

**School Attendance Areas****ASSIGNED ZONES**

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.<sup>1</sup>

**IF FAMILIES MOVE**

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the school year in the school in which he was last enrolled (at no cost or service by the Board). The pupil must enroll the following year in the school in the attendance zone of his/her legal residence.

**REQUESTS FOR TRANSFER**

Requests for transfer to another District school must be based on physical, psychological, or educational reasons. Family hardship may also be considered in changing school assignment.

In compliance with and as set forth by federal requirements, the District shall allow students to transfer to another District school if:

1. Another school option exists;
2. The assigned school is identified for school improvement under federal guidelines (priority for transfer will be given to the lowest achieving children from low-income families);\*
3. The assigned school is designated by the state as being "persistently dangerous";
4. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.<sup>2</sup>

\*Because the Kentucky request to the U. S. Dept. of Education for flexibility was granted, this reason is waived through the 2013-2014 school year.

**REFERENCES:**

<sup>1</sup>KRS 159.070

<sup>2</sup>P. L. 107-110 (No Child Left Behind Act of 2001)

34 CFR 200.44

OAG 80-394

Adopted/Amended: 07/23/2012

Order #: 2012.433

**Transfers and Withdrawals****TEACHER TO ASCERTAIN REASON**

When a pupil of compulsory school age withdraws from school, the teacher of the pupil shall ascertain the reason.<sup>1</sup>

**REPORT TO DPP**

The teacher shall immediately report the withdrawal and the reason for it to the Superintendent's office (Director of Pupil Personnel).

**CHANGE OF RESIDENCE**

If the child has withdrawn because of residence, the next residence shall be ascertained and included in the report. The District shall notify the Kentucky Department of Education when a new student enrolls.<sup>1</sup>

**MISSING CHILDREN**

The Director of Pupil Personnel shall notify the Justice Cabinet of any request for the records of a student who has been flagged as missing.<sup>1</sup>

**PERMISSION REQUIRED**

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate his/her education prior to graduation, s/he shall comply with the requirements of KRS 159.010.

A written permission for withdrawal shall be required from the parent before the unmarried student may withdraw.

No written permission for withdrawal shall be required after the student's eighteenth (18th) birthday.<sup>2</sup>

**FOLLOW-UP BY DISTRICT PERSONNEL**

Within three (3) months of the date of a student's withdrawal from school, District personnel designated by the Superintendent shall contact each student between the ages of sixteen (16) and eighteen (18) who has withdrawn from school to encourage reenrollment in a regular, alternative, or GED preparation program. If the student does not reenroll at that time, personnel shall make at least one (1) more attempt toward reenrollment of the student before the beginning of the next school year.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 159.170; KRS 158.032

<sup>2</sup>KRS 159.010; KRS 159.020

**RELATED POLICY:**

09.122

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## **Admissions and Attendance**

### **RESIDENCE DEFINED**

Pupils whose parent or guardian resides in the District and has custody of the student, or pupils who are legal residents of the school district, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools.

All other pupils shall be classified as nonresidents for school purposes.<sup>1</sup>

### **HOMELESS CHILDREN AND YOUTH**

The District shall provide educational and related services to homeless children and youth in a manner that does not segregate or stigmatize the students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
2. Continue attending their school of origin for the duration of homelessness;
3. Attend regular public school with non-homeless students; and
4. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, limited English proficient).

The District shall designate an appropriate staff person to serve as liaison to homeless children and youth. The District liaison must provide public notice of the educational rights of homeless children in places where they receive services.<sup>2</sup>

### **IMMIGRANTS**

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

### **NONRESIDENTS**

Nonresident pupils may be admitted to the District's schools in accordance with Board policy and upon approval of the Superintendent.<sup>3</sup>

Written nonresident pupil contract information shall be kept on file at both the attending and resident districts.

### **CHILDREN OF EMPLOYEES**

With the exception of children of employees residing out of state, children of district school employees shall be admitted to the schools of the district tuition free regardless of residence.

### **NON-IMMIGRANT FOREIGN STUDENTS**

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.

**Admissions and Attendance****NON-IMMIGRANT FOREIGN STUDENTS (CONTINUED)**

4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

**EXPELLED/CONVICTED STUDENTS**

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

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

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.<sup>4</sup>

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

**REFERENCES:**

<sup>1</sup>KRS 159.010; OAG 78-64; OAG 91-171

<sup>2</sup>42 U.S.C. 11431 et seq. (McKinney-Vento Act)

<sup>3</sup>KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

<sup>4</sup>KRS 158.155; KRS 157.320

702 KAR 007:125; 704 KAR 007:090

Public Law 104-208, KRS 158.150

P.L. 107-110 (No Child Left Behind Act of 2001)

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

22 CFR §62.25

*Plyler v. Doe*, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

**RELATED POLICIES:**

09.123, 09.124, 09.125, 09.211

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended: 07/25/2011

Order #: 2011.288

## **Entrance Age**

### **PRESCHOOL**

In accordance with appropriate state and federal legal requirements, any child who has been identified as disabled or as exceptional, and who is three (3) or four (4) years of age, or who may become five (5) years of age after October 1 of the current year, shall be eligible for a free and appropriate preschool education and related services.<sup>1</sup>

Children at risk of educational failure who are four (4) by October 1 may enter preschool. All other four (4) year old children shall be served to the extent placements are available.<sup>2</sup>

### **PRIMARY SCHOOL**

A child who becomes five (5) by October 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.030. A child who becomes six (6) by October 1 shall attend public school unless s/he qualifies for an exemption as provided by law.<sup>3</sup>

The District shall establish guidelines to determine a student's level of academic and social skills when that student is being considered for advancement through the primary program. A student who is at least five (5) years of age, but less than six (6) years of age on or before October 1, may be enrolled in the second level of the primary program in keeping with the process set out in Kentucky Administrative Regulation.<sup>5</sup>

Beginning with the 2017-2018 school year, the following provisions shall apply:

- A child who becomes five (5) by August 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.031. A child who becomes six (6) by August 1 shall attend public school unless s/he qualifies for an exemption as provided by law.
- A child who is six (6) years of age, or who may become six (6) years of age by August 1, shall attend public school or qualify for an exemption as provided by KRS 159.030.<sup>2</sup>

### **PETITION PROCESS**

Effective with the 2012-2013 school year, parents/guardians may petition the Board to allow their child to enter school earlier than permitted under statutory age requirements. On receipt of a petition, the District shall conduct an evaluation process to help determine a student's readiness to engage in and benefit from early entry to school. The process shall be established in accordance with the following:

1. The District shall establish guidelines to determine a student's readiness for entry, including the date by which petitions must be submitted to the Central Office.
2. Developmentally appropriate measures, which may include state-approved screening instruments, shall be used to determine a student's level of developmental, academic and social readiness.
3. Based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request.
4. Considerations may include availability of space and funding.

**Entrance Age****PROOF OF AGE**

Upon enrollment for the first time in any elementary or secondary school, a student or student's parent shall provide:

- A certified copy of the student's birth certificate, or
- Other reliable proof of the student's identity and age with an affidavit explaining the inability to produce a copy of the birth certificate.<sup>4</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.3175

<sup>2</sup>KRS 158.030

<sup>3</sup>KRS 157.226; KRS 159.030

<sup>4</sup>KRS 158.032; KRS 158.035; KRS 214.034

<sup>5</sup>KRS 158.031; 702 KAR 001:160; 702 KAR 007:125

KRS 158.140; KRS 158.990; KRS 159.010

OAG 82-408; OAG 85-55

**RELATED POLICIES:**

08.22

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended: 07/23/2012

Order #: 2012.433

## **Attendance Requirements**

### **COMPULSORY ATTENDANCE**

All children in the district who have entered kindergarten or who are between the ages of six (6), as of October 1, and sixteen (16), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.<sup>1</sup>

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents.<sup>1</sup> (See Board Policy 09.111.)

### **EXEMPTIONS FROM COMPULSORY ATTENDANCE**

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school,
2. A pupil who is enrolled in a private or parochial school,
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school,
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study,
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children, or
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children.<sup>2</sup>

### **PHYSICIAN'S STATEMENT REQUIRED**

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.<sup>2</sup>

### **EXCEPTIONS TO PRESENCE AT SCHOOL**

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,<sup>2</sup> or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.<sup>3</sup>
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.<sup>4</sup>

**Attendance Requirements****EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.<sup>4</sup>
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.<sup>4</sup>
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.<sup>5</sup>
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled school day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.<sup>6</sup>

**REFERENCES:**<sup>1</sup>KRS 159.010; OAG 85-55<sup>2</sup>KRS 159.030<sup>3</sup>KRS 159.035<sup>4</sup>702 KAR 007:125<sup>5</sup>KRS 158.240<sup>6</sup>KRS 158.070KRS 159.180; KRS 159.990OAG 79-68; OAG 79-539OAG 87-40; OAG 97-26**RELATED POLICIES:**

08.131; 08.1312

09.111; 09.123; 09.36

Adopted/Amended: 05/24/2010

Order #: 2010-142



**Part-Time Students**

The Board will consider a shortened school day only for preschool and kindergarten students and for students with an individual education plan or 504 plan that supports a shortened day.

**REFERENCES:**

KRS 339.210

KRS 339.220

KRS 339.230

KRS 339.360

702 KAR 007:125

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act of 1990

**RELATED POLICIES:**

08.131

08.31

09.13

Adopted/Amended: 07/25/2011

Order #: 2011.288

## **Nonresident Students**

### **DEFINITION OF LEGAL RESIDENCE**

Except for emancipated pupils, the legal residence of a pupil is determined by the address of the legal residence of the parent or guardian who has custody of the pupil as evidenced by legal documents and not by the address at which the pupil is living..

### **BOARD APPROVAL**

Contingent upon the recommendation of the Superintendent and approval of the Board, nonresident pupils may attend District schools when the following requirements have been met:

1. Written request for admission has been submitted;
2. Admission questionnaire is completed; and
3. Official notification of acceptance has been received from the Superintendent/designee.

