through school-provided Internet access. The school will not be responsible for personal property used to access school computers or networks or for school-provided Internet access. The Excel Center assumes no responsibility for any unauthorized charges or costs incurred by students while using school district computers, devices, or the school network.

Student Discipline

The Excel Center exists as a second-chance high school for adults to be successful in obtaining their high school diploma and improving their lives through higher-paying employment. Students must be able to pursue their diplomas in an academic environment free of threatening and/or illegal activity. Therefore, for the welfare of our students, The Excel Center follows Indiana Code Title 20 when addressing student discipline, suspensions, and/or expulsions.

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

- (4) off school grounds disrupting the educational process.

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 educational function; or
- (2) the student's removal is necessary to restore order to 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.

IC 20-33-8-16

Possession of firearms, deadly weapons, or destructive devices

Sec. 16. (a) As used in this section, "firearm" has the meaning set forth in IC 35-47-1-5.

(b) As used in this section, "deadly weapon" has the meaning set forth in IC 35-31.5-2-86. The term does not include a firearm or destructive device.

(c) As used in this section, "destructive device" has the meaning set forth in IC 35-47.5-2-4.

(d) Notwithstanding section 20 of this chapter, a student who is:

- (1) identified as bringing a firearm or destructive device to school or on school property; or
- (2) in possession of a firearm or destructive device on school property; must be expelled for at least one (1) calendar year, with the return of the student to be at the beginning of the first school semester after the end of the one (1) year period.

(e) The superintendent may, on a case-by-case basis, modify the period of expulsion under subsection (d) for a student who is expelled under this section.

(f) Notwithstanding section 20 of this chapter, a student who is: (1) identified as bringing a deadly weapon to school or on property; or (2) in possession of a deadly weapon on school property; may be expelled for not more than one (1) calendar year.

(g) A superintendent or the superintendent's designee shall immediately notify the appropriate law enforcement agency having jurisdiction over the property where the school is located if a student engages in a behavior described in subsection (d). The superintendent may give similar notice if the student engages in behavior described in subsection (f). Upon receiving notification under this subsection, the law enforcement agency shall begin an investigation and take appropriate action.

(h) A student with a disability (as defined in IC 20-35-1-8) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. 1415. As added by P.L. 1-2005, SEC. 17. Amended by P.L. 114-2012, SEC. 42; P.L. 233-2015, SEC. 261.

IC 20-33-8-18

Maximum term of suspension; procedure

Sec. 18. (a) A principal may suspend a student for not more than ten (10) school days under sections 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) days under section 23 of this chapter.

(b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

- (1) A written or an oral statement of the charges against the student.
- (2) If the student denies the charges, a summary of the evidence against the student.
- (3) An opportunity for the student to explain the student's conduct.

(c) When misconduct requires immediate removal of the student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

(d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

- (1) The student's misconduct.
- (2) The action taken by the principal. As added by P.L. 1-2005, SEC.17.

When a student receiving Special Education Services is suspended or removed for 10 or more cumulative instructional days for disciplinary reasons, the case conference committee (CCC) must meet to decide if the student's behavior is a manifestation of the student's disability. If the CCC determines that the student's behavior is a manifestation of the student's disability, the CCC must take further action. If the behavior is not a manifestation of the disability, the same rules would apply as if the student did not have a disability. See Appendix for Article 7.

Bullying

The Excel Center regards student bullying as a serious offense. Students are to expect a learning community free from bullying and will receive the utmost support to this end.

According to Indiana Code, IC 20-33-8-0.2, "bullying" means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors, that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:

- ❖ places the targeted student in reasonable fear of harm to the targeted student's person or property.
- ❖ has a substantially detrimental effect on the targeted student's physical or mental health.
- ❖ has the effect of substantially interfering with the targeted student's academic performance; or
- ❖ has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.

Students should report instances of bullying to staff members as soon as possible. Reporting may be made to any staff member or school administrator. Cases of emergency should be immediately reported to a school official when in school. Emergencies outside of school should be reported to the appropriate city/county authorities or by calling 911 if necessary. Please reference to the Non-discrimination Policy.

