

Letcher County Public Schools



Learners Today, Leaders Tomorrow!

Student Code of Conduct

2023-2024

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AN EQUAL EDUCATIONAL AND EMPLOYMENT INSTITUTION

LETCHER COUNTY SCHOOL SYSTEM
STATEMENT ON RIGHTS AND RESPONSIBILITIES
AND
STUDENT CODE OF CONDUCT

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LETCHER COUNTY PUBLIC SCHOOLS

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LISTING OF LETCHER COUNTY SCHOOLS

1. Arlie Boggs Elementary School— Freddie Terry— Principal—Phone—633-4654
2. Cowan Elementary School—Vanessa Vanover— Principal—Phone—633-7195
3. Fleming Neon Middle School—David Robinson—Principal—Phone—855-7864
4. Letcher County Central High School—Scottie Billiter—
Principal—Phone—633-2339
5. Letcher Elementary & Middle School—Jennifer Couch—Principal—Phone—633-2524
7. Martha Jane Potter Elementary School—Joshua Tyree— Principal—Phone—855-7544
8. West Whitesburg Elementary School—Stacy Fields—Principal—Phone—633-9538
9. Whitesburg Middle School—Bart Frazier— Principal—Phone—633-2761
10. Letcher County Education Center—Julie Amburgey—Head Teacher—
Phone—633-5559
11. Letcher County Area Technology Center—Casey Breeding—
Principal—Phone—633-5053

●●● MESSAGE FROM THE SUPERINTENDENT ●●●

The Letcher County Board of Education authorizes yearly a Code of Conduct for use in the Letcher County Schools. The Code of Conduct is developed through the cooperative efforts of students, parents, teachers, and administrative personnel in the Letcher County Public Schools.

The Code of Conduct provides all concerned parties with information regarding regulations and procedures affecting the educational program as it pertains to individual rights and responsibilities. The Code provides for consistent and equitable treatment for all Letcher County students. Behavior expectations and consequences for inappropriate behavior for all students are described in this document.

All students, parents, and school personnel should review this handbook. An electronic version of the Code of Conduct is available on the District Website www.letcher.kyschools.us A printed copy is available upon request. Students will be responsible for adherence to this code while at school, while involved in school-sponsored or extracurricular activities, and while on school buses. *Please contact a school or Central Office for a printed version of the Code of Conduct.*

The Code of Conduct is reviewed annually by the students, parents, teachers, administrators, and Board of Education in order to meet the changing needs of our educational community. This Code of Conduct was reviewed and adopted by the Letcher County Board of Education on July 24, 2023.

Denise Yonts

Superintendent

Letcher County Public Schools

#LearnersTodayLeadersTomorrow

**** MISSION STATEMENT ****

The mission of the Letcher County School district, in partnership with the family, students, and community, is to assist all students in the pursuit of their individual educational goals and enable them to lead a successful life.

**** Non-Discrimination Policy Statement ****

Students, their parents, employees, and potential employees of the Letcher County Schools are hereby notified that the Letcher County School System does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment programs, vocational programs, or activities set forth in compliance with the office of Civil Rights Law, Title VI, Title IX, and Section 504.

The Letcher County School System offers the following vocational education programs for students in grades 9-12: Home Economics and Industrial Technology. The following vocational classes are available through the Letcher County Vo-Tech Center to students in grades 10-12: Business and Office, Carpentry, Electricity, Health Services, Machine Shop, and Welding. Keyboarding is offered to students in grades 9-12.

Any person having inquiries concerning the Letcher County Schools compliance with the Office of Civil Rights Law, Title VI, Title VII, Title IX and Section 504 is directed to contact Mrs. Denis Yonts, Superintendent, Letcher County Board of Education, 224 Parks Street, Whitesburg, Kentucky 41858, Telephone (606) 633-4455.

STATEMENT ON RIGHTS AND RESPONSIBILITIES AND STUDENT CODE OF CONDUCT

I. INTRODUCTION

The Letcher County Public School District is committed to providing a quality education for all students. We believe that every child can be successful if provided the right conditions. We also believe in providing a nurturing, safe and orderly environment which holds our students to high expectations for academic and social behavior. Our *Statement on Rights and Responsibilities and Student Code of Conduct* is intended to enhance our continued efforts toward creating conditions which support those beliefs.

Students enrolled in the Letcher County Public School System have the right to experience schooling which brings out each student's best---academically, socially and emotionally. Students also have the responsibility to observe and respect the rights of all others. The United States Supreme Court has held that a student may not be denied the opportunity to receive a public education without just cause established through due process of law. Responsible observance of others' rights requires behavior that does not threaten, interfere with, or deprive any others of educational opportunities.

The *Statement on Rights and Responsibilities and Student Code of Conduct* was developed by a committee of students, parent/guardians, teachers, and administrators, appointed by the Superintendent. A standing committee of the same make-up reviews and revises this Code yearly.

The development and review process requires:

1. A committee of individuals representing the groups listed above
2. Compliance with Kentucky Department of Education guidelines
3. Compliance with state guidelines
4. Review by legal counsel
5. Review and adoption by the local board of education

The Code was first adopted on June 1985. The *Statement on Rights and Responsibilities and Student Code of Conduct* may be amended by the Letcher County Board of Education at any time. Standard procedures relating to policy changes of the Board of Education shall apply to amendments to the Code. Proposed amendments may be submitted by Board members, the Superintendent, Principals, faculty, students, and parent/guardians. If a conflict exists between the *Statement on Rights and Responsibilities*, the *Student Code of Conduct*, and adopted policies and procedures of the Board of Education, the policies and procedures shall govern.

Each Principal shall give a yearly orientation to this Code for parent/guardians, teachers, and students, during which time, provisions for effectively communicating with disabled and non-English speaking students shall be established and used. Issues, concerns, or questions relating to the *Statement on Rights and Responsibilities and Student Code of Conduct* may be directed to the school Principal. The *Statement on Rights and Responsibilities and Student Code of Conduct* is established as a systematic guide to be referenced and applied in managing the students' conduct in

all settings. The application of the Code to matters of student behavior is not limited to school buildings and grounds or to times when the student is in route to or from school but extended to any activity that is school related or school sponsored, either on or off the school campus. The Code also applies to behavior occurring off school grounds that threatens the safety and well-being of students or staff and directly threatens the school's ability to ensure a safe learning environment for all students. Consultation with the Superintendent is required prior to imposing any disciplinary action for such behavior occurring off school grounds. The *Student Code of Conduct* is not an all-encompassing document; it may not address specific issues resulting from unusual circumstances. The prudent judgment and discretion of administrators shall prevail in such instances.

As a part of school-based decision making, school councils are required to adopt policies to be implemented by the Principal, Teachers and Staff. Students and parent/guardians are advised that each school will have specific policies dealing with selection and implementation of discipline and classroom management techniques, including a Positive Behavior Interventions and Supports (PBIS) system, as well as responsibilities of the student, parent/guardian, teacher, counselor and Principal.

Enrollment Requirements

Students enrolling in the Letcher County Schools must provide the following items to the school:

1. A certificate of immunization as required by KRS 158.035, OA6 76-256 shall be presented within 14 (fourteen) days.
2. A sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:
 - a. If a student has been expelled from school: or
 - b. 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 includes sexual assault. (Policy 09.12)
3. Proof of age, which may be a birth certificate or an affidavit of the inability to produce a copy of the birth certificate. (Policy 09.121 AP.1)
4. Social Security Card
5. Proof of address/residency (911 address)
6. Custodial or guardianship documents (if not the biological parent/guardian)

II. STUDENTS' RIGHTS AND RESPONSIBILITIES

A. STUDENT BILL OF RIGHTS

Preamble

Students' constitutional rights are preserved when entering a school building. As citizens, students may exercise those rights as long as the rights and responsibilities of others are not violated.

As a student, I have the right to:

1. Respect - Be respected as a worthwhile person, regardless of race, color, religion, creed, national origin, economic status, sex, age, political affiliation or disabling condition.
2. Education - Receive a free public education through the twelfth grade or until age 21. I understand this right may not be denied without due process.
3. Academic Grades - Receive grades based upon academic performance, never to reflect punishment for misconduct. I am also entitled to an explanation of how grades are determined in each class. (For definition, see the Glossary.)
4. Information - Be told about all school rules and policies.
5. School Record - See my school record and have questions explained and mistakes corrected. My school records are confidential. Other than school staff and certain other agencies approved by federal law, no person may inspect, review, or transfer my educational record without my consent (if I am 18 year of age), or without the consent of my parent/guardian (if I am under 18 years of age or am my parent/guardian's dependent), or without a properly issued court order (See Section XXI.)
6. Make-up Work - Make up work upon returning to school from an excused absence. (See Section XV.) It is my (or my parent/guardian's) responsibility to contact the teacher(s) concerning make-up work during planning periods or before or after school hours. Upon returning to school from one or more **excused** absences, I will receive the same number of days, plus one, to complete and turn in make-up work. **Missed work cannot be made up if the absence is unexcused.**
 - a. *All work may be made up if the student was granted an EHO (Enhanced Educational Opportunity) day(s.)
 - b. Announced tests for which I had an adequate time to study shall be made up on the day of return. Tests that were announced while I was absent shall be made up within two days of returning to school. In the case of absences from school due to suspension, I can make up for credit (1) major test (e.g., finals or unit tests), and (2) major projects or term papers. Homework may be checked for accuracy.
 - c. If I am absent for one day, I shall secure make-up assignments upon returning to school. When I am absent for two or more days, my parent/guardian/guardian may

request make-up work before I return to school. My parent/guardian/guardian may call the Principal or counseling office within one (1) hour of the beginning of the school day the assignments are to be picked up. My assignments will be prepared by the school staff for pick up at the end of the school day. If there is a special need, a message for a teacher to call my parent/guardian may be left with the Principal's office or the counseling office.

- d. *Parent/guardians/Guardians who feel they have special circumstances may request assignments on the first day of absence.

7. Freedom of Expression - Freedom of expression, including speech, assembly, appearance, publication, and the circulation of petitions, if the exercise of these rights does not disrupt the educational process of the school or threaten the health and welfare of staff and other students. I may plan, have, or participate in assembly programs, public, forums, club assemblies, and other such meetings as long as the school administration has agreed, and the established rules of the school are followed. Guidelines for such meetings with controversial speakers and issues will be developed in each school by administrators, teachers, student government, and parent/guardian representatives. Official school publications, such as school newspapers, shall be free of censorship or prior restraint. The school may establish guidelines, however, for any such publication, including policies concerning publication of libelous, disruptive, or obscene materials. These guidelines shall be consistent with governing legal standards and must be consistent with the rules and regulations of the Board of Education. The student staff members of a school publication are responsible for becoming aware of legal responsibilities and the consequences for failure to follow the guidelines.
8. Dress Code - I have the right to choose an appropriate manner of dress and personal appearance if it conforms to the Letcher County Schools Dress Code. The dress code requirements apply to all students (male and female) and are to be followed during schools. Exceptions will be made for Physical Education classes. If a student arrives at school wearing clothing that is not acceptable according to the Code of Conduct or the Student Handbook of the school, an attempt will be made to contact a guardian to bring appropriate clothing to school. If no one can be reached, the student may be asked to wear clothing provided by the Family Resource Center for the remainder of the day.
9. Skorts, skirts, dresses and shorts (even those worn with leggings) must be no shorter than mid-thigh. (Good judgment should be used in determining the appropriateness of dresses.) No halter tops/dresses, low cut tops, muscle/tank top shirts, clothing with large holes revealing skin or off-the-shoulder clothing is permitted.
10. Shoes are required to be worn. Shoes with wheels are not permitted.
11. No clothing shall be permitted which promotes gangs, tobacco, alcohol, drugs or which bears offensive language, pictures, signs or affiliation with gangs.
12. All clothing must be properly buttoned, snapped or otherwise fastened (as determined by school administration and staff.)
13. See-through clothing, bare midriffs and clothing containing holes which show bare skin above the knee are prohibited and considered indecent and/or distracting, (as determined by school

administration and staff.) The clothing must be of sufficient length so that midriffs are not exposed while stretching, turning, sitting or bending.

14. Head Coverings such as hats, visors and bandannas shall not be worn inside of the school building during school hours except for special events as designated by school officials and at the discretion of the Principal. The hood attached to a garment cannot be worn inside a school building.
15. Freedom from Abuse or Threat of Abuse - Be free from verbal, physical, or sexual abuse or threat of abuse by other students or Letcher County Public School employees.
 - a. I have a right to be treated with respect. All forms of punishment that are cruel and unusual, that tend to demean or humiliate, or that are excessive, unreasonable, or degrading are prohibited.
 - b. Although, as a student, I am not to be subjected to physical abuse from other students or staff, teachers and administrators may use reasonable physical force to restrain a student in self-defense, to protect another student from injury, or to preserve order.
16. Freedom from Unreasonable Search and Seizure - Be secure from unreasonable searches of person and property and from unreasonable seizure of property.
 - a. School officials have the right to search me or my property if the officials have a reasonable suspicion that I may possess something that violates school rules or endangers others. For additional information, see Student Searches, Section XIV.
17. Due Process/Appeal - Procedural due process when any charge or accusation has been made against me.
 - a. Due process is the right of all citizens. When any charge or accusation has been made, I am entitled to the protection of the "procedural due process" outlined in Section IV, Subsection G.
18. Student Involvement - Organize or belong to groups or clubs within the school as long as the group or club follows established Board of Education guidelines, does not disrupt the orderly educational process, and does not discriminate against any student because of race, color, religion, creed, national origin, economic status, sex, age, political affiliation or disabling condition.

