Harlan Independent Schools Code of Acceptable Behavior And Discipline 2025-2026

Harlan Independent Schools
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Harlan, Kentucky 40831
606-573-8700

Approved by the Harlan Independent Board of Education
July 17th, 2025

http://www.harlan-ind.k12.ky.us
Family of Dragons

CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

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The **Code of Acceptable Behavior and Discipline** is reviewed with the students by their teachers at the beginning of the school year. Each parent shall sign a statement acknowledging receipt of the handbook. Hard copies are available upon request.

NON-DISCRIMINATION

The Harlan Independent Board of Education hereby declares its intention to fully comply with provisions of the Rehabilitation Act of 1973, as amended (commonly referred to as Section 504). In accordance with this act, no programs, policies or practices of this agency will discriminate on the basis of a disability.

WHERE AND WHEN APPLICABLE

Students shall be held strictly accountable by the principals, teachers, bus drivers, and supervisory employees at all times, from the time they leave home to come to school until they arrive home that afternoon, or until they are properly released during the school day to their parents or guardians (KRS 161.180), or when in attendance at any school function before or after school hours on or off school property.

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No provisions in this **Code of Acceptable Behavior and Discipline** are intended to grant students or parents more rights than are provided by the United States Constitution, federal statutes, the Kentucky Constitution, and/or Kentucky statutes, and are instead intended solely to reflect the Harlan Independent Schools' understanding and intended application of those federal and state constitutional and statutory provisions.

RESPONSIBILITIES & EXPECTATIONS

RESPONSIBILITIES & EXPECTATIONS PERTAINING TO DISCIPLINE

Every citizen, both in and out of school, has rights and freedoms, but at the same time, they have the responsibility to respect the identical rights of others. In the school environment, these rights and responsibilities must be harmonious with the learning process. Rules that establish discipline guidelines for students are necessary and basic to their growth and development. Thus, it becomes the responsibility of local school districts to have a discipline code, which reflects the community's standards and expectations for student behavior.

PRINCIPALS' & STAFF RESPONSIBILITIES & EXPECTATIONS

1. Administer the **Code of Acceptable Behavior and Discipline Handbook**
2. Maintain a school climate conducive to learning, with mutual respect and trust, and with appropriate discipline.
3. Exhibit appropriate behavior in action, speech, dress, providing a role model of responsible citizenship.
4. Take reasonable steps to provide information contained within the **Code of Acceptable Behavior and Discipline Handbook** is reviewed with staff, volunteers, and students.
5. Support staff in the implementation of the **Code of Acceptable Behavior and Discipline Handbook.**

STUDENTS' RESPONSIBILITIES & EXPECTATIONS

Students' have the right to:

1. Reasonable and timely notice of all rules, regulations, policies, and penalties to which they may be subject.
2. Physical safety and protection of their person and/or property.
3. Courtesy from other students and school personnel.
4. Examination and confidentiality of their disciplinary records by the students, their parents/guardians, or their authorized representative(s).
5. Presentation of complaints or grievances to school authorities and receiving replies from school officials regarding disciplinary matters.
6. All rights granted to students by the State.

Students have the responsibility to:

1. Exhibit appropriate behavior in action, speech, dress, and hygiene, providing a role model of responsible citizenship. Refer to the student handbook of the school where the student attends for information on appropriate dress or attire.
2. Be a positive member of the school community by following all school regulations as described in the **Code of Acceptable Behavior and Discipline.**
3. Exercise courtesy and reason at all times, accept just punishment, avoid unreasonable appeals, and refrain from making false accusations.

PARENTS' RESPONSIBILITIES & EXPECTATIONS

Parents have the right to:

1. Send their child to school with a positive educational climate.
2. Expect their school to maintain high academic standards.
3. Examine their child's personal school records
4. Expect all disruptive behavior is dealt with fairly, firmly, and timely.
5. Address grievances to proper school authorities concerning their child and to receive a prompt reply pertaining to the specific grievance.

Parents have the responsibility to:

1. Support in their child the need for an education and to instill a sense of responsibility.
2. Become familiar with educational policies, programs, and disciplinary procedures.
3. See that their child is regular in attendance.
4. Report any unsafe conditions to school authorities.
5. Exhibit concern for the progress and grades of their child.
6. Inform school officials of concerns pertaining to disciplinary procedures.
7. Support their child with proper and appropriate attire and hygiene.

PYRAMID OF INTERVENTIONS

All students will participate in universal screenings to be used to determine if individual students need additional instruction in specific academic areas. Interventions are a natural part of the instructional process and will not require individual parent permission in order for a student to participate. As required by federal law, any additional instruction or interventions will be evidenced-based and implemented in a regular education setting. Data-based documentation of progress for students who need additional instruction will be collected frequently and reported to parents.

NOTIFICATION OF FERPA RIGHTS

The Family Education Rights and Privacy Act (FERPA) affords parents and "eligible students" (students over 18 years of age or students who are attending a postsecondary institution) certain rights with respect to the student's education records. They are:

1) ***The right to inspect and review the student's education records within forty-five (45) days of the day the District receives a request for access. KY Attorney General recognizes student's records as open records request with a response within three business (3) day.***

Parents or eligible students should submit to the school Principal/designee a written request that identifies the record (s) they wish to inspect. The principal will arrange for access and notify the parent or eligible student of the time and place where the record(s) may be inspected.

2) ***The right to inspect and review logs documenting disclosures of the student's educational records.***

Except for disclosure to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to the parent of an eligible student who for tax purposes is still a dependent, FERPA regulations require the District to record the disclosure.

3) ***The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student's privacy or other rights.***

Parents or eligible students may ask the district to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him/her of the 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.

4) ***The right to provide written consent prior to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.***

Exceptions that permit disclosure without consent include:

a. Disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the District 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 volunteer or an outside person or company with whom the District has contracted to perform a special task (such as an 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 education record in order to fulfill his/her professional responsibility to the District. This may include contractors, consultants, volunteers and other parties to whom the District has outsourced services or functions.

b. Upon request, disclosure of educational records without parent/eligible student notice consent to officials of another school district in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.

c. Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.

d. Disclosure to state and local educational authorities and accrediting organizations subject to requirements of FERPA regulations. Designated Kentucky State agencies may be permitted access to student record information, which shall depend on the authority granted to their particular agency.

5) ***The right to notify the District in writing to withhold information the Board has designated as directory information as listed in the annual directory information notice the District provides to parent/eligible students.***

To exercise this right**,** parents/eligible students shall notify the District by the deadline designated by the District.

6) The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U.S. Armed Forces and the service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard and institutions of higher education.

Unless the parent or student, who has reached age 18, requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

7) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202-4605

Approved "directory information" shall be: the student's name, address, telephone number, date and place of birth, student's school email address, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and the most recent institution attended by the student. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

The District allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification.

Unless the parent/guardian or secondary school student requests in writing that the District not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

Each parent and eligible student may obtain a copy of School Board Policy 09.14 concerning student records. School Board policies and procedures may be examined in the Principal's office of each school.

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

· *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or

8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

Inspect, upon request and before administration or use –

1. Protected information surveys of students and surveys created by a third party;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Harlan Independent Schools developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Harlan Independent Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Harlan Independent Schools will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Harlan Independent Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

ATTENDANCE POLICY

Except as provided in KRS 159.030, all children in the district who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen, except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are

assigned. A child who is five (5) or who may become five (5) years of age by August 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.031.

ABSENCES AND EXCUSES

How Parents Encourage, Promote & Ensure Regular Attendance

- Make attendance and academics a priority. Let children know that school attendance and homework come before time with friends, extracurricular activities or screen time.
- Make medical and other appointments during non-school hours whenever possible. Schedule family vacations during school holidays or the summer break so that students are not missing important lessons and struggling to make up for lost time.
- Stay home only when really sick. Most children will have occasional sick days. Children need to know that, unless they are truly sick, you expect them to go to school every day and do their best while there.
- Communicate with school staff. If possible, let the school know in advance if your child is going to be absent or if you have concerns about your child's attendance or school performance.
- Get organized. Create a space in your home for children to store backpacks and other supplies. Develop a routine where children have their homework done, classroom materials together and their bags packed the night before school.
- Set reasonable bedtimes. On average, school aged children need about nine hours of sleep to be healthy and alert. Reinforce reasonable bedtimes for children of all ages and, when they become teenagers, encourage them to get up and get ready on their own.
- Communication to children high school age. Good school attendance shows potential employers that they are reliable and dependable.

Pupils are required to attend regularly and punctually the school in which they are enrolled.

Truancy Defined

Any pupil who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant. A pupil who has been reported as a truant two (2) or more times is a habitual truant.

Habitual truants shall be reported to the counselor and the Principal, and then to the office of the Director of Student Services, all of whom shall take the appropriate action. Written notification is to be made to the parent/guardian.

Absence Defined

Absence is defined as non-attendance in either an individual class or absence for the day.

Daily attendance is represented as 0%, 50% or 100%. Please refer to the chart below to assist with understanding the calculations for tardiness, half-day and whole-day attendance values.

Daily Attendance	Whole Day	Half Day	No Attendance	Tardy
Funded	1.0 = Whole-day	0.5 = Half-day	0 = No attendance	1.0 = Tardy
Present	100% -65%	64-% -16%	15% - 0%	99% - 65%
Absent	0% -35%	36% -84%	85% -100%	0% -35%

A pupil who misses thirty five percent (35%) or less of the regularly scheduled school day is recorded as tardy. A pupil absent 36%-84% of the regularly scheduled school day is recorded for the actual percent of the day missed. A pupil absent for the entire regularly scheduled day is recorded absent for 100% percent of the school day. Calculations are made based on the cumulative time missed during the regularly scheduled school day. The criteria are applicable regardless of the length of the scheduled school day and apply to all grade levels including entry level through the 12th grade.