All requests shall be in writing on forms available from the Director of Pupil Personnel.

The Board reserves the right to admit and assign all nonresident pupils. Nonresident students shall be accepted only when class sizes are below the allowable maximum and when enrollment of the student will not alter the Board-approved grade level organizational pattern. Admission must be requested annually.

### **CRITERIA FOR APPROVAL**

The Board will approve the request for admission of nonresident students in the local schools under the following conditions:

1. When the student has not been expelled from the school in which he was last enrolled;
2. When the student is not under suspension from the school in which he is or was enrolled;
3. When the student does not have an unacceptable history of disciplinary problems;
4. When class sizes and grade level organizational pattern will allow admission of the student;
5. When no district vehicles will be required to leave the school district to pick up the student;
6. When a student entering grades four through twelve (4-12) has a minimum cumulative G.P.A. of 2.0 and has received at least a 2.0 G.P.A. for the semester prior to enrollment;
7. When the enrollment is made within ten (10) days of the beginning of a semester, and;
8. When a student has less than six (6) days of unexcused absence during the previous year and/or less than three (3) days of unexcused absence during the semester prior to enrollment.

**Nonresident Students**

The Board may withdraw approval of the request for admission upon the discovery of any false or misleading information accompanying the request.

In the event a nonresident student is approved to attend the District but becomes an attendance or disciplinary problem, or is involved in any illegal activity, the Superintendent shall have the ability to no longer allow the student to remain in the District.

**REFERENCES:**

OAG 79-327; OAG 66-550; OAG 80-47  
KRS 158.120; KRS 159.010

**RELATED POLICIES:**

09.11; 09.111; 09.12  
09.124; 09.125

Adopted/Amended: 03/26/2007

Order #: 01279777

**Persons Over Compulsory Attendance Age****PROHIBITIONS**

Persons over twenty-one (21) years of age shall not be admitted to or served by the District's elementary or secondary schools.

Students under age twenty-one (21) who already have graduated from an accredited or four (4) year high school shall be considered to have completed high school and shall not be permitted to enroll in the District. Students who have earned a GED shall be permitted to enroll to work toward completion of graduation requirements.

**STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, the procedures mandated by federal and state law for such students shall be followed.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>P. L. 105-17  
KRS 158.100  
KRS 158.140  
KRS 159.010  
KRS 159.030  
704 KAR 003:305

Adopted/Amended: 07/23/2012  
Order #: 2012.433

### **Absences and Excuses**

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 007:125.<sup>1</sup> In an effort to encourage regular and punctual pupil attendance, the District has adopted this policy, which shall be the exclusive attendance policy for all pupils in the District. Each school's student handbook shall include a copy of this policy.

#### **EXCUSED ABSENCES**

An excused absence or tardiness is one for which work may be made up, such as:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil;
3. Pupil's medical or dental appointment substantiated by a note from the doctor or dentist;
4. Participation in school-related activities approved by the Principal;
5. One (1) day for attendance at the Kentucky State Fair,
6. Driver's test (½ day);
7. Court appearance (documentation required);
8. Religious holidays and practices (Principal discretion);
9. College visitation (documentation required, Principal discretion);
10. Documented military leave;
11. One (1) day prior to departure of parent/guardian called to active military duty;
12. One (1) day upon the return of parent/guardian from active military duty,
13. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave, or
14. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

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

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

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

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

**Absences and Excuses****NOTES REQUIRED**

The day following a student's absence from school, s/he shall bring a note signed by his/her parent/guardian stating the reason for the absence. The Principal shall credit the pupil with an excused absence if the note substantiates that the absence meets one or more of the criteria set forth above under "Excused Absences." However, after a pupil has had six (6) days of absences excused for the pupil's illness or for death or severe illness in the pupil's immediate family, a doctor's note shall be required in order for any further absences to be excused for either of these reasons. Failure to provide the notes required by this policy shall result in the absence being designated as unexcused.

**UNEXCUSED ABSENCES**

A pupil shall not be allowed to make up class work or be given credit for class work missed due to an unexcused absence or tardy unless the pupil attends one (1) evening of Friday Night School for each unexcused absence or tardy (up to a maximum of three days) and makes up the class work while there. This option of making up the missed class work at Friday Night School shall not be available for any pupil who has more than three (3) unexcused absences or tardies during the school term.

Students who are at least eighteen (18) years old are subject to being expelled from school for excessive unexcused absences.

**TRUANCY**

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

Any student who has been reported as a truant two (2) or more times is an habitual truant.

When a pupil has accumulated two (2) unexcused absences, and/or three (3) unexcused tardies, the Director of Pupil Personnel shall send a letter to the pupil's parent/guardian, stating the implications of having two (2) or more unexcused absences.

When a pupil has accumulated four (4) unexcused absences, and/or six (6) unexcused tardies, the Director of Pupil Personnel shall make a personal contact to the pupil's home. The Director of Pupil Personnel shall document the personal contact and send a copy of the documentation to the Principal of the school the pupil attends. The pupil's guidance counselor shall be informed by the Director of Pupil Personnel of the four (4) unexcused absences, and/or six (6) unexcused tardies, and the guidance counselor shall counsel the pupil about the implications of missing four (4) or more days, exploring ways to avoid future absences.

**Absences and Excuses****TRUANCY (CONTINUED)**

If the pupil accumulates six (6) or more unexcused absences and/or six (6) or more unexcused tardies, the Director of Pupil Personnel shall send a certified letter of final notice to the pupil's parent/guardian in accordance with KRS 159.180. After sending the final notice, the Director of Pupil Personnel shall file habitual truancy charges against the pupil and/or parent/guardian in the event the pupil has further unexcused absences or tardies during the school term.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

**REFERENCES:**

<sup>1</sup>702 KAR 007:125

KRS 36.396, KRS 38.470, KRS 40.366

KRS 158.070, KRS 158.183, KRS 158.293, KRS 158.294

KRS 159.035, KRS 159.140, KRS 159.150, KRS 159.180

OAG 76-566, OAG 79-68, OAG 79-539, OAG 91-79, OAG 96-28

**RELATED POLICIES:**

09.111, 09.122, 09.4281

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended: 07/27/2009

Order #: 0128463

**Dismissal from School****RELEASE OF STUDENTS**

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the Principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

**RELEASE PROCESS**

If the student is to be picked up early, the custodial parent/guardian or designee shall report to the Principal's office and sign for the student's release.

Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (visual identification by an employee, driver's license, picture identification, etc.) to assure that they are authorized to pick up the student.

Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

**EXCEPTIONS**

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant. In such case, the student's parent shall be notified at the earliest opportunity.

In addition, the Board authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

**REFERENCE:**

702 KAR 007:125

**RELATED POLICIES:**

09.12311; 09.432  
09.434; 10.5

Adopted/Amended: 09/11/1997  
Order #: 01089



**Release of Students and Student Information to  
Divorced, Separated, or Single Parents**

The Board shall release the student or information concerning the student to a parent, guardian, or individual acting as a parent of a student in the absence of a parent or guardian unless the school has been provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary.

Release of the student or information concerning the student to a single parent or a divorced/separated parent will be accomplished according to the following procedures:

Unless the school has been informed and given evidence of state law or court order concerning the status of the student:

1. Both parents shall have equal access to any information concerning the students.
2. Both parents shall have the right to release of the student under their care.

**REFERENCES:**

20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67  
OAG 85-130, OAG 90-52

**RELATED POLICIES:**

01.0  
09.14

Adopted/Amended: 04/24/1996

Order #: 0579

**Tuition****FEE TO BE CHARGED**

The Board shall charge a fee, according to a schedule adopted by the Board, for each student attending its schools whose parent is not a bona fide resident of the District, if they live out of State OR if the Kentucky District in which they reside does not hold a current signed non-resident contract with the Gallatin County Board of Education.

**CHILDREN OF EMPLOYEES**

With the exception of employees who live out-of-state, children of District employees may attend tuition free without regard to residence, provided their Kentucky district of residence signs a contract to transfer ADA to the Board. Employees must complete an out-of-district application for their child prior to August 1st of each year and this application must be approved by the Board. For approval, the applicant must meet the same guidelines as other non-resident applicants with regards to grades, attendance, discipline, etc. Employees who live out-of-state may enroll their children in the District provided they pay tuition equal to the ADA. Tuition fees may change each year based on the ADA/SEEK calculation for that year.

**REFERENCES:**

<sup>1</sup>KRS 158.120  
237 S.W. 2D 65 (1951)  
OAG 80-47; OAG 91-75  
KRS 158.135  
702 KAR 007:125

**RELATED POLICIES:**

03.17; 03.226; 09.12; 09.125  
09.126 (re requirements/exceptions for students from military families)

Adopted/Amended: 02/10/2011

Order #: 2011-23

**Reciprocal Agreements with Other School Districts**

Reciprocal written agreements with other school districts concerning nonresident students shall be made in compliance with state statutes<sup>1</sup> and administrative regulations.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.350(4)

<sup>2</sup>702 KAR 007:125

OAG 91-75

**RELATED POLICIES:**

09.12

09.124

Adopted/Amended: 04/24/1996

Order #: 0579

### **Students of Military Families**

The following are key provisions that apply to students from military families that are based on the compact agreed upon by states belonging to the Interstate Commission on Educational Opportunity for Military Children:

#### **ENROLLMENT**

Students from a household of an active duty service member who are moving into the District shall be enrolled and appropriately placed as quickly as possible based on information provided in the student's unofficial records pending validation by the official record that the District shall request from the sending school.

Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in a jurisdiction other than that of the custodial parent may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

#### **TUITION**

Tuition shall not be charged for a transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in the jurisdiction other than that of the custodial parent.