Family Educational Rights and Privacy Act (FERPA)

Notification of Rights

The Family Educational Rights and Privacy Act, 20 U.S.C., Section 1232g (FERPA), affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's educational records. The rights with respect to the student's educational records are:

1. Parents and eligible students have the right to inspect and review the student's educational records within 45 days of the day The Excel Center receives a request for access. Parents or eligible students should submit to the school leader a written request that identifies the record(s) they wish to inspect. The School Director will arrange for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. Parents and eligible students have the right to request the amendment of the student's educational records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask The Excel Center to amend a record that they believe is inaccurate or misleading. They should write to the School Director; clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. Suppose The Excel Center decides not to amend the record as requested by the parent or eligible student. In that case, The Excel Center will notify the parent or eligible student of the decision and advise them on their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. Parents and eligible students have the right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by The Excel Center as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom The Excel Center has contracted to perform a special task (such as attorney auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an educational record to fulfill his or her professional responsibility.

Upon request, The Excel Center discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll. When FERPA authorizes disclosure to a person or entity without consent, education records will be disclosed and forwarded upon request without notice to the parent or eligible student.

1. Within FERPA requirements, The Excel Center must list the categories (below) that are considered "directory information" for each student attending the school. This means that this designated "directory information" may be disclosed without written consent from parents and eligible students unless a parent and/or eligible student has advised (in writing) The Excel Center officials to the contrary. The primary purpose of "directory information" is to allow The Excel Centers administration to include information from the student's education records in school publications. Examples include, but are not limited

to:

- ❖ Honor roll and other academic listings,
- ❖ Graduation and honors programs.

The school also may release certain directory information – information in an education record that is generally not considered harmful or an invasion of privacy if released – to outside organizations without the consent of a parent and/or eligible student. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks, media, colleges, civic or school-related organizations, and federal, state, and/or local government agencies. The following information has been designated as “directory information” by The Excel Center:

- ❖ Student’s name, address, telephone listing, electronic mail address, date, and place of birth
- ❖ Student’s major field of study (certifications and dual credits)
- ❖ Student’s photograph
- ❖ Student’s grade level and dates of attendance
- ❖ Participation in officially recognized activities.
- ❖ Degrees, honors, and awards received.
- ❖ The most recent educational agency or institution attended.
- ❖ Student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user.
- ❖ In addition to requesting complete nondisclosure, a parent/guardian or eligible student may also limit the types of information disclosed by notifying The Excel Center within the established timelines of the specific type(s) of information that is prohibited from disclosure.
- ❖ Further, in addition to requesting complete nondisclosure to all qualified outside organizations, a parent/guardian or eligible student may notify The Excel Center of specific qualified organization(s) for which the directory information is prohibited from disclosure U.S.C. 1232g(a)(5)(B).

In addition, federal laws require local educational agencies (LEA), which The Excel Center is, to provide military recruiters, upon request, with certain “directory information” – name, address, and telephone listing – unless a parent and/or eligible students as advised in writing that they do not want this student’s directory information disclosed to military recruiters without prior written consent.

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by The Excel Center to comply with the requirements of FERPA. The office that administers FERPA is the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington DC 20202-4605.

Confidentiality & Student Information

The Family Education Rights and Privacy Act is a Federal Law designed to protect the privacy of a

student's education records. This act protects student personal information from being distributed to third parties. The Excel Center must have written consent from you before personal information can be released to a third party (i.e., spouse, parent, employer, etc.). For more information on FERPA rights, please review: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html> or request a copy from the school office. Schools may disclose, without consent, "directory information" such as a student's name, telephone number, date and place of birth, honors and awards, and dates of attendance. If you wish to remove yourself or your student from "directory information", please notify the school office in writing.

Residency and Enrollment

The Excel Center is committed to serving its students and helping remove any barriers to their education. We are further committed to ensuring that our enrollment practices comply with all applicable federal and state laws and regulations. Enrollment is open to adults residing in the state of Indiana who have not yet earned a high school diploma and admission is not limited based on prior academic performance, race, socio-economic status, disability, religion, nationality, or any other factor that would be considered unlawful. To confirm students are Indiana residents, proof of residency will need to be provided. If a student is not able to provide proof of residency, a residency affidavit will be accepted from the student ensuring they are an Indiana resident.