B. STUDENT RESPONSIBILITIES

As a student, I have the responsibility to:

1. Attend school and classes regularly, arrive on time, and have needed materials.
2. Do my best to meet the requirements of each course, whether virtually or in person.
3. Respect and cooperate with teachers, school staff, and other students.
4. Respect the rights of others.

5. Honor reasonable requests made by school district employees and student teachers.
6. Act safely and properly while at school, while attending school activities and events and while on a school bus or school sponsored trip.
7. Not disrupt classroom work or school activities, not create disorder, and not invade the rights of others.
8. Report wrongdoing or threats of violence or potential harm to others.
9. Take care to protect my belongings and any school-issued equipment or devices.
10. Earn grades fairly without cheating or plagiarism.
11. Be responsible for and aware of my grades and conduct.
12. Communicate with teachers, counselors and principal about my needs.
13. Tell my guardians/parent/guardian(s) about my grades or when I need help.
14. Know all school rules and the consequences of violating the rules.
15. Not to damage or destroy personal or school property.

III. PARENT/GUARDIAN'S RIGHTS AND RESPONSIBILITIES

A. PARENT/GUARDIAN RIGHTS

As a parent/guardian, I can expect:

1. To be respected as an individual regardless of race, religion, creed, national origin, economic status, political affiliation, sex, age, or disabling condition.
2. To be treated with courtesy by all members of the school staff.
3. To be informed about academic requirements, school programs, grading and promotion policies, and to have access to school policies and administrative procedures.
4. To participate in parent/guardian/teacher conferences, virtually or in person.
5. To have access to my child's cumulative records, request the removal or correction of any false or misleading information, or request the names and addresses of outside recipients of information about my child (See Section XXI.)
6. To have information about programs for exceptional students and to participate in my child's placement in a special educational class.

7. To receive any available help to further the educational progress and improvement of my child.
8. To expect classroom discipline to be maintained and to be informed of any formal disciplinary steps taken affecting my child.
8. To receive prompt and appropriate communications about my child.
10. To participate in groups at the school level that deal with school policy, program development and evaluation, and dissemination of information.

B. PARENT/GUARDIAN RESPONSIBILITIES

As a parent/guardian, I shall:

1. Stress to my child the importance of education.
2. Make sure my child attends school on time every day either in person or virtually.
3. Verify my child's absence from school by sending a signed written excuse to the school on the day of return from absence(s.)
4. Provide resources to help my child complete class work and homework.
5. Be involved with what goes on in our school.
6. Keep in touch with the school/teachers about my child's progress.
7. Make sure our school knows where to find me during school hours.
8. Cooperate with our school if disciplinary action is necessary.
9. Notify my child's school when my child has any medical condition that threatens the safety of my child or other children in the school. I shall notify the school when the medical conditions become known or upon enrollment in school. I will also notify the school when my child has other problems that may affect my child's performance in school.
10. Know the rules of conduct of the Letcher County Public School district and of the school.

IV. TEACHER'S RIGHTS AND RESPONSIBILITIES

A. TEACHER RIGHTS

As a teacher, I can expect:

1. The support of co-workers and administrators.
2. To work in an educational environment with a minimum of disruptions.

3. To expect all assignments, including homework, to be completed and turned in as assigned.
4. To have the Principal remove, for up to a class period to a designated area, any student whose behavior significantly disrupts a positive learning environment.
5. Safety from slander and physical harm and freedom from verbal abuse.
6. To provide input to aid in the formulation of policies that relate to their relationships with students and school personnel.
7. To take necessary action in emergencies to protect their own person or property or the persons or property of those in their care.
8. To work in an environment free of sexual harassment from students, co-workers, and any/all other school or district personnel.

B. TEACHER RESPONSIBILITY

As a teacher, I have the responsibility to:

1. Present the materials and experiences to students and to inform students and parent/guardians/guardians of achievement and progress.
2. Plan a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement either in person or virtually.
3. Evaluate student's assignments and return them/provide feedback as soon as possible.
4. Abide by the Professional Code of Ethics and the Letcher County Schools Employee Handbook.
5. Inform parent/guardians/guardians of children's success, problems, or failures promptly.
6. Reward exemplary, accomplished and improved behavior or work of students.
7. Maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students. (PBIS)
8. Follow rules and regulations by the Board of Education and/or school administration.
9. Refrain from sexual harassment of students, co-workers, and any/all other school or district personnel.

V. DISCIPLINE

A. Teacher's Disciplinary Actions

Discipline problems are less likely to occur when great teaching, high levels of learning, and an environment where students thrive exists. To establish these circumstances, the teacher has the following responsibilities:

1. To maintain a positive, professional attitude toward all students while using the school's PBIS program.
2. To be an example of responsible citizenship.
3. To keep the classroom a place where it is easy to learn.
4. To protect the rights of others.
5. To help students improve self-discipline.

A teacher may use any of the following additional measures to maintain discipline:

6. Explain and model expectations for proper conduct within the PBIS program.
7. Conference with students who do not exhibit appropriate behavior standards.
8. Provide positive reinforcement, redirection and give verbal reprimands.
9. Tell the parent/guardian about the misconduct; having follow-up meetings and explain consequences of future misconduct.
10. Separate student from other students/friends.
11. Assign constructive tasks.
12. Use special classroom privileges or other rewards as encouragement.
13. Hold a meeting with the student, or parent/guardian, or both.
14. Send home a daily or weekly assignment/behavior sheet.
15. Write a behavior contract with the student.
16. Refer the student to the school counselor or outside agency for support.
17. Send the student to the Principal for other discipline when attempts to correct the behavior fail or is the student commits a serious offense.
18. Apply additional measures as established by the SBDM Council and School Discipline Policy, school's PBIS program or Student Handbook.

Use of Reasonable Force by Staff: School personnel may use reasonable physical force to restrain a student whenever immediate action is essential for self-defense, preservation of order, or protection of other persons or property. (See KRS 161.180 and 503.110.) A trained Safe Crisis Management Team is in place in every school to respond, as needed.

B. Disciplinary Referral Procedures

Principals, teachers, teacher's aides, lunchroom monitors, bus drivers, and any other school employee who supervise students, may make a discipline referral. When an employee has tried to discipline a student and the student is not cooperative or compliant, or when the behavior requires other help, the student shall be referred to the appropriate school administrator.

When a student is referred, these steps shall be followed:

1. The referring person shall complete a Referral Form, keep one copy and send the original and other copies to the appropriate administrator. *
2. Upon receipt of the written referral, the student referred will be called to talk with an administrator.
3. The administrator and the student shall discuss the charges in the referral and the student shall be given a chance to respond.
4. The administrator shall decide the action to be taken, document it, and attach any documentation supporting the referral.
5. The administrator shall tell the student, the referring staff member, and the parent/guardian about the action taken.
6. The parent/guardian shall be told about a referral the same day any serious incident occurs, unless telling the parent/guardian would not be in the child's best interest.
7. Student discipline records shall be kept by the assigned administrator, logged into Infinite Campus, and will be made available upon request to appropriate teachers, administrators, counselors, the student, or parent/guardian as allowed by the Family of Educational Rights and Privacy Act of 1975. (FERPA.)

****In serious incidents, school personnel may take students to the office or report the incident immediately to the appropriate administrator. The referring person shall complete the Referral Form as quickly as possible, according to item number 1 above.***

C. Administrator's In-School Disciplinary Actions:

When an administrator receives a discipline referral for a student, or if a student's misbehavior interferes with the learning environment, then the administrator shall use one or more of the following measures to maintain discipline:

1. Speak with the student to correct the behavior and prevent the student from misbehaving again.

2. Temporarily take away school privileges unrelated to the curriculum.
3. Change the student's schedule or school program and tell the parent/guardian about the change.
4. Refer the student for Tier II or Tier III Interventions.
5. Temporarily separate the student from other students.
6. Have a meeting with the parent/guardian and any school personnel who may help explain the administrative discipline.
7. Write a behavioral contract with the student, including the parent/guardian and school personnel as needed.
8. Set up in-school counseling or evaluation.
9. Assign the student to a school-based detention program.
10. Forbid the student to ride the school bus when the student misbehaves on the bus or at the bus stop.
11. Place the student on probation (see glossary definition of probation.)
12. Additional measures as established by the SBDM Council's Discipline Policy or Student Handbook.

NOTE: Corporal punishment is prohibited.

D. School Bus Discipline

Students are required to behave responsibly on school buses to permit the driver to drive safely without distraction. ***Riding the school bus is not a right; it is a courtesy provided by the district and should not be abused.*** The school bus driver and/or school bus monitor have direct supervision and direction over the conduct of the student riders. Discipline referrals shall be made by the driver and/or monitor for unacceptable behavior while riding a bus. Unacceptable behavior may include but is not limited to violations of acceptable behavior as listed in Code of Conduct and/or violations of bus rules posted in the bus.

Each time a Bus Driver and/or Bus Monitor files a discipline referral with the Principal concerning a student's unacceptable behavior on the bus, the following should happen:

1. The Principal will have a conference with the Student.
2. The School will contact the Student's Guardian to report the incident and explain any disciplinary actions taken.
3. The Student and/or the Student's Guardian may have to attend a Bus Safety Class, watch a Bus Safety Video, or be targeted for additional interventions.

The Student's unacceptable behavior on the bus may result in Short Term Bus Suspension of 1-3 days or Long-term Bus Suspension of 4-10 days. The Superintendent can suspend the

student's bus riding privileges from 11 days up to the remainder of the school year depending on the severity of the student's behavior or if the student has repeated unacceptable behavior. *The Principal may impose disciplinary actions from the Behavior/Consequence Charts for Violations along with or instead of Bus Suspension.*

According to Letcher Board of Education Policy 06.34: Drivers oversee their buses, and their first responsibility shall be to the safe transportation of their passengers. If one or more pupils are behaving in a threatening or violent manner, the driver needs to use the two-way radio to notify the principal and/or transportation department for assistance. At the first reasonable opportunity, the driver shall notify the principal of the school where the pupil attends of the misbehavior.

Students that need bus transportation to a location different than their usual drop off need to have a written statement from the school office to give to the bus driver. The secretary or principal will issue the bus note indicating the change. Parent/guardians that abuse this privilege by calling the school several times a day requesting school staff to change the bus that the student needs to ride may be contacted by School or Central Office Staff. Parent/guardian requests for bus changes must be in writing and shall include a phone number that school staff can call for verification.

E. Parent/guardian Conference

When a student continues to misbehave at school or on a bus, the administrator/teacher may call and chair a meeting with the student, parent/guardian, and appropriate school staff. The meeting shall be set at a time convenient for the parent/guardian. If the parent/guardian cannot be reached, a letter explaining the reason for the conference and the time and place of the meeting shall be sent to him/her. The letter shall be mailed three (3) school days before the conference to permit the parent/guardian time to attend. If the parent/guardian cannot attend the meeting, either the meeting can be rescheduled or the parent/guardian may discuss the referral with school staff some other way (i.e., over the telephone or in a separate meeting.) When a student is referred for several violations in a short time, one meeting with the parent/guardian may be satisfactory. Every effort shall be made to assure parent/guardian participation in conferences.

If the parent/guardian cannot attend or refuses to attend the meeting, the conference will be held without the parent/guardian. The administrator/teacher shall advise the parent/guardian, in writing, the results of any meeting the parent/guardian did not attend.

The purpose for the conference is to determine the reason the student misbehaved, to arrive at fair, helpful solutions, and to improve the student's behavior. During the meeting, the student shall be given a chance to explain the problem and to suggest solutions. The parent/guardian and school staff shall be given the same opportunity. The student's academic and disciplinary records shall be available for review during the conference. A short, written statement of the decision made during the conference shall be placed in the student's discipline record. All decisions shall include follow-up to determine if progress has been made toward the goals set for the student.

In cases of severe misconduct endangering the safety of others, it may be necessary to hold the conference after a student is suspended.

F. School Suspension Procedures

The principal may suspend a student for offenses outlined in Section V and Behavior Matrix of Section VI of this Code. The Principal may suspend a pupil up to a maximum of three (3) days per incident. Additional days must be approved by the Superintendent or the Superintendent's Designee.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

1. The student's parent/guardian and teachers shall be informed of the suspension immediately. The Principal or Assistant Principal shall report any suspension in writing immediately to the Superintendent and the parent/guardian of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.
2. Due process shall be given before a suspension unless immediate suspension is required to protect persons or property. (Refer to Section IV, Subsection G.)
3. Suspension by an administrator shall not exceed ten (10) school days.
4. A suspended student shall not be allowed to enter the Letcher County Public School buildings or grounds, unless accompanied by a parent/guardian with permission of an administrator. The student shall not attend or participate in any school program or function, during or after school, and shall not be permitted to ride a school bus.
5. Breaking the conditions of the suspension shall risk further disciplinary action.
6. Although students are not entitled to make up work missed for absences because of suspension from school, it is the goal of the Letcher County Public Schools that every student succeed academically and that failure in any subject be avoided. Accordingly, students having absences because of suspension from school are to be allowed to (1) take major tests (e.g., finals or unit tests); (2) have homework checked for accuracy without credit; and (3) hand in major projects or term papers without loss of credit. Make-up work must be completed in the same time frame as other make-up work specified in Section II, Subsection A, Paragraph 6.
7. Only the Superintendent may suspend for a period longer than ten (10) school days. Only the Board of Education can expel a student.
8. After two (2) suspensions, the student and parent/guardian shall be notified that the next conduct violation may result in more serious disciplinary consequences, including short- or long-term suspension, alternative placement, or referral for expulsion. This provision applies to middle and high school students only.
9. Any suspension given by a Principal may be reviewed by the Superintendent, or Board of Education in accordance with the appeals procedure in this Code.

