

Withdrawals and Incompletes

A student who is withdrawn at the home high school also shall be withdrawn at the area technology center. Official withdrawal at the area technology center shall be made upon notification from the home high school of the withdrawal date.

Area technology centers shall follow the schedule at the home high school for allowing a student to make up work due to receipt of an incomplete grade. It is the responsibility of the student to contact the teacher within the established timelines to complete coursework. Failure to do so will result in the student being assigned a grade based upon coursework completed.

Adopted/Amended:

Order #:

Admissions and Attendance**ENROLLMENT QUOTAS**

If more than one (1) local school district enrolls students in an area technology center, the enrollment quota for eligible secondary school students, including students from home schools and private schools, shall be determined on a pro-rata basis. Quotas shall be determined by the area technology center Principal in cooperation with the school's steering committee. Quota calculations shall be kept on file in the area technology center office for a minimum of two (2) years.

Quotas shall be determined using the following guidelines:

- The ratio of students enrolled in grades 9 –12 in a given school to the total number of students participating in the school district(s) served;
- The total enrollment capacity of the area technology center during the regular school day; and,
- The total number of workstations in each career and technical education program in the area technology center during the regular school day.

Each participating high school in the local school district(s) shall receive a quota of secondary school students. If quotas are not filled, the enrollment vacancies shall be reallocated to the other local school districts on the same basis as the original quotas.

REFERENCES:

705 KAR 3:141

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

Equal Educational Opportunities Act of 1974 (EEOA)

Adopted/Amended:

Order #:

Program Enrollment

ADMISSION TO SECONDARY PROGRAMS

Secondary Students

Priority shall be given to students who are 15 years of age or older during the school year in which they enroll in a career and technical education program. Younger students shall not be denied use of the facilities of area technology centers for career education experiences designed to produce occupational awareness, orientation, exploration, and limited work exposure. It is recommended that additional supervision be requested when programs are utilized for career education experiences.

High school counselors/designated school officials, in cooperation with the area technology center Principal, shall enroll secondary students who will attend career and technical education classes based on Individual Learning Plans, interests, and available space. Area technology center teachers or a designee shall serve as a member of the Admissions and Release Committee (ARC) for students who are enrolled with an Individual Education Plan (IEP).

Postsecondary Students

Postsecondary students may be enrolled in secondary programs in area technology centers when openings are available. At the time of enrollment, postsecondary students shall be advised of options to transfer courses completed at the ATC to a technical college.

Postsecondary programs located in area technology centers are operated by the Kentucky Community and Technical College System (KCTCS) <http://www.kctcs.edu/>.

PROGRAM ENROLLMENT

Secondary technical programs must meet standards established by the Kentucky Board of Education. In addition to these standards, programs may be required to meet additional standards established by independent accrediting bodies.

Program enrollment is prescribed in 705 KAR 4:231. The maximum number of students per class shall be based on the class setting per that regulation.

STUDENT ORIENTATION

The orientation process shall be completed with students as soon after enrollment as possible. The Principal and/or teacher will provide each student with a copy of the *Student Handbook* and address each item contained in the handbook. The student shall sign the student orientation form indicating he/she has received information on the topics listed on the form. (See Form, Student - Enrollment - Orientation) This form, along with other forms completed during the orientation process, shall be placed in the individual's student record. Students shall be required to complete additional forms during the enrollment/orientation process that may include, but are not limited to, the following:

1. Student Enrollment - Agreement
2. Student Enrollment - Application
3. Student Enrollment - Copyright Release Form for Student Work
4. Student Enrollment - Fieldtrip Permission – Short Trips
5. Student Enrollment - Computer Use Policy
6. Student Enrollment - Media Information Release

Program Enrollment

STUDENT ORIENTATION (CONTINUED)

7. Student Enrollment - Medical Records and Insurance Verification
8. Student Enrollment - Orientation
9. Student Enrollment - Release Form
10. Student Sign In/Out Sheet
11. Safety training specific to the respective program and school

REFERENCE:

705 KAR 3:141

Adopted/Amended:
Order #:

Attendance

Each area technology center shall establish an attendance policy in coordination with the local high school(s). An absence may be excused for personal illness or illness of a family member, death of a family member, accident or other personal emergency in accordance with the sending school's policy. Work missed because of an absence shall be made up within the time designated by the teacher. It is the student's responsibility to contact the teacher on the day he or she returns to class to arrange to make up work. The teacher may require make up of examinations, clinical time or other instructional activities.