Eligible Student Policy

Summary

The Excel Center's primary objective is to propel adults toward their career goals by empowering them to earn high school diplomas and prepare for the next step toward college and career attainment. Further, the typical Excel Center student faces multiple challenges that may prevent an uninterrupted progression toward a diploma (e.g. some students need a break, leave of absence, etc.).

Purpose

To guide The Excel Center staff in the process being used to determine eligibility for a student to generate "State Tuition Support" as outlined in IC 20-43. Additionally, to guide recording attendance, state attendance codes, and student withdrawals.

Eligible Student

New Enrollees, Returning Students, and Rollover Students

- A. All students enrolled in The Excel Center must establish academic engagement by each Average Daily Membership count date of the school year in order to generate state tuition support.
 - a. Examples of academic engagement for the current term include:
 - i. Attending in-person class
 - ii. A grade recorded in Synergy
 - iii. Logging into remote/Google Classroom
 - iv. Time on Task on Edmentum
 - v. Standardized testing attendance
 - b. The following examples are not considered academic engagement:
 - i. Attending a meeting
 - ii. Participating in a Case Conference/504/ILP meeting

- iii. Responding to a staff text or email
 - iv. Calling a staff member or receiving a call
- B. Students who meet the requirement in subsection (a) above will be considered eligible students.
 - a. The school should follow the regular process for having “Exclude from state reporting” unchecked for those students.
- C. Enrollment audits will continue to take place based on the “count day” of each term and will consider engagement from **only the current term** – unless credits, dual credits, or certification were earned in the immediate prior term.
- D. Students who do not meet the requirements of subsection (a) above may remain in Synergy so that the school may continue to engage with those students; however, the students are not considered eligible for purposes of State Tuition Support.

Student Attendance

Attendance

- A. Attendance needs to be recorded every day.
 - a. Mark present on the day a student does one of the following in a calendar week:
 - i. Attends in-person class (Use P code for attendance)
 - ii. Logs into remote/Google classroom (Use VC code for attendance)
 - iii. Logs into Edmentum class (use code P for attendance)
 - b. Mark absent each day the student does not complete at least one of the above items.

Student Withdrawal

When a student can be withdrawn

- A. A student who accrues cumulative absences of more than 10 days with a term.
- B. For not responding to interventions from the school.
 - a. Upon withdrawal of a Minor follow the procedures for appropriately reporting educational neglect to DCS and/or missing children to Clearinghouse.
 - i. DOE Withdraw to Non-Accredited Nonpublic School forms will only be required for Minors.
- C. Steps for student withdrawal
 - a. Student requested to withdraw or is completely disengaged (not responding to outreach, not completing online coursework, not attending in-person classes).
 - b. Contact logs have been entered to record student requests to withdraw and/or outreach attempts.
 - c. Submit a request to the school director for approval.
 - d. Lead Coach completes steps in Synergy to move the student to inactive status.

Minors

The Excel Center is a free public school that gives students the opportunity to earn an Indiana Core 40 high school diploma. Our Excel Center may, under very specific circumstances, admit someone younger than 18 years of age. Due to this possibility, an underage policy will be provided to parents/guardians

and students who are younger than 18.

Policy on Underage Students

The Excel Center is known, by the state of Indiana, as an adult high school:

Indiana Code 20-24-1-2 Sec. 2.3. "Adult high school" refers to a charter school that has a majority of students enrolled with the school that:

- (1) belong to a graduation cohort that has already graduated; or*
- (2) are over the age of eighteen (18) years of age; at the time the student was first enrolled at the school.*

Indiana Code 20-33-8-8 "Duty and powers of school corporation to supervise and discipline student" refers to stand "in loco parentis"

- (1) Have the right to take any disciplinary action necessary to promote student conduct that conforms with an orderly and effective educational system.*
- (2) Have qualified immunity with respect to a disciplinary action take to promote student conduct if the action is taken in good faith and is reasonable.*

The Excel Center accepts all students aged 18 or older at the time of enrollment except for adults who are listed in the Sex Offender Registry. Some Excel Centers do enroll minors, based on the policies listed below.

The following process must be completed, before becoming a student:

1. Complete online application.
2. Submit the most recent transcript.
3. Schedule an appointment between the director, the student and the parent or legal guardian.
4. Schedule an appointment with the local school corporation.
5. Once these 4 steps are complete, the student will be scheduled for the next orientation.