G. Informal Hearing Procedure and Due Process

An informal hearing shall be given to a student before the student may be suspended. The length of the suspension may be as long as ten (10) days per incident. Suspensions longer than ten (10) days shall be made by the Board of Education. If immediate suspension is required to protect persons, property, or to avoid disruption of school, the hearing shall be held as soon as possible. The Hearing, however, shall be held no later than three (3) days after the suspension.

The informal due process hearing shall include the following steps:

1. The student shall be given oral or written notice of the charges for the suspension.
2. If the student denies the charges, he/she shall be given a clear explanation of the evidence supporting the charges.
3. The student shall be given a fair chance to give his/her side of the facts in response to the charges.

See Subsection I., below, for Suspension/Expulsion Procedures for Students with Disabilities.

H. Students Right to Appeal

A student shall make a written appeal of any decision affecting his/her education to staff in the following order:

1. Teacher*
2. Principal
3. Superintendent
4. Board of Education

The administrator shall give a written response to the student at each appeal level. When a student makes a written appeal to the next level, all previous written appeals and responses shall be attached.

*Appeal of a suspension does not include the teacher. The appeal begins with the Principal. See the Grievance Procedure, Section XXIV, for the suspension appeal process.

I. Suspension/Expulsion Procedures for Students with Disabilities

Special considerations should be given when dealing with disciplinary problems of students with disabilities. Frequently, such students may have discipline problems due to the unique nature of their disabilities. Students with disabilities may be difficult to motivate or may lack the necessary self-confidence to be successful in school.

Special education teachers are trained to manage discipline and behavior with many special techniques. Principals are encouraged to be supportive and active in those efforts.

If the procedures are well defined and implemented consistently, most severe discipline problems are avoided. Students will learn appropriate school behavior and proper social skills.

Suspension may be used with disabled students, especially if it is part of a well-defined management program. Suspension shall not be used if the behavior is directly caused by the student's disability. Suspension unrelated to disability shall be for one (1), two (2), or three (3) days at a time, unless a stiffer penalty is specifically set out in this Code.

Once a student with disabilities has been removed for more than ten (10) consecutive school days during a school year or the student is subjected to a series of removals that constitute a pattern because the removals accumulate to more than ten (10) school days during the school year and because of other factors, (such as the length of each removal, the total time the student is removed, and the proximity of removals to one another), then an Admissions and Release Committee (ARC) shall meet to discuss the student's behavior problems and to determine what changes, if any, are needed in the Individual Education Program (IEP.) The ARC shall follow the Letcher County Policies and Procedures for Special Education Programs regarding discipline.

Expulsion is rarely, if ever, used with disabled student. If recommended, all ARC procedures must be followed, and it must be clearly documented the behavior problem was not related to the student's disability.

J. Saturday School

Saturday School for all grades will be held, per the established schedule, for all schools on the campus of Letcher County Central High School.

K. Virtual Learning

During pandemics or other unforeseen circumstances which require an alternate school schedule, families must assume some responsibility in the education of their children. When possible, families will be given the opportunity to choose in-person or virtual learning options. Families who select virtual learning as an option during times of extended school closure are responsible for ensuring students have access to online activities. If schools are closed by the state or federal agencies, virtual learning will be provided for all students. Families who need alternative assignments should contact the school to make arrangements for students to continue to receive instruction.

All students are expected to complete and submit work in a timely manner and engage with teachers and school staff as requested. Failure to complete assignments and/or submit work as directed will result in disciplinary consequences. No student will be permitted to "opt out" of learning.

L. Alternative Programs – Letcher County Education Center

LETCHER COUNTY EDUCATION CENTER

The Letcher County Education Center will serve students in Letcher County Schools grades K-12, emphasizing proactive prevention/intervention strategies for students in K-5, as warranted. This will be accomplished through visitations and consultations with students who are AT RISK academically and/or behaviorally of being unsuccessful in the regular

classroom. A component will be in place for grades 6-12 to house the student in a non-traditional alternative environment. Students below the grade of six may be placed into the Letcher County Education Center upon the *written recommendation* of the Superintendent of Letcher County Schools or Court Ordered into the Day Treatment Program by the Letcher County Juvenile Judge. The umbrella of services will consist of an At-Risk Program, Short Term Placement (Transition of no more than 9 days), Long Term Placement (10+ days), a Retrieval/Recovery Program, and Day Treatment. The program will be under the supervision of the Superintendent's Committee on Discipline.

TRANSPORTATION

Any student enrolled into the Letcher County Education Center Program who commits a drug/alcohol, violent (inclusive of fighting and/or assault), harassment, intimidating, threatening, or dangerous/instrument offense shall not be provided transportation by the Letcher County Public Schools. Transportation of the student shall be provided or arranged by the student's parent/guardian/guardian. In the case of a hardship, the parent/guardian must go to the office of the Director of Transportation, located at the bus garage (633-2468) and fill out a form stipulating the hardship caused by loss of transportation privileges. If approved by the Director of Transportation, the parent/guardian/guardian will accept full responsibility for the student's conduct on the bus and any infractions or violations will result in immediate loss of transportation privileges. No student attending the Letcher County Education Center may drive to and from the Center, with the exception being a student attending the Retrieval Program. Approval will be based on need and pending the Director of Transportation authorization.

THE REFERRAL PROCESS

Referrals will be made directly to the Superintendent and/or the Superintendent's Committee on Discipline by the principal. This will ensure that due process has been followed and that placement into the program is in adherence to all state and federal guidelines. A conference with the referring principal will be held and justification of intervention strategies will be presented. The Superintendent's Committee on Discipline will evaluate each referral based upon whether the appropriate procedures have been followed as stipulated in the District Discipline Plan. Upon approval by the Superintendent's Committee on Discipline, the Letcher County Education Center will be notified in writing via email regarding the referral. The administrative staff will then notify the home school. The home school shall advise the parent/guardians by telephone and/or letter of their child's assignment to the Letcher County Education Center program. The parent/guardians/guardians will accompany their child to the Center for an Intake Meeting. (NOTE: Participation in home school functions may be suspended while the student is placed in any programs under the umbrella of the Center services.) The following steps must have been followed prior to assignment to the Letcher County Education Center Program:

Short Term Placement will be based on a detailed written referral by the principal or assistant principal. In all cases, the Principal's signature will be required on all referral documents prior to consideration, inclusive of:

- a. Complete referral form
- b. Discipline reports submitted
- c. Number of suspensions prior to Short Term Placement, if any
- d. Student's class schedule, grades, and attendance history

- e. Interventions used
- f. Served After-School and/or In-School Suspensions
- g. ARC conducted and due process followed if student is in Special Education

SHORT TERM LETCHER COUNTY EDUCATION CENTER PLACEMENT

In an effort to clarify Short Term placement, the following guidelines are being provided: Short Term Letcher County Education Center is open to a referral by the principal or designee for behavior interfering with the educational opportunities offered in class of the home school. Short Term placement is from 1 **to** 9 days, based on the principal's discretion and professional judgment. Offenses which result in Short Term Letcher County Education Center placement are inclusive of those set forth in the *Letcher County Code of Conduct* as deemed by the principal and are approved by the Superintendent's Committee on Discipline.

For Short Term Placement (1-9 days maximum), the referred student:

1. May have served After-School Suspension, In-School Suspension, Saturday School and/or Out-of-School Suspension
2. Has been suspended with services provided at home (dates included.)
3. Has been referred due the severity of the offense (Note severe clause.)
4. Is in **transition** from another school district that has been placed in another Alternative Program, Day Treatment Center, Residential Facility, or involved with outside support agencies. The student will be monitored and afforded educational opportunities at the Letcher County Education Center for a maximum of 9 days. If supporting documentation exists, the Superintendent's Committee on Discipline has the authority to extend the transition period pending a complete assessment of the student's needs. During the transition, the home school will be consulted regarding the progress of the student and upon notification by the Director of the Letcher County Education Center and the Superintendent's Committee on Discipline, said student will be exited to the home school, as applicable.

LONG TERM LETCHER COUNTY EDUCATION CENTER PLACEMENT

For Long-Term Placement (from 10+ days) the following steps must be completed:

1. The student has served the maximum allotted days in Short-Term Letcher County Education Center, unless criminal charges are pending or an offense warrants immediate long-term placement to ensure safety of others.
2. Has demonstrated an inability to function within the normal guidelines of a traditional settings, with documented academic modifications, history of failure and/or intervention strategies provided, and/or chronic classroom disruptions.
3. Has been referred for counseling services within the home school setting and/or through other agencies (i.e. KRCC, KVC, MCC.)
4. Has a complete academic and attendance record submitted to the Superintendent's Committee on Discipline.
5. Has a behavioral management plan developed at the home school.
6. Has a record of documentation of parent/guardian contacts compiled by the home school.
7. Has a record describing the problem and the frequency of incidents. (i.e. Is the behavior chronic or situational in nature? Is it across settings?)

8. Has been referred to the Department of Juvenile Justice via court action, if applicable.
9. Has a "beyond reasonable control at school", "abuse of a teacher", "truancy" and/or a "terroristic threatening" petition filed with the Court Designated Worker at the home school level, as applicable.
10. Has been referred to the Department of Social Services, as applicable.
11. ***With adequate data and supporting documentation, the Superintendent's Committee on Discipline may extend Long-Term Placement if deemed to be in the best interest of the student.***

If the student referred for either Short-Term or Long-Term Placement is in the Special Education Program and has a current Individual Education Plan (IEP), the referral recommendation must come through the School Based Admission Release Committee (ARC.) Their recommendation to the Superintendent's Committee on Discipline must be based upon the special needs of the student as determined by the ARC. The summation of that meeting will be forwarded to the Superintendent's Committee on Discipline prior to consideration for placement. A copy of the Individual Education Plan and other pertinent data must be on file with the Letcher County Education Center staff prior to the student's attendance at the Alternative setting. ***(NOTE: A referral by the SBARC is a recommendation to the Superintendent's Committee on Discipline and does not constitute an automatic placement into the Letcher County Education Program.)***

Having followed these discipline steps without the student's performance being modified to acceptable standards, as set forth in the Code of Conduct, the Superintendent's Committee on Discipline will consider the Letcher County Education Center referral. Immediately upon placement into the Letcher County Education Center program, the student's teachers will be notified. Courses taken, assignments with textbooks, Plato classes, a copy of the Individual Education Plan (IEP), and any other pertinent information (Functional Behavioral Assessment, etc.) will be given to the principal or the principal's designee. These items will be delivered to the Letcher County Education Center prior to placement. The home school is responsible for the material. Upon delivery of the materials, a schedule will be arranged between the school and the LCEC program for an intake meeting, involving the student, parent/guardian, Alternative staff and/or other agencies working with the student. Prior to placement into the LCEC program, all books, assignments, etc., must be delivered to the Letcher County Education Center.

Upon placement into the Long-Term Letcher County Education Center Program, after exhausting the steps and days of Short-Term Placement, the following guidelines will be enforced:

1. As applicable, a Behavioral Intervention Plan will be developed prior to exiting the student, by staff, parent/guardians and the student, in conjunction with appropriate agencies (Letcher County Juvenile Court, Court Designated Worker, Kentucky River Community Care, Kentucky Valley Coop, Department of Social Services, Department of Juvenile Justice, etc.)
2. All assignments, books, and appropriate materials will be delivered to the LCEC as set forth in the Short-Term Placement program addressed via this manual.
3. The Letcher County Education Center will adhere to the ***zero-tolerance*** drug abuse policy, assault, threatening, and harassment, established and set forth by the Letcher County Code of Conduct (Refer to severe clause.)

4. The Letcher County Education Center follows the dress code policy set forth by the Letcher County Code of Conduct, with the addition to any item that is found to be a disruptive factor, as determined by the Letcher County Education Center Staff.

NOTE: SEVERE CLAUSE: If the offense is serious enough, then any/all steps may be skipped. A severe clause constitutes any behavior that endangers others, is threatening, harassing, intimidating, being found to be under the influence of a substance, or other severe transgression as determined by the principal, and with the approval of the Superintendent's Committee on Discipline.

ACADEMIC RETRIEVAL (Plato)

Students that have dropped out of school for one semester and fifth year seniors needing 3 credits or less are currently eligible to apply to enroll into the Retrieval Program. An official transcript must accompany the referral signed by the counselor listing the exact courses that are needed to graduate. The home school, based on the needs of the student, may refer the student to the Academic Retrieval Program. Referrals to the Retrieval Program leading to a diploma will be evaluated on an individual basis by the Superintendent's Committee on Discipline, evaluating the needs and merits for placement into the Retrieval Program. The curriculum will entail Plato and instruction by the instructor. Plato must be approved via the high school administration prior to placement.

SECOND CHANCE/AT RISK

The Second Chance/At Risk Program is designed to proactively intervene with school students in who have been identified as being at-risk in their regular educational setting in the areas of academics or behavior. The Director of Pupil Personnel will work with the LCEC Head Teacher, the School Psychologist, School Counselor, Principal and/or Teachers to identify candidates for this program through interviews, observations, cumulative folder reviews, nonattendance patterns, disciplinary referrals, teacher input, and principal referrals. This team will work with school staff to create Behavioral Intervention Plans (BIP) addressing the Behavior of Concern (BOC) to eliminate the student's inappropriate or detrimental behaviors. If determined to be appropriate, the team will make a referral to the Superintendent's Committee on Discipline to move these students to Short- or Long-term Retrieval for monitoring and support in the LCEC setting. *This placement is not punitive for the student's behaviors, but rather an opportunity to attend school in an alternative setting to encourage the student to develop constructive behaviors conducive to school success.*

LETCHER COUNTY DAY TREATMENT CENTER

The Letcher County Day Treatment Center is a community-based treatment educational program for youth 12 through 17. The Superintendent, Superintendent's Committee on Discipline, the Letcher County Board of Education, and/or the Letcher County Courts identify the students. The identified students have demonstrated behavior patterns (beyond school control petition, truancy, substance abuse, threatening and/or possession of weapons that could be harmful to self or others) that would indicate the need for his/her involvement in a multi-phased treatment program. The Letcher County Board of Education via an expulsion hearing and/or the Letcher County Courts through court action will also act as referring agencies. The program offers individual academic instruction, vocational technology, individual and group counseling, interagency

coordination, and community service activities. The program will utilize the Four Phase approach to monitoring and evaluating the student's overall performance and progress; however, the Superintendent reserves the right to modify this as warranted.