After five (5) absences, whether excused or unexcused, students shall be required to present a Harlan Independent Schools' Medical Excuse Form for further medical absences completed by the student's physician to receive an excused absence.

Tardy Defined

A pupil who misses 35% or less of the regularly scheduled school day is recorded as tardy.

After five (5) tardies, whether excused or unexcused, students shall be required to present a Harlan Independent Schools' Medical Excuse Form for further medical absences completed by the student's physician to receive an excused absence.

Excused Absences

Parent/legal guardian notes for five (5) absences for elementary, middle, and high school students will be accepted as excused absences during the school year. Reasons for excused absences or tardiness include the following:

The Principal or the Assistant Principal shall determine if the absence is excused. An excused absence is one for which work may be made up such as:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil, including mental or behavioral health, with verification;
3. Medical/dental appointments that cannot be made after school hours - verification by a doctor confirming date and time shall be required;
4. Order of a court;
5. Natural disaster beyond the control of the student such as, but not limited to, fire, flood, etc.;
6. Interviews for college or vocational school pre-approved by school officials - verification of interview shall be required;
7. Tests administered by school counselors or college personnel - verification of attendance shall be required;
8. One (1) day for attendance at the Kentucky State Fair;
9. Driver's license/permit - not to be taken during a class test;
10. Religious holidays and practices;
11. School-sponsored trips;
12. Documented military leave;
13. One (1) day prior to departure of parent/guardian called to active military duty;
14. One (1) day upon the return of parent/guardian from active military duty,

15. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave,

16. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces,

17. Students participating in any of the page programs of the General Assembly;[2] or

18. Other valid reasons including, but not limited to, educational trips that satisfy criteria proposed by the Superintendent and approved by the Board, or, trips qualifying as educational enhancement opportunities as determined by the Principal.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

After five (5) absences, whether excused or unexcused, students shall be required to present a Harlan Independent Medical Excuse Form for further medical absences, or verification by the Director of Student Services in order to excuse additional absences. Admissions and Release committees and Section 504 Teams are expected to be involved in such cases where a shortened school day is deemed appropriate. Students with early checkout from school due to illness must see the school nurse, if one is assigned to the school, before the checkout will be considered excused for illness.

Parents will be notified by mail after six (6) unexcused absences and or tardies.
Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

Absences for reasons other than those listed in this policy shall be unexcused.

VERIFICATION

Telephone or written verification from a student's parent/guardian shall be accepted for up to five (5) days of absence per year. These absences must be in accordance with the reasons listed above. Any additional absences must be excused by a doctor or other health official.

Habitual truants will be referred by the Principal to the Director of Pupil Personnel.

Notes Required

When students return to school following an absence, they shall bring a written or electronic note signed by their parent or doctor/medical excuse, which specifies the reason for the absence within five (5) school days. Failure to bring a note within five (5) days will result in unexcused absence(s).

MAKE-UP WORK

Students shall have the opportunity to make-up work missed during the time of absence. It shall be the student's responsibility to make arrangements with each teacher to make up work missed during the absence. A student shall have one (1) day to make up work for each day of school missed.

Consequences

Prior to filing legal charges for habitual truancy, Division of Student Services personnel shall review each referral, send a final notice, provide assistance and take necessary steps to improve attendance.

A parent, guardian, or custodian of a child residing in any school district in this state is legally responsible for any violation of attendance laws, KRS 159.010 and KRS 159.170. Non-compliance may result in legal charges against the parent and/or the student.***

DRIVER'S LICENSE REVOCATION (NO PASS/NO DRIVE)

Academic and Attendance Deficiencies

Students who are fifteen (15) to seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.

Academic and attendance deficiencies for students age fifteen (15) to seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they drop out of school or accumulate nine (9) unexcused absences in a class/classes for the preceding semester. Suspensions shall be considered unexcused absences.

Reinstatement of Driving Privilege

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement must then have their standing confirmed. School personnel shall make the required report to the appropriate agency.

KRS 159.150:

The Director of Pupil Personnel will now be required to notify the County Attorney's office when a student accumulates 15 or more unexcused absences throughout the academic year.

Chronic Absenteeism:

Chronic Absenteeism is when a student misses 10% of the school year for any reason, excused or unexcused. Poor attendance can have a long-term impact. Missing 10% of school (1 or 2 days every few weeks) can make it harder to:

Gain early reading and math skills

Build relationships

Develop good attendance habits

Attending school regularly helps children feel better about school and themselves. Start building this habit in preschool so they learn right away that going to school on time, every day is important. Eventually good attendance will be a skill that will help them succeed in high school and college.

www.attendanceworks.org

TRANSPORTATION

CONDUCT ON THE BUS

Riding the school bus is a privilege provided by the Harlan Independent Board of Education. The Board has given the bus driver the responsibility of safely transporting students to and from school. The bus driver also has the authority to manage student behavior on the bus to maximize safe transportation.

Principal Responsible Each principal shall hold students who ride the bus, drive or walk to school strictly accountable for good deportment.

Reporting of Violations The bus drivers shall report in writing any violation of district policy or school rules to the Principal.

Discharge of Pupils from Bus Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in such a way as to endanger the safety or well-being of other pupils on the bus, the driver is authorized to order the offending pupils from the bus. Such action shall be taken by drivers only in extreme cases and as a last resort to protect other students. The driver must make contact with the Transportation Director/Designee prior to placing student off bus.

In the event a pupil is discharged for disciplinary reason(s), the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends, the Superintendent/Designee, and the student's parent or legal guardian.

Withholding of Riding The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct

Privileges violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld. The Superintendent or designee may withhold bus-riding privileges up to the remainder of the school year.

Bus privileges may be withheld for the following violations:

1. Violation of any rule covering student conduct which actually or potentially interferes with the operation of the bus or the safe transport of students or which actually or potentially presents a threat to the health or safety of bus riders and/or drivers.
2. Smoking, possession or use of tobacco products on the bus (1st offense - up to ten (10) consecutive school days transportation withheld).
3. Fighting ** (1st offense - Up to ten (10) consecutive school days transportation withheld (2nd offense - possible school year transportation withheld).
4. Vandalism (Up to ten (10) consecutive school days transportation withheld and restitution, possible school year transportation withheld).
5. Abusive or vulgar language directed personally at the driver (Up to ten (10) consecutive school days, possible school year transportation withheld).
6. Controlled substances for use, transfer or sell (Up to ten (10) consecutive school days, possible school year transportation withheld).
7. Throwing objects on or out of the school bus. (Up to ten (10) consecutive school days, possible school year transportation withheld).
8. Terroristic Threatening, 2nd degree, (Up to ten (10) consecutive school days, possible school year transportation withheld).

ADDITIONAL CONSEQUENCES MAY ALSO BE LEVIED AT SCHOOL LEVEL.

VIOLATION OF THE ITEMS LISTED BELOW SHALL CONSTITUTE REASONS FOR DISCIPLINARY ACTION, INCLUDING, VERBAL REPRIMAND OF STUDENT, PARENT NOTIFICATION, ASSIGNED SEATING OR UP TO THREE (3) DAYS WITHHOLDING TRANSPORTATION.

Unacceptable behaviors that affect the safe operation of the bus and/or distract the driver are:

1. Not staying in assigned seat (assigned by the driver).
2. Making excessive noise: screaming, whistling, etc.
3. Using abusive or vulgar language directed to someone other than the driver.
4. Holding arm, leg and/or head/object out bus window.
5. Not waiting at the bus stop.
6. Taking items on the bus against the rules.
7. Refusing to share seat with other students.
8. Riding bus other than assigned.
9. Eating, drinking or chewing gum on the bus.
10. Bullying, hazing, menacing, harassment, stalking others on the bus.
11. Other unacceptable behavior.
12. Use of any electronic and/or telecommunication devices without prior approval of the Bus Driver. This includes the taking of photos and/or videos, listening to music/videos/social media without headphones, or anything else that could be a distraction.

Video Recording Equipment Video cameras may be installed in the District's school buses to record student behavior during transportation to and from school and school-related events. Evidence of student misbehavior recorded on video may be used to discipline students under provisions of governance authorities.

Restitution of Damages The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

Students with Disabilities Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) or 504 Accommodation Plan and the legal obligations and standards adopted by the Board.

SCHOOL NUTRITION SERVICE MEAL POLICY

The Harlan Independent Schools Nutrition Service implementation of regulations and procedures relating to charges for food purchased in the cafeterias. School lunch charges are designed to cover a situation in which parents or students forget to provide or bring money for breakfast/lunch.

Elementary School: District elementary school participate in the Community Eligibility Program (CEP). Elementary school students shall be given breakfast and lunch at no cost.

Middle School: District middle school participate in the Community Eligibility Program (CEP). Middle school students shall be given breakfast and lunch at no cost.

High School: District high school participate in the Community Eligibility Program (CEP). High school students shall be given breakfast and lunch at no cost.

Adults – Charges are not allowed.

A la Carte- Students are allowed to purchase ala carte items only if they do not have charges. A la carte purchases cannot be charged, students must have funds in their account or cash at the time purchase.

If a parent does not want their child to buy extras, the parent must notify the Nutrition Service Department at Central Office in writing that their child is not permitted to purchase extra items or limits of items the student may purchase. ·
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Breakfast		**Lunch**	
Adult	**$3.50**	**Adult**	**$5.00**

Meal Pay Online:
Parents/Guardians may access our online payment system, myschoolbucks, located on the district website to deposit money into their child's food service account at any time. There is a $2.00 transaction fee per entry. Parents may also access account balances, receive a low balance email reminder and view their child's purchases.