Habitual Truancy

School attendance is required for all students in the state of Indiana under the age of 18. Once a student has acquired 10 or more unexcused absences, he or she is considered habitually truant (Indiana Code 20-33-2-11). Parents of habitual truants can be charged with penalties up to and including felony neglect (Indiana Code 35-46-1-4) and the school may file a formal complaint with the appropriate legal agencies. Students may also lose their driver's licenses and work permits when defined as habitually truant.

Parents will receive a copy of the Compulsory State Attendance statutes.

V. STUDENT AND STAFF SAFETY

Weather

Weather delays and cancellations may not be in correspondence with the local school corporation. Therefore, the administration team will make delay and cancellation decisions in the best interest of The Excel Center students. Students will be asked to keep their contact

information updated to receive all and any contact regarding weather safety.

Emergency Preparedness

The governing body of a school corporation shall require each school in the governing body's jurisdiction to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under IC 4-22-2 by the state board. Each school and attendance center shall conduct at least:

- ❖ one (1) tornado preparedness drill; and
- ❖ one (1) man-made occurrence disaster drill during each semester; and
- ❖ one (1) fire drill per month (allowing two substitutions per semester).

Notwithstanding rules established by the state fire marshal under IC 12-17-12-19, a drill conducted as stated above may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal.

However, a drill conducted may not be completed instead of more than two periodic or monthly fire evacuation drills in a particular school semester; and in two consecutive months. The governing body of a school corporation may direct schools to conduct emergency preparedness drills in addition to those required. The governing body of a school corporation shall require each director to file a certified statement that all drills have been conducted as required under this section.

Drills

The Excel Center complies with all fire safety laws and will conduct fire drills per state law. Specific instructions on how to proceed will be provided to students by their teachers who will be responsible for safe, prompt, and orderly evacuation of the building.

Suicide Prevention

The Excel Center is committed to providing suicide awareness and prevention for all students and staff. The school provides social-emotional services and referrals to mental health providers to ensure access and availability of services. The Excel Center also provides training for suicide awareness and prevention every three years per IC 20-28-3-6.

Child Abuse and Neglect

Every staff member employed by The Excel Center who has reason to believe that a child is a victim of child abuse or neglect will immediately make an oral report to local law enforcement or the Department of Child Services (DCS). The staff members will also notify the building administrator under IC 20-26-5-35.5 and IC 31-33-5.

VI. SCHOOL INFORMATION

The Excel Center of West Central Indiana
2800 Poplar Street, Suite M70
Terre Haute, IN 47803

VII. APPENDIX

511 IAC 7-44-1 Removals in general

- Sec. 1. (a) A public agency is not required to provide services to a student with a disability any of the first ten (10) cumulative instructional days of removal in a school year, for violating a code of student conduct, if services are not provided to nondisabled student who has been similarly removed.
- (b) Removal of a student for any part of a day constitutes a day of removal.
- (c) A short-term removal of a student pursuant to the student's IEP is not a removal under this rule.
- (d) A suspension is a removal. However, an in-school suspension is not considered a removal for purposes of this if, during the in-school suspension, the student has the opportunity to:
- (1) progress appropriately in the general curriculum;
 - (2) receive the special education services specified in the student's IEP; and
 - (3) participate with nondisabled students to the extent the student would have in the student's current placement.

511 IAC 7-44-2 Disciplinary change of placement

- Sec. 2 (a) A removal or series of removals from a student's current educational placement results in a change of placement under this rule in the following situations:
- (1) The removal is for more than ten (10) consecutive instructional days.
 - (2) The student is subjected to a series of removals that constitute a pattern because:
 - (A) the series of removals cumulate to more than ten (10) instructional days in a school year;
 - (B) the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - (C) of such additional factors as the:
 - i. length of each removal;
 - ii. cumulative amount of time the student has been removed; and
 - iii. proximity of the removals to one another
 - (b) The public agency determines on a case-by-case basis whether a series of removals under subsection (a)(2) constitutes a pattern that results in a change of placement for the students.
 - (c) The public agency may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with other requirements in this rule, is appropriate for a student with a disability who violates a code of student conduct. Unique circumstances may include the following:
 - (1) A student's:
 - (A) disciplinary history; and
 - (B) ability to understand consequences.
 - (2) Supports provided to the student prior to violating a code of student conduct.
 - (3) Other relevant considerations.
 - (d) The public agency does not need parental consent for a disciplinary change of placement under this rule.
 - (e) The parent of a student with a disability who disagrees with a decision regarding a student's change of placement under this rule may request the following:

- (1) Mediation in accordance with 511 IAC 7-45-2.
 - (2) A due process hearing in accordance with 511 IAC 7-45-3 or 511 IAC 7-45-10.
 - (3) Simultaneously, mediation and a due process hearing.
- (f) Upon a parent's request for a due process hearing, the department of education shall arrange for an expedited hearing pursuant to 511 IAC 7-45-10.
- (g) In reviewing a decision regarding change of placement, an independent hearing officer may not return the student with a disability to the placement from which the student was removed if the hearing officer determines that the removal was a violation of this rule.

511 IAC 7-44-3 Removals of more than 10 cumulative days that do not result in a change of placement

- Sec. 3. (a) When a student has been removed for more than ten (10) cumulative instructional days in the same school year, but the removals do not constitute a pattern that results in a change of placement under section 2(a)(2) of this rule, school personnel, in consultation with at least one (1) of the student's teachers, determine the extent to which services are needed to enable the student to do the following:
- (1) Continue to participate in the general education curriculum, although in another setting.
 - (2) Progress toward meeting the goals set out in the student's IEP.
- (b) The services required by subsection (a) may be provided in an interim alternative education setting.

511 IAC 7-44-4 Removals of more than 10 consecutive days or 10 cumulative days that result in a change of placement

- Sec. 4. (a) When a decision is made to make a removal that constitutes a change of placement, the public agency must notify the student's parent and provide the parent with the notice of procedural safeguards described in 511 IAC 7-37-1. A change of placement occurs when a student has been removed for more than ten (10):
- (1) consecutive instructional days in the same school year; or
 - (2) cumulative instructional days in the same school year if the removals constitute a pattern that results in a change of placement under section 2(a)(2) of this rule.
- (b) The notice required in subsection (a) must be provided by the public agency on the date the public agency decides to make a removal that results in a change of placement. The public agency must make and document reasonable efforts to:
- (1) notify the parents of the decision; and
 - (2) provide the parents with the notice of procedural safeguards.
- (c) If the public agency is unable to notify the parent on the date a decision is made under subsection (b), notice must be mailed to the parent not later than the following business day.
- (d) A manifestation determination must be conducted according to the requirements in section 5 of this rule.

511 IAC 7-44-5 Manifestation determination

- Sec. 5. (a) Within ten (10) instructional days of any decision to change the placement of a student with a disability for violating a code of student conduct, the CCC must meet to determine whether the

student's behavior is a manifestation of the student's disability.

(b) All relevant information in the student's file must be reviewed, including the student's IEP, any teacher observations, and any relevant information provided by the parent, to determine if the conduct in question was:

- (1) caused by, or had a direct and substantial relationship to, the student's disability; or
- (2) the direct result of the public agency's failure to implement the student's IEP.

(c) The conduct must be determined to be a manifestation of the student's disability if the CCC determines that either of the conditions in subsection (b)(1) or (b)(2) were met.

(d) If the conduct was the direct result of the public agency's failure to implement the IEP, the public agency must take immediate steps to remedy those deficiencies.

(e) If the CCC determines that the conduct was a manifestation of the student's disability, the student's CCC must:

(1) either:

- (A) conduct a functional behavioral assessment, unless the public agency had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or
- (B) if a behavioral intervention plan already has been developed, review the behavioral intervention plan and modify it, as necessary, to address the behavior; and

(2) except as provided in section 6 of this rule, return the student to the placement from which the student was removed, unless the parent and the public agency agree to a change of placement as part of the modification of the behavioral intervention plan.

(f) If the CCC determines that the conduct is not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as those procedures would be applied to students without disabilities. However, the student must, during any removal that is ordered, continue to receive appropriate services. The student's CCC must determine appropriate services needed to enable the student to do the following:

- (1) Continue to participate in the general education curriculum, although in another setting.
- (2) Progress toward meeting the goals set out in the student's IEP.
- (3) Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(g) Services required by subsection (f) may be provided in an interim alternative education setting. The student's CCC determines the interim alternative education setting for services.