L. Formal Hearing Procedure - Expulsion and Extended Suspension

After reasonable efforts by staff have failed to meet the needs of the student, an expulsion recommended may be made. Reasonable efforts that may be made by staff to help the student include conferences with the Principal, teacher, parent/guardians, and student; guidance services; or assistance from other social agencies. In cases of extreme behavior, reasonable efforts may be unproductive and are not required before the recommendation for expulsion.

Only the Board of Education may expel a student upon recommendation of the Superintendent. Referrals for expulsion may be made by the Principal to the Superintendent.

For cases involving students who bring firearms/explosive devices to school, expulsion shall be for a minimum of one (1) calendar year (365 days), unless modified by the Board on a case-by-case basis. (See Section IX.) Expulsions for other offenses may extend for up to the number of days that constitute one (1) school year, not to exceed two (2) semesters.

The recommendation shall be written and supported by all facts and materials related to the grounds for expulsion. The case shall be discussed with the Superintendent's Disciplinary Committee and the Board Attorney. After review of the recommendation by the Superintendent, a recommendation may be made to the Board of Education for expulsion or extended suspension. If such a recommendation is made, the Superintendent shall send a letter to the parent/guardian(s) of the student. The letter shall describe, in detail, each charge against the student and assign a hearing date, time, and location with the Board of Education. The student and parent/guardian(s) may be present at this hearing and may be represented by an attorney during the proceedings. If the student and parent/guardian(s) want to be represented by an attorney in the hearing, the name and telephone number of the attorney must be provided to the Superintendent prior to the hearing.

M. Violations of Acceptable Behavior

Violations of acceptable behavior at school, on buses, at bus stops, on the way to and from school, and at school-sponsored activities are defined below. Behavior occurring off school grounds at locations not listed above, that threatens the safety and well-being of students or staff and directly affects the school's ability to ensure a safe learning environment for all students is also a violation. ***If the behavior violation is also a law violation, law enforcement will be notified, and charges may be filed.*** Consultation with the Superintendent is required prior to imposing any disciplinary action for such behavior occurring off school grounds.

1. Arson - Starting or attempting to start a fire in a school building.
2. Assault - Physical attack of one person or a group of persons on another with the intent to injure. Physical sexual abuse of any kind is also considered assault. Victims of assault have the right to self-defense. Assault shall be determined after an investigation by the building principal.

3. Being under the influence of drugs, alcohol, or other intoxicating substances (See Section VII.)
4. Bomb threat - Making a threat that a bomb has been placed in or on a bus, at a bus stop, or at any school-sponsored activity.
5. Bullying – Any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.
6. Cheating - A student acting deceptively or dishonestly; including a student copying another's work and using it as his/her own (plagiarism.)
7. Closed campus violations - Leaving school campus at which they are enrolled without the Principal's permission (See Section VIII.)
8. Defiance/interference or insubordination with staff - Willful refusal by a student to follow reasonable directives of authorized school personnel (including failure to identify oneself when requested) or to accept in-school disciplinary measures.
9. Disruptions in the classroom - Disruptions as defined by written referrals from classroom teachers to the Principal.
10. Disruptive behavior on a school bus - Any behavior that may create a safety problem on a bus or violate the *Statement on Rights and Responsibilities and Student Code of Conduct*.
11. Extortion - Obtaining or attempting to obtain property from an unwilling person by intimidation or physical force.
12. Failure to follow directions or rules - Failure to complete assignments and to follow other school or classroom regulations.
13. False fire alarm - Sounding a school fire alarm or alerting the fire department or any school employee when there is no fire.
14. Fighting - Students who willfully engage in the use of physical force. Whether actions are deemed as fighting shall be determined by the building principal.
15. Forgery - Falsifying documents or signatures.
16. Gambling - Any game of chance for the express purpose of exchanging money or property.
17. Harassment - Intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, contempt, or prejudice or to have the effect of insulting, bullying or stigmatizing an individual. (See Section XXIII for specific prohibited conduct.)

18. Intimidation - The act of threatening, scaring, or insulting another person. This includes taunting.
19. Non-attendance of class - Failure to attend any regularly scheduled class or assigned school activity without valid excuse.
20. Offenses committed off school grounds - Behavior of a serious violent nature and/or behavior that would directly affect the school's discipline or welfare of its students or employees, not otherwise covered under this Code.
21. Possession of look-alike or toy deadly weapons - Any look-alike, toy or facsimile of a deadly weapon as defined in No. 22 below.
22. Possession of dangerous instruments or fireworks – Dangerous instruments include any instrument, article, or substance, including parts of the human body, readily capable of causing death or serious physical injury. Dangerous instruments shall include any knife.
23. Possession of drugs, alcohol, or other intoxicating substances (See Section VII.)
24. Possession of deadly weapons - The possession of any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged; any knife; billy, nightstick, or club; blackjack or slapjack; nunchaku karate sticks; shuriken or death star; or artificial knuckles made from metal, plastic, or other similar hard material.
25. Possession of laser pointer - A student having in his/her immediate possession or control a laser pointer device.
26. Possession or inappropriate use of cell phone or paging/telecommunications device – A student having in his/her immediate possession or control of a telecommunication device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. This does not include the possession or control of a paging device by a volunteer for a firefighting organization or emergency medical services organization. See Section X.
27. Possession of tobacco products - The possession of any tobacco products by any students.
28. Profanity or Vulgarity - The use of words or gestures generally considered socially unacceptable and used for the purpose of intimidating, insulting, or abusing another person. The use of lewd, profane, or vulgar language is prohibited.
29. Sale or transfer of drugs, alcohol, or other intoxicating substances and agents, or fireworks.
30. Sexual misconduct - Inappropriate conduct defined by accepted social and legal standards including inappropriate public display of affection.

31. Terroristic threatening - The threat of force or violence toward another person.

KRS 508.078 Terroristic threatening in the second degree.

(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 any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or 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 at a scheduled, publicly advertised event open to the public, place of worship, or 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 by any means, including by electronic communication, for the purpose of:

1. Causing evacuation of a school building, school property, or school-sanctioned activity;
2. Causing cancellation of school classes or school-sanctioned activity; or
3. Creating fear of serious bodily harm among students, parents, or school personnel;

(c) 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

(d) 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) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.

(5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

32. Theft/Stealing -Taking property belonging to the school or another person.

33. Truant - Absent or tardy from school for three (3) or more days, without valid excuse. After two attempts by the school to deal with a student that has been absent and/or tardy without valid excuse six (6) days, the student shall be deemed a habitual truant. Schools will deal with truancy as outlined in this book and in district policy and procedure.

34. Unexcused tardiness - Tardiness to school or any class without a valid excuse. (Refer to individual school policy on tardiness.)

35. Use of tobacco/nicotine/nicotine or tobacco replacement products - The use of any tobacco product, vaping device, inhalant, or absorbing alternative agent.

36. Vandalism - Destruction of public or personal property, including computer hardware or software.
37. Violation of suspension regulations - Suspended and Expelled students may not be on school grounds, buses, or attend school activities without permission of school administrators. Students violating suspension conditions are subject to prosecution for criminal trespass. In addition, further administrative action may be taken under No. 7 of this Section, "Defiance/interference with staff."

REPORTING OF CONCERNS OR CODE VIOLATIONS

Students wishing to report concerns, or a violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offense, or a report that may be required by law, including reports to law enforcement. Students may also report concerns or violations to the Principal/designee's Office or School District Office.

RETALIATION PROHIBITED

Employees and other students shall not retaliate against a student because she/he reports a violation of the Code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.

VI. BEHAVIOR/CONSEQUENCE CHARTS FOR VIOLATIONS

Students at different ages and grade levels are expected to assume varying degrees of responsibility for their actions. Therefore, different disciplinary measures have been developed to reflect different levels of maturity and self-discipline. Each of the three charts on the following pages (elementary, middle, and high school) indicates specific consequences for each offense and the consequences that will occur if there are repeated violations.

Behavior violations are listed vertically. Disciplinary actions are listed horizontally. UNLESS THE VIOLATIONS WARRANT A MORE SEVERE ACTION BY THE PRINCIPAL, disciplinary measures increase in severity and shall be administered progressively by moving from left to right on the charts. At the discretion of the Principal, the Superintendent or the Superintendent's Committee on Discipline, repeated and unmodified behavior violations may result in any disciplinary action listed on the Behavior/Consequence Charts for Violations up to and including expulsion.

The principal may impose disciplinary actions at his or her discretion. Suspension of Primary Students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/Designee.

<p style="text-align: center;">ELEMENTARY SCHOOL BEHAVIOR VIOLATIONS</p> <p style="text-align: center;">ACTIONS</p>	CLASSROOM DISCIPLINE TEACHER IMPOSED	IN-SCHOOL DISCIPLINE PRINCIPAL IMPOSED	SATURDAY SCHOOL PLACEMENT	IN-SCHOOL ALTERNATIVE PLACEMENT	SHORT-TERM SUSPENSION (1-3 DAYS)	LONG-TERM SUSPENSION (4-10 DAYS)	ALTERNATIVE PLACEMENT RECOMMENDATION	EXCLUSION RECOMMENDATION
Tardiness	X	X	X	X				
Failure to complete assignments or follow directions (Failure to identify oneself)	X	X	X	X				
Forgery/cheating	X	X	X	X				
Leaving or being on school grounds without permission		X	X	X	X			
Disruptive behavior on school bus*		X	X	X	X	X	X	X
Inappropriate use of a toy, game, camera, cellphone, video recorder or any other electronic device	X	X	X	X	X	X	X	X
Possession of look-alike or toy deadly weapon	X	X	X	X	X			
Profanity, vulgarity or intimidation	X	X	X	X	X			
Gambling	X	X	X	X				
Possession of tobacco products		X	X	X	X			
Use of tobacco products (includes herbal snuff)		X	X	X	X	X		
Threat of force or violence/terroristic threatening	X	X	X	X	X	X	X	
Classroom or school disruption	X	X	X	X	X	X	X	
Theft/extortion	X	X	X	X	X	X	X	
Assault		X	X	X	X	X	X	
Defiance/Interference with staff	X	X	X	X	X	X	X	
Bullying/Harassment/Verbal Abuse-including racial remarks	X	X	X	X	X	X	X	
Sharing prescription or over-the-counter medication	X	X	X	X	X	X	X	X
Vandalism-less than \$500	X	X	X	X	X	X	X	
Vandalism-\$500 or more		X	X	X	X	X	X	X
Stealing/damaging/defacing property	X	X	X	X	X	X	X	X
False fire alarm/bomb threat		X	X	X	X	X	X	
Arson		X	X	X	X	X	X	
Fighting	X	X	X	X	X	X	X	
Sexual abuse, assault, or misconduct		X	X	X	X	X	X	X
Assault, batter or physical abuse of a staff member		X	X	X	X	X	X	X
Possession or sale of drug paraphernalia		X	X	X	X	X	X	X
Possession of illegal drugs intoxicating substances or alcohol*		X	X	X	X	X	X	X
Under the influence of illegal drugs, intoxicating substances or alcohol*		X	X	X	X	X	X	X
Sale, share or transfer of illegal drugs, intoxicating substances or alcohol*		X	X	X	X	X	X	X
Repeated suspensions/repeated misbehavior		X	X	X	X	X	X	X
Possession of dangerous instruments, fireworks or deadly weapons		X	X	X	X	X	X	X
Offenses committed off school grounds other than school activities and on the way to and from school (consultation with Superintendent required prior to imposing any disciplinary action.)		X	X	X	X	X	X	X
Dress code violation	X	X	X	X				

*SUBJECT TO ADDITIONAL DISCIPLINARY ACTIONS ACCORDING TO THE STUDENT CODE OF CONDUCT

SEVERE CLAUSE: If the offense is serious enough, then any of the steps may be skipped. This constitutes any behavior that endangers students or staff as determined by the principal, and with the approval of the Superintendent's Committee on Discipline.

The principal may impose disciplinary actions at his or her discretion.