DISPENSING MEDICATION

No medication (over-the-counter or prescription) shall be provided by the school for the purpose of administering to pupils.

The school may administer prescription, or over-the-counter medication, which is brought from home in the original container as long as an "Authorization to Administer Medication" form is completed by the parent and a physician.

Self-Administration

A student may be permitted to carry medication that has been prescribed or ordered by a physician to stay on or with the pupil due to a pressing medical need.

The parent/guardian and/or physician shall provide a written statement/authorization each year as required by law, in order for a student under treatment for asthma, diabetes, or at risk of having anaphylaxis to be permitted to self-administer medication.

Students shall not share any prescription or over-the-counter medication. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action.

DRUGS/CONTROLLED SUBSTANCES

Use of Alcohol, Drugs and Other Prohibited Substances

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under KRS 218A.010.

Level A

The definition of drug paraphernalia in the District includes:

- Drug paraphernalia means all equipment, products, and materials of any kind including the constituent parts thereof that are either designed or are intended by the student for use in packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body marijuana or a controlled substance. This includes but is not limited to rolling papers, syringes, clips, smoking pipes, and prescription drug bottles.

Level B

The definition of substance abuse in the District includes:

- Purchase, use, possession, attempt to possess, or being under the influence of illegal drugs, prohibited substance, intoxicant or alcohol, on school property or while engaged in or attending a school activity including open lunch.
- Being present on school grounds after having consumed or used a controlled substance, marijuana, illegal drugs, or intoxicants, including alcohol.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and

2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

Level C

The definition for involvement with the distribution of controlled or illegal substances in the District includes:

- Distributing, selling, or attempting to sell marijuana, any controlled substance, illegal drugs, intoxicants, including alcohol, limitation controlled substances, prescription drugs, or drug paraphernalia on school property while engage in or attending any school activity.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Student assigned to Alternative Placement must attend a duration of time compliant with the guidelines and regulations of the school.

AUTHORIZED MEDICATION

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

PENALTY

All violations of school rules and regulations or state and federal laws will be vigorously enforced by school officials.

Category	First	Second	Third	Fourth
Level A	Three (3) days suspension and five (5) days of Alternative Education	Five (5) days of suspension plus ten (10) days of Alternative Education	Alternative Education Program	Expulsion
Level B	Five (5) days of suspension plus ten (10) days of Alternative Education	Alternative Education Program	Expulsion	N/A
Level C	Alternative Education Program	Expulsion	N/A	N/A

If available, students may participate in community/school service during times of suspension from school for violation of this policy. Alternative Education Programs are to be used if available. In the event that an Alternative Education Program is not available, the use of extended assignments to Alternative Education (AE) may be utilized.

Penalties for violations of this policy are cumulative over the course of a student's career at the Harlan Independent School District. For example, a student that commits a first offense during his/her 7th grade year will be punished as a second offense for a violation at the same level as a junior.

Any student suspended for five (5) or more days as a result of this policy shall be considered for Alternative School for any other violations of this policy. Also, any student previously placed in

Alternative School as a result of this policy shall be considered for expulsion for any other violations of this policy.

Newly enrolled students, who have been punished for or are subject to punishment for documented drug violations at any previous school of enrollment, will be placed at the appropriate offense level and will be subject to all requirements and penalties of this policy in the event of future violations while a student of the District.

During their suspension from classes or assignment to Alternative Education, students are not allowed to attend any extra/co-curricular activities such as athletic events or dances. Upon completion of the suspension/assignment, students may attend such activities.

When considering a student for expulsion, the following must be addressed:

1. Due Process
2. Written charges given to the student and parent
3. Substantial evidence to support charges
4. Signed statements by all witnesses
5. Verbal contact with the parent

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

COUNSELING SERVICES

Any student that is guilty of violating this policy must complete a drug education program provided or approved by the District. Services provided by the District will be at the District's expense. These sessions must be taken during the suspension period or as soon as available.

EXTRA/CO-CURRICULAR ACTIVITIES

Any student that is guilty of violating this policy will not be permitted to participate in any extra/co-curricular activities and non-instructional field trips as outlined below:

Category	First	Second	Third	Fourth
Level A	20 school days or 30 calendar days (whichever is longer)	Sixty (60) school days or ninety (90) calendar days (whichever is longer)	One (1) calendar year	N/A
Level B	60 school days or 90 calendar days (whichever is longer)	One (1) calendar year	N/A	N/A
Level C	One (1) calendar year	N/A	N/A	N/A

School days shall be defined as actual student attendance days. Days missed for dismissal of school and summer school shall not count as school days for the purpose of this policy.

During a suspension from extra/co-curricular activities, students are not allowed to participate in any extra/co-curricular activities, such as, but not limited to, club meetings, music rehearsals/performances, and athletic practices, workouts, and competitions outside of the regular school day. Furthermore, students will attend a reinstatement hearing before the Superintendent and/or the Superintendent's designee(s).

DRUG TESTING PROGRAM

The Board has established a random drug testing program for all middle/high school students participating in cocurricular and extracurricular activities, including athletics.

Guidelines to implement this program shall be provided to all schools and kept on file in the Central Office.

PRESCRIPTION DRUGS

Use of a drug authorized by and administered in accordance with a prescription from a physician, dentist or other health professional shall not be considered a violation of this policy. Prescription drugs are to be possessed only by the person named on the prescription and shall be used in accordance with the prescription for medicinal purposes.

1. If the Principal or Assistant Principal determines that prescription drugs were used in an unauthorized way or transmitted for use by another student this shall constitute a reason for disciplinary action of up to a three days suspension. Due process procedures for suspension shall apply.

2. If the Principal or Assistant Principal determines that prescription drugs were transmitted or used for the purpose of obtaining a mood-altering effect or transmitted or used in an amount that exceeds the labeled dosage, this shall constitute reason for disciplinary action under the procedures outlined in the first offenses section for use of Alcohol, Drugs, and Other Controlled Substances.

3. If the Principal or Assistant Principal determines that prescription drugs were sold to another student, the student may be suspended and referred for a student pre-hearing expulsion with the Director of Pupil Personnel. The pre-hearing expulsion may result in an expulsion proceeding with the Board. Due process procedures for suspension and expulsion shall apply.

4. If state or federal law requires reporting of the substance involved in a violation, a juvenile petition may be filed with the Court Designated Worker or a complaint filed with the County Attorney.

5. If a student has a second behavioral violation involving prescription drugs, this shall constitute reason for disciplinary action under procedures outlined in the first offense section for use of Alcohol, Drugs, and Other Controlled Substances.

OVER-THE-COUNTER MEDICATIONS

Over the counter medications are not to be sold or transmitted by students. If the Principal or designee determines that over the counter medications were sold, transmitted or used for the purpose of obtaining a mood-altering effect (i.e. mini-thins, diet pills, products containing ephedrine) or in an amount that exceeds the labeled dosage, this shall constitute reason for disciplinary action up to and including suspension, or expulsion. The student may be suspended and referred for a student pre-hearing expulsion with the Director of Pupil Personnel. The pre-hearing expulsion may result in a recommendation to the superintendent for expulsion proceeding with the Board. Due process procedures for suspension and expulsion shall apply. If state or federal law requires reporting of the substance involved in a violation, a juvenile petition may be filed with the Court Designated Worker or a complaint filed with the County Attorney. The Title IV Coordinator will be notified.

INHALANTS

The inhaling of substances for the purpose of obtaining a mood altering effect is prohibited (e.g. butane, nitrous oxide, glues, whiteout, gasoline, etc.).

1. If the Principal or designee determines that a substance was inhaled for the purpose of obtaining a mood-altering effect this shall constitute reason for disciplinary action up to and including suspension, or expulsion. The student may be suspended and referred for a student pre-hearing expulsion with the Director of Pupil Personnel. The pre-hearing expulsion may result in an expulsion proceeding with the Board. Due process for suspension or expulsion shall apply. If state or federal law requires reporting possession of the substance involved as a criminal violation, a juvenile petition may be filed with the Court Designated Worker or a complaint filed with the County Attorney. The Title IV Coordinator will be notified.

2. If a student has a second behavioral violation involving inhalants, this shall constitute reason for disciplinary action under procedures outlined in the First Offense Section for Use of Alcohol, Drugs, and Other Prohibited Substances. The Title IV Coordinator will be notified. After completing the procedures outlined in the First Offense Section, if the student has another inhalant violation, the student may be suspended and referred for a student pre-hearing expulsion with the Director of Pupil Personnel. The pre-hearing expulsion may result in an expulsion proceeding with the Board. The pre-hearing expulsion may result in an expulsion proceeding before the Board. Due process procedures for suspension and expulsion shall apply.

CASES INVOLVING STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.

DISCIPLINARY CONSEQUENCES

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Consideration of appropriate educational services must be made as to both IDEA and 504 eligible students who are expelled.)

In cases involving sanctions other than suspension or expulsion, students with disabilities are generally subject to discipline as any other student unless the individualized program devised for the child provides otherwise. In cases of serious disciplinary action involving students with disabilities, suspension and expulsion may be disciplinary options insofar as consistent with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. section 1400,et seq. or Section 504 of the Rehabilitation Act of 1973, and corresponding state law and regulations. See particularly KRS 158.150 and 20 U.S.C. section 1415. In addition, children identified with disabilities may be subject to placement in interim alternative educational settings in the case of disciplinary infractions involving weapons or drugs or having inflicted serious bodily injury upon another person while at school or school function insofar as consistent with the foregoing statutory provisions and corresponding regulation.