REFERENCE:

702 KAR 7:125

Adopted/Amended:

Order #:

Student Release

Students shall be dismissed early from school only if they are signed out by the custodial parent/guardian/designee identified on the Student Release Form. (*See Form, Student - Enrollment - Release Form.*)

During the enrollment process, students shall have their custodial parent/guardian identify those individuals who have permission to sign the student out from the area technology center.

RELEASE PROCESS

Students shall sign out on the Student Sign In-Out Sheet when leaving and/or returning to the center. (*See Form, School - Student Sign In/Out.*)

The individual(s) who have permission to sign the student out shall present photo identification at the time the student is picked up from the area technology center.

The home high school shall be notified when students are released from the area technology center.

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, an emergency release of students for illness or other bona fide reasons is authorized as determined by the Principal.

REFERENCE:

702 KAR 7:125

Adopted/Amended:
Order #:

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

The Principal of an area technology center 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 POLICY:

09.14

Adopted/Amended:
Order #:

Tuition

Tuition shall not be charged to enroll in an area technology center for secondary students who attend public, private, and home schools in the state of Kentucky. Students are expected to furnish their own paper, pencils and other instructional materials required for the program. In addition, if required for the program, students shall furnish their own uniforms and protective clothing.

RELATED POLICY:

09.15

Adopted/Amended:

Order #:

Equal Educational Opportunities

DISCRIMINATION PROHIBITED

No pupil shall be discriminated against because of age, color, disability¹, race, national origin, religion, sex, or veteran status.

EEO COUNSELOR(S)

Each Principal must designate one or more EEO counselor(s) to coordinate compliance with Title VI, Title VII, Title IX, Section 504, and ADA federal regulations. An EEO counselor should be a person in the Center who is available to students and staff at all times. The EEO counselor should be a person other than an administrator, academic counselor or supervisor. The Faculty Handbook and Student Handbook are examples of publications that should identify the EEO Counselor(s) by name, address and telephone number.

STUDENTS WITH DISABILITIES

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

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

Parents of students who have a temporary or permanent disability may request the school 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 school 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.

Equal Educational Opportunities**GENDER EQUITY**

Teachers and administrators must devote attention to how they can achieve equity within the learning environment, teacher-student interaction, and curriculum. Educational practices must be implemented that address the needs of all students. Not only is it wrong to treat males and females differently in programs, it is discrimination which Federal and state laws prohibit.

The following is a list of precautions schools can take to ensure compliance with the law:

- Review policies and practices of the entire school
- Review course descriptions in handbooks and other publications
- Examine the master schedule
- Review instructional materials, course objectives and activities, and student organizations practices
- Analyze textbooks and implement guidelines for selection
- Implement fair recruitment practices
- Provide equity training to staff and students
- Establish written policies for dealing with gender equity issues
- Observe teachers for equitable and effective instructional practices
- Assess staff and students to determine the level of bias, stereotyping, and discrimination

REFERENCES:

¹Bd. of Educ., etc. v. Rowley 102 S.Ct. 3034 (1982)
Local district special education policy and procedures manual; Local district 504 procedures
Age Discrimination Act of 1975
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
Vietnam Era Veterans Readjustment Assistance Act of 1974
28 C.F.R. Section 35.101 et seq.

RELATED POLICIES:

01.1, 03.113, 05.1, 08.131, 09.42811

Adopted/Amended:
Order #:

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.

The school shall comply with rights given to parents and eligible students by the Family Educational Rights and Privacy Act (FERPA) and to ensure 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.¹

After a student reaches the age of 18 or is attending an institution of postsecondary education, the rights that were the parents accrue to the student. The parent's rights cease when the student takes over.