(h) The parent of a student with a disability who disagrees that the student's conduct was not a manifestation of the student's disability may request the following:

- (1) Mediation in accordance with 511 IAC 7-45-2.
- (2) A due process hearing in accordance with 511 IAC 7-45-3 or 511 IAC 7-45-10.
- (3) Simultaneously, mediation and a due process hearing.

(i) Upon a parent's request for a due process hearing, the department of education shall arrange for an expedited hearing under 511 IAC 7-45-10.

(j) In reviewing a decision with respect to the manifestation determination, an independent hearing

officer may return the student with a disability to the placement from which the student was removed if the hearing officer determines that the student's conduct was a manifestation of the student's disability.

511 IAC 7-44-6 Interim alternative educational setting; weapons, drugs, and serious bodily injury

Sec. 6. (a) The principal or the principal's designee may remove a student to an interim alternative educational setting for not more than forty-five (45) instructional days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

- (1) carries a weapon to the school or possesses a weapon;
- (2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance; or
- (3) has inflicted serious bodily injury upon another person; while at school, on school premises, or at a school function under the jurisdiction of the department of education or a public agency.

(b) The public agency must do the following:

- (1) Notify the student's parent.
- (2) Provide the parent with the notice of procedural safeguards as specified in section 4 of this rule.

(c) A manifestation determination must be conducted as specified in section 5 of this rule. However, if the student's conduct is determined to be a manifestation of the student's disability, the student remains in the interim alternative education setting.

(d) The student's CCC must determine the interim alternative education setting and appropriate services needed to enable the student to do the following:

- (1) Continue to participate in the general education curriculum, although in another setting.
- (2) Progress toward meeting the goals set out in the student's IEP.
- (3) Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(e) The parent of a student with a disability may challenge the interim alternative education placement by requesting one (1) of the following:

- (1) Mediation in accordance with 511 IAC 7-45-2.
- (2) A due process hearing in accordance with 511 IAC 7-45-3 or 511 IAC 7-45-10.
- (3) Simultaneously, mediation and a due process hearing.

(f) The department of education shall arrange for an expedited hearing under 511 IAC 7-45-10. The student's placement during an expedited due process hearing is governed by section 8 of this rule.

(g) In reviewing a decision under this section to place the student in an interim alternative educational setting, the independent hearing officer may return the student with a disability to the placement from which the student was removed if the hearing officer determines that the removal was a violation of this rule.

511 IAC 7-44-7 Substantial likelihood of injury to student or others

Sec. 7. (a) If a public agency believes that maintaining the student in the current educational placement (the student's placement prior to a removal) is substantially likely to result in injury to the student or others, the public agency may request an expedited due process hearing to determine an appropriate placement for the student. The student's placement during an expedited due process

hearing is governed by section 8 of this rule.

(b) The hearing office, in accordance with 511 IAC 7-45-7, must:

- (1) hear the matter; and
- (2) make a determination regarding the student's placement.

(c) In making the determination, an independent hearing officer may order a change of placement to an appropriate interim alternative educational setting for not more than forty-five (45) instructional days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

(d) Nothing in this rule shall prohibit a public agency from seeking injunctive relief to:

- (1) remove a student with a disability from school; or
- (2) change a student's current educational placement; if the public agency believes that maintaining the student in the current educational placement is substantially likely to result in injury to the student or others.

511 IAC 7-44-8 Placement of the student during due process hearings or appeals of disciplinary action

Sec. 8. (a) If a parent requests a hearing or an appeal to challenge a removal or the manifestation determination, the student must remain in the interim alternative educational setting:

- (1) pending the decision of the independent hearing officer; or
- (2) until the time period for the disciplinary action expires; whichever occurs first, unless the parent and the public agency agree otherwise.

(b) If a student is placed in an interim alternative educational setting under section 6 or 7 of this rule, the student's parent opposes the public agency's proposed change in educational placement after expiration of the forty-five (45) instructional days, during the pendency of any proceeding to challenge the proposed change in placement, the student remains in the interim alternative education setting:

- (1) pending the decision of the hearing officer; or
- (2) until the expiration of the forty-five (45); whichever occurs first unless the parent and the school agree otherwise.