BEHAVIOR CONSEQUENCES

BEHAVIOR CONTRACTS

Behavior problems in school may result in placement of a student on a behavior contract, the length and substance of which will be determined by the principal or assistant principal in consultation with teachers and/or school psychologist. Behavior expectations required by the school and consequences for failing to meet those expectations will be specified in the behavior contract. These consequences may include, but are not limited to, the following: Extended Detention, AE, suspension from school, suspension from participating in, or attending, extra-curricular activities, or an alternative placement. School counseling may be required as a component of a behavior contract. The behavior contract should be signed by the student, the parent/guardian, if the student is under the age of 18 years of age, or notation that the opportunity was provided, and the principal/assistant principal. A copy of the contract will be maintained in the principal's office. Contracts become part of a student's discipline record.

DETENTION/EXTENDED DETENTION

Detention/Extended Detention is a disciplinary program where students are kept for a period of time before, during or after school. This program is intended to provide constructive and meaningful disciplinary action. The hours of Detention/Extended Detention will be determined SBDM policy at each school. Detention/Extended Detention may be utilized as a disciplinary action by the principals or may be assigned by a teacher or team. Students entering Detention/Extended Detention are required to bring appropriate school assignments and materials.

CORPORAL PUNISHMENT

Corporal punishment is defined as the deliberate infliction of physical pain by any means upon the whole or any part of a student's body as a penalty or punishment for student misbehavior. No person employed or engaged by any elementary or secondary school in this school district shall intentionally inflict, or cause to be inflicted, corporal punishment or bodily pain upon a pupil. Corporal punishment is prohibited.

SUSPENSION

The Kentucky State Law requires teachers and administrators to hold students strictly accountable for their conduct during the entire school day. Section 161.180 of Kentucky Statutes reads as follows:

"Each teacher and administrator in the public schools shall in accordance with the rules, regulations, and bylaws of the board of education made and adopted pursuant to KRS 160.290 for the conduct of pupils, hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities."

KRS 158.150 states:

(1) **"**All students admitted to the common schools shall comply with the lawful regulations for the government of the schools:

(a) Willful disobedience or defiance of the authority of the teachers or administrators, use of profanity or vulgarity, assault or battery or abuse of other students, the threat of force or violence, the use or possession of alcohol or drugs, stealing or destruction or defacing of school property or personal property of students, the carrying or use of weapons or dangerous instruments, or other incorrigible bad conduct on school property, as well as off school property at school-sponsored activities, constitutes cause for suspension or expulsion from school;"

The Principal or assistant Principal may suspend a pupil up to a maximum of five (5) days per incident. The Superintendent may suspend a pupil up to a maximum of ten (10) days per incident or until the hearing before the Board of Education is held with the provision of supplemental due process, consisting of a further review of the facts and consideration of any mitigating factors offered by or on behalf of the student. There will be the provision of appropriate educational services in an alternative setting determined by Superintendent or Designee in consultation with other school district personnel having knowledge of the educational needs of the student. The Superintendent, principals, and assistant principals are empowered to suspend students. Principals and assistant principals shall report any such action in writing to the Superintendent and/or Designee and to the parent or guardian. If possible, the parent or guardian should be contacted immediately. If the Superintendent and/or his/her designee or principal believes that immediate removal is necessary to protect persons, property, or to avoid disruptions of the academic process, the student may be removed immediately with the notice of charges to be given and the conference to be held with the student as soon as possible after the removal has been instituted. Otherwise, suspension shall be made according to the due process procedure described below:

1. Oral or written notice of the charges which constitutes the cause for suspension must be given to the student.
2. The evidence supporting the charges must be explained to the student if student denies the charges.
3. The student must be given the opportunity to respond to the charges.
4. Suspension cannot be appealed above the building level.

School work missed by a student during a suspension is not allowed to be made up. An exception to this policy is that the principal may allow a pupil to make up test(s) missed due to an unexcused absence within five (5) days from the return date; unless the principal grants a longer extension.

Prior to readmission to school, a conference may be held between the official who meted out the suspension and the student and the parent(s) or guardian(s).

EXPULSION

The Kentucky State Law requires teachers and administrators to hold students accountable for their conduct during the entire school day. KRS 161.180 of Kentucky Statutes reads as follows:

"Each teacher and administrator in the public schools shall in accordance with the rules,

regulations, and bylaws of the board of education made and adopted pursuant to KRS 160.290 for the conduct of pupils, hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities."

KRS 158.150 (1) states:
"All students admitted to the common schools shall comply with the lawful regulations for the government of the schools:
(a)Willful disobedience or defiance of the authority of the teachers or administrators, use of profanity or vulgarity, assault or battery or abuse of other students, the threat of force or violence, the use or possession of alcohol or drugs, stealing or destruction or defacing of school property or personal property of students, the carrying of use of weapons or dangerous instruments, or other incorrigible bad conduct on school property, as well as off school property at school-sponsored activities, constitutes cause for suspension or expulsion from school;"

KRS 158.150 (2) states:
(a) Each local board of education shall adopt a policy requiring the expulsion from school for a period of at least twelve (12) months for a student who:

1. Is determined by the board through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the district; or
2. Is determined by the board to have brought a weapon to school under its jurisdiction. In determining whether a student has brought a weapon to school, a local board of education shall use the definition of "unlawful possession of a weapon on school property" stated in KRS 527.070.

(b) The board shall also adopt a policy requiring disciplinary actions, up to and including expulsion from school, for a student who is determined by the board to have:

1. Possessed prescription drugs or controlled substances for the purpose of sale or distribution at a school under the board's jurisdiction;
2. Physically assaulted or battered or abused educational personnel or other students at a school or school function under the board's jurisdiction; or
3. Physically assaulted, battered, or abused educational personnel or other students off school property and the incident is likely to substantially disrupt the educational process.

The board may modify the expulsion requirement and length for students on a case-by-case basis, except the length of expulsion shall be at least twelve (12) months for a threat which poses a danger to the well-being of students, faculty, or staff of the district. A board that has expelled a student from the student's regular school setting shall require the Superintendent or Designee to take reasonable steps that the educational services that the educational services are provided to the student in an appropriate alternative program or setting, unless the board has, on the record, made a determination supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed into a state-funded agency program. Other intervention services as indicated for each student may be provided by the board or by agreement with the appropriate state or community agency. A state agency that provides the service shall be responsible for the cost. In determining whether a student has brought a weapon to school, a local board of education shall use the definition of 'unlawful possession of a weapon on school property' stated in KRS 527.070."

Expulsion shall mean that the pupil is excluded from school from the date of the violation or for a specified period as determined by the board, which may be longer than twelve (12) months. In the case of a student bringing a weapon as described in KRS 158.150 (2)(a)2. to

school, expulsion means exclusion from school for at least twelve (12) months, subject to reduction or extension by the Board on a case by case basis. An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.

When charges are made against a student and expulsion is recommended, the Superintendent may conduct a preliminary conference with the student. At this conference, the pupil will be given the opportunity to admit or deny the alleged misconduct. Regardless of the plea, the student is entitled to a procedural due process hearing before the Board. The full procedure shall include:

1. The Superintendent shall notify the student and the parents/guardians, with a written and/or oral statement setting forth charges which, if proven, would justify expulsion under the law. This statement shall be presented adequately in advance of the hearing to allow the student to prepare a reasonable defense and not less than five calendar days, excluding weekends and legal holidays for which school is not in session for students. The parent shall respond to the notification within five days of receipt of the notification.
2. Administrators have the primary responsibility and particularized knowledge to investigate the incident(s) and to determine the reliability of the witnesses and the evidence. In certain cases when it is necessary to protect the safety and anonymity of witnesses, school administrators may present the findings of the investigation conducted to the Board.
3. During the hearing, the student and the parents/guardians shall be afforded the opportunity to present to the Board, by oral or written testimony, a defense to the charges. This defense may include the introduction of a reasonable number of witnesses on the student's own behalf.
4. Should the student and the parent/guardian desire, they may be accompanied and represented by legal counsel with no cost to the school district. If this is desired, they must notify the Superintendent of this intention so that the Board attorney may also be present.
5. The student is entitled to an expeditious handling of their case, careful reflection by the Board, and a prompt decision.

PLACEMENT IN LIEU OF EXPULSION OR FOLLOWING AN EXPULSION
As provided in KRS 158.150(3)(d):

1. In lieu of expelling a student, or upon the expiration of a student's expulsion, a superintendent may place a student into an alternative program or setting if the superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the education process or constitutes a threat to the safety of other students or school staff. The action shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity to have a hearing before the board or an appeals committee as described in subparagraph 2. of this paragraph.
2. The board may adopt a policy to establish an appeals committee and delegate the authority to hear appeals made under this paragraph to that committee.
3. The alternative program or setting may be provided virtually.
4. Notwithstanding any other statute or administrative regulation to the contrary, students placed in an alternative program or setting under this paragraph shall be counted in attendance and membership for state funding purposes in the same manner as other students participating in alternative programs of the district.

5. Students placed in an alternative program or setting under this paragraph shall be subject to compulsory attendance requirements under KRS Chapter 159 and applicable local board policy.
6. Following the initial alternative placement of a student under this paragraph, the board shall review the alternative program or setting placement at least once per year and determine if the placement should be continued in accordance with subparagraph 1. of this paragraph.

DUTIES AND RESPONSIBILITIES ASSOCIATED WITH EXPULSION

STEPS FOR EXPULSION

When a student's misconduct results in a recommendation for expulsion, the following steps should be followed:

School Level:

The principal/designee should exercise reasonable discretion in conducting an investigation.

Central Office Level:

It is the duty and responsibility of central office personnel as designated by the Superintendent to:

1. Consult with principal and appropriate personnel the reasons for expulsion.
2. Review evidence.
3. Review school law.
4. Make decisions for dispensation of the case.
5. If expulsion is recommended, notify the student and parent(s)/guardian(s) of the charges and holds a pre-expulsion conference if requested by the parent/guardian.
6. Set a date for the expulsion hearing.