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.

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

In addition, considering the totality of the circumstances, the school 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.

Contractors, consultants, volunteers, and other parties to whom the school or the Kentucky Department of Education has outsourced services or functions may access student records provided they are:

- Under the school's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

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 Principal 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**DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES
(CONTINUED)**

FERPA gives parents of students enrolled in Kentucky TECH schools and eligible students access to official records and data pertaining to those students and the right to deny access to those records to others unless authorized by law. FERPA denies Federal funds to any school district that does not allow parents access to their children's records. Parents and eligible students shall be allowed to inspect and review all materials that are incorporated into the student's cumulative record and be granted a hearing to challenge the contents of the records if requested.

Release of any information contained in student records maintained by the school to any person other than those permitted under law shall be done only upon written consent from the student's parents or the eligible student, specifying what is to be released, and to whom. A copy of records to be released shall be made available to parents and eligible students.

Authorized school personnel also may disclose personally identifiable information to the following without written parental consent:

- 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;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the school an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.
- School officials (such as teachers, instructional aides, administrators) and other service providers (such as contractors, consultants, and volunteers used by the school to perform institutional services and functions) having a legitimate educational interest in the information.

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

For release of student information to media sources, see *Student - Enrollment -Media Information Release Form*.

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. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If the school receives such orders, the matter(s) may be referred to KDE counsel for advice.

Student Records**DUTY TO REPORT**

If it is determined that the school cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the Principal 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 Principal is authorized to release student directory information as designated by the local board(s) of education. Approved "directory information" may include: 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 must notify the superintendent of the sending district in writing within thirty (30) calendar days after receiving notification of FERPA rights.

The school allows for disclosure of directory information only to specific parties for specific purposes as specified in the local district student directory information notification.

Unless the parent/guardian or secondary school student requests in writing that the local 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 school 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 local district's special education policy and procedures manual shall include information concerning records of students with disabilities.

Student Records**RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM**

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

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 and the local superintendent notifies the Principal, the Principal shall then release the information as permitted by law. Only the Principal 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.²

RECORDS RETENTION

Student record information shall be kept on file in the school office while the student is enrolled. Upon graduation/withdrawal, the student record shall be moved to inactive files and maintained for a minimum of three (3) years. If the student does not re-enroll within three (3) years after graduation/withdrawal, the inactive record shall be archived and maintained permanently in fireproof storage.

REFERENCES:

¹Section 152 of the Internal Revenue Code of 1986

²KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345

KRS 7.110; KRS 15A.067; KRS 17.125; KRS 158.032; KRS 159.160; KRS 159.250

KRS 160.990; KRS 161.200; KRS 161.210

KRS 365.732; KRS 365.734 KRS 600.070

702 KAR 1:140; 702 KAR 3:220

20 U.S.C. 1232g et seq., 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:

09.12311; 09.43

Adopted/Amended:
Order #:

Student Fees

A schedule of student fees and charges shall be approved by the Associate Commissioner.

Fees collected for a specific purpose shall be used for that purpose only.

Lab fees for secondary students who qualify shall be waived.

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.

POSTSECONDARY STUDENTS

All full-time and part-time postsecondary students shall pay a nonrefundable application fee of \$20 prior to enrollment in a diploma or certificate program. Postsecondary students enrolled in secondary programs who are self-pay shall pay tuition at the rate of \$155 per quarter or as indicated on the following chart. The school may establish an activity or lab fee not to exceed twenty (20) dollars per term for postsecondary students.

Clock Hours per Week	In-State Tuition		Out-of-State Tuition	
	<i>Per Quarter</i>	<i>Per Semester</i>	<i>Per Quarter</i>	<i>Per Semester</i>
24 and over	\$155	\$310	\$310	\$620
18-23	\$130	\$260	\$260	\$520
12-17	\$105	\$210	\$210	\$420
7-11	\$80	\$160	\$160	\$320
6 and under	\$55	\$110	\$110	\$220

For students receiving student financial aid,
KCTCS will register and collect the tuition/fees at the KCTCS rate.