MIDDLE SCHOOL BEHAVIOR VIOLATIONS	CLASSROOM DISCIPLINE TEACHER IMPOSED	IN-SCHOOL DISCIPLINE PRINCIPAL IMPOSED	SATURDAY SCHOOL PLACEMENT	IN-SCHOOL ALTERNATIVE PLACEMENT	SHORT-TERM SUSPENSION (1-3 DAYS)	LONG-TERM SUSPENSION (4-10 DAYS)	ALTERNATIVE PLACEMENT RECOMMENDATION	EXPLUSION RECOMMENDATION
ACTIONS								
Tardiness	X	X	X	X	X			
Failure to complete assignments or follow directions (Failure to identify oneself)	X	X	X	X	X	X		
Forgery/cheating	X	X	X	X				
Leaving or being on school grounds without permission		X	X	X	X	X	X	
Disruptive behavior on school bus*		X	X	X	X	X	X	X
Inappropriate use of a toy, game, camera, cellphone, video recorder or any other electronic device	X	X	X	X	X	X	X	X
Possession of look-alike or toy deadly weapon	X	X	X	X	X	X		
Profanity, vulgarity or intimidation	X	X	X	X	X	X	X	
Gambling	X	X	X	X				
Possession of tobacco products (including herbal snuff)		X	X	X	X	X		
Use of tobacco products (including herbal snuff)		X	X	X	X	X	X	
Threat of force or violence/terroristic threatening	X	X	X	X	X	X	X	X
Classroom or school disruption	X	X	X	X	X	X	X	X
Theft/extortion	X	X	X	X	X	X	X	
Assault		X	X	X	X	X	X	X
Defiance/Interference with staff	X	X	X	X	X	X	X	
Bullying/Harassment/Verbal Abuse-including racial remarks	X	X	X	X	X	X	X	X
Sharing prescription or over-the-counter medication	X	X	X	X	X	X	X	X
Vandalism-less than \$500	X	X	X	X	X	X	X	
Vandalism-\$500 or more		X	X	X	X	X	X	X
Stealing/damaging/defacing property	X	X	X	X	X	X	X	X
False fire alarm/bomb threat		X	X	X	X	X	X	
Arson		X	X	X	X	X	X	
Fighting		X	X	X	X	X	X	X
Sexual abuse, assault, or misconduct		X	X	X	X	X	X	X
Assault, batter or physical abuse of a staff member				X	X	X	X	X
Possession or sale of drug paraphernalia		X	X	X	X	X	X	X
Possession of illegal drugs intoxicating substances or alcohol*					X	X	X	X
Under the influence of illegal drugs, intoxicating substances or alcohol*					X	X	X	X
Sale, share or transfer of illegal drugs, intoxicating substances or alcohol*					X	X	X	X
Repeated suspensions/repeated misbehavior				X	X	X	X	X
Possession of dangerous instruments, fireworks or deadly weapons		X	X	X	X	X	X	X
Offenses committed off school grounds other than school activities and on the way to and from school (consultation with Superintendent required prior to imposing any disciplinary action.)		X	X	X	X	X	X	X
Dress code violation	X	X	X	X	X			
Inappropriate public display of affection	X	X	X	X	X			

*SUBJECT TO ADDITIONAL DISCIPLINARY ACTIONS ACCORDING TO THE STUDENT CODE OF CONDUCT

SEVERE CLAUSE: If the offense is serious enough, then any of the steps may be skipped. This constitutes any behavior that endangers students or staff as determined by the principal, and with the approval of the Superintendent's Committee on Discipline.

The principal may impose disciplinary actions at his or her discretion.

HIGH SCHOOL BEHAVIOR VIOLATIONS	CLASSROOM DISCIPLINE TEACHER IMPOSED	IN-SCHOOL DISCIPLINE PRINCIPAL IMPOSED	SATURDAY SCHOOL PLACEMENT	IN-SCHOOL ALTERNATIVE PLACEMENT	SHORT-TERM SUSPENSION (1-3 DAYS)	LONG-TERM SUSPENSION (4-10 DAYS)	ALTERNATIVE PLACEMENT RECOMMENDATION	EXPLUSION RECOMMENDATION
ACTIONS								
Tardiness	X	X	X	X	X	X		
Failure to complete assignments or follow directions (Failure to identify oneself)	X	X	X	X	X	X		
Forgery/cheating	X	X	X	X	X	X		
Leaving or being on school grounds without permission		X	X	X	X	X	X	
Disruptive behavior on school bus*		X	X	X	X	X	X	X
Inappropriate use of a toy, game, camera, cellphone, video recorder or any other electronic device	X	X	X	X	X	X	X	X
Possession of look-alike or toy deadly weapon				X	X	X	X	
Profanity, vulgarity or intimidation	X	X	X	X	X	X	X	
Gambling	X	X	X	X	X	X		
Possession of tobacco products (including herbal snuff)		X	X	X	X	X	X	
Use of tobacco products (including herbal snuff)		X	X	X	X	X	X	
Threat of force or violence/terroristic threatening		X	X	X	X	X	X	X
Classroom or school disruption	X	X	X	X	X	X	X	X
Theft/extortion	X	X	X	X	X	X	X	X
Assault		X	X	X	X	X	X	X
Defiance/Interference with staff	X	X	X	X	X	X	X	
Bullying/Harassment/Verbal Abuse-including racial remarks	X	X	X	X	X	X	X	X
Sharing prescription or over-the-counter medication		X	X	X	X	X	X	X
Vandalism-less than \$500	X	X	X	X	X	X	X	X
Vandalism-\$500 or more		X	X	X	X	X	X	X
Stealing/damaging/defacing property	X	X	X	X	X	X	X	X
False fire alarm/bomb threat			X	X	X	X	X	X
Arson				X	X	X	X	X
Fighting			X	X	X	X	X	X
Sexual abuse, assault, or misconduct			X	X	X	X	X	X
Assault, batter or physical abuse of a staff member				X	X	X	X	X
Possession or sale of drug paraphernalia		X	X	X	X	X	X	X
Possession of illegal drugs intoxicating substances or alcohol*						X	X	X
Under the influence of illegal drugs, intoxicating substances or alcohol*						X	X	X
Sale, share or transfer of illegal drugs, intoxicating substances or alcohol*						X	X	X
Repeated suspensions/repeated misbehavior				X		X	X	X
Possession of dangerous instruments, fireworks or deadly weapons		X	X	X	X	X	X	X
Offenses committed off school grounds other than school activities and on the way to and from school (consultation with Superintendent required prior to imposing any disciplinary action.)		X	X	X	X	X	X	X
Dress code violation	X	X	X	X	X			
Inappropriate public display of affection	X	X	X	X	X	X	X	

*SUBJECT TO ADDITIONAL DISCIPLINARY ACTIONS ACCORDING TO THE STUDENT CODE OF CONDUCT

SEVERE CLAUSE: If the offense is serious enough, then any of the steps may be skipped. This constitutes any behavior that endangers students or staff as determined by the principal, and with the approval of the Superintendent's Committee on Discipline.

VII. ALCOHOL, DRUGS, AND INTOXICATING SUBSTANCES

No student shall possess, use, be under the influence of, sell, share or transfer alcoholic beverages, narcotics, drugs, counterfeit controlled substances, look-alike drugs, herbal snuff, or other intoxicating substances, nor possess, sell, or transfer drug paraphernalia on school property, en route to or from school, or at any location of a school-sponsored activity. Due to the differences in maturity of Elementary and Middle School students, Elementary and Middle School Principals may enforce drug, alcohol, and intoxicating substance policies in a less restrictive manner than is outlined in this section. Parent/guardians shall be notified upon any student violation of these rules.

Drugs defined: Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance which may be added by the Kentucky Cabinet for Families and Children under regulations pursuant to KRS 218A.020 or KRS 217.900(2.) Use of medications prescribed or ordered by a physician or dentist (Policy 09.2241) shall not be considered a violation of this policy.

KRS 158.154 states that **the Principal shall notify the appropriate local law enforcement agency** when a student violates the law by possessing a controlled substance on school property.

A positive drug/alcohol test result that is conducted by the school district is viewed as being a drug offense. Any drug/ alcohol offense results in an immediate suspension of the student's driving privileges until the student complies with the prevention/intervention requirements listed below. If a student is placed at the Letcher County Education Center for drug offense, the family shall provide transportation. The days a student is in treatment for chemical dependency at recognized facilities shall be excused absences.

1. First Offense - Possession, Use, or Under the Influence - A first offense for possession, use, or being under the influence shall result in a referral to the Court Designated Worker and the Principal/Counselor. The student may be suspended pending placement in the Letcher County Education Center and will be required to complete an intervention program as determined by the Superintendent's Committee on Discipline.

The student's family, at its expense, is expected to seek an evaluation of the student's alcohol or drug usage from a qualified chemical dependency counselor acceptable to the school district. Written confirmation of the evaluation appointment is required prior to release from the short-term alternative placement. The student and family shall agree to meet other specified conditions as required by the school following the evaluation. Failure to comply with the prevention/intervention requirements shall result in a long-term placement in the Letcher County Education Center.

2. Second Offense - Possession, Use, or Under the Influence - A second offense for possession, use, or being under the influence shall result in an Letcher County Education Center Placement (minimum of 20 days.) The student will be referred to the Court Designated Worker and the Principal/Counselor for continued prevention/intervention services. A referral to an outside agency will be made for counseling and intervention.

3. Third Offense – Possession, Use or Under the Influence – A third offense for possession, use, or being under the influence shall result in a referral to the Court Designated Worker and a referral for expulsion to the Superintendent from the Principal.

Sale, Share and Transfer - The sale, sharing or transfer of, or the intent to sell, share, or transfer alcoholic beverages, narcotics, drugs, counterfeit controlled substances, look-alike drugs, or other intoxicating substances and agents shall result in an immediate Letcher County Education Center placement and a referral for expulsion to the Superintendent from the Principal. ***If the student is placed at the Letcher County Education Center to receive services, transportation must be provided by the family.***

VIII. CLOSED CAMPUS

Students shall remain on the school campus at which they are enrolled and in assigned areas during the school day. Permission for a student to leave the school campus may be given only by the Principal. *No student shall be on a school campus at which they are not enrolled without permission of that school's Principal.* Violation of this policy not only involves defiance of authority, but loss of valuable instructional time. Student parking permits may be revoked for violation of the closed campus policy.

Disciplinary action for elementary, middle, and high schools is to be administered by the Principal according to the Behavior/Consequence Charts for Violations (Section VI.)

IX. POSSESSION OF A DEADLY WEAPON OR DANGEROUS INSTRUMENT

Firearm/Explosive Device

In compliance with the Gun-Free Schools Act, for the purpose of this section, firearm/explosive device is defined as follows:

- Any weapon which will or is designed to or may be readily converted to expel a projectile by the action of an explosive;
- The frame or receiver of any weapon described above;
- Any firearm muffler or firearm silencer;
- Any explosive, incendiary, or poison gas;
 - Bomb,
 - Grenade,
 - Rocket having a propellant charge of more than four ounces,
 - Missile having an explosive or incendiary charge of more than one-quarter ounce,
 - Mine, or
 - Similar device.
- Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter;
 - Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Students who bring a firearm/explosive device onto school property or to a school activity shall be suspended from school for (10) days and the Superintendent shall report the incident to the Board for expulsion for a minimum of one (1) calendar year (365 days), unless the Board makes modifications on a case-by-case basis. The Superintendent shall determine whether the student or students involved have identified disabilities. Students without such disabilities shall be referred to the Board for an expulsion hearing. Cases concerning students with disabilities shall be reviewed by the appropriate Admissions and Release Committee (ARC) and determined on a case-by-case basis according to law. Additionally, the Principal shall file a complaint/offense report with local law enforcement, the State Police or the County Attorney for each such incident based on guidelines outlined in KRS 158.155 (4)

Deadly Weapon (Other than Firearm/Explosive Device)

In consideration for the safety of all students and staff, possession of a deadly weapon (as defined below) is considered a serious offense. Any middle or high school student in possession of such a weapon shall be suspended from school for then (10) days. The Principal shall report any incident, including those involving elementary students, to the Superintendent. The Superintendent shall determine whether the student or students involved have identified disabilities. Students without such disabilities shall be referred to the Board for an expulsion hearing. Cases concerning students with disabilities shall be reviewed by the appropriate Admissions and Release Committee (ARC) and determined on a case-by-case basis according to law. Additionally, the Principal shall file a complaint/offense report with the Department of Law Enforcement for each such incident. The Dept. of Law Enforcement shall refer the student to the Court Designated Worker.

For state reporting purposes, a deadly weapon shall be defined as:

- any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
- any knife or objects designed to cut, slash or penetrate skin;
- billy, nightstick or club;
- blackjack or slapjack;
- nunchaku karate sticks; shuriken or death star;
- artificial knuckles made from metal, plastic, or other similar hard material
- Students may be subject to criminal prosecution for being in possession of deadly weapons or dangerous instruments on school property, whether openly displayed or concealed (See KRS Chapter 527.070)

STATE REPORTING REQUIREMENTS OF CRIMINAL ACTIVITY

Employees of the District shall promptly make a report to the School Resource Officer, Local Police Department, Local Sheriff, or Kentucky State Police, if they know or have reasonable cause to believe that a law violation has occurred in regards to: carrying, possession or use of a deadly weapon; or use, possession, or sale of controlled substances; or any other felony offense.

Any Employee who knows or has reasonable cause to believe that a student has been the victim of any felony offense shall immediately make an oral or written report to the Principal of the school attended by the victim. The Principal shall notify the parent/guardians, legal guardians, or other person exercising custodial control or supervision of the student; and shall file an original report with the local school board and the local law enforcement or the Kentucky State Police within 48

hours of the original report. Felony offenses shall include, but not be limited to, assault, wanton endangerment, terroristic threatening, and abuse of a teacher.

Principals shall immediately report any criminal activity such as; assault resulting in serious physical injury, sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm, possession of a controlled substance, or damage to property to the appropriate local law enforcement agency.

Any Employee who knows or has reasonable cause to believe that a child is neglected or abused shall immediately cause an oral or written report to be made to a local law enforcement agency, the Kentucky State Police, the Cabinet for Families and Children, the Commonwealth's Attorney or the County Attorney. Any supervisor who receives a report from an employee of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities.