Board Office Level:

It is the duty and responsibility of the Board of Education to:

1. Conduct an expulsion hearing that will be at the minimum audio recorded and witnesses sworn by a notary or Board of Education chairperson.
2. Render a decision based upon substantial evidence produced during the expulsion hearing that the student has violated one (1) or more provisions of the Code of Acceptable Behavior and Discipline as set forth in the notice of expulsion hearing.
3. Determine whether educational services are to be provided. Services will be required unless the Board determines on the record as supported by clear and convincing evidence that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program.

The Board’s decision shall be final.

EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside of Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide,
assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault or threat shall mean any physical assault, including sexual assault. See KRS 158.150 (4)

The sworn statement or affirmation shall be a form provided by the appropriate state agency and shall be sent to the receiving school within (5) working days of official notification that a student has requested enrollment in the new school. A student who is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws from a public or private school in Kentucky or another state shall be subject to a review of the details of the suspension, expulsion or charges. The District will determine if the student will be admitted and may impose conditions for admittance, which may include placement of the student into an alternative program or setting.

TERRORISTIC THREATENING

KRS 508.078
(1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally: (a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur; (b) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or (c) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075. (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010. (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by
another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known. (4) Terroristic threatening in the second degree is a Class D felony.

KRS 532.060 Sentencing for Class D Felony Offenses

(1) A sentence of imprisonment for a felony shall be an indeterminate sentence, the maximum of which shall be fixed within the limits provided by subsection (2), and subject to modification by the trial judge pursuant to KRS 532.070. (2) Unless otherwise provided by law, the authorized maximum terms of imprisonment for felonies are:(a) For a Class A felony, not less than twenty (20) years nor more than fifty (50) years, or life imprisonment; (b) For a Class B felony, not less than ten (10) years nor more than twenty (20) years; (c) For a Class C felony, not less than five (5) years nor more than ten (10) years; and (d) For a Class D felony, not less than one (1) year nor more than five (5) years. (3) For any felony specified in KRS Chapter 510, KRS 530.020, 530.064(1)(a), or 531.310, the sentence shall include an additional five (5) year period of post incarceration supervision which shall be added to the maximum sentence rendered for the offense. During this period of post incarceration supervision, if a defendant violates the

provisions of post incarceration supervision, the defendant may be reincarcerated for: (a) The remaining period of his initial sentence, if any is remaining; and (b) The entire period of post incarceration supervision, or if the initial sentence has been served, for the remaining period of post incarceration supervision. (4) In addition to the penalties provided in this section, for any person subject to a period of post incarceration supervision pursuant to KRS 532.400 his or her sentence shall include an additional one (1) year period of post incarceration supervision following release from incarceration upon expiration of sentence if the offender is not otherwise subject to another form of post incarceration supervision. During this period of post incarceration supervision, if an offender violates the provisions of supervision, the offender may be reincarcerated for the remaining period of his or her post incarceration supervision. (5) The actual time of release within the maximum established by subsection (1), or as modified pursuant to KRS 532.070, shall be determined under procedures established elsewhere by law.

KRS 534.030 Fines for Felonies

(1) Except as otherwise provided for an offense defined outside this code, a person who has been convicted of any felony shall, in addition to any other punishment imposed upon him, be sentenced to pay a fine in an amount not less than one thousand dollars ($1,000) and not greater than ten thousand dollars ($10,000) or double his gain from commission of the offense, whichever is the greater. (2) In determining the amount and method of paying a fine for commission of a felony, the court shall consider, among others, the following factors:
(a) The defendant's ability to pay the amount of the fine;
(b) The hardship likely to be imposed on the defendant's dependents by the amount of the fine and the time and method of paying it;
(c) The impact the amount of the fine will have on the defendant's ability to make reparation or restitution to the victim; and
(d) The amount of the defendant's gain, if any, derived from the commission of the offense.
(3) When a defendant is convicted of two (2) or more felonies committed through a single act and is sentenced to fines pursuant to subsection (1), the aggregate amount of the fines shall not exceed ten thousand dollars ($10,000) or double the amount of the defendant's gain from commission of the offenses, whichever is the greater. (4) Fines required by this section shall not be imposed upon any person determined by the court to be indigent pursuant to KRS Chapter 31. (5) This section shall not apply to a corporation.

TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the final disposition of the expulsion proceeding. If a student facing expulsion is withdrawn from the enrollment in the School District, written notice will be provided by the Superintendent to the parent/legal guardian or to the student over eighteen (18) years of age that further expulsion proceedings may be re-initiated upon re-enrollment.

RECORDS DESTRUCTION

Special Education files will be destroyed three (3) years from the date of last activity. If copies are needed you may obtain a copy at any time or at the time of withdrawal from the district.

Discipline Event and Resolution Levels

Due process shall be given at each level.

LEVEL 1	*LEVEL 2*	*LEVEL 3*	*LEVEL 4*
Description: Behaviors which impede orderly classroom procedures, or interferes with the orderly operation of the school. **Procedures:** Teacher/staff intervention and redirection. Event and resolution are maintained by teacher either formally or informally.	**Description:** More frequent or severe behaviors which impede orderly classroom procedures, or interferes with the orderly operation of the school. **Procedures:** Administrator investigates behavior event and interviews necessary participants. Parent conference may be held. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.	**Description:** Behaviors that are directed against persons or property, but do not seriously endanger the health or safety of others. **Procedures:** Administrator investigates behavior event interviewing all necessary participants. Parents are contacted. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.	**Description:** Behaviors which result in violence to another person or property, or pose a direct threat to the health or safety of others. **Procedures:** Administrator investigates behavior event interviewing all necessary participants. Parents are notified. Administrators may call Law Enforcement and assist in prosecution. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.
BEHAVIOR EVENT EXAMPLES	***BEHAVIOR EVENT EXAMPLES*** **(and continued Level 1 behaviors)**	***BEHAVIOR EVENT EXAMPLES*** **(continued Level 1 and 2 behaviors)**	***BEHAVIOR EVENT EXAMPLES*** **(continued Level 1, 2 and 3 ehaviors)**

Tardy to class Dress code violation Failure to complete assignments Disruptive behavior Failure to follow staff instructions Electronics/Cell phone infraction Inappropriate displays of affection Verbal harassment Violation of Student Acceptable Use Policy Violation of Personally Owned Device Policy Bullying/Cyberbullying	Bus disturbance Bullying/Cyberbullying Harassment Hazing Insubordination Harassing Communications Cheating Disruptive Behavior Failure to follow staff instructions Electronics, Cell phone infraction Inappropriate Behavior Leaving Campus Signing parent/staff note Skipping School Truancy (4th School tardy or 4thUnexcused absence) Tobacco/Vaping--use	*Fighting (1st offense) Vandalism (less than $100) Stealing,Theft (less than $100) Profanity or Vulgarity Inappropriate sexual behavior Cheating Failure to serve extended detention **Assault-Felony Assault-Misdemeanor **Drug Possession/Use/Sell/ Distribution Includes alcohol, controlled substances, inhalants nonprescription look alike drugs, "synthetic compounds/substances" Bullying/Cyberbullying	*Fighting (2nd offense and over) **Assault-Felony Assault-Misdemeanor **Terroristic Threatening Bomb Threat,Arson,False Alarms **Vandalism (more than $100) **Stealing,Theft (more than $100) **Arson **Weapons or Dangerous Instruments possession/ use/transfer **Fraud or falsely reporting an incident **Drug Possession/Use/Sell/ Distribution Includes alcohol, controlled substances, inhalants, prescriptions, "synthetic compounds/substances" Bullying/Cyberbullying
BEHAVIOR RESOLUTION OPTIONS **(by an administrator)**	***BEHAVIOR RESOLUTION OPTIONS*** **(by an administrator)**	***BEHAVIOR RESOLUTION OPTIONS*** **(by an administrator)**	***BEHAVIOR RESOLUTION OPTIONS*** **(by an administrator)**
Consequences Verbal redirection Privileges withheld Special seating Behavior charting Conference with student Team conference with student Parent contact/conference Detention/Extended Detention AE	**Consequences** Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer Counseling Driving privileges revoked Detention/Extended Detention Restricted activity AE Behavior contract Suspension Alternative Placement CWS	**Consequences** Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer Counseling Driving privileges revoked Detention/Extended Detention Restricted activity AE In-School Suspension Behavior contract Restitution Out of school Suspension Alternative Placement Referral to Law Enforcement CWS	**Consequences** Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer Counseling Driving privileges revoked Detention/Extended Detention Restricted activity AE In-School Suspension Behavior contract Restitution Out of school Suspension Alternative Placement Referral to Law Enforcement Expulsion CWS

* A physical struggle, contact or quarrel where no participant is identified as a victim.
** These behavior events require reports to Law Enforcement

TOBACCO/VAPING

Prohibition Tobacco possession or use is prohibited twenty-four (24) hours a day, seven (7) days a week, inside Board owned buildings or vehicles, on school owned property, and during school-related trips.

The administration shall consult with appropriate health organizations to provide students with information and access to support systems, programs and services to encourage abstaining from use of tobacco products.

WEAPONS

This policy applies to students, staff members, and visitors to the school.

Weapons Prohibited Except where expressly and specifically permitted by Kentucky Revised Statutes knowingly carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle,

personal vehicle or at any school sponsored activity is prohibited. Such weapons or dangerous instruments include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun; chains, slingshot; bludgeon; booby trap device; brass knuckles or artificial knuckles of any kind; knife which is readily capable of causing death or serious physical injury (including but not limited to pocket knives or hunting knives) or any other object that is carried for the purpose of or potential of inflicting injury on another. Weapons implicating the need to report to law enforcement are described in Board Policy 05.48.