LIVE WORK FEES

A \$15 fee shall be charged for live work projects requiring more than one (1) hour of labor. Materials for the live work shall be purchased by the person(s) for whom live work is accepted. If requested, the school may purchase the materials and recover the costs of materials plus twenty (20) percent for handling.

Live work orders shall not be released until payments for parts, supplies, and other cost items have been made and documented by authorized personnel in the school office.

Live work orders shall adhere to the requirements under 780 KAR 2:040 (sec. 3).

No fee payment shall be handled by a teacher.

FEES FOR STUDENT ORGANIZATION MEMBERSHIP

When joining a student organization, students must first join and pay dues to the primary Career and Technical Student Organization (CTSO). Students in Information Technology, Culinary and Public Services programs have more than one (1) option when choosing a primary CTSO. (See chart below.)

After joining and paying dues to the primary CTSO, students may choose to join, pay dues to and participate in competition in another CTSO.

Student Fees

FEES FOR STUDENT ORGANIZATION MEMBERSHIP (CONTINUED)

Information regarding fee structures for student organizations is located at the following link:

<http://education.ky.gov/CTE/Stuorg/Pages/default.aspx>

REFERENCES:

KRS 158.108

702 KAR 3:130; 702 KAR 3:220; 780 KAR 2:040; 704 KAR 3:455

RELATED POLICIES:

08.232, 09.124

Adopted/Amended:
Order #:

Student Handbooks

Each area technology center shall publish a student handbook annually to be disseminated to every student enrolled. The student handbook is an information guide to familiarize students with the policies and procedures of the area technology center.

Documentation that the student received a copy of the student handbook shall be kept on file in the individual student record. A format for the Student Handbook that can be adapted to each area technology center is provided via the links listed in the references below.

REFERENCES:

[Sample Student Handbook](#)
[Cover Sheet](#)

Adopted/Amended:

Order #:

Student Health and Safety

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 the school.

SAFETY INSTRUCTION

Each student shall be required to study general safety rules in his/her technical program. Specific safety instruction shall be provided to all students by the program teacher. Prior to operating any equipment, machinery, or tools, each student shall be required to pass a written examination and demonstrate safety procedures. Documentation that each student has passed safety tests shall be kept on file in each program area. In all cases, a student shall have the teacher's permission and be supervised while operating power equipment. A student who violates or fails to adhere to any school safety rules shall be subject to disciplinary action. (See Form, *Student - Statement of Safety Instruction*.)

RESPONSIBILITY FOR SAFETY

The safety of students in an area technology center shall be the responsibility of the Principal and program teacher. Since public schools are considered to be State agencies, they cannot be sued for damages in the case of an accident or injury to a pupil without the consent of the State. However, the teacher may be sued for damages by parent or guardian of an injured student if it can be shown that the pupil's injury was due to negligence of the teacher. Teachers shall be alert to their responsibilities so they may protect the student from injury, thus avoiding possible future legal action. This information shall be provided upon initial employment and at the beginning of the school year.

Negligence is the failure to act as a reasonably prudent and careful person under the circumstances of the situation. Authorities on school law say that a teacher could be considered negligent if any of the following conditions exist when an accident or injury to a student occurs:

1. The teacher is absent from the classroom/shop while students are present.
2. The teacher leaves the classroom/shop with an unqualified teacher in charge.
3. Students are permitted to use unauthorized equipment in the school.
4. Students are permitted to work in the classroom/shop other than during the regularly scheduled periods, or hours, and especially without supervision.
5. The teacher permits students not enrolled in the school to use any type of equipment.
6. Students are sent out of the lab/classroom to perform hazardous jobs.
7. The teacher permits students to use power equipment without having given them specific instructions as to the proper and safe use of the equipment.
8. The teacher allows students, especially prone to accident, to use power driven machines and tools.
9. The teacher allows students with physical or mental handicaps to use inappropriate tools and equipment.