#### **IMMUNIZATION REQUIREMENTS**

Students from military families shall have thirty (30) days from the date of enrollment to obtain required immunizations or additional time as may be determined by the Interstate Commission Compact rules.

#### **PLACEMENT**

Kindergarten and first grade students from a household of an active duty service member moving into the District from an accredited school in another state shall be allowed to continue placement at their current grade level, regardless of age.

Decisions about placement of students from military families in educational programs shall be based on current educational assessments conducted at the sending school or participation/placement in like programs in the sending state. Such programs include, but are not limited to the following programs:

1. Gifted and talented; and
2. English as a second language (ESL).

This shall not preclude the District/school from performing subsequent evaluations to ensure appropriate placement of a student.

#### **SPECIAL EDUCATION SERVICES**

The District shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP).

The District shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 (Title II) Plan\*, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

\* In Kentucky, a student Title II Plan is the same as a Section 504 Plan.

**Students of Military Families****DEPLOYMENT-RELATED ABSENCES**

Students whose parent or legal guardian is an active member of the uniformed services, as defined by this compact, and has been called to active duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with their parent or legal guardian relative to such leave or deployment.

**EXTRACURRICULAR PARTICIPATION**

The District shall facilitate the opportunity for transitioning children of military families to participate in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

**GRADUATION REQUIREMENTS**

The District shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another school district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide alternative means of acquiring required coursework so that graduation may occur on time. Otherwise, the District shall ensure receipt of a diploma from the sending school district if the student completed graduation requirements of that district.

Exit exam scores from sending schools shall be accepted in accordance with the Interstate Commission Compact.

**CHILDREN OF CIVILIAN MILITARY EMPLOYEES**

Children of civilian military employees shall be afforded the same rights as children of military families under KRS 156.730 if the parents are required to move to perform their job responsibilities resulting in the students having to change schools.

**REFERENCES:**

KRS 156.730; KRS 156.735

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of the Rehabilitation Act; District 504 procedures

Americans with Disabilities Act

**RELATED POLICIES:**

02.4241; 08.113; 08.131; 08.132; 08.13452

09.12; 09.121; 09.123; 09.124; 09.211; 09.3; 09.313

Adopted/Amended: 07/27/2009

Order #: 0128463

## **Equal Educational Opportunities**

### **DISCRIMINATION PROHIBITED**

No pupil shall be discriminated against because of age, color, disability<sup>1</sup>, race, national origin, religion, sex, or veteran status.

### **STUDENTS WITH DISABILITIES**

The District shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction.

The District shall operate its programs in accordance with the procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

### **RELIGIOUS ACTIVITIES**

The District shall observe the rights of students to voluntarily engage in religious activities or express religious viewpoints while at school, as established by the United States Constitution and law, provided they do not:

1. Infringe on the rights of the school to:
  - a. Maintain order and discipline;
  - b. Prevent disruption of the educational process; and
  - c. Determine education curriculum;
2. Harass other persons or coerce other persons to participate in the activity; or
3. Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.

### **REFERENCES:**

<sup>1</sup>Bd. of Educ., etc. v. Rowley 102 S.Ct. 3034 (1982)

District special education policy and procedures manual; District 504 procedures

KRS 157.200; KRS 157.224; KRS 157.226; KRS 157.230; KRS 157.350

KRS 158.183; KRS 160.295; Age Discrimination Act of 1975

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act of 1990

Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972

Vietnam Era Veterans Readjustment Assistance Act of 1974

Kentucky Education Technology System (KETS); 28 C.F.R. Section 35.101 et seq.

### **RELATED POLICIES:**

03.113, 03.212, 05.11, 08.131, 09.3211

Adopted/Amended: 07/23/2012

Order #: 2012.433

## **Student Records**

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

### **PROCEDURE TO BE ESTABLISHED**

The Superintendent shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure District compliance with applicable state and federal student record requirements.

### **DISCLOSURE OF RECORDS**

Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.<sup>1</sup>

Upon written request, parents or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized District personnel also may disclose personally identifiable information to the following:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- School officials (such as teachers, instructional aides, administrators) and other service providers (such as contractors, consultants, and volunteers used by the District to perform institutional services and functions) having a legitimate educational interest in the information.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

### **DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES**

Personally identifiable student information may be released to those other than employees who are designated by the Superintendent in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 CFR Part 99.35.

**Student Records****DUTY TO REPORT**

If it is determined that the District cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the District must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

**DIRECTORY INFORMATION**

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

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

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

**SURVEYS OF PROTECTED INFORMATION**

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Improvement Act (IDEIA).

**STUDENTS WITH DISABILITIES**

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.



**Student Records****JUVENILE COURT RECORDS**

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Superintendent shall notify the Principal of the school in which the child is enrolled. The Principal shall then release the information as permitted by law. Only the Superintendent and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.<sup>2</sup>

**RECORDS OF MISSING CHILDREN**

Upon notification by the Commissioner of Education of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

**COURT ORDER/SUBPOENA**

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. However, in compliance with FERPA, when a lawfully issued court order or subpoena requires disclosure be made without notification of the student or parent, the District shall comply with that requirement. If the District receives such an order, the matter may be referred to local counsel for advice.

**REFERENCES:**

<sup>1</sup>Section 152 of the Internal Revenue Code of 1986

<sup>2</sup>KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345

KRS 7.110; KRS 15A.067; KRS 158.032; KRS 159.160; KRS 159.250

KRS 160.990; KRS 161.200; KRS 161.210; 702 KAR 001:140; 702 KAR 003:220

20 U.S.C. 1232g, 34 C.F.R. 99.1 - 99.67

20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98

OAG 80-33; OAG 85-130; OAG 85-140; OAG 86-2; OAG 93-35

Kentucky Family Educational Rights and Privacy Act (KRS 160.700; KRS 160.705

KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)

Individuals with Disabilities Education Improvement Act of 2004

Kentucky Education Technology System (KETS)

P. L. 107-110, Sections 1061 and 9528 (No Child Left Behind Act of 2001)

**RELATED POLICIES:**

09.111; 09.12311; 09.43

Adopted/Amended: 07/23/2012

Order #: 2012.433

**Student Fees****BOARD APPROVAL REQUIRED**

Fees for rental or purchase of instructional resources may be charged. All student fees and charges shall be adopted by the Board, including any student activity fees or membership dues. Approved fees shall remain in place until modified or removed by Board resolution.

**INABILITY TO PAY**

No child shall be denied full participation in any educational program due to an inability to pay for, or rent, necessary instructional resources.<sup>1</sup>

**WAIVER OF FEES**

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced price meals. At the beginning of the school year or at the time of enrollment, all students who qualify shall be given clear and prominent written notice of the fee waiver provisions. The written notice of the fee waiver process shall include a form that parents may use to request waiver of fees. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 158.108; 704 KAR 003:455

<sup>2</sup>KRS 160.330; 702 KAR 003:220

Accounting Procedures for Kentucky School Activity Funds

**RELATED POLICY:**

08.232

Adopted/Amended: 07/28/2008

Order #: 0128259

### **Student Welfare and Wellness**

The health and safety of pupils shall be a priority consideration in all Board decisions.

The Board is committed to providing school environments that promote and protect student health, well-being, and ability to learn by supporting healthy eating and physical activity. To this end, the Board supports school efforts to implement the following:

- All students will have opportunities, support, and encouragement to be physically active on a regular basis as provided by school/council policy.
- Foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- To the maximum extent practicable, schools will participate in available federal school meal programs.
- Schools will provide and promote nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education, school meal programs, and related community services.

A process shall be implemented to engage students, parents, physical and/or health education teachers, school food service professionals, school health professionals, school board members, school administrators, and other interested community members in developing, implementing, monitoring, and reviewing this policy.

#### **NUTRITION EDUCATION AND PROMOTION**

Each school is encouraged to provide nutrition education and engage in nutrition promotion that is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health.

#### **MONITORING**

The Superintendent/designee will monitor compliance with this and related policies. At the school level, the Principal/designee will monitor compliance with those policies in his/her school and will report on the school's compliance as directed by the Superintendent/designee.

**Student Welfare and Wellness**

**PROGRESS REPORT**

The District shall periodically measure and update the public on the content and progress of implementation of its school wellness efforts. The report shall include:

1. Extent to which the District is in compliance with this policy;
2. A comparison of how the District measures up to model wellness policies provided by recognized state and national authorities; and
3. A description of the measurable progress made towards reaching goals of the District wellness policy and addressing any gaps identified in the wellness report for the previous year.

**REFERENCE:**

P. L. 111-296

Adopted/Amended: 07/25/2011  
Order #: 2011.288

## **Health Requirements and Services**

### **HEALTH AND SAFETY**

The Superintendent shall develop procedures to ensure District compliance with all health and safety governance requirements.

The protocols and guidelines for health procedures performed by health professionals and school personnel shall be accessible to school personnel.<sup>1</sup> Policies and related procedures for these policies in the 09.2 section of this Manual, as referenced in the Health Services Reference Guide, are incorporated herein.

### **REQUIRED**

All pupils shall undergo preventative health care examinations as required by Kentucky Administrative Regulation.<sup>2</sup>

The Board shall adopt a program for continuous health supervision for all pupils, including screening tests related to growth and development, vision, and hearing.

### **REFERRAL**

Referral and appropriate follow-up of an abnormality noted by screening or teacher observation shall be recorded on school health records.

### **EMERGENCY CARE**

Schools shall have emergency care procedures, a copy of which shall be on file in the Central Office.

### **HEALTH RECORD**

Each school shall initiate a cumulative health record for each pupil entering school. Such record shall be maintained throughout the pupil's attendance on forms prescribed by the Kentucky Administrative Regulation or maintained electronically in the student information system.