Exceptions An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.

Law enforcement officials are authorized to bring weapons onto school property in performance of their duties.

Posting The Superintendent and/or a designee shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (10,000) FINE.*

The above criminal penalty prohibiting the unlawful possession of a weapon on school property shall not apply to those persons listed in KRS 527.070.

Reporting Refer to Board Policy 05.48 for coverage of deadly weapons and reporting to law enforcement agencies. Employees of the District shall promptly make a report to the Principal; and School Resource Officer or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on school premises or within one thousand (1,000) feet of school premises, on a bus, or at a school sponsored or sanctioned event. KRS 158.155 (4) mandates that the principal, based on reasonable belief, shall report the possession of a firearm to the appropriate law enforcement agency.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

Enforcement In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with Board policies 09.436, 05.48 and 09.435.

Penalties Violation of this policy by students shall require that proceedings for expulsion be proposed immediately by the Principal through the Superintendent.

BULLYING

Bullying Defined:

Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school sponsored event; or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchanges of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the educational process.

Cyber bullying:

Cyber bullying involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging, personal Websites, blogs online games and online personal polling Websites to support deliberate, repeated, and hostile behavior by any individual or group, that is intended to harm others by communicating threats, by revealing private or embarrassing information, by conveying false information with can be reasonably anticipated to cause embarrassment, or to accomplish any of the purposes of bullying. This can include the use of any device which records audio, video or still images of another person for no legitimate purpose, or the use of audio, video or still images of another person for purposes prohibited by this Code of Acceptable Behavior and Discipline.

Hazing:

Hazing involves behavior used as a way of initiating new members into a group. It usually consists of some ritualistic test involving the new member being required to perform a task or series of tasks which are intended to be demeaning, degrading, harmful or embarrassing to the new member or which require the new member to engage in conduct toward others which is demeaning, degrading, harmful or embarrassing. Hazing can include the force or coerced consumption of drugs or alcohol or the coerced or coerced performance of lewd or suggestive acts.

Menacing:

Menacing involves actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury. Menacing is exemplified by the raising and drawing back of a hand or fist in order to make the other individual believe they are about to be slapped or punched, or the swinging or jabbing of a hand toward someone to cause them to flinch, duck or raise their hands in anticipation of being struck.

Harassment:

Harassment involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

1. striking, shoving, kicking or other physical contact with another person;
2. the attempt to strike, shove, kick or engage in other physical contact toward another person;
3. using an offensively coarse utterance, gesture, display toward another person;
4. addressing abusive language toward another person;
5. following a person in or about a public places or places;
6. engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy another person which serves no legitimate purpose; or
7. damaging or committing theft of the property of another student; substantially disrupting the operation of the school; or creating a hostile school environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation or embarrassment.

Harassing Communications:

Harassing Communication involves the intent to intimidate, harass, annoy or alarm another person. This intent is accompanied by one or more of the following behaviors:

1. communicating with a person, anonymously or otherwise, by telephone, mail or any other form of written communication in a manner which causes annoyance and alarm and serves no purpose of legitimate communication;
2. making a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or

3. communicating with or about another school student, anonymously or otherwise, by telephone, the Internet, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation or embarrassment and which serves no purpose of legitimate communication.

Stalking:
Stalking involves intentional conduct which is directed at a specific person or persons; which seriously alarms, annoys, intimidates or harasses the person or persons; which serves no legitimate purpose, and which would cause a reasonable person to suffer substantial mental distress. Stalking does not involve merely following another person or regularly observing another person's actions, but includes behavior which conveys a threat of harm to the other person or which can be reasonably anticipated to cause the other person to fear harm.

Conduct fitting the above definitions and other similar definitions which injures, degrades or disgraces the victim, disrupts the educational process and/or interferes with other students' opportunities to obtain an education, will be subject to disciplinary action. Students should generally maintain a "hands-off" policy with regard to other persons' bodies and possessions, and no student should engage in behavior toward someone else which they would not want directed toward themselves (follow the "Golden Rule"). Students who witness any of these behaviors listed above or who are subject to these behaviors are encouraged to report the behavior to a teacher or other staff member. Efforts will be made, if possible, to protect the confidentiality of anyone making a report. Retaliation against a student who has made a report of any of these behaviors will be treated as a violation of this section as well. Bullying incidents that occur on school premises, on school-sponsored transportation, or at school-sponsored events or disrupts the education process, *see* 09.426, shall be investigated by the school principal/designee and resulting information, if bullying is substantiated, reported to the superintendent/designee. Students should report all bullying incidents to school personnel. Any school personnel who observe or gain information to cause them to believe bullying has occurred shall report it to the principal/designee without undue delay. When bullying has been reported, the school principal/designee shall interview the victim, potential witnesses, and offender. For each report of bullying that is substantiated, the school principal/designee shall take steps to document measures reasonably intended to protect the victim from retaliation related to a bullying report, such as separation of the bully or bullies and the victim when possible, take applicable disciplinary action, refer students for educational or counseling services, advise staff as needed of the report of bullying and results of investigation substantiating bullying, or other appropriate measures. In situations of substantiated bullying, the parents, legal guardians, or other persons exercising custodial control or supervision of the victim student shall without undue delay receive notice in writing, by fax, or email of the bullying incident, that an investigation has occurred, and that consequences have been taken as believed to be warranted under all of the circumstances made known in the investigation.

"Harassment" and "Harassing Communications" under the category of "Bullying" are separate from the definition of "Harassment/Discrimination" which involves behavior based on race, color, national origin, age, religion, sex or disability. However, a report of a violation of this section will be evaluated by school personnel to determine whether it should be treated a s a report of harassment/discrimination which would require an investigation under the "Harassment/Discrimination" section of this Code of Acceptable Behavior and Discipline.

HARASSMENT/DISCRIMINATION

The Harlan Independent Board of Education has adopted policies ensuring that students are not denied equal education opportunities and do not suffer harassment. No discrimination is allowed on the basis of race, color, age, sex, religion, national origin, economic status, marital or parental status, political beliefs, or disabling conditions. Harassment/Discrimination is behavior based on race, color, national origin, age, religion, sex, genetics or disability that is sufficiently severe, pervasive, or objectively offensive that adversely affects a student's education or creates a hostile or abusive educational environment.

Examples of conduct and/or actions prohibited include but are not limited to:

1. Any nicknames, slurs, stories, jokes, written or electronic materials or pictures that are lewd, vulgar, demeaning or profane and relate to any of the protected categories listed in the definition of Harassment/Discrimination contained in this policy.

2. Unwanted touching, sexual advances, sexual favors, and spreading sexual rumors.

3. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct.

4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories.

5. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity.

6. Destroying or damaging an individual's property based on any of the protected categories.

When a student or parent believes the student has been harassed or discriminated against, a complaint may be filed using the following procedure:

1. The student or parent makes a written complaint to a counselor or principal (or to the Superintendent's designee if the principal is an alleged party to the harassment or discrimination). The written complaint shall be forwarded to the principal or Superintendent's designee.

2. The Principal (or Superintendent's designee) shall promptly investigate the allegation, may attempt to resolve the issues presented, shall keep the Superintendent advised, and may take corrective measures if warranted. See Board Policy 09.42811.

3. District employees involved in the investigation of the complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violation.

The Harlan Independent Board of Education intends that the program shall be in full compliance with the Title IX Federal provisions and with the provisions of all Disability Education Acts.

GRIEVANCE PROCEDURE

The Harlan Independent Board of Education has adopted policies that provide students with the opportunity to appeal issues regarding equal educational opportunities and educational concerns or practices. When a student or parent has an educational concern, a complaint must be filed using the following procedure:

General: Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

1. From Student to Teacher;
2. From Teacher to Principal;
3. From Principal to Superintendent/Designee;
4. From Superintendent to Board

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish.

Exception: Sexual harassment allegations shall be governed by Policy 09.42811. See Harassment and Discrimination.

1. The student or parent shall discuss the issue with the teacher. The teacher shall make a decision and give that decision to the grievant within five (5) school days after the discussion.

2. The decision of the teacher may be appealed to the principal within five (5) school days after receipt.

3. The Principal shall give a written decision to the grievant within five (5) school days.

4. The Principal's decision may be appealed, within (5) school days of the receipt of the Principal's decision by filing a formal written complaint with the following person:

Mrs. Cathy Thomas
Director of Student Services
Harlan Independent Schools
420 East Central St.
Harlan, Kentucky 40831
606-573-8700

5. The decision of the Director of Student Services may be appealed by filing a formal written complaint with an Superintendent within (5) school days of receipt of the decision.

6. The decision of the Assistant Superintendent may be appealed by filing a formal written complaint with the Superintendent within five (5) school days of receipt of decision.

At each level of the above procedure, the designated administrator shall notify the student or parent of the decision within five (5) school days of receipt of grievance. If the student

or parent and the administrator meet to discuss the issue, the administrator may notify the student or parent of the decision at the end of the meeting.

7. If the issue is not resolved by the Superintendent, the student or parent may appeal to the Board of Education, in writing, within five (5) school days of receipt of the Superintendent's decision. The Board of Education shall have the discretion to decline to consider appeals involving matters outside its area of authority, such as grievances relating to personnel matters or implicating the need to take personnel action. The Board of Education may hear the appeal at the next regularly scheduled Board meeting, providing it is received at least five (5) school days prior to the meeting date. Otherwise, the appeal will be heard at the next Board meeting following the conclusion of the five (5) school day period.

Equal opportunities shall be provided to all persons throughout Harlan Independent School District with access to and participation in the educational programs without regard to race, ethnic origin, sex, genetics, disability, color, creed, religion or national origin.