X. POSSESSION and USE OF A PAGING/ TELECOMMUNICATIONS DEVICE, MOBILE PHONE, CAMERA VIDEO RECORDER OR LASER POINTER DEVICE

Students in attendance in the Letcher County Public Schools in the capacity of an active member of a volunteer firefighting organization or a volunteer medical services organization may have possession and use a paging/telecommunication device with permission from the building principal. Other students may possess paging/telecommunication devices and cell phones. They are to be used only in cases of emergency or as approved by the building principal after the need to use the device has been established. Acceptable needs would include using those in-class for teacher-assigned tasks and those activities that might require communication between students and parent/guardian/guardians. Permission may not be granted if the use of the device has the potential for disrupting the education process. **No student shall use a mobile phone, camera or audio/video recorder to record or take pictures of other students while on school property without the permission of the building Principal.** No student shall use images of other students taken on school property to harass or bully other students in any manner including postings on the internet. Postings on the internet of pictures and/or videos made on school property could result in criminal prosecution of the person posting the images and the owner of the phone that recorded the images. No student shall have possession of a laser pointer device while on school property or while attending a school-sponsored or school related activity.

XI. TOBACCO-and NICOTINE-FREE SCHOOLS

All Letcher County Schools are Tobacco and Nicotine Free. The use of any tobacco product, alternative nicotine product, herbal snuff, or vapor product as defined in KRS 438.305 is prohibited for all persons on or in all school board property, including vehicles, campus grounds, and buildings. It is also prohibited while attending, participating in any school-related student trip or activity, including sporting events, regardless of the presence of students. Tobacco products, electronic cigarettes, vaping devices, lighters, or any other tobacco- or nicotine-related product found at school or on school property shall be confiscated by the Principal.

XII. CRIMINAL VIOLATIONS

Students may be charged with criminal violations in addition to violations of this Code. Prosecution and court proceedings of criminal violations shall be outside the authority of this Code and may proceed simultaneously with school sanctions for the same violations.

XIII. STUDENT SEARCHES

School officials have the right to search students, their belongings, lockers, desks, automobiles, or their property, if a reasonable suspicion* exists that the search may reveal evidence the student has violated a school rule, Board policy, or the law. The purpose of the search is to protect the safety and property of others. Additionally, a search may be made to maintain the ongoing educational process of the school. In no instance shall the school official strip search any student.
*The school official must be able to articulate the reason for the search

REASONABLE SUSPICION

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.¹ Search of a pupil's person shall be conducted only with the express authority of the Principal.

AUTHORIZED PERSONNEL

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the Principal of the school which the student attends.

PUPIL'S PRESENCE

Except for administrative searches such as routine locker checks, students shall have the opportunity to be present when a search of personal possessions is to be conducted unless the pupil is absent from school or unless school authorities determine that the pupil's presence could endanger his/her health and safety or the health and safety of others.

WITNESS

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search.

PERSONAL SEARCHES

No search of a pupil shall be conducted in the presence of other students.

STRIP SEARCHES

No strip searches of students shall be permitted.

REGULAR INSPECTION

School property, such as lockers and desks, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy to items left in such locations. A single desk or locker may be

searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

FAILURE TO COOPERATE

Students who fail to cooperate with school authorities when requested to shall be subject to other disciplinary action.

ILLEGAL ITEMS

Illegal items (e.g., weapons, drugs, tobacco/nicotine-delivering products, alternative agents, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

OTHER DISRUPTIVE ITEMS

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the Principal's office.

DISPOSITION OF ITEMS

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

USE OF TRAINED DOGS

Subject to the following conditions, the Principal may authorize the use of trained dogs to locate contraband (prohibited items) on school grounds:

1. The dog(s) shall be certified as never having been trained as attack dogs.
2. The Principal or Principal's designee shall be present.
3. The dog(s) may be used for blanket searches of lockers and automobiles parked on school grounds. The dogs may be used for individualized sniffs of lockers and automobiles when a school official has reasonable suspicion that the locker or automobile contains contraband. Should a dog alert to an automobile, the student in which the parking permit is issued will be shown the dog's alert and be given opportunity to open the automobile voluntarily for search. If the student does not open the automobile voluntarily, and the Principal has probable cause to believe that contraband is present inside. The Principal may have the automobile opened by force or contact the local law enforcement authorities. If it is necessary to open an automobile by force, the Principal shall make every effort to obtain a search warrant. If forced entry takes place and no incriminating evidence is found, the Administration/Board of Education is responsible for reimbursing the student, parent/guardian, or guardian for any damages resulting from the forced entry or search.
4. The dog(s) may be used to search all instructional areas at any time. The dog(s) must be muzzled and on a short leash. Reasonable suspicion is determined if the dog shows indication of detecting a controlled substance. The student or students that are suspected of possessing a controlled substance could then be searched according to policy.

XIV. EXCUSED ABSENCE and TARDY FROM SCHOOL

All students are expected to attend school regularly. Students will be allowed up to five (5) absence events and (5) tardy events to be excused with a written parent/guardian note. A parent/guardian excuse may be used for student illness. **Letcher County Schools will excuse up to ten (10) absence events with original doctor/medical excuse. Any absence**

events due to medical reasons in excess of ten (10) will require the presentation of the Letcher County Schools' Medical Excuse Form for each additional doctor/medical excuse. Students who are absent or tardy are required to present a legitimate excuse within two (2) days of returning to school. If a note is not received within two (2) days, the absence or tardy shall be deemed unexcused. Any excuses or notes presented after two (2) days must have Principal Authorization to be accepted.

Permissible excuses are:

1. Death or severe illness in the student's immediate family as approved by
 - i. Principal
2. Religious holidays approved in advance with the Principal
3. Medical and dental appointments (times and dates should be verified by the physician's signed statement.) **Only original signatures on excuses will be accepted.** (No copies or faxes unless the fax is sent directly to the school from the medical office.)
4. Family emergencies requiring immediate attention, as approved by the
 - a. Principal.
5. Court appearances, as required
6. Educational Enhancement Opportunities.
7. Other valid reasons as determined by the Principal.

ALL OTHER ABSENCES OR TARDIES ARE UNEXCUSED. Students shall not be given make-up work missed during unexcused absence or tardy.

XV. STUDENT ATTENDANCE

A student is considered tardy if arrival to homeroom, classroom, or any assigned area occurs after the designated starting time or departure from classroom or assigned area occurs before the end of designated school day.

Attendance for all students in Kentucky is calculated by the following guidelines. 1) Tardy – student is absent less than 35% of the day. 2) Half day Absence – student is absent 35% to 84% of the day. 3) Full Day Absence – student is absent more than 84% of the day. 4) Full Day Present – student is present at least 65% of the day.

XVI. TRUANCY PROCEDURES for ABSENCES and TARDIES

Principals shall follow these procedures regarding truancy for compulsory school age students (ages 5-21.) Please note: Students ages 18-21 will be served the truancy notice and final notice instead of the parent/guardian or guardian. (KRS 159.990)

Pre-Level: During the first month of school, the Director of Pupil Personnel (DPP) will identify students who were absent from school 15 or more days in the previous year. A list of students will be given to the school Counselor for counseling and intervention purposes. School personnel is encouraged to notify parent/guardians of the date and time of the counseling session(s.) Appropriate personnel, including but not limited to, DPP, FRYSC, Principal, attendance clerk, may be involved.

Level 1 (Event 1 excused or unexcused)

- The Automated caller calls home to notify of each student absence.
- The School attendance clerk will monitor caller log daily and make phone number corrections as needed.

Level 2 (Event 2 unexcused or chronically absent)

- The classroom teacher will call parent/guardian to inquire about absence or tardy.
- Inform parent/guardians of current level of absenteeism and number of excuses remaining. If student is going to be absent more than five days because of illness, a Home/Hospital referral should be made.
- Ensure student has access to make up work.

Level 3 (Event 3 unexcused or chronically absent)

- The school counselor will send a letter to the parent/guardian that informs them of current level of absenteeism and notifies parent/guardian that the student is considered truant. Students receiving a letter are to receive counseling (documented as student meeting or counseled student in Infinite Campus.)

Level 4 (Event 4 unexcused or chronically absent)

- FRYSC will schedule a parent/guardian conference in collaboration with other school staff, preferably in a face-to-face meeting at school, by phone or by sending notification home. A parent/guardian conference can be held by phone if necessary.
- Inform parent/guardians of current level of absenteeism and number of excuses remaining and document conference with the student regarding any needed interventions/resources.

Level 5 (Event 5 unexcused or chronically absent)

- Principal will attempt to call parent/guardian or send letter to inquire about absences, and/or meet with the student to discuss level of absenteeism.
- Inform parent/guardians of current level of absenteeism and number of excuses.
- Principal/designee shall make referrals as needed to the nurse, FRYSC, Home/Hospital, counselor, SRO or DPP.

Level 6 (6+ Events unexcused or chronically absent)

- Continuing each day, Principal/designee will attempt to call parent/guardian to inquire about absence or tardy. Inform parent/guardian of current levels of absenteeism.
- Make referrals if needed (nurse, FRYSC, Home/Hospital, counselor, principal, SRO or DPP.)
- Home visit will be made, by appropriate school personnel to determine why student has been absent and offer support for students with continued absences.
- The DPP office will send a letter of concern or final notice upon 6 unexcused absences or schedule a parent/guardian conference or home visit and serve a final notice.
- When further unexcused absences occur after the final notice, the DPP will file court petitions either against the student as a juvenile or the parent/guardian, or both. Referrals on students in

grades K-5 will be made to the County Attorney and referrals on students in grades 6-12 will be made to the Court Designated Worker.

- The Principal/designee shall report any 16 or 17-year-old student that accumulates nine unexcused absences in a semester to the Transportation Cabinet for driving privilege revocation

Consecutive Absences (excused or unexcused)

- FYRSC should contact the family of any student that has accumulated three consecutive absences for any needed interventions and make referrals as needed (nurse, Home/Hospital, counselor, principal, SRO or DPP.) If student is going to be absent more than five consecutive days because of illness, a Home/Hospital referral should be made.
- Principal/designee will ensure students with excused absences have access to make up work.

Principal/designee will ensure that attendance interventions are documented on the Truancy Tab in Infinite Campus. School Personnel will communicate regularly with the DPP office regarding students that are absent excessively to check on district level actions.

Driver's License Revocation

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or truant shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.

1. Students shall be deemed academically deficient if they have not received passing grades in at least five (5) of seven (7) courses, or the equivalent of five (5) courses, taken in the preceding semester.
2. Students shall be deemed deficient in attendance/truant 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.
3. Students who fail to engage with teachers and school staff during times of extended school closure virtually may be considered academically deficient and/or truant and may be eligible for permit or license revocation.

XVII. STUDENT WITHDRAWAL REQUIREMENTS

A student age eighteen (18) or over who wishes to withdraw from school and end his/her education, may withdraw only after taking all of the following steps:

1. The student has a conference with the Principal or designee
2. The Principal has requested a conference/counseling session in the Superintendent's Office with the Parent/guardian(s), student and Director of Pupil Personnel
3. Written notice of withdrawal from the student's parent/guardian has been received by the school
4. If the Student does withdraw, a student dropout questionnaire has been completed for the withdrawal from school of any student age eighteen (18) or over. Upon withdrawal, one (1) copy of the form shall be placed in the student's cumulative folder.

XVIII. PARTICIPATION REQUIREMENTS FOR EXTRACURRICULAR ACTIVITIES

Representing a Letcher County School in an extracurricular activity is a privilege demanding that all participants conduct themselves in a manner that brings credit to themselves, the school, and the Letcher County School System. (See the KHSAA Handbook, Letcher County Athletic Association, Policy 09.423, and Local Site Based Council Policies for additional information and requirements concerning grades, attendance and conduct.)

A student under suspension from school shall not be permitted to participate in practice sessions or any other activities during the suspension period. (See Section IV, Subsection F, for additional information.)

Eligibility (Athletic/Extracurricular/Student Drivers)

Drug-Testing Program

Determination of athletic eligibility shall be made in compliance with applicable policies, administrative procedures, and Kentucky High School Athletic Association requirements.

DRUG TESTING PROGRAM

The District has established a drug testing program for student athletes, students participating in competitive extra-curricular activities and student drivers for the following reasons:

1. Student athletes often serve as role models for other students.
2. Through participation in athletics/competitive extracurricular activities, students using illegal drugs pose a threat to their own health and safety, as well as to that of other students.
3. Through driving and parking on school property, students using illegal drugs pose a threat to their own health and safety, as well as to that of other students.

Each student who plans to participate in athletics/competitive extracurricular activities or to drive to school at the middle or high school level (grades 6-12) must have his/her parent/guardian or guardian sign a written consent for drug testing as a prerequisite to the student's participation in an athletic program, extracurricular activity or driving to school.

The Superintendent shall develop procedures to reasonably ensure student privacy during the taking of samples, security of samples once obtained, and designation of laboratory services that are accurate and reliable. Appropriate measures shall be taken to protect student confidentiality throughout the testing process and in the handling of test results. Access to drug testing results shall be restricted on a need-to-know basis to those persons in positions designated by the Superintendent.

The District shall endeavor to locate free and low-cost counseling/assistance program options for the consideration of parent/guardians whose child tests positive.

DEFINITIONS

Drug - Any illegal substance or substance controlled by federal regulation.

Student Athlete - Any student participating in athletic practices and/or contests under the control and jurisdiction of the District, including cheerleaders and student managers.

Student Driver - Any student driving to or parking on school property.

TESTING PROCESS

Students participating in athletics/extracurricular activities and/or students driving to school who have been or who are taking prescription medication must provide verification prior to testing. Verification shall be in the form of a copy of the prescription or physician's signed statement. Students who refuse to provide verification and subsequently test positive shall be subject to the consequences stated in this policy.

Student athletes shall be subject to random testing. Anyone in the drug testing pool may be tested anytime over the course of the school year. Student drivers shall be subject to testing once they are approved for driving to school.

