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**TITLE 512 DEPARTMENT OF  
EDUCATION**

**Proposed Rule**  
LSA Document #06-39

**DIGEST**

Adds 512 IAC concerning the established threshold for absences related to students in school corporations and accredited nonpublic schools, which threshold of 20% shall be used to report symptoms and health syndromes from outbreaks or suspected outbreaks of diseases or other health conditions to local health departments. Effective 30 days after filing with the Secretary of State.

**IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

The proposed amendments will not impose requirements or costs on small businesses under IC 4-22-2.1-5.

**512 IAC**

SECTION 1. 512 IAC IS ADDED TO READ AS FOLLOWS:

**TITLE 512 DEPARTMENT OF EDUCATION**

**ARTICLE 1. THRESHOLD OF STUDENT ABSENCES FOR REPORTING PURPOSES TO LOCAL HEALTH DEPARTMENTS**

**Rule 1. Definitions**

**512 IAC 1-1-1 Definitions**

**Authority:** IC 20-33-2-47

**Affected:** IC 16-19-10-8; IC 20-33-2-42

**Sec. 1. (a)** The definitions in this section apply throughout this article.

**(b)** “Coordinator” means a registered nurse who:

- (1)** holds a bachelor of science in nursing; and
- (2)** is responsible for coordination of health services in a school corporation in accordance with 511 IAC 4-1.5-6(b).

**(c)** “Nonpublic school” means a school that is not maintained by a school corporation. The term includes a private or parochial school accredited by the Indiana state board of education.

**(d)** “School corporation” means a public school corporation established by Indiana law. The term includes any of the following:

- (1)** School city.
- (2)** School town.
- (3)** School township.
- (4)** Consolidated school corporation.
- (5)** Metropolitan school district.
- (6)** Township school corporation.
- (7)** County school corporation.
- (8)** United school corporation.
- (9)** Community school corporation.

(e) “State attendance officer” or “state attendance official” means the person or persons appointed by the superintendent of public instruction to receive reports sent to the department of education under the provisions of this article.

(f) “Superintendent” means either of the following:

(1) The chief administrative officer of a school corporation.

(2) In the case of a township school, the county superintendent of schools.

*(Department of Education; 512 IAC 1-1-1)*

## **Rule 2. Collecting and Reporting Data Related to Symptoms and Health Syndromes**

### **512 IAC 1-2-1 Development of local attendance reporting system**

**Authority:** IC 20-33-2-47

**Affected:** IC 16-19-10-8; IC 20-33-2-42

**Sec. 1. (a)** A school corporation and accredited nonpublic school shall develop its local attendance system for reporting symptoms and health syndromes from outbreaks or suspected outbreaks of diseases or other health conditions that may be a danger to public health.

(b) A school corporation shall develop its local attendance reporting system in consultation with the school nurse who:

(1) is designated as coordinator; and

(2) shall report any known or suspected reason for the excessive rate of absenteeism directly to the superintendent or designated administrator.

An accredited nonpublic school shall develop its local attendance reporting system in consultation with the registered nurse who coordinates student health services.

(c) A local attendance reporting system shall establish the following:

(1) The form of the report required by section 2 of this rule.

(2) The mode of communication in which the report will be transmitted.

*(Department of Education; 512 IAC 1-2-1)*

### **512 IAC 1-2-2 Report of absenteeism in excess of the threshold**

**Authority:** IC 20-33-2-47

**Affected:** IC 16-19-10-8; IC 20-33-2-42

**Sec. 2. (a)** Except as provided in subsection (c), each school corporation and accredited nonpublic school shall report to the local health department the percentage of student absences when the percentage of students absent from a school is equal to or greater than the threshold rate of twenty percent (20%) of the enrolled students.

(b) Reports are not required on days immediately before or after a school vacation day or a scheduled instructional day that is canceled due to any weather-related emergency unless otherwise determined by the superintendent.

(c) A copy of any report to the local health department under provisions of this article shall be sent to the state attendance officer or state attendance official. *(Department of Education; 512 IAC 1-2-2)*

## ***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on May 1, 2006 at 10:00 a.m., at the Department of Education, 151 West Ohio Street, James Whitcomb Riley Conference Room, Indianapolis, Indiana the Department of Education will hold a public hearing on a proposed new rule concerning the established threshold for absences related to students in local school corporations and accredited nonpublic schools, which threshold of twenty percent (20%) shall be used to report symptoms and health syndromes from outbreaks or suspected outbreaks of diseases or other health conditions to local health departments.*

*The proposed rule does not impose any requirements or costs on a regulated entity not expressly required by state or federal law.*

*Copies of these rules are now on file at 229 State House and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Gaylon J. Nettles, Director  
Office of Student Services  
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