PHYSICAL RESTRAINT AND SECLUSION

DEFINITIONS

Physical Restraint means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely.

Seclusion means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions or out-of-school suspensions.

Physical Restraint

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable circumstances. In such situations, staff who have not had core training may physically restrain students, but shall summon core trained school personnel as soon as possible.

In situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological well-being for the duration of the restraint.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

Seclusion

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff are appropriately trained to use seclusion.

All school personnel shall be trained annually to use an array of positive behavioral intervention supports (PBIS) and interventions and as further required by 704 KAR 7:160. A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the area required by 704 KAR 7:160. Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training). The Superintendent shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system

2. Notice to parents
3. A process for the parent or emancipated youth to request a debriefing session

All incidents involving physical restraint or seclusion shall be documented by a written report of each use by the end of the next school day, and the documentation shall be maintained in the student's education record.

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation. A requested debriefing session shall occur as soon as practicable, but no later than a five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school. The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record. (See 704 KAR 7:109 and Board Policy 09.2212).

SEARCH AND SEIZURE

Because of the obligation to protect the health, safety, and welfare of students, a principal may search the person and/or the property of a student and confiscate weapons, alcohol, drugs, tobacco products, or other illegal or unauthorized articles as long as principal has reasonable suspicion under the circumstances that the particular student to be searched has or is violating a law or school rules and the scope of the search is reasonably related to its initial objectives and not overly intrusive given the particular student's age, sex, or nature of suspected infraction (OAG 91-9). Another staff member shall be present with regard to any such search, unless there are extenuating circumstances.

Lockers remain the property of the Harlan Independent Board of Education. In regulating and supervising locker use, school administrators act as agents of the owners, the Harlan Independent Board of Education. Locker inspection searches are not carried out as a harassment technique, but may be conducted periodically on a routine basis. Searches shall be conducted when the principal or assistant principal reasonably suspects that a situation exists or materials are present which could be injurious to the health, safety, and welfare of students. The principal is charged with the obligation of orderly school operation. Bearing the above in mind, the principal shall conduct a locker inspection when it is felt that the health, safety, and welfare of students are, or may be, threatened. Objects or materials which pose such a threat may be confiscated.

Student Responsible Use Policy Harlan Independent Schools Electronic Resources

Access to a variety of forms of electronic information is currently available to students in the Harlan Independent Schools (HISD). The access is being offered as part of the Kentucky Education Technology System (KETS) involving the Harlan Independent Schools (HISD) and the Kentucky Department of Education (KDE). It is expected that students will use this access for educational purposes – to conduct research, share resources, create projects, and to communicate with other students and educators.

The Harlan Independent School District firmly believes that there is significant educational value on the provided local network and internet and understands the risk that users may find material that is not consistent with the educational goals of the school district. One of our goals is to support students in responsible use of the vast reservoir of information available on the Internet and to provide a suitable structure to remove accidental discovery of inappropriate material as well as increase the level of difficulty for users deliberately seeking inappropriate materials. The

HISD maintains the right to limit access to software and/or documents found either on HISD-Network or the Internet, via technical or human barriers.

General Standards

Students under the age of 18 must have parental permission to access the Internet.

Internet Access Software

All students should use their assigned network login account to log in to the HISD-Network . Elementary students may be logged in to the network by the teacher or designated adult using the classroom account.

Confidentiality

Students are not permitted access to confidential information related to student assessment, grades, or assignments, other than their own personal data. This information is defined by law as confidential. Network security requires proper authorization for any user to access confidential information.

Audit of Use

It is important to note that while privacy is generally respected, the School Technology Coordinator, Computer Technicians, Network Administrator, and the Chief Information Officer have the right to access information stored in any student directory. Network storage belongs to the school district, not the end user. Student e-mail is not guaranteed to be private. District network administrators have access to all email. Messages relating to or in support of illegal activities may be reported to the State or Federal authorities.

Users with network access shall not utilize District resources to establish or connect to electronic mail accounts through third party providers (not provided by HISD or KDE) or any other nonstandard electronic system. Proxy blocks and filters are in place to protect students from inappropriate material on the network. District technology personnel monitor online activities of students. These efforts, along with third party providers are made to restrict or to remove access to controversial materials that are prohibited by law.

HISD-Net Terms and Conditions

1. Responsible Use – The purpose of HISD-Network and connection to the Internet is to support education. The use of the student's account must be in support of education and academic research and consistent with the educational objectives of the HISD. Transmission of any material in violation of any U.S. or State regulation is prohibited. This includes, but not limited to: copyrighted material, threatening or obscene material, or material protected by trade secrets. Use of product advertisement or political lobbying is not consistent with the purposes of the HISD-Network and is considered inappropriate. Playing online (internet) games not related to classroom instruction is not acceptable use. The network is not to be used in such a way that would disrupt the use of the network by other users. This would include downloading large files, sending mass email messages, interrupting other users with the network talk or write functions, or streaming video or audio that is not of educational value. Illegal activities are strictly prohibited.

2. Privileges - The use of HISD-Network is a privilege, not a right, and inappropriate use can result in cancellation of those privileges. Considering the responsible use guidelines outlined in this document, the system administrators will deem what is inappropriate use of the network and take appropriate actions. The Principal or Chief Information Officer may suspend or close an account at any time as required. They must notify the user within two weeks of the reason for

suspension or termination of an account. The administration, faculty, and staff of HISD may also request the Chief Information Officer to deny, revoke, or suspend a student account.

3. Student Rights - Students whose accounts are denied, suspended, or revoked have the right to request from the Principal or Chief Information Officer a written statement justifying the actions. Students should submit a written appeal to have a meeting with the Chief Information Officer, Principal and any other involved staff. Students who are under 18 must have a parent or guardian present at the meeting.

4. Netiquette –Students are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:

- Being polite. The student should not write or send abusive messages to others.
- Using appropriate language. The student should not use profanity, vulgarities, or any other inappropriate language.
- Respecting confidentiality. The student should neither reveal their password nor login to the network using another person's account. No attempt to bypass security to reach confidential information on HISD-Network is allowed by the user.

5. Reliability – Harlan Independent Schools makes no warranties of any kind, whether expressed or implied, for the Internet service it is providing. HISD will not be responsible for any damage the student may suffer, such as loss of data resulting from delays, non-deliveries, or service interruptions caused by its own negligence or the student's errors or omissions. Use of any information obtained via HISD-Network is at the student's own risk. HISD-Network specifically denies any responsibility for the accuracy or quality of any information obtained through its Internet services.

6. Security – Security on any computer system is a high priority, especially when the system involves many users. If the student feels that they can identify a security problem on HISD-Network , the student must notify a teacher, School Technology Coordinator, Computer Technician, or the Chief Information Officer. The student is not to demonstrate the problem to other users. Attempts to log in to the system as any other user may result in cancellation of user privileges. Attempts to log in to HISD-Network as a System Administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer networks may be denied access to HISD-Network .

7. Vandalism – Vandalism may result in cancellation of privileges. Vandalism is defined as any attempt to harm or destroy data of another user including HISD-Network or any of the above listed agencies or other networks that are connected to the KETS Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.

8. Updating Your User Information – HISD-Network may occasionally require new registration and/or account information from the student. The student must notify the School Technology Coordinator of any changes in their account information.

9. Further details on these and other policies and procedures can be found in the Harlan Independent Schools Technology Policies and Procedures document. This document is available on the Technology website, and upon request from the Chief Information Officer.

10. Exception of Terms and Conditions – All terms and conditions as stated in this document are applicable to the students of Harlan Independent Schools. These terms and conditions reflect the entire agreement of the parties and supersedes all prior oral or written agreements and understandings of the parties. These terms and conditions shall be governed and interpreted in accordance with the laws of the Commonwealth of Kentucky and the United States of America. Students may apply for Internet or electronic mail access by completing the Internet/Electronic Mail User Agreement and Parent Permission Form at their respective school.

The electronic resources provided to your child by the district and/or the Kentucky Department of Education (KDE) are subject to the terms and conditions set forth in District policy/procedure. Also be advised that data stored in relation to such services is managed by the District pursuant to policy 08.2323 and accompanying procedures.
You also understand that the e-mail address provided to your child can also be used to access other electronic services or technologies that may or may not be sponsored by the District, which provide features such as online storage, online communications and collaborations, and instant messaging. Use of these services are subject to either standard consumer terms of use or a standard consent model. Data stored in those systems, where applicable, may be managed pursuant to the agreement between KDE and designated service providers or between the end user and the service provider. Before your child can use online services, your child must accept the service agreement and, in certain cases, obtain your consent.

PERSONALLY OWNED DEVICE POLICY

The following rules apply to any student or guest wishing to bring their personally owned technology device(s) to the Harlan Independent Schools (HISD). This policy includes the use of personally owned computers and peripherals such as cell phones, Blackberries, pagers, tablet PC's, mobile presenters, wireless tablets, iPods, iPads, MP3 players, texting calculators, camera phones, digital cameras or laptops, which can be referred to as
Personally Owned Devices (PODs).