### **REFERENCES:**

<sup>1</sup>KRS 156.501

<sup>2</sup>702 KAR 001:160

KRS 158.297; KRS 159.150

Health Services Reference Guide

### **RELATED POLICIES:**

08.1213; 08.131; 08.222; 09.2 (entire section); 09.211; 09.224

Adopted/Amended: 07/23/2012

Order #: 2012.433

**Health Care Examination**

All pupils shall undergo preventative health care, dental, and vision examinations as required by Kentucky Administrative Regulation, which shall be reported on the state forms required by state regulation.<sup>1</sup>

**IMMUNIZATIONS**

The immunization certificate form required by 702 KAR 001:160 shall be on file within two (2) weeks of a student's enrollment in school.<sup>1, 2 & 3</sup>

Forms relating to exemptions from immunization requirements shall be available at each school.

Immunization certificates shall be kept current.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 156.160; 702 KAR 001:160

<sup>2</sup>KRS 214.036; KRS 214.034

<sup>3</sup>KRS 158.035

902 KAR 002:060; 902 KAR 002:090

OAG 82-131

Health Services Reference Guide, Kentucky Department of Education

**RELATED POLICIES:**

09.121

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended: 07/25/2011

Order #: 2011.288

## **Contagious Diseases and Parasites**

### **NOTIFICATION**

A parent, legal guardian, or other person or agency responsible for a student shall notify the student's Principal if the student has any medical condition which is defined by the Cabinet for Health and Family Services in administrative regulation as threatening the safety of the student or others in the school. The notification shall be given as soon as the medical condition becomes known and upon each subsequent enrollment by the student in a school.<sup>1</sup>

The Principal or designee shall notify the student's teachers in writing of the nature of the medical condition.

### **INFECTION CONTROL**

If any student is known or suspected to have or be infected with a communicable disease or condition for which a reasonable probability for transmission exists in a school setting, the Superintendent may order the student excluded from school. The time period the student is excluded from school shall be in accordance with generally accepted medical standards which the Superintendent shall obtain from consultation with the student's physician, the local health officer<sup>1</sup>, or the Kentucky Department for Public Health.

### **EPIDEMICS**

In the event of a dangerous epidemic as determined by the Kentucky Department for Public Health, the Board may close the schools.<sup>1</sup>

### **SCHOOL TO REPORT**

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as AIDS/HIV, as set forth in Kentucky Administrative Regulation.<sup>2</sup>

### **MEDICAL CONFIDENTIALITY**

Unless otherwise permitted by law, signed parental consent designating District personnel to be informed of a student's medical condition shall be on file prior to informing identified District personnel.

The Superintendent shall identify which employees are to have access to student medical information. This determination shall be made on a need-to-know basis.

### **CLEANUP PROCEDURES**

The Superintendent shall develop procedures to promote adequate and proper cleanup details and measures to aid in the prevention of infection and communicability of contagious diseases.

### **REFERENCES:**

<sup>1</sup>KRS 158.160

<sup>2</sup>704 KAR 004:020; 902 KAR 002:020; KRS 214.625

Kentucky Department for Public Health; Centers for Disease Control and Prevention  
KRS 214.185

Adopted/Amended: 08/12/2002

Order #: 012572

**Student Health and Safety****PRIORITY**

Student health, welfare and safety shall receive priority consideration by the Board.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in each school.

**HEALTH SERVICES TO BE PROVIDED**

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.<sup>1</sup>

If the delegation involves administration of medication, the District will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE).

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

**SAFETY PROCEDURES**

All pupils shall receive annual instruction in school bus safety.

The Superintendent shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision.

**SUICIDE PREVENTION**

By September 1 of each school year, administrators shall provide suicide prevention awareness information to students in middle school grades and above, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 156.501; KRS 156.502; 704 KAR 004:020

<sup>2</sup>KRS 156.095

KRS 156.160

702 KAR 005:030

**RELATED POLICY:**

09.2241

Adopted/Amended: 07/26/2010

Order #: 2010-166



### **Supervision of Students**

Students will be under the supervision of a qualified adult.

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities.<sup>1</sup>

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old. The Superintendent/designee may present for Board approval a list of job classifications of staff members who may be authorized to accompany students on school-sponsored or school-endorsed trips.<sup>2</sup>

A nonfaculty coach or a nonfaculty assistant may accompany students on athletic trips as provided in statute.<sup>1</sup>

#### **ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY**

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extracurricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

#### **STUDENT REGISTRANTS**

The Principal is authorized to set supervision requirements and limitations, as appropriate, that apply to students enrolled in the school who are registrants as defined in KRS 17.500. If the Principal has set limitations, restrictions or requirements, they shall be put into writing and a copy provided to the student/guardian.

#### **REFERENCES:**

<sup>1</sup>KRS 161.180

<sup>2</sup>KRS 161.185

KRS 17.545; 702 KAR 005:030

#### **RELATED POLICIES:**

09.36

10.5

Adopted/Amended: 07/25/2011

Order #: 2011.288

**Employee Reports of Criminal Activity**

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

**KRS 158.154**

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

**KRS 158.155**

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
  - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
    - i Carrying, possession, or use of a deadly weapon; or
    - ii Use, possession, or sale of controlled substances; or
  - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

**KRS 158.156**

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

**Employee Reports of Criminal Activity****KRS 620.030**

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

**REFERENCES:**

KRS 158.154

KRS 158.155

KRS 158.156

KRS 525.070, KRS 525.080

KRS 527.070, KRS 527.080

KRS 620.030

**RELATED POLICIES:**

03.13251/03.23251

05.48

09.227

09.422

09.423

09.425

09.426

09.438

Adopted/Amended: 07/28/2008

Order #: 0128259

**Use of Physical Restraint**

Employees may use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, or others from physical injury; to obtain possession of a weapon or other dangerous object under the control of a student; or to protect property from serious harm.

If the ARC (Admissions and Release Committee) or Section 504 Team anticipates that a student may need to be restrained on a frequent basis, the District shall consider whether special restraint training is needed for one (1) or more of the employees who regularly work with the student.

**REFERENCES:**

KRS 503.080, KRS 503.110

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of Rehabilitation Act of 1973

Adopted/Amended: 07/27/2009

Order #: 0128463

**Bicycle Use**

**SCHOOL TO DEVELOP RULES**

Pupils shall be permitted to ride bicycles onto school grounds under rules developed by the Principal of each individual school.

**REFERENCE:**

OAG 74-783

Adopted/Amended: 08/22/1996

Order #: 0694

**Motor Vehicle Use****CONDITIONS FOR USE**

With parental request and under conditions prescribed by the school Principal,<sup>1</sup> high school pupils may be permitted to drive motor vehicles onto the school grounds. Vehicles shall be parked in designated areas on the school campus and are not to be visited or moved during the school day unless permission is given by the Principal.

**PRIVILEGE MAY BE REVOKED**

Driving on the school grounds is a privilege which may be revoked if conditions are violated.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.180

KRS 160.290

<sup>2</sup>OAG 74-783

Adopted/Amended: 04/24/1996

Order #: 0579

**Emergency Medical Treatment****FIRST AID TO BE PROVIDED**

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

**FIRST-AID ROOM**

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

In accordance with KRS 158.838, the District shall train and have available employees to administer glucagon or diazepam rectal gel to students as required by law.

**INFORMATION NEEDED**

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.<sup>1</sup> Parents will be notified in the event of an accident.

**EMERGENCY PROCEDURES**

Each Principal shall develop a procedure for handling medical emergencies.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

**REFERENCES:**

<sup>1</sup>704 KAR 004:020

KRS 156.160

KRS 156.502

KRS 158.838

**RELATED POLICIES:**

09.21

09.22

09.2241

Adopted/Amended: 07/28/2008

Order #: 0128259

**Student Medication**

Internal medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian is on file.<sup>1</sup>

**SELF-ADMINISTRATION**

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

Provided the parent/guardian and physician files a completed authorization form each year as required by law, a student under treatment for asthma shall be permitted to self-administer medication.<sup>2</sup>

Students shall not share any prescription or over-the counter medication with another student. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

**REFERENCES:**

<sup>1</sup>OAG 73-768

<sup>2</sup>KRS 158.834

KRS 158.836

OAG 77-530

OAG 83-115

**RELATED POLICY:**

09.224

Adopted/Amended: 07/26/2010

Order #: 2010-166



**Conduct on School Bus****PUPILS' RESPONSIBILITIES**

Pupils shall conform to transportation rules and regulations prescribed under state statutes<sup>1</sup> and under state and local regulations.

**INSTRUCTION IN BUS CONDUCT AND SAFETY**

Instruction in bus conduct and safety shall be provided all transported students. Instruction shall include the following rules:

**PUPILS TO WAIT AT ASSIGNED STOP**

Pupils shall wait at their assigned bus stop off the roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.

**CROSSING ON DRIVER'S/MONITOR'S SIGNAL**

Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver/monitor.

**CROSSING IN DRIVER'S VISION**

When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order that they may be seen by the bus driver.

**SEATING**

When pupils enter the bus, they shall proceed directly to a seat.

**SEATED UNTIL COMPLETE STOP**

Pupils shall remain seated until the bus has come to a complete stop.

**BODY NOT TO PROTRUDE FROM WINDOW**

Pupils shall not extend their arms, legs, or heads out the bus windows.

**CHANGING SEATS**

Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.

**PUPIL NOISE**

Pupils shall not create noise on the bus to the extent that it might distract the bus driver or to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.

**REFERENCES:**

<sup>1</sup>KRS 156.160, KRS 156.070, KRS 189.540, KRS 160.340, KRS 160.290

**RELATED POLICY:**

06.34 (bus disciplinary policy)

Adopted/Amended: 01/26/2004

Order #: 0127340

## **Child Abuse**

### **REPORT REQUIRED**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected<sup>1</sup> shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Families and Children or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030.<sup>2</sup>

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee who shall also promptly report to the proper authorities for investigation.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

### **WRITTEN REPORT**

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Families and Children or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

### **WRITTEN RECORDS**

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or school District.