CONSEQUENCES/PENALTIES

If the student tests positive, a second test shall be administered as soon as possible to confirm the results. If the test is negative, no further action shall be taken. If the second test is positive, the parent/guardians shall be notified, and the Principal/designee shall provide the parent/guardian/guardian and the student with an opportunity to be heard before penalties are imposed. For first offenses, the student athlete or driver may be subject to the following consequences:

1. Participate in a drug assistance program acceptable to the District (with costs to be paid by the student's family¹) and undergo weekly drug testing for a period as designated in administrative procedures;
2. Be suspended from participation in all athletics/competitive extracurricular activities
3. Loss of driving privilege

For a second offense, the student shall be suspended from participation in all athletics/extracurricular activities.

For a third offense, the student shall be suspended from participation in all athletics/extracurricular activities for the remainder of the school year.

Offenses shall be cumulative over a student's entire period of participation in all high school athletics/extracurricular activities and shall accumulate regardless of the sport/activity season in which they occur.

¹ The District shall provide program assistance for students who qualify to receive free or reduced priced meals.

Positive test results shall result in consequences as per the District's Code of Conduct.

XIX. STUDENT RECORDS

As governed by the Family Educational Rights and Privacy Act (FERPA), each student over eighteen (18) years of age or his/her parent/guardian, if the student is under eighteen (18) or is the parent/guardian's dependent, has a right to (1) inspect and review the student's educational records, and (2) challenge any misleading or inaccurate statement contained in records and request such statements be removed or corrected.

A student's "educational record" is defined as: Documents and other materials directly related to a student that are collected, maintained, or used by the Letcher County Public Schools. This includes records maintained by other agencies and individuals who have performed services for students on behalf of the Letcher County Public Schools. Educational records include, but are not limited to:

- personal and family data;
- evaluation and test data, including aptitude, achievement, intelligence, personality, behavior observation, and other diagnostic information;
- medical, psychological, and anecdotal reports (if shared with others);
- all records of school achievement and progress reports;
- all discipline records;
- records of conferences with students and/or parent/guardian(s);
- copies of correspondence about the student;
- any video recordings or photographs of a student;
- other information or data that is used in working with the student or required by federal and state regulations.

Other than school staff and certain other agencies approved by federal law, no person may inspect or review a student's educational records without the consent of the student, if he/she is eighteen (18) years of age; or parent/guardian if the student is under eighteen (18) or is the parent/guardian's dependent; or without a properly issued court order.

The District may disclose directory information unless notified in writing to the contrary by October 1 of each school year or within 30 days of enrollment if after October 1. Directory information may include a student's name, address, telephone number and date of birth; student's participation in officially recognized activities and sports; student's dates of membership with Letcher County Public Schools; student's awards of credits, diplomas, and special recognitions; and the last educational institution that the student enrolled, prior to enrollment in Letcher County Public Schools. Directory information does not include educational records.

Each parent/guardian and eligible student has the right to file a written complaint with the United States Department of Education if he/she feels the right to inspect the student's records, as set forth in Board Policy 09.14, has been wrongfully denied. Each parent/guardian and eligible student may examine a copy of School Board Policy 09.14 concerning student records in the Principal's office of each school.

Challenge to Content/Accuracy of Records

- a. In the event of a challenge to the content or accuracy of a student's records upon the basis that the information contained therein is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, Forms SRF 119 (in Principal's office) must be completed and the parent/guardian of the student or the eligible student must be given the opportunity for a hearing to be conducted by the appropriate administrator appointed by the Superintendent, who shall be designated as the "hearing official." The hearing will be held within a reasonable period of time after the Superintendent has received a request for such a hearing and the parent/guardian of the student and/or the eligible student shall be given notice of the date, place, and time of the hearing reasonably in advance of the same.
- b. The parent/guardian of the student or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice; including an attorney, at his or her own expense.
- c. If, as a result of the hearing, the Board of Education, through its hearing official, decides that the information is not inaccurate, misleading, or otherwise in violation of privacy or other rights of students, it shall inform the parent/guardian or eligible student of the right to place in the education records of the student a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the hearing official.
- d. Any explanation placed in the education records of the student, under paragraph (c) above, shall be maintained by the Board of Education as part of the education records of the student as long as the records or contested portion thereof are maintained by the Board of Education, and if the education records of the student or the contested portion thereof are disclosed by the Board of Education to any party, the explanation shall also be disclosed to that party.
- e. The hearing official shall make his/her decision in writing within a reasonable period of time after the conclusion of the hearing.
- f. The decision of the hearing official shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XX. RIGHT TO COUNSEL

Any person against whom disciplinary action has been taken has the right to be represented by an attorney at his/her own expense.

XXI. HARASSMENT/DISCRIMINATION

The Letcher County Board of Education has adopted policies ensuring that students are not denied equal educational opportunities and do not suffer harassment. No discrimination is

allowed on the basis of race, color, age, sex, religion, creed, national origin, economic status, marital or parent/guardian status, political affiliation, or disabling condition.

Conduct and/or actions prohibited under this policy include but are not limited to:

1. Name calling, stories, jokes, pictures, or objects that are offensive to one's gender, race, color, national origin, religion, or disability;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Members of one gender being subjected to sexual remarks of the other gender in the context of the classroom;
4. Impeding the progress of a student by questioning the student's ability to do the required work based on the gender, race, religion, national origin, or disability of the student;
5. Limiting student access to educational tools, such as computers, based on the student's gender, race, color, religion, national origin, or disability; and
6. Teasing a student's subject choice or assignment based on the gender, race, color, religion, national origin, or disability of the student.

When a student or parent/guardian believes the student has been harassed or discriminated against, a complaint may be filed using Letcher County Board of Education Procedure 0 9.42811 AP.1. A copy of this procedure is available in the Principal's office.

The procedures are as follows:

1. The student or parent/guardian makes a written complaint to the Principal of the student's school advising of the nature of the alleged incident, the time and place the alleged incident occurred and the identity of any witnesses to the alleged incident.
1. The Principal shall promptly investigate the allegation.
3. Within seven (7) working days of submission of the original written complaint, the Principal shall make a written report to the Superintendent setting out the findings and recommending any action deemed necessary to curtail any confirmed harassment or discriminatory activity.
4. After the Superintendent has conducted any further investigation, if he/she confirms the occurrence of any alleged harassment/discrimination, he/she shall immediately take any action deemed necessary to correct the conditions which caused the harassment or discrimination and to prevent reoccurrence.
4. The complaint, investigation, and findings shall be confidential.

XXII. GRIEVANCE PROCEDURE

The Letcher County 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/guardian has an educational concern, a complaint must be filed using the Letcher County Board of Education's Grievance Procedure (09.4281 AP.1.) A copy of the procedure for filing a complaint against school personnel are available at the local school, or in the District Central Office of the Board of Education.

The following steps shall be followed:

1. The student or parent/guardian shall discuss the issue with the teacher. The teacher shall provide the results 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 by filing a formal written complaint with one (1) of the following within five (5) school days of receipt of the Principal's decision:

Violations of Policy 09.13-Equal Educational Opportunities:

Director of Special Programs
Letcher County Public Schools
224 Parks Street
Whitesburg, KY 41858
(606) 633-4455

Educational Concerns or Grievances:

Instructional Supervisors
Letcher County Public Schools
224 Parks Street
Whitesburg, KY 41858
(606) 633-4455

5. The decision of the Director of Special Programs or the Instructional Supervisors may be appealed by filing a formal written complaint with the Superintendent within five (5) school days of receipt of the decision.

At each level of the above procedure, the designated administrator shall notify the student or parent/guardian of his/her decision within five (5) school days of receipt of the grievance. If the student or parent/guardian and the administrator meet to discuss the issue, the administrator may notify the student or parent/guardian of his/her decision at the end of the meeting.

6. If the issue is not resolved by the Superintendent, the student or parent/guardian may appeal to the Board of Education, in writing, within five (5) school days of receipt of the Superintendent decision. The Board of Education shall hear the appeal within a reasonable time at a special called meeting or a regularly scheduled Board meeting, at the Board's discretion.

When a student or parent/guardian appeals a suspension, the appeal shall be made to the Principal or School-Level Instructional Director or Superintendent within ten (10) school days of the date the violation occurred.

XXIII. OFFENSES AGAINST SCHOOL DISTRICT PERSONNEL

No student shall assault, batter or physically or verbally abuse school district personnel or steal or willfully or wantonly deface, destroy, or damage the personal property of school personnel on school property, off school property, or at school-sponsored activities. (See KRS 158.150 [1] [b].)

XXIV. SHARING OF MEDICATION and ALTERNATIVE AGENTS

No student shall share any prescription, over-the-counter medication or alternative medicinal agent (oils, nasal sprays, gels, etc.) with another student. The Principal shall confiscate the substance and contact the student's parent/guardian. The substance, if not found to be a controlled substance, shall be returned to the parent/guardian, only. The student is subject to disciplinary action per the Behavior Violations chart.

XXV. ASSESSMENT

All work which happens in school is driven by data. Much data is collected from student assessments. Every student in the Letcher County Public School System participates in local and/or state assessments. All students are expected to make a conscientious attempt/"Good Faith Effort" to answer each of the assessment questions to the best of their ability. A conscientious attempt/"Good Faith Effort" will be determined by school staff observing the student during the assessments. Students will be acknowledged and rewarded for their efforts on assessments through the school's PBIS program.

XXVI. SUMMER SCHOOL

The Extended School Services summer school program is designed to provide middle school and high school students with opportunities for credit recovery and as well as opportunities to earn original credit to help students stay on track for on-time high school graduation. Courses typically offered as part of the ESS summer school program are those that are required for high school graduation. Individual study, virtual courses or credit recovery plans may be developed as students' needs dictate. The ESS summer school program is typically 6 hours per day for 20 days with breakfast and lunch served daily at no cost to students.

Students participating in Summer School are subject to the same expectations for student conduct as during the school year.

GLOSSARY

The terms below apply only to the *Statement on Student Rights and Responsibilities and Student Code of Conduct*.

Abuse - To hurt or injure in a rough or cruel way.

Administrator - Staff member designated to enforce the *Student Code of Conduct*, including Superintendent, Principal, or Assistant Principal

Admissions and Release Committee (ARC) - A committee of school personnel and parent/guardian(s) authorized to plan special education program placement for identified students.

Appeal - The procedure a student may use to seek a change in a decision rendered by school personnel.

Behavior Disorders - Inappropriate behavior which qualifies a student for placement in a special education behaviorally disordered program.

Behavioral Expectations - Student actions, reactions, and language that does not offend, injure, or in any way interfere with the educational process.

Board Attorney - The attorney who is the general counsel for the Letcher County Board of Education.

Bullying – Any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.

Criminal Violation - An act which is an offense defined by Kentucky Revised Statutes.

Cumulative Records/Folders - A student's records, containing grades, attendance, test scores, and other pertinent information.

Detention - A disciplinary program where students are kept for a period of time before or after school.

Director of Special Programs - The individual responsible for dealing with claims pertaining to equal opportunities (See Section XXIV.)

Disability - A mental or physical limitation requiring special education services.

Exceptional Students - Students identified as needing extra school services for educational or physical reasons.

Excused Absence - A legitimate absence from school verified by written note from the parent/guardian. The student may make up all missed work from the excused absence.

Expulsion - The removal of a student from school by the Board of Education for a period not longer than one (1) school year. In rare cases of extreme student behavior, which endangers the safety of others, the expulsion may be carried over into the subsequent year.

Extended Suspension - Removal of a student from school by the Board of Education for a period not to exceed twenty (20) school days.

Extracurricular Activities - Those activities that normally take place outside the six (6) hour instructional day and are under the supervision of an assigned certified employee (See Board Policy 09.301.)

Family Educational Rights and Privacy Act (FERPA) - The Federal Law that protects a family from having unauthorized persons access a student's records without permission.

Grievance Procedures - A fair, step-by-step approach to address complaints and concerns through the school system.

Habitual Truant - Being truant six- (6) or more times without valid excuse. (according to KRS 600.020 [25])

Individual Education Program (IEP) - A written document developed by a committee (teachers, principals, parent/guardians, etc.), which specifies the regular education, special education, and related services needed to meet the needs of a student with disabilities.

Make-Up Work - Academic assignments completed by a student to fulfill missed class work assigned during an absence.

Parent/guardian - Parent/guardian or legal guardian.

Plagiarism - Practice of literary theft.

Possession - Having, holding or occupying with or without rightful ownership.

Principal - Principal, Assistant Principal, or his/her designee.

Probation - A disciplinary action, including the understanding that further violations of school policy or continued disruption of the educational process could result in suspension or expulsion. The reason and length of the probation and the consequences of violation shall be recorded and explained by the Principal to the student and parent/guardian. In no case shall a probation exceed thirty (30) school days or the end of the semester, whichever is longer. Probation may not be carried forward into another school year.

Procedural Due Process - The procedure guaranteed for a student accused of a behavior violation which includes explaining the charges and allowing an ample opportunity for response to the charge.

Reasonable Physical Force - Holding, restraining, or using one's person in a manner that prevents injury, to student, teacher, parent/guardian, or other citizen.

Referral Form - Usually a pre-printed document on which student misconduct and other rule infractions are listed.

Saturday School - A disciplinary program where students are required to attend school on Saturday mornings. Saturday School Programs are determined by the SBDM Council.

School-Based Decision Making (SBDM) Council- Provision of the Kentucky Education Reform Act designed to improve education by transferring decision making to the school level.

Search - The right of school officials to inspect the property students may have on their person, in desks, lockers, or automobiles when reasonable evidence indicates a possible violation of a school rule, Board policy, or law.