- HISD retains the right to determine where and when privately owned equipment may connect to the network.
- Any student who brings a POD or other technology device to HISD property shall be personally responsible for the safety and security of the equipment, and shall therefore be responsible for any damages to those devices.
- HISD will not be held responsible for any physical damage, loss or theft of the POD.
- The parents and/or guardian of any student under the age of eighteen bringing PODs to school are responsible for and must reimburse HISD for any damage that their student may cause arising out of and relating to the use of the wireless network with their POD; any student eighteen years old or older or any guest bringing PODs to school or giving a minor student permission to bring a POD to school shall be accepted as agreement to be financially responsible for such damage.
- HISD will not be held liable for either texting or internet usage charges that occur from the use of a user's personal device.
- HISD will not be held liable for the content already existing on personally owned devices; this would include music/lyrics, movies, picture, games, software, etc.
- The privacy and security of any item stored on or transmitted by PODs is the responsibility of the owner.
- If any personal software residing on personally owned devices interferes with the HISD Network, the technology staff may remove the device from the network until such software is removed.
- Repair and maintenance of PODs is the sole responsibility of the owner.
- The owner of the POD is solely responsible for the network configuration of the device; if assistance is sought from technology staff for resolving connection or configuration issues, the owner releases the HISD and technology staff from liability for any damage to the POD which may result from those efforts.
- PODs should be running the latest Virus Protection software.
- PODs should be running the latest Security Patches for its Operating Systems.
- PODs should be free of spyware, adware, worms, viruses, Trojan horse, and peer to peer software.

- PODs should be turned off and put away in a safe place when not in use.
- PODs may only be used for academic purposes during the school day with permission from the teacher; however, POD use is limited to and conditional upon the user's full and complete compliance with the HISD Responsible Use Policy and other HISD policies.
- The wireless network will provide filtered Internet access. HISD is not liable for student access to any other network (including internet service provided by a phone company).
- HISD will not be held liable for any damage that may occur as a result of connecting to the wireless network.
- Access to network printers on the HISD network is not provided.
- District owned internal components may not be added to personally owned devices.
- District technicians will not service or repair any POD not belonging to the district.
- District technicians will not install, service or repair any software not belonging to the district that resides on PODs.
- Users must not use camera/video options in mobile phones or other devices to photograph or record students, staff or guests or activities at HISD without express permission from the subject(s) of the photograph or recording and principal unless the person is participating in an event which is open to the public, such as athletic contests, academic contests, plays, concerts, graduation, awards ceremonies, etc.
- Exceptions to the requirements in this policy will be made on a case-by-case basis for students, staff or guests who require the use of a POD as an accommodation of a disability.

TELECOMMUNICATIONS DEVICES

DEFINITION

A telecommunication device means a device that is able to transmit telephonic, electronic, digital, cellular, or radio communications; or a part of a device that is able to transmit telephonic, electronic, digital, cellular, or radio communications, regardless of whether the part itself is able to transmit.

POSSESSION AND USE

While on school property during the instructional day students shall be permitted to possess personal communications devices. Devices may only be used in accordance with school approved policies and procedures. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:

a. Poses a threat to academic integrity, such as cheating
b. Violates the confidentiality or privacy rights of another individual
c. Is profane, indecent or obscene
d. Constitutes or promotes illegal activity in violation of school rules
e. Constitutes or promotes sending, sharing or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students in violation of this policy shall be subject to disciplinary action. Students are responsible for the devices they bring to school. The District shall not be responsible for loss, theft or destruction of devices brought on school property.

SUICIDE PREVENTION NOTIFICATION

The administration of the high school and middle schools disseminate the following information related to suicide prevention. The Harlan Independent School System recognizes the importance of protecting the health, safety and emotional well-being of students. The state of Kentucky has enacted legislative mandates that require actions on a specific timetable directed at combating the problem of teen suicides. We provide the required training in the suicide prevention and awareness for middle school and high school staff and students. We also provide counseling personnel and counseling opportunities to support students. Each year, suicide prevention information will be disseminated to middle and high school students. All individuals with direct services to students will complete suicide prevention professional development each year.

NOTIFICATION OF RIGHT TO REQUEST TEACHER QUALIFICATIONS

Dear Parent or Guardian:

The educators in Harlan Independent Schools are committed to providing a quality instructional program for your child. This letter is just one of the ways of keeping you informed of the educational commitment of our schools and district.

Our district receives federal funds from the Title I and Title II programs as part of the Every Student Success Act (ESSA). Under ESSA, you have the right to request information regarding the professional qualifications of your child's teacher(s). If you request this information, the district will provide you with the following:

1. Whether the teacher has met the state and federal requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction;

2. Whether the teacher is teaching under emergency or other provisional statues through which state qualification of licensing criteria have been waived;

3. The college major and any other graduate certification or degree held by teacher, and the field of discipline of the certification or degree; and

4. Whether your child is provided services by paraeducators, and if so, their qualifications.

If you would like to request this information, please contact Cristal Capps by phone at 606-573-8700 or by email at cristal.capps@harlanind.kyschools.us. Please include your child's name, the name of the school your child attends, and the names of your child's teacher(s) and an address or email address where the information may be sent. Thank you for your interest and involvement in your child's education.

Sincerely,

Cristal Capps
Director of Federal Programs

TESTING TRANSPARENCY

Dear Parent or Guardian:
Sections 1112(e)(2)(A)-(B) of the Every Student Succeeds Act (ESSA) requires the following regarding testing transparency.

(2) TESTING TRANSPARENCY.—

(A) IN GENERAL. – At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

(B) ADDITIONAL INFORMATION. – Subject to subparagraph (C), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—
(i) the subject matter assessed;
(ii) the purpose for which the assessment is designed and used;
(iii) the source of the requirement for the assessment; and
(iv) where such information is available—(I) the amount of time students will spend taking the assessment, and the schedule for the assessment; and (II) the time and format for disseminating results.

Information about these requirements can be found on the Kentucky Department of Education's Assessments webpage (https://education.ky.gov/AA/Assessments/Pages/default.aspx). For further questions or to obtain a hard copy of this material, please direct your inquiry to Cristal Capps, our District Assessment Coordinator, @ cristal.capps@harlanind.kyschools.us

Sincerely,

Jennifer Parsons
Superintendent

HARLAN INDEPENDENT SCHOOL DISTRICT
2025-2026 ACADEMIC CALENDAR

Thursday, July 31st	Flexible Prof. Development Day for Teachers -No School for Students
Friday, August 1st	Flexible Prof. Development Day for Teachers -No School for Students
Monday, August 4th	Training Day for Staff -No School for Students
Tuesday, August 5th	Opening Day for Staff -No School for Students
Wednesday, August 6th	Students First Day of School
Monday, September 1st	Labor Day - No School for Staff & Students
Tuesday, September 2nd	Required Prof. Development Day for Teachers -No School for Students
Mon-Fri, October 13th-17th	Fall Break
Wed-Fri, November 26-28th	Thanksgiving Holiday – No School for Staff & Students
December 22nd – January 2nd	Christmas and New Year's Break - No School for Staff & Students
Monday, January 19th	Martin Luther King Jr., Holiday - No School for Staff & Students
Monday, February 16th	Presidents' Day – Flexible PD for Staff – No School for Students**
Tuesday, February 17th	No School for Staff & Students**
March 30th – April 3rd	Spring Break - No School for Staff & Students**
Thursday, May 14th	Last Student Instruction Day
Saturday, May 16th	Closing Day for Staff
Possible Make-Up days	***February 16th-17th, March 30th through April 3rd, May 15 through May 30* ***Only if more than five days are missed between January and March*

School Schedule

	Start	End
Harlan Elementary	7:50 AM	2:50 PM
Harlan Middle/High	8:15 AM	3:15 PM

*Board Approved 12/19/2024 & 1/16/2024

420 E. Central St. Harlan, KY 40831
606-573-8700 Phone 606-5673-8700 Fax
www.harlan-ind.kyschools.us

/HarlanIndSchools harlanindependentschools @HISDSuperDragon YouTube bit.ly/HarlanYouTube

****All Dates Are Subject To Change Due to Inclement Weather*

HARLAN INDEPENDENT SCHOOLS
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

PLEASE READ CAREFULLY

The Harlan Independent Board of Education has adopted strict policies as well as this Code in regard to student conduct, including violent behavior, weapons, and drug and alcohol abuse among other things. In order to assure that every student and parent understands the serious consequences of misconduct by a student, we are provide hard copies, as requested, of this Code in regard to expected student standards conduct and the consequences for violations of those standards. Electronic copies/viewing is available on the Harlan Independent School's Webpage.

1. Students who engage in harassment/discrimination of an employee or another student on the basis of race, color, age, sex, religion, national origin, economic status, marital or parental status, political beliefs, disabling conditions, or engage in bullying shall be subject to disciplinary action including, but not limited to, suspension and expulsion.

2. The standards of conduct that prohibit the possession, use, sale, distribution of alcohol, controlled substance and "synthetic compounds/substances" will be strictly enforced. Disciplinary sanctions are consistent with local, state and federal law up to and including expulsion; referral for prosecution may be imposed on students who violate these mandatory standards of conduct.

3. Unlawful possession of a weapon, firearm, and/or any deadly weapons, destructive device, or booby trap device in Kentucky is a felony punishable by a maximum of five (5) years in prison and a ten thousand dollar ($10,000) fine (KRS 527.070 (2)).

We the undersigned, parent(s)/guardian(s)/custodian(s) and (Student's Name) have reviewed the foregoing Student Code of Acceptable Behavior and Discipline Code, and the other rules and policies contained in a student handbook adopted by a school-based decision making (SBDM) council. We understand that we are responsible for reading this handbook and familiarizing ourselves with its contents. We further understand that we have the opportunity to ask questions of school personnel and have the provisions of the Code and any handbook explained more fully.

_____ _____
Parent/Guardian/Custodian Signature /Date Parent/Guardian/Custodian Signature /Date

_____
Student's Signature / Date

Note: If the student lives with both parents, both parents are expected to sign the above statement. If the student lives with only one parent, only one is expected to sign this form. The student is also expected to sign the statement, if able to write his/her name, after the parent has explained it or after he/she has read it.

_____
Homeroom Teacher's Name
PLEASE RETURN THIS ACKNOWLEDGMENT TO THE HOMEROOM TEACHER NOT LATER THAN THE TENTH DAY OF SCHOOL.