### **REFERENCES:**

<sup>1</sup>KRS 600.020 (1)(15)

<sup>2</sup>KRS 620.030, KRS 620.040

KRS 17.160, KRS 17.165, KRS 17.545, KRS 17.580; KRS 199.990, KRS 620.050

OAG 77-407, OAG 77-506, OAG 80-50, OAG 85-134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX

### **RELATED POLICIES:**

09.42811; 10.5

Adopted/Amended: 07/27/2009

Order #: 0128463

**Student Insurance**

**INSURANCE PROGRAM TO BE PROVIDED**

The Board may designate an insurance company to provide a group accident insurance program for pupils.

**RELATED POLICY:**

09.312

Adopted/Amended: 04/24/1996

Order #: 0579

**Student Activities****TO BE ENCOURAGED**

Student activities of an educational nature shall be encouraged and maintained, based upon the needs and interests of pupils.

In schools operating under SBDM, the council shall determine selection of extracurricular activities, as well as academic qualifications, attendance requirements, evaluation procedures, and supervision for these programs.

**CONTROL**

All school-sponsored student activities shall be under the direction of the Principal and faculty of the school, except that a nonfaculty coach or nonfaculty assistant may accompany students on athletic trips as provided in statute.<sup>1</sup>

The Principal may suspend a student's eligibility to participate in extracurricular and cocurricular activities, pending investigation of any allegation that the student has violated either the District behavior standards or the school council's criteria for participation.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.185

<sup>2</sup>KRS 158.153

OAG 57-40812

KRS 161.180

702 KAR 007:125; 702 KAR 007:140

**RELATED POLICIES:**

09.126 (re requirements/exceptions for students from military families)

09.3211; 09.36; 09.438

Adopted/Amended: 10/15/1998

Order #: 012547

**Athletics**

All interscholastic and intramural athletic competition shall be in compliance with the constitution, bylaws, and tournament rules of the Kentucky High School Athletic Association (KHSAA) and Title IX requirements. As a condition to KHSAA membership, each member school and Superintendent shall annually submit a written certification of compliance with 20 USC Section 1681 (Title IX).

**PROGRAM EQUITY**

Policy adopted by the school council relating to evaluation of the athletic program shall address program equity for both male and female athletics. In non-SBDM schools, the Principal shall establish policy for program evaluation.

To assist councils (or the Principal in non-SBDM), the Superintendent/designee shall develop and oversee implementation of procedures to promote compliance with Title IX requirements.

**REFERENCES:**

KRS 156.070

KRS 160.345; KRS 160.445

Kentucky High School Athletic Association (KHSAA) Handbook  
20 USC Section 1681 (Title IX)

**RELATED POLICY:**

02.4241

Adopted/Amended: 08/12/2002

Order #: 012572

**Safety (Athletics)**

The Superintendent shall develop procedures to insure that the safety of the student shall be the first consideration in all athletic practices and events.

**SUPERVISION**

All athletic practices and events shall be under the direct supervision of a qualified employee of the Board.

**TRAINING**

All persons employed by the District as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.<sup>1</sup>

Prior to assuming their duties, nonfaculty coaches/coaching assistants shall successfully complete training provided by the District, which shall include, but not limited to, the following:

1. Information on the physical and emotional development of students of the age with whom the nonfaculty coach and nonfaculty assistant will be working;
2. The District's and school's discipline policies;
3. Procedures for dealing with discipline problems; and
4. Safety and first aid training.

Follow-up training shall be provided annually.<sup>3</sup>

**EMERGENCY ACTION PLAN**

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), each school participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.<sup>1</sup>

**CONCUSSIONS**

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. The student may return to play if it is determined that no concussion has occurred.

A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

**Safety (Athletics)****MEDICAL EXAMINATION**

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner as required by law.<sup>2</sup>

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 160.445

<sup>2</sup>KRS 156.070

<sup>3</sup>KRS 161.185

Adopted/Amended: 07/23/2012

Order #: 2012.433

**Insurance (Athletics)**

All students participating in interscholastic athletics must present evidence of accident insurance. Insurance must meet minimum criteria established by the Superintendent.

**RELATED POLICY:**

09.23

Adopted/Amended: 04/24/1996  
Order #: 0579



**Eligibility (Athletics)**

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

**REFERENCES:**

702 KAR 007:065

Kentucky High School Athletic Association (KHSAA)

KRS 156.070

**RELATED POLICIES:**

09.126 (re requirements/exceptions for students from military families)

09.423

Adopted/Amended: 04/24/1996

Order #: 0579

**Student Organizations****SECRET ORGANIZATIONS**

The Board does not support or sponsor the establishment or operation of any secret or socially exclusive societies, fraternities, or sororities under District auspices.

School groups' affiliation with state and national organizations must be approved by the Board.

All school-sponsored student organizations shall be under the direction of a faculty advisor.

**REFERENCE:**

KRS 161.185

**RELATED POLICIES:**

09.321

09.3211

09.36

Adopted/Amended: 04/24/1996

Order #: 0579

### **Fund-Raising Activities**

#### **BOARD APPROVAL REQUIRED**

All schoolwide fund-raising activities must be approved by the Board.<sup>1</sup> Requests must be channeled through the Principal and Superintendent.

#### **RESTRICTIONS**

All school fund-raising and sales activities shall comply with the following:

1. All funds received for use by the school shall be properly recorded in the school's accounting system.
2. Any sale or canvassing of District employees, students, and the community for the purpose of selling an item carrying school and/or District information must be approved by the Board.
3. Employees shall not solicit funds from students without prior approval of the Board.
4. Fund-raising activities shall not be conducted during instructional time without prior approval of the Board.
5. No District employee, other individuals, clubs, organizations, or business entities may raise funds, sell advertising, or solicit sponsors on behalf of a school-sponsored activity, club, program, or team without first obtaining permission to do so from the Board. No District employee shall have the authority to grant such permission and shall not do so.

A violation of any of these restrictions by a District employee may result in appropriate disciplinary action.

#### **DOOR-TO-DOOR SALES**

The Superintendent shall develop and present for Board review door-to-door sales guidelines to reflect the following standards:

1. Students shall be permitted to participate only when mature enough to benefit safely from the experience;
2. To promote their safety and well-being, students shall be instructed to use specific sales strategies, which shall be provided in writing; and
3. Community members and businesses shall not be overburdened by continual appeals.

#### **SUBSCRIPTION SALE OF PRINTED MATERIAL**

The Superintendent shall provide written approval to the county clerk for all subscription sales of printed materials. This approval shall identify the product(s) being sold, the students involved as solicitors, and the duration of sales.<sup>2</sup>

**Fund-Raising Activities****GAMING ACTIVITIES LICENSE**

Schools and individual classes planning to conduct charitable gaming activities, as defined by law, shall obtain and display the appropriate license.<sup>3</sup>

**PUPIL NOT COMPELLED**

No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity.<sup>1</sup>

**CONDUCT OF ACTIVITIES**

All school-sponsored groups and any booster group wishing to be recognized by and/or affiliated with the District shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.

**REFERENCES:**

<sup>1</sup>KRS 158.290

<sup>2</sup>KRS 367.515 (3)

<sup>3</sup>KRS 238.505; KRS 238.535; KRS 238.540

KRS 156.160; KRS 158.854

OAG 78-508; OAG 79-330, OAG 79-556

**RELATED POLICY:**

04.312

Adopted/Amended: 07/27/2009

Order #: 0128463

**Student Publications****SPONSOR PROVIDED**

A designated faculty sponsor shall be provided for all student publications.

**PRIOR SUBMISSION**

Materials to be published shall be submitted to the Principal three (3) days before publication and/or distribution.

The Principal shall have the right to edit all materials for items which are substantially disruptive or which may cause harm to others.

**APPEAL**

A student or author may appeal in writing to the Superintendent the Principal's decision.

**REFERENCES:**

KRS 160.290

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

**RELATED POLICY:**

09.426

Adopted/Amended: 04/24/1996

Order #: 0579

**Social Events****SOCIAL EVENTS MAY BE APPROVED**

Student social events may be approved by the Principal under the following conditions:

1. The door shall be controlled and admission limited to eligible students, guests, chaperones, and school personnel.
2. No one under the influence of alcohol or drugs shall be in attendance.
3. Adequate administrator and/or faculty supervision shall be provided.
4. A policeman shall be present for any event where it is anticipated that the nature of the crowd may pose conduct or safety problems.
5. In case of any disturbance which would jeopardize the safety of students present or threaten to deface or destroy school property, the Principal or the Principal's designee shall immediately close the event and send pupils from the campus.
6. The Principal may impose additional regulations as needed.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.180  
KRS 160.290

**RELATED POLICIES:**

03.6  
05.45

Adopted/Amended: 04/24/1996  
Order #: 0579

### **School-Related Student Trips**

The Board encourages school-related student trips that are an extension of classroom work and an integral part of the educational program. Such trips shall be authorized only when they are directly related to at least one of the six (6) goals specified in KRS 158.6451 (1)(b).

#### **CHAIN OF APPROVAL**

The Principal's prior approval is required for the following categories of trips:

- a) All regularly scheduled athletic events;
- b) All athletic trips that are part of a tournament or play-off in which the school is a participant; and
- c) All school-related trips made within a 100-mile radius of the school.

Use of certificated common carrier service shall be authorized by the Board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.<sup>3</sup>

#### **OVERNIGHT/OUT-OF-STATE TRIPS**

The Board shall approve all overnight, out-of-state trips exceeding a 100-mile radius of the school.

#### **DRIVERS/VEHICLES**

All District-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.<sup>1</sup>

Buses, vans, and drivers shall be requested in advance by the Principal who shall make a written request to the Director of Transportation.

#### **NON-SCHOOL DISTRICT TRANSPORTATION**

The District shall provide transportation in District-owned vehicles or by Board-approved certificated common carrier service for all school-sponsored or school-endorsed trips whether in-state, out-of-state, or out-of-country. All school-endorsed trips shall be funded by the school activity and/or student.