Student Health and Safety**RESPONSIBILITY FOR SAFETY (CONTINUED)**

10. The teacher fails to:
 - a. Keep written reports of every accident occurring in the program, regardless of the extent of the injuries involved; or
 - b. Obtain written statements from witnesses of accidents.
11. The teacher permits students to use machinery without the standard safety equipment, guards, or safety devices such as protective equipment, goggles, safety glasses, etc.
12. The teacher fails to administer safety tests and to retain satisfactorily passed tests of students injured in accidents.
13. The teacher allows students to operate equipment with safety devices that are not approved by the manufacturer.
14. The teacher permits use of self-made equipment or devices for instructional purposes, which results in injury to student(s).
15. The teacher fails to provide necessary supervision to students while assigned to a program.
16. The teacher permits students to work on equipment or perform tasks that are not related to the instructional program.

RESPIRATOR PLAN/PROTECTIVE BREATHING DEVICES

Students who are enrolled in a program that provides instruction in tasks requiring the use of protective breathing devices shall have on file a physician's statement of assurance that the individual is physically able to perform the tasks in the program requiring the use of protective breathing devices. The teacher also shall have on file a physician's statement of assurance. The Federal Occupational Safety and Health Standard is state law and is quoted as follows:

Persons shall not be assigned to tasks requiring use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. The local physician shall determine what health and physical conditions are pertinent. The respiratory user's medical status should be reviewed periodically (for instance, annually).

A written respirator program shall be on file for all programs requiring protective breathing devices.

Program Elements:

1. The teacher shall develop detailed written standard operating procedures governing the selection and use of respirators, using NIOSH Respirator Decision Logic <http://www.cdc.gov/niosh/docs/87-108/> as a guideline. Outside consultation, manufacturer's assistance, and other recognized authorities shall be consulted if there is any doubt regarding proper selection and use. These detailed procedures will be included as appendices to the respirator program. Only the instructor shall amend these procedures.

Student Health and Safety**RESPIRATOR PLAN/PROTECTIVE BREATHING DEVICES (CONTINUED)**

2. Respirators shall be:
 - Selected on the basis of hazards to which the user is exposed
 - Selected by the teacher
 - Only MSHA/NIOSH-certified respirators
3. The user/student/wearer shall be:
 - Instructed and trained by the teacher in the proper use of respirators and their limitation on an annual basis or more frequently if indicated;
 - Provided an opportunity to handle the respirator, have it fitted properly, test its face-piece-to-face-seal, wear it in normal air for a long familiarity period, and finally to wear it in a test atmosphere;
 - Trained in fitting instructions, including demonstrations and practice in how the respirator should be worn, how to adjust it, and how to determine if it fits properly.
4. Where practicable, the respirators shall be assigned to individual students for their exclusive use.
5. Respirators shall be regularly cleaned and disinfected. Those issued for the exclusive use of a student shall be cleaned after each day's use, or more often if necessary.
6. The central respirator cleaning and maintenance facility shall store respirators in a clean and sanitary location.
7. Respirators used routinely shall be inspected during cleaning. Worn or deteriorated parts will be replaced. Respirators for emergency use, such as self-contained devices, shall be thoroughly inspected at least once a month and after each use. Inspection for SCBA breathing gas pressure shall be performed weekly.
8. Appropriate surveillance of work area conditions and degree of user exposure or stress shall be maintained.
9. There shall be a regular inspection and evaluation to determine the continued effectiveness of the program. The teacher shall make frequent inspections of all areas where respirators are used to ensure compliance with the respiratory protection programs.
10. Persons shall not be assigned to tasks requiring use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. A physician shall determine what health and physical conditions are pertinent. The respirator user's medical status shall be reviewed annually.
11. Certified respirators shall be used.
12. A sign-off sheet shall be required by adult students and parents of minors before the use of a respirator will be permitted.

Student Health and Safety**RESPIRATOR PLAN/PROTECTIVE BREATHING DEVICES (CONTINUED)**

The respirator program shall be evaluated annually with program adjustments made to reflect the evaluation results.