(c) If the public agency and the parent are unable to resolve the dispute in subsection (b) regarding the proposed change of placement after the expiration of the forty-five (45) instructional days, and the public agency maintains that the current placement (the placement prior to removal to the interim alternative education setting) is substantially likely to result in injury to the student or others, the public agency may request the following:

- (1) An expedited due process hearing under section 7 of this rule.
- (2) The independent hearing officer to extend the interim alternative education placement.

511 IAC 7-44-9 Protections for students not yet eligible for special education and related services

Sec. 9. (a) A student who has:

- (1) not been determined eligible for special education and related services under this article; and
- (2) engaged in behavior that violated any rule or code of conduct of the public agency, including any behavior described in this rule; may assert any of the protections provided for

in this article if the public agency had knowledge, as described in subsection (b), that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

(b) A public agency shall be deemed to have knowledge that a student is a student with a disability if any of the following have occurred:

- (1) The parent of the student has expressed concern in writing to licensed personnel of the appropriate public agency, or a teacher of the student, that the student is in need of special education and related services.
- (2) The parent of the student of the public agency has requested an evaluation of the student under 511 IAC 7-40-4.
- (3) The teacher of the student, or other personnel of the public agency, has expressed specific concern about a pattern of behavior demonstrated by the student directly to supervisory personnel of the public agency.

(c) A public agency shall not be deemed to have knowledge under subsection (b) if any of the following has occurred:

- (1) The parent of the student has not allowed an evaluation of the student under 511 IAC 7-40.
- (2) The parent of the student has refused services under this article or the Individuals with Disabilities Education Act.
- (3) The public agency:
 - (A) conducted an educational evaluation;
 - (B) determined that the student was not a student with a disability under this article; and
 - (C) provided notice to the student's parent of the determination consistent with 511 IAC 7-42-15.

(d) If a public agency does not have knowledge, in accordance with subsections (b) and (c), that a student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as measures applied to students without disabilities who have engaged in comparable behaviors, subject to subsections (e) and (f).

(e) If a referral is made for an initial educational evaluation of a student during the time period in which the student is subjected to:

- (1) suspension;
- (2) expulsion; or
- (3) placement in an interim alternative educational setting; the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which may include suspension or expulsion without educational services.

(f) As used in this rule, "expedited evaluation" means that the public agency conducts the evaluation and convenes the CCC within twenty (20) instructional days from the date of the parent's written consent for the evaluation. A copy of the educational evaluation report shall be provided to the parent at the CCC convened to consider the student's identification and eligibility for special education services.

(g) If the student is determined to be a student with a disability, taking into consideration information:

- (1) from the educational evaluation conducted by the public agency; and
- (2) provided by the parents; the public agency shall provide special education and related services in accordance with this article.

511 IAC 7-44-10 Referral to law enforcement and judicial authorities

Sec. 10 (a) Nothing in this article:

- (1) prohibits a public agency from reporting a crime allegedly committed by a student with a disability to appropriate authorities; or
- (2) prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crime committed by a student with a disability.

(b) When the public agency reports a crime committed by a student with a disability, the public agency must ensure that the copies of the education and disciplinary record of the student are transmitted only to the extent the transmission is permitted by the Family Educational Rights and Privacy Act (which includes requiring the receiving authorities to certify in writing that the records will not be disclosed to any other parties) and as required by IC 20-33-7-3, without the prior written consent of the parent or the student of legal age for consideration by the appropriate authorities to whom it reports the crime.

VIII. SIGNATURE PAGE

Your success in school will undoubtedly influence your next steps in life. Courtesy, honesty, regular school attendance, as well as, respect for school property and fellow human beings are the mark of an Excel Center student.

You may not receive notice of the changes in The Excel Center handbook, but the handbook will always be available to you. It is available for further review online at www.excelcenterwci.org. For those who do not have computer access, a copy can be made available to you, upon request.

My signature indicates that I have read, understand, and agree to adhere to the requirements as stated in the policies and procedures published in The Excel Center Handbook.

Print Name of Student

Signature of Student

Date

Print Name of Parent/Guardian

Parent/Guardian Signature
(required if student is under the age of 18)

Date