Parents/guardians shall be permitted to decline use of District provided transportation for their child returning from, any school-sponsored or school-endorsed trip taken after the school day. Parents/guardians who make the voluntary choice to decline District-provided transportation shall be required to sign a waiver on a form created for that purpose by the District.

The school Principal shall determine the date, no later than two (2) days prior to the trip, that the signed and dated waiver must be received by the Principal/designee. Waivers must be kept on file at least one (1) calendar year from the date of receipt. Waivers shall not be accepted for trips taken during the school day.

**School-Related Student Trips****NON-SCHOOL DISTRICT TRANSPORTATION (CONTINUED)**

In no event and under no circumstances shall a Principal/designee accept a form waiving school District-provided transportation, the effect of which would lead to a student being transported in a vehicle to be driven by an enrolled District student or anyone under the age of twenty-one (21). If District-provided transportation to a school-sponsored or school-endorsed trip is declined by parents/guardians for their child, the District expressly hereby advises that neither it nor its employees or officials will assume liability or otherwise be held accountable for either the means or safety of the transportation chosen as an alternate to District-provided transportation.

**SUPERVISION**

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.<sup>2</sup>

**INSURANCE**

Only Board-insured vehicles or appropriately certificated common carriers shall be used for transporting students.<sup>3</sup>

**MEDICATION**

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

**PARENTS' APPROVAL**

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

**REFERENCES:**

<sup>1</sup>KRS 156.153

<sup>2</sup>KRS 161.185

<sup>3</sup>702 KAR 005:060

702 KAR 003:220, 702 KAR 005:030, 702 KAR 005:080, 702 KAR 005:130  
KRS 158.110, KRS 160.340, KRS 189.125, KRS 189.540

**RELATED POLICIES:**

03.1321; 03.2321; 09.15; 09.221; 09.2241

Adopted/Amended: 07/25/2011

Order #: 2011.288



**Student Behavior**

The Board requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school district and the laws of the community and state.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 160.290  
KRS 161.180

Adopted/Amended: 04/24/1996  
Order #: 0579

**Pregnant and Married Students**

Married and/or pregnant pupils shall be permitted the same rights and privileges as other pupils.<sup>1</sup>  
Pregnant students may not participate in activities which will endanger the student or fetus.

**REFERENCE:**

<sup>1</sup>34 CFR 106.40

OAG 93-37

OAG 97-26

Adopted/Amended: 04/24/1996

Order #: 0579

**Student Conduct**

The Superintendent/designee shall be responsible for overall implementation and supervision of the Board's Code of Acceptable Behavior and Discipline, and each Principal shall be responsible for administration and implementation of the Code within each school. The Principal shall apply the Code uniformly and fairly to each student without partiality or discrimination.

The Principal of each school, or school council in schools with SBDM, shall set school policy concerning the selection and implementation of appropriate discipline and classroom management techniques necessary to carry out the Code.

**REFERENCES:**

KRS 158.148

KRS 160.290

KRS 161.180

**RELATED POLICY:**

09.438

Adopted/Amended: 10/15/1998

Order #: 012547

**Care of School and Personal Property****PUPILS RESPONSIBLE**

Pupils shall be held responsible for damage to school property.

**SCHOOL PROPERTY**

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving:

1. Intentional harm, and
2. Damage beyond minor loss or breakage, excluding normal wear and tear.

**PERSONAL PROPERTY OF SCHOOL PERSONNEL**

Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.<sup>2</sup>

**STUDENTS' PROPERTY**

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

**PARENTS LIABLE**

Parents shall be liable for property damage caused by their minor children.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.140 (Textbooks)

<sup>1</sup>KRS 405.025 (Willful Damage)

<sup>2</sup>KRS 158.150

KRS 158.154; KRS 160.290

704 KAR 003:455

**RELATED POLICY:**

09.438

Adopted/Amended: 10/15/1998

Order #: 012547

### **Bullying/Hazing**

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

#### **ACTIONS NOT TOLERATED**

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.<sup>1</sup> This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

#### **BULLYING DEFINED**

Bullying refers to 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.

#### **REPORTS**

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

**Bullying/Hazing**

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

**REFERENCES:**

<sup>1</sup>KRS 158.150; KRS 158.148; KRS 158.156

KRS 160.290

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

**RELATED POLICIES:**

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438  
09.2211 (re reports required by law)

Adopted/Amended: 07/23/2012  
Order #: 2012.433

**Use of Alcohol, Drugs and Other Prohibited Substances****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

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

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

In addition, students shall not possess prescription drugs for the purpose of sale or distribution or any other purpose not permitted by law.

**DEFINITIONS**

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

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

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

**AUTHORIZED MEDICATION**

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy. Authorized medication shall be administered/dispensed adhering to Gallatin County Board of Education Policy and any applicable statutes or regulations.

**PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams/extracurricular activity and/or other school-sponsored activities. Students who drive on campus shall have their driving privileges terminated.

**Use of Alcohol, Drugs and Other Prohibited Substances****REPORTING**

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

**PURPOSE DRUG-TESTING PROGRAM**

In this day and time alcohol and other forms of drug abuse have grown to major proportions in our society. The middle and high school settings are not exempt from this phenomenon. Therefore, it is critical that educators and parents continually look for ways to institute programs that encourage a drug-free lifestyle for their students/children. It is to that end that this program is created to provide the appropriate action plan to address and foster a drug-free environment for the entire Gallatin County middle and high school community.

The program consists of two components:

1. Education and Prevention Plan
2. Drug-Testing Policy

**EDUCATION AND PREVENTION PLAN**

Each semester at least one (1) educational seminar addressing alcohol or drug abuse issues shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all Gallatin County middle and high school students, but shall be required for all participants of extracurricular activities and for students who will be driving or parking on school property.

**TRAINING IN DRUG AWARENESS**

Gallatin County middle and high school teachers will be given an opportunity to receive training in drug awareness. Part of the training will enable each teacher to incorporate drug awareness information into his/her current curriculum. A keener teacher awareness of drug abuse signs and symptoms, as well as methods of referral, will be a direct result of the training. Instructional units on drug abuse, such as those currently taught in our health courses, will be enhanced by this teacher education component. When substance abuse is suspected, teachers will confidentially consult with the school Principal and counselor.

**SEMINARS FOR PARENTS/GUARDIANS**

Educational seminars for parents/guardians that will address alcohol and other forms of drug abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information about drug abuse prevention.



**Use of Alcohol, Drugs and Other Prohibited Substances****ALCOHOL AND DRUG SAFETY POLICY**

All students participating in extracurricular activities or who drive/park on school premises and their parents/guardians must read this policy and accompanying procedures and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures. Students who are eighteen (18) years old or older will not be required to have their parent/guardian sign the acknowledgement.

**STATEMENT OF NEED**

All athletic and extracurricular team coaches/sponsors and the administration of Gallatin County Middle and High school recognize that the unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of middle and high school students engaged in that use. It is also recognized that the unlawful use of alcohol and other drugs is a potential problem for all middle and high school students. In addition to random testing of students who drive/park on school premises and students participating in extracurricular activities, parents may choose to authorize the District to include their children in the random drug testing program by signing the Drug Testing Consent form.

Students engaged in interscholastic athletics and extracurricular activities often are viewed by fellow students as holding or enjoying positions of notoriety and are confronted by unique pressures and risks that make them particularly vulnerable to the harms presented by that use. Because of the potential notoriety derived from athletic and extracurricular participation, students also potentially impact or influence the attitudes and actions of other members of the student body. Finally, in order to deal effectively with drug and alcohol pressures and health risks, we believe that it is imperative to adopt a mandatory drug testing policy governing the illegal use of drugs by student participants in the Gallatin County Middle and High School teams, extracurricular activities and/or drivers.

Athletic teams and extracurricular activities covered by this policy shall apply to all middle and high school varsity and sub varsity athletic and extracurricular activities, including, but not limited to baseball, boys basketball, girls basketball, boys cheerleading, girls cheerleading, cross country, football, softball, tennis, track, volleyball, and all extracurricular activities, including school-sponsored social clubs, academic teams, and local chapters of regional or national organizations. The subsequent addition of any extracurricular activity or varsity or subvarsity sport shall immediately be subject to this policy.

**STATEMENT OF PURPOSE**

This policy is intended to support the comprehensive educational policies and programs of the District in educating students and their parents/guardians as to the dangers inherent in the unlawful use of drugs. The policy is further intended to provide encouragement to all students who voluntarily choose to participate on athletic teams, in extracurricular activities, and/or to drive or park on school property to avoid such use and to strive to benefit from effective rehabilitation when such use has occurred.

**Use of Alcohol, Drugs and Other Prohibited Substances****STATEMENT OF PURPOSE (CONTINUED)**

Administrators shall not use information obtained in the course of administering this policy for disciplinary purposes other than those set forth herein. This drug testing policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law-enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities, other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under eighteen (18) years of age, the administrator shall not release any student's test results to any person other than those described within this policy (Superintendent or his/her designee, Drug Coordinator, Principal, Assistant Principal, Counselor, Director of Pupil Personnel, and the coaches/sponsors of extracurricular activities). Nothing in this policy will prevent the District from releasing any information as may otherwise be required by law or a lawfully issued subpoena or court order.

In order to accomplish its purposes, this policy establishes a program for procedures to deter the unlawful use of drugs and alcohol and to provide for suspension and termination of participation in extracurricular activities and termination of driving privileges when deterrence is unsuccessful. To determine compliance with the policy, it provides a testing program to identify student participants who are unlawfully using drugs. For these students this policy provides incentives for rehabilitation through possible reinstatement to the specific athletic team or extracurricular activity involved and/or reinstatement of driving/parking privileges.