If a paper mask has two (2) of the rubber bands attached, consider it a respirator; therefore it will fall in the respiratory category and subject to these guidelines. Guidelines will not apply to paper dust masks with only one (1) rubber band attached.

REFERENCE:

KRS 156.160

KRS 158.838

RELATED POLICIES:

03.14

09.2241

Adopted/Amended:
Order #:

Supervision of Students

The safety of students in an area technology center shall be the responsibility of the Principal and program teacher. Responsibility and accountability go hand-in-hand. This policy shall be provided to school personnel upon initial employment and at the beginning of the school year.

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.¹

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.²

Failure to comply with Office of Career and Technical Education safety policies and procedures shall be reflected in performance evaluation and program assessment scores. A pattern of noncompliance and/or failure to enforce safety requirements shall result in disciplinary actions as outlined in 780 KAR 3.110.

ON-BUS SUPERVISION

According to the Kentucky Department of Education legal counsel, it is not necessary for a teacher or administrator to be present on the bus for technical center transportation, as the bus driver is present and responsible for normal supervisory responsibilities under 702 KAR 5:080, provided that school personnel (and/or state personnel) will be present at the area technology center. Supervision by a qualified member of the area technology center staff shall be provided to technical training sites off school grounds.

ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY

Unless they are authorized visitors, only those students who are enrolled in the school 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 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 REGISTRANT OFFENDERS

The Principal is authorized to set supervision requirements and limitations, as appropriate, that apply to students enrolled in the school who are registrant offenders 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:

¹KRS 161.180

²KRS 161.185

KRS 17.545; 702 KAR 5:030; 780 KAR 2:060; 780 KAR 3.110

RELATED POLICIES:

09.22, 09.36

Adopted/Amended:
Order #:

Employee Reports of Criminal Activity

To promote the safety and well-being of students, employees shall 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 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 Association Commissioner of Career and Technical Education 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
05.48
09.227
09.422
09.423
09.425
09.426

Adopted/Amended:
Order #:

Use of Physical Restraint and Seclusion

Use of physical restraint or seclusion by school personnel is subject to 704 KAR 7:160. However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

DEFINITIONS

- *Physical Restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.
- *Seclusion* means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

PHYSICAL RESTRAINT

All School Personnel

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

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

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

Core Trained Personnel

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior as noted below:

1. In nonemergency circumstances when a student's behavior poses an imminent danger of physical harm to self or others;
2. As provided in KRS 503.050 (including when personnel believe physical restraint is necessary to protect themselves against the use or imminent use of unlawful physical force);
3. As provided in KRS 503.070 (including when personnel believe physical restraint is necessary to protect a third person against the use or imminent use of unlawful physical force);
4. To prevent property damage as provided in KRS Chapter 503 (including when personnel believe physical restraint is immediately necessary to prevent intentional or wanton property destruction, theft, or a felony involving the use of force); and
5. As provided in KRS 503.110 (including when personnel believe physical restraint is necessary to maintain reasonable discipline in a school, class, or other group, and the force used is not designed to cause or known to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain, or extreme mental distress).

Use of Physical Restraint and Seclusion**SECLUSION**

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

PARAMETERS

This policy is designed to promote the safety of all students, school personnel, and visitors. As required by 704 KAR 7:160, school personnel and parents shall be made aware of how to access this policy and related procedures. Methods of notification may include, but are not limited to, publication in the school's student handbook and employee handbooks.

TRAINING

Training of personnel on use of physical restraint and seclusion shall be provided as required by 704 KAR 7:160:

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by 704 KAR 7:160.
- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by 704 KAR 7:160. (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

REQUIRED PROCEDURES

The Principal/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

NOTIFICATION REQUIREMENTS

The Principal shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs.

Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached during that time frame, a written communication shall be mailed via U. S. mail.

If death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty results from use of physical restraint or seclusion, the Superintendent/designee shall notify the Kentucky Department of Education and local law enforcement within twenty-four (24) hours.

Use of Physical Restraint and Seclusion**DEBRIEFING SESSION**

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation.

A requested