Telecommunications Device - A device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor such as cell phone or pager.

Transfer - To dispose of a controlled substance to another person without consideration and not in furtherance of commercial distribution.

Access to Electronic Media

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner, as required by this policy and related procedures which apply to all parties who use District technology.

INSTRUCTIONAL PRACTICE

Teachers must be prepared to integrate the use of electronic resources into the classroom. Generally, the manner in which teachers evaluate instructional materials and content today will apply to the selection of electronic resources. On the Internet, however, information can be made available without being edited by a publisher, screened by a textbook committee, or selected by a known bookseller. Teachers must be cautioned that:

- Quality and integrity of content on the Internet is not guaranteed. Teachers, and students provided permission to do independent research, must examine the source of the information. Is the source clearly identified? Is it an individual? An organization? An educational institution? A publisher?

In the same way that a teacher or library media specialist provides various levels of guidance to students visiting a library, the school may want to structure various levels of Internet access depending upon age, grade level, or student performance. For instance:

- Very young children shall not be provided with unsupervised access to the network. At the lower grade levels, an Internet or e-mail session maybe best conducted with small groups and always supervised by a teacher or someone the teacher has designated.
- Children in middle school, who are familiar with the network, and generally demonstrate good conduct, may be provided with limited independent access in a location where the session can be monitored.
- In the upper grades, those students with good standing who have proven their ability to be responsible network users may be provided with independent, access for research purposes. However, federal law requires the District to monitor online activities of minors.

- Regardless of the level, the student must sign a user's agreement and parent/guardian permission must be secured before Internet access can be provided. The policy should acknowledge the fact that standards of behavior relating to morals and personal values are within the realm of the family. To the degree that a parent/guardian guides a child's exposure to television, videos, and music, the parent/guardian should guide the child's exposure to the computer networks when giving permission for independent access or individualized study. The school cannot be held responsible if a student given parent/guardian permission for independent access intentionally accesses material, which his/her family considers objectionable. District and school acceptable use policies are intended to address "ethics," leaving issues relating to "morals" between the parent/guardian or guardian & the child.

SAFETY PROCEDURES AND GUIDELINES

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures which shall apply to all District-owned devices with Internet access or person devices that are permitted to access the District's network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors' access to materials harmful to them.

A technology protection measure may be disabled by the Board's designee during use by an adult to enable access for bona fide research or other lawful purpose.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate, its initial Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District' code of acceptable behavior and discipline including appropriate orientation for staff and students.

PARENT/GUARDIAN CONSENT REQUIREMENTS

("Parent/guardian" means parent/guardian or legal guardian)

- Parent/guardians shall be notified in writing (via Code of Conduct) that the Internet and electronic mail may be used with students as part of the instructional process.
- Parent/guardians shall be notified (via Code of Conduct) that students must sign a student Acceptable Use Policy agreement before direct access to Internet and electronic mail will be provided
- Written parent/guardian consent shall be required (AUP user agreement) before any student is given direct, hands-on access to the Internet or to electronic mail.
- Parent/guardians shall be notified in writing (via Code of Conduct) that students will be held accountable for violations of the student Acceptable Use Policy agreement and that disciplinary action may be taken.

Teacher and Staff Supervision of Student Computer Use

- Teachers and others whose duties include classroom management and/or student supervision shall sign an Acceptable Use Policy agreement acknowledging responsibility for exercising reasonable supervision of student access to Internet and electronic mail.
- Teachers shall not direct or advise students accessing school computing and communications networks to use electronic mail systems other than the Kentucky Education Technology System standard e-mail system.
- Teachers shall supervise all student computer use to ensure it is used for educational purposes and non-approved software, programs and resources are not utilized.
- Teachers will maintain daily log files that will provide student name, date, time-in and time out for all student use of computers.
- Teachers shall supervise and proof all school-related material placed, posted, or published on school servers.
- Teachers shall not publish/post or direct/advise students to post or publish school-related information outside the school District.

Auditing procedures to determine whether Educational Technology is being used for the purpose of accessing sexually explicit and other non-educational material:

- Proxy servers with monitoring software have been implemented and are maintained at the District level and at every school on a twenty-four-hour, seven-day-a-week basis.
- A specialized Internet Content Filter has been purchased and is blocking inappropriate Internet Content based on selected categories of regularly updated lists of Internet sites.
- Everyone that uses the Internet is required to have an account and login to use the Internet. This provides for accountability and tracking of all Internet use on the Letcher County Schools network.
- Parent/guardians should be aware however, that Proxy Servers and filtering software is not 100% effective; while filters make it more difficult for objectionable material to be received or accessed, filters are not a solution in themselves.
- Logs of Internet activity shall be examined periodically to detect access to sexually explicit or other objectionable material, as defined by the District.
- Responsibility for log maintenance, examination, security and retention shall be the responsibility of the School Technology Coordinator, who shall provide a report to the Principal.
- Logs shall be monitored periodically to ensure that students, teachers, or staff with access to school resources are not using non-compliant e-mail systems.

ELECTRONIC MAIL

Standards for use of electronic mail by students and staff communication:

- Do not send or attach documents containing pornographic, obscene, or sexually explicit material.
- Do not transmit obscene, abusive or sexually explicit language.
- Do not transmit any illegal, alcohol, drug or drug-related information.

Special safety cautions, which are again analogous to common practice:

- Do not use electronic mail for communications that are not directly related to instruction, sanctioned school activities, or a person's job. Do not use electronic mail, for instance, for private business or personal, non-work-related communications.

- Do not access, copy or transmit another's messages and or attachments without permission.
- Do not use electronic mail to transmit any form of aggression (e.g. threats, anger, or harassment.)
- Do not send or forward any form of a chain letter.
- Do not use electronic mail to transmit information or communicate with gangs, hate groups or groups with violent themes.
- Do not use electronic mail to transmit any data relating to violent themes.
- Students shall not reveal their name and personal information to or establish relationships with "strangers" on the network, unless the communication has been coordinated by a parent/guardian or teacher.
- The school shall not reveal a student's personal identity unless the parent/guardian has given written consent.
- The school shall not transmit a student's work or picture with personally identifiable information without written parent/guardian consent.

With respect the privacy rights of students and staff, this policy states clearly that electronic mail is not guaranteed to be private. Systems administrators can, and may be required sporadically, to scan electronic mail.

LOCAL TECHNOLOGY RESOURCES

Standards for student and staff use of local technology resources (hardware, software, and communications devices) and use of other school property and instructional materials in traditional formats shall be as follows:

- Copyrights must be respected. Copyrighted software and other instructional materials must not be copied or transferred to another except as provided under the license agreement or copyright notice.
- Resources shall not be used for private business or personal gain.
- Authorship and/or publishers of information in electronic form must be appropriately acknowledged in writing and research (footnotes, bibliographies, etc.)
- Vandalism or theft of resources (including data and files) will not be tolerated.
- Passwords must not be exchanged, and other's passwords must not be used. The individual is responsible for the security of his/her own password and the actions taken while logged in with their credentials.

THE INTERNET

Standards for student and staff use of the Internet:

- Internet access through the school is to be used for instruction, research, and school administration. School access is not to be used for private business or personal, non-work-related communications.
- Just as teachers, library media specialists, and other educators are expected to select instructional materials and recommend research sources in print media, they will select and guide students on the use of instructional materials on the Internet.
- By signing the user agreement and/or parent/guardian permission form, the student or staff member has agreed to abide by Board policy and procedures governing access. The school will assume that the individual student or staff member is complying with these requirements and will not unreasonably monitor or control utilization of the network.

- The school will be responsible for supervising and monitoring access to the extent outlined in the user agreement and/or parent/guardian permission form.
- The school will not be responsible for supervising or continually monitoring every communication and Internet session for every student and staff member beyond the scope of supervision defined in the user agreement.
- Internet access from outside the school is the domain of the parent/guardians or guardians.
- Students shall not reveal their name and personal information to or establish relationships with “strangers” on the Internet, unless a parent/guardian or teacher has coordinated the communication.
- The school shall not reveal a student’s personal identity or post a picture of the student or the student’s work on the Internet with personally identifiable information unless the parent/guardian has given written consent.
- Schools are encouraged to create and maintain a school web site. However, only school and related educational information shall be displayed on school or Letcher County School Communication networks.
- Do not use the Internet to access, display or communicate with gangs, hate groups or groups with violent themes.
- Do not use the Internet to access display or transmit pornographic, obscene or sexually explicit materials.
- Do not use the Internet to access display or transmit information about violent themes.
- Do not use the Internet to access, display, or transit information about illegal substances.
- Do not post or publish school-related information until it has been proofed and approved by appropriate, authorized school personnel.
- Do not post or publish any school-related information on servers that reside outside the Letcher County School District.
- Do not use technology resources to bully, threaten, or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com, or Xanga.com.

THE NETWORK

The Letcher County Schools network and computer resources are provided for instructional and educational purposes only. **The following is a list of items that will not be permitted or tolerated:**

- Accessing, displaying, possession, or transferring pornography, drug, or other illegal activities.
- Carrying out activities deemed to be a security risk to the network (hacking, denial of services, etc.)
- Use of non-KETS approved e-mail, chat (Hotmail, ICQ, etc.)
- Damaging computer systems, computer networks, or school/District websites
- Displaying, sending or publishing obscene, threatening, or harassing messages or pictures.
- Use of the network for private, criminal or malicious intent.
- Trespassing in others computer, network accounts, files, directories, or work.
- Alterations, misuse, abuse, or damaging of computer or network equipment.

- Loading of illegal, non-approved or non-listened software, on board owned equipment, including uploading and downloading from the Internet and unreliable sources.
- Misusing or intentionally wasting resources via Internet or e-mail.
- Software installation without permission by proper school or District authorities including Games, Shareware and Freeware.
- Employment of the network for private, profit, personal, or commercial gain.
- Do not use the network to access, display, send, receive or communicate with gangs, hate groups or groups with violent themes.
- Any activity deemed inappropriate by school or District authorities.
- Only authorized personnel may post or publish school-related information.
- Only school-related files or information is to be placed, posted, or published on the Letcher County School Network.
- All school-related information placed, posted, or published on the web shall be proofed and approved by authorized school personnel prior to posting/publishing.
- School-related information shall not be placed, posted, or published outside the Letcher County School District Network without the permission of the Superintendent.

TELEPHONE AND OTHER VOICE SYSTEMS

Letcher County Schools, in compliance with KERA, provides Voice Systems (Telephones) in all schools. The goal shall be to equip every classroom with a handset and voice port connected to the school voice system.

The school or classroom telephones are designed to aid and support the educational instructional process and should not be used for personal, public, private or commercial purposes.

- To protect the instructional process, student and staff, no telephone calls from outside the school shall go directly into the classroom.
- All SBDM will adopt policies and develop specific procedures on how the school will address telephone calls or messages (Voice mail, secretary messages, etc.) to and from the classroom.
- All SBDM will adopt policies and develop specific procedures for student use of voice (telephone) systems.

STRATEGIES FOR ENCOURAGING COMPLIANCE

School SBDM may adopt additional strategies for encouraging compliance:

PREPARATION OF EDUCATORS

Teachers and others whose duties include classroom management and/or student supervision should be provided with guidance on detecting, deterring, and documenting inappropriate use, on safe-guarding personal privacy, and on dealing with unsolicited online contact as a school safety issue.

THE SCHOOL COUNCIL AND COMMUNITY: INFORMATION ABOUT THE VALUE OF THE NETWORK

Providing parent/guardians and the community with accurate and timely information about how electronic information resources are being used in the schools to support student achievement is very important. The School Based Decision-Making Council is an appropriate entity to lead this education effort in the school and community with District guidance and assistance. Parent/guardian and community education can be accomplished through technology fairs, community network projects, inviting parent/guardians to participate in the classroom, and technology lending libraries which allow parent/guardians and students to work together at home.

Familiarity with the Internet and other network services will allow school councils to make more informed judgments about the use of technology throughout the curriculum. Such education efforts will also help parent/guardians make more informed judgments about media stories or second-hand information about potential risks associated with the Internet which might otherwise cause undue concern. Their appreciation of the instructional value of these resources will engage them more proactively in guiding appropriate use at home and working with the school to ensure that access continues to be available.

DETERRENTS

To manage the students or staff member who is determined or occasionally tempted to violate acceptable use policies, certain deterrents can be put in place:

- The amount of time during which individuals have unmonitored access to the network should be minimized. For students, this means that long, individual sessions in a lab setting are not advisable. Classroom group work generally discourages inappropriate use. For staff, this means that the times when inappropriate use is most likely to occur is time the individual has in an office with a door that can be shut, or a computer screen turned so that it cannot be viewed by others.
- Certain network management software packages allow the systems administrator to view or intervene and “take over” a user’s screen. These packages are designed for problem diagnosis, to troubleshoot network problems, and to support help desk activities. Although they are not designed to scan network activity for inappropriate use, the District may decide to use them for that purpose on an occasional basis. Regardless, if the user is informed that such scanning is feasible, that fact alone may deter inappropriate use.
- With implementation of proxy services, schools should familiarize parent/guardians, students, faculty, and staff with the information contained in proxy logs. The fact that these logs contain detailed information about each Internet access, which can be traced to the individual user usually, serves as a powerful deterrent.

DISREGARD OF RULES

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

RESPONSIBILITY FOR DAMAGES

Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

DISCIPLINARY ACTIONS AND OTHER CONSEQUENCES

All users and all parent/guardians will be informed of the consequences of violating appropriate use policies. Consequences will be conveyed via Code of Conduct user agreement and during initial training. Generally the consequences will be one or more of the following:

- Loss of network access
- Disciplinary action (Code of Conduct)
- Legal action