Consistent with its purposes, this policy also seeks to achieve the following objectives:

1. To protect Gallatin County students from impairing their health, safety, education, and future success through the unlawful use of alcohol and other drugs;
2. To protect Gallatin County students and their opponents from potential injury during competition resulting from the unlawful use of alcohol and other drugs;
3. To protect Gallatin County students from the potential stigma of unsubstantiated allegations of unlawful use of alcohol and other drugs; and
4. To assure students, parents, teachers, and the community that the health, safety, education, and future success of student participants are the primary concerns of Gallatin County.

**IMPLEMENTATION, REVIEW, AND EVALUATION**

All student participants and their parents/guardians (if the student is under the age of eighteen (18)) must sign the "Student and Parent/Guardian Consent to Perform Drug Testing" form before the student shall be permitted to try out for and participate in any extracurricular activity, or be authorized to drive or park on school property. The Superintendent shall have the responsibility for implementing this policy. In implementing this policy, the Superintendent may seek input from school principals, coaches, the athletic director, the Title IV coordinator and the school health coordinator, counselors, the drug coordinator, parents or parent groups, local law enforcement officials, local health department officials, and any state agency officials.

**Use of Alcohol, Drugs and Other Prohibited Substances****IMPLEMENTATION, REVIEW, AND EVALUATION (CONTINUED)**

The Superintendent shall devise procedures to implement the policy fairly and efficiently and shall review and evaluate the effectiveness of the drug-testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. In devising procedures to implement this policy, the Superintendent may incorporate the policies and procedures of the collecting and testing agencies and the language in any contract(s) with such agencies.

**APPLICABILITY**

This policy applies to all students choosing to participate in any extracurricular activity, including students/players at the varsity and sub varsity levels and to students who drive or park on school property.

**EDUCATION**

At least once each year, all coaches/sponsors and appropriate certified staff shall require attendance at educational seminars on drug abuse (as outlined in the Education and Prevention Plan section of this policy). These seminars shall be open to attendance by student participants and their parents/guardians and shall be presented by qualified substance abuse educators. Those participating will be asked to demonstrate an understanding of the main components of the drug education seminar.

**TESTING PROGRAM**

Testing shall be accomplished by the analysis of specimen obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Randomness of selection procedures;
2. Proper student identification;
3. Identification of each specimen with the appropriate student participant;
4. Maintenance of the unadulterated integrity of the specimen; and
5. Integrity of the collection and testing process, as well as the confidentiality of test results.

The specific testing process shall be on file at the testing laboratory approved by the Board. The number and frequency of the random test shall be determined by the Board. A student who is involved in more than one (1) covered activity will have no greater chance of being tested than a student who is only involved in a single covered activity.

**Use of Alcohol, Drugs and Other Prohibited Substances****SUBSTANCES TESTED**

Student participants' urine specimen shall be tested for the following, which include, but may not be limited to:

1. Amphetamines;
2. Marijuana (THC);
3. Cocaine and its derivatives;
4. Opiates;
5. Phencyclidine (PCP);
6. Benzodiazepine;
7. Blockers;
8. Methamphetamine;
9. Methadone;
10. Barbiturates; and
11. Other abused, illegal, or controlled substances as determined by the Superintendent or listed in Chapter 218A of the Kentucky Revised Statutes or any substance added by regulation under KRS 218A.010.

**CONFIDENTIALITY**

The Superintendent shall develop a process to reasonably ensure 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 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 process to be developed by the Superintendent under this section may be accomplished through the incorporation of the policies and procedures of the collecting and testing agencies, or by language in the contract(s) with such agencies.

**SANCTIONS****First Offense:**

- The pupil will be removed from athletics, extra-curricular activities or school clubs for 20% of their extra-curricular activity or KHSAA sanctioned events for the remainder of the school year; subject to carrying over into the next school year if applicable, as well as have his/her parking permit revoked for a minimum period of 20 school days/20 school events (whichever is relevant). Pupil may return to **practice only**, immediately after submitting a negative test result.

**Use of Alcohol, Drugs and Other Prohibited Substances****SANCTIONS (CONTINUED)****First Offense (continued):**

- The pupil must schedule to meet with a state certified substance abuse counselor or enroll in a certified substance abuse program within one (1) week of the receipt of the confirmed positive result. Pupil must participate in a substance evaluation and follow any recommendations made by the evaluator. This evaluation must be performed by a substance abuse professional and any expense beyond the brief monthly consult/drug screening provided by the Board will be at the parents' expense.
- The parent(s) is/are responsible for the cost of the rehabilitation program beyond the provided drug screening and brief counseling session on or near campus once monthly.
- The pupil must submit a negative drug test prior to returning to any athletics, extra-curricular activities or school clubs as well as before having his/her parking permit reinstated.
- The pupil will be subject to a Board provided mandatory drug screen monthly for one (1) calendar year (12 months) which will be done on or near campus.

**Second Offense:**

- If the pupil submits a confirmed positive drug test a second time, the pupil will forfeit the privilege of participation in any athletics, extra-curricular activities or school clubs for a minimum period of 40% of their extra-curricular activity for the remainder of the school year; subject to carrying over into the next school year if applicable, as well as have his/her parking permit revoked for a minimum period of 18 weeks. The pupil who submits a confirmed positive drug test a second time must participate in a substance abuse evaluation and follow any recommendations made by the evaluator. This evaluation must be performed by a substance abuse professional approved by the Department of Health and the Board as an appropriate substance abuse treatment provider.
- The parent(s) is/are responsible for the cost of the rehabilitation program beyond the Board provided drug screening and brief counseling session on or near campus once monthly.
- The pupil must submit a negative drug test prior to returning to any athletics, extra-curricular activities or school clubs as well as before having his/her parking permit reinstated.
- The pupil will be subject to a Board provided mandatory drug screen monthly for one (1) calendar year (12 months) which will be done on or near campus.

**Use of Alcohol, Drugs and Other Prohibited Substances****SANCTIONS (CONTINUED)****Third Offense:**

- Pupil will forfeit the privilege of participation in any athletics, extra-curricular activities or school clubs as well as have his/her parking permit revoked for the duration of their school career in grades 9-12. Grades 6-8 will be subject to forfeit of privileges until grade 8 although they must complete any carryover suspension.
- It is recommended that a pupil who submits a confirmed positive drug test a third time, participate in a substance evaluation and follow any recommendations made by the evaluator, at the parents' expense.

Based on Laboratory protocol, a negative dilute or adulterated test result would not be counted as a valid test and that student would be required to be re-screened as soon as possible. Any student who submits two (2) consecutive negative dilutes or adulterated specimens may result in the student being ineligible to participate/drive. Participation in these circumstances is up to the discretion of the District Student Drug Testing Coordinator and Superintendent.

Any student who refuses to be screened as a part of the testing pool when asked or who tests positive and quits the extracurricular activity(s) in which they participate (or driving and parking on campus) or fails to meet guidelines stipulated in the "sanctions" portion of this policy will be deemed to be in "noncompliance" and will remain ineligible to participate in any extracurricular activity or drive/park on campus indefinitely until a follow-up drug screen is negative, a substance abuse evaluation/consultation is completed, and necessary suspension time is served (based on the student's current extracurricular participation) and any other necessary requirements are met as laid out in the "sanctions" portion of this policy.

**NOTICE TO PARTICIPANTS**

Prior to tryouts for an athletic team or joining an activity, the Head Coach and/or sponsor shall provide all students choosing to participate in the athletic team and their parents/guardians with a written copy of this policy. Parents of students who park on school property shall also be provided a copy. Each student who chooses to participate and a parent/guardian of such students who are under the age of eighteen (18) shall be required to sign a statement indicating that they have received, read, understand and fully agree to be bound by the terms, conditions, and procedures under the policy.

**PREVENTION PROGRAM**

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

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

**Use of Alcohol, Drugs and Other Prohibited Substances**

**REFERENCES:**

KRS 158.150; KRS 158.154; KRS 158.155

KRS 160.290; KRS 161.180; KRS 217.900; KRS 218A.020; KRS 218A.1430

OAG 82-633; OAG 93-32

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of  
Pottawatomie Cty. v. Earls, \_\_\_ U.S. \_\_\_, 242 F.3d 1264 (2002).

Improving America's Schools Act of 1994 (IASA), Title IV: Safe and Drug-Free Schools  
and Communities

OAG 93-32

**RELATED POLICY:**

09.2241

Adopted/Amended: 07/23/2012  
Order #: 2012.433

**Tobacco**

Students shall not be permitted to use or possess any tobacco product on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, and during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

**REFERENCES:**

KRS 438.350

KRS 438.050

P. L. 107-110 (No Child Left Behind Act of 2001)

OAG 81-295

KRS 160.290

KRS 160.340

KRS 161.180

OAG 91-137

Adopted/Amended: 08/28/2000

Order #: 012103



**Disrupting the Educational Process**

Behavior that materially or substantially disrupts the educational process, whether on school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
5. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

**REFERENCES:**

KRS 158.150; KRS 158.165; KRS 160.290

**RELATED POLICIES:**

09.13; 09.422; 09.42811; 09.438

Adopted/Amended: 09/24/2001  
Order #: 012312

**Telecommunication Devices****POSSESSION AND USE**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law<sup>1</sup> and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
  - a. Poses a threat to academic integrity, such as cheating,
  - b. Violates confidentiality or privacy rights of another individual,
  - c. Is profane, indecent, or obscene,
  - d. Constitutes or promotes illegal activity or activity in violation of school rules, or
  - e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

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

2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break.
3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
4. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

**NOTICE OF POLICY**

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Acceptable Behavior and Discipline.

**REFERENCE:**

<sup>1</sup>KRS 158.165

**RELATED POLICIES:**

08.2323; 09.426; 09.436; 09.438

Adopted/Amended: 05/24/2010

Order #: 2010-142

**Dress and Appearance**

The wearing of any item that materially or significantly disrupts the educational process or threatens the health or safety of other students or staff members is prohibited. If a school/council chooses to develop a dress code, it shall be consistent with Board standards set out in the District's Code of Acceptable Behavior and Discipline.

Students whose appearance does not conform to these rules will be asked to change clothing to meet this code. Repeated violations may result in suspension from school.

**REFERENCES:**

Tinker v. Des Moines Independent School District, 393 U.S. 502 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

KRS 160.345

OAG 73-233

OAG 73-284

Adopted/Amended: 08/28/2000

Order #: 012103

**Grievances****GENERAL**

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

1. Teacher;
2. Principal;
3. School council, where appropriate;
4. Superintendent;
5. Board.

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

**EXCEPTIONS**

Harassment/Discrimination allegations shall be governed by Policy 09.42811.

Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

**RELATED POLICIES:**

07.1  
08.13451  
09.42811  
10.2

Adopted/Amended: 07/26/2010  
Order #: 2010-166

## **Harassment/Discrimination**

### **DEFINITION**

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions in this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

### **PROHIBITION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

### **DISCIPLINARY ACTION**

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to suspension and expulsion.

### **GUIDELINES**

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/ discrimination.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during the investigation.

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

2. A process to identify and implement, within ten (10) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
  - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

4. Age-appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

**NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.<sup>1</sup>

**PROHIBITED CONDUCT**

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

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

**Harassment/Discrimination****PROHIBITED CONDUCT (CONTINUED)**

2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**CONFIDENTIALITY**

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

**APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

**RETALIATION PROHIBITED**

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

**FALSE COMPLAINTS**

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

**Harassment/Discrimination****OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

**REFERENCES:**

<sup>1</sup>KRS 158.156

42 USC 2000e, Civil Rights Act of 1964, Title VII

Racial Incidents and Harassment Against Students at Educational Institutions;

Investigative Guidance (U.S. Department of Education)

U. S. Supreme Court - Franklin vs. Gwinnett County

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)

Regulations Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights

Regulations Implementing Title IX

Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)

Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)

**RELATED POLICIES:**

03.162, 03.262, 09.13, 09.2211, 09.227, 09.422, 09.426, 09.438

Adopted/Amended: 07/23/2012

Order #: 2012.433



**Driver's License Revocation**

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.<sup>1</sup>

**ACADEMIC AND ATTENDANCE DEFICIENCIES**

Academic and attendance deficiencies for students age sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

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

**REINSTATEMENT OF DRIVING PRIVILEGE**

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency.

**REFERENCES:**

<sup>1</sup>KRS 159.051, KRS 186.470  
601 KAR 013:070; 704 KAR 007:050  
Student Discipline Guidelines  
OAG 77-419

**RELATED POLICIES:**

08.221  
09.123

Adopted/Amended: 07/23/2007  
Order #: 0128054

## **Student Disciplinary Processes**

### **SCHOOL-RELATED ACTIVITIES**

The authority of the District in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

### **TREATMENT OF PUPILS**

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator or the Board acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court record.
3. The student and/or parent/guardian may appeal actions taken to the Superintendent or to the Circuit Court with appropriate jurisdiction.<sup>1</sup>

### **SERIOUS PROBLEMS**

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

### **COUNCIL RESPONSIBILITY**

Each school council shall select and implement discipline and classroom management techniques for the school. The council's discipline policies shall provide for involvement of parents in disciplinary situations involving their children.

In non-SBDM schools, the Principal shall make these decisions in compliance with Board policy.

### **CHILDREN AND YOUTH WITH DISABILITIES**

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.

### **REFERENCES:**

<sup>1</sup>KRS 158.153  
KRS 158.150; KRS 160.290, KRS 160.340, KRS 160.345  
KRS 161.180; KRS 610.345  
P. L. 105-17

### **RELATED POLICY:**

09.14

Adopted/Amended: 07/26/2010  
Order #: 2010-166

**Due Process****RIGHT TO DUE PROCESS**

Before being punished at the school level with suspension for violation of school regulations, a pupil shall have the right of the following due process procedures.<sup>1</sup>

1. The pupil shall be given oral or written notice of the charge(s) against him.
2. If the pupil denies the charge(s), he shall be given an explanation of the evidence against him.
3. The pupil shall be given an opportunity to present his own version of the facts concerning the charge(s).

**STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

**RELATED POLICIES:**

09.43

09.433

09.434

Adopted/Amended: 04/24/1996

Order #: 0579

**Detention****PRINCIPAL TO ESTABLISH**

The Principal or his designee may establish a detention hall as an alternative disciplinary method.

**NOTICE TO PARENTS**

A pupil's parent/guardian shall be notified prior to the detention so that transportation may be arranged by the parent.<sup>1</sup>

**FRIDAY NIGHT SCHOOL**

Under procedures developed by the Superintendent, Principals may utilize assignment to Friday Night School as an alternative disciplinary method for students.

**REFERENCES:**

<sup>1</sup>KRS 160.290  
KRS 160.340

Adopted/Amended: 01/26/2004

Order #: 0127340

**Corporal Punishment**

Employees shall not utilize corporal punishment as a penalty or punishment for student misbehavior. Corporal punishment shall refer to the deliberate infliction of physical pain on a student by any means.

**REFERENCES:**

KRS 160.290

KRS 160.340

KRS 161.180

**RELATED POLICIES:**

09.2212

09.43

Adopted/Amended: 07/27/2009

Order #: 0128463

**Alternative Education****ASSIGNMENT**

For conduct that disrupts the educational process, a student may be assigned to the alternative education program by the Principal or his designee. The duration of assignment shall be fixed by the Principal or his designee.

**NOTIFICATION**

The Principal or his designee shall notify the parents by letter of their child's assignment to the alternative education program.

The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

Parents shall be provided written notice that video cameras may be installed in areas used in the alternative education program to record student behavior. Evidence of student misbehavior recorded on video may be used to discipline students.

**SUPERVISION**

The student shall remain in the regular school setting but shall be isolated from the regular school schedule. Opportunities shall be provided for the student to continue regular school work under the supervision of the school staff, and counseling services shall be provided to address school-related problems.

**REFERENCES:**

704 KAR 007:050

Student Discipline Guidelines, Kentucky Department of Education.

OAG 77-419

**RELATED POLICIES:**

09.123

09.426

09.434

Adopted/Amended: 04/24/1996

Order #: 0579

## **Expulsion**

### **BOARD MAY EXPEL**

The Board may expel any pupil from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.<sup>1</sup>

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others; the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Superintendent shall present to the Board for its approval options for providing educational services to expelled students.

### **HEARING AND RECORDS REQUIRED**

Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board.<sup>1</sup> The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.<sup>3</sup>

### **BOARD DECISION FINAL**

The Board's decision shall be final.<sup>1</sup>

### **STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)<sup>1&3</sup>

### **TRANSFER OF RECORDS**

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.<sup>2</sup>

### **REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>KRS 158.155

<sup>3</sup>Individuals with Disabilities Education Improvement Act of 2004; 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended.

Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

### **RELATED POLICIES:**

05.48, 09.12, 09.423, 09.425, 09.43, 09.431, 09.434

Adopted/Amended: 08/14/2006

Order #: 0127884

## **Search and Seizure**

### **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.<sup>1</sup> 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.

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

### **STRIP SEARCHES**

No strip searches of students shall be permitted.

### **FAILURE TO COOPERATE**

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

### **REGULAR INSPECTION**

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the District are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources 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 for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

### **ILLEGAL ITEMS**

Illegal items (e.g., weapons, drugs, 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.



**Search and Seizure****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 dogs shall be certified as never having been trained as attack dogs.
2. The Principal or the Principal's designee shall be present.
3. Searches involving dogs shall be conducted only when students are in classrooms or other designated safe area; no student shall be in the vicinity of the site being searched.
4. All dogs shall be on a leash and will not be allowed to come in close proximity to any student.

**REFERENCES:**

<sup>1</sup>New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)

KRS 161.180

Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

**RELATED POLICIES:**

08.2323; 09.4261

Adopted/Amended: 07/27/2009

Order #: 0128463

**Police Officers in the School**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, officials shall endeavor to notify the parents of students who are arrested.<sup>1</sup>

When students are arrested at school, the Principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

**CRIMES OFF SCHOOL PROPERTY**

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order, or juvenile petition or arrange to interview the student off the school grounds.
4. If the student is an alleged victim of abuse or neglect by a parent, school officials shall follow directions provided by the investigating officer or Cabinet for Families and Children representative as to whether to contact a parent.<sup>2</sup>

**CRIMES ON SCHOOL PROPERTY**

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s).

**REFERENCES:**

<sup>1</sup>OAG 76-129

<sup>2</sup>OAG 85-134, OAG 92-138

**RELATED POLICY:**

09.1231

Adopted/Amended: 07/23/2012

Order #: 2012.433

**Student Discipline Code****DEVELOPMENT**

In accordance with KRS 158.148 and 704 KAR 007:050, the Board shall develop a student discipline code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees.

The code shall establish standards of acceptable student behavior and discipline and may include District-wide standards of behavior for students who participate in extracurricular and co-curricular activities.

The code also shall include a process addressing how students can report code violations to District personnel for appropriate action.

**DISTRIBUTION**

Once reviewed and approved, the student discipline code shall be distributed to students and parents in the District, including those students who enroll during the school year.

**REVIEW**

The Board shall update the student discipline code at least every two (2) years.

**REPORTING OF DATA**

As directed by the Kentucky Department of Education (KDE), the District shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident.

Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

**REFERENCES:**

KRS 158.444; KRS 158.148; KRS 158.153; KRS 158.165; KRS 160.295

KRS 525.070, KRS 525.080

704 KAR 007:050, *Student Discipline Guidelines*, Kentucky Department of Education

**RELATED POLICIES:**

09.2211, 09.3, 09.42, 09.421, 09.422, 09.426, 09.42811

Adopted/Amended: 07/28/2008

Order #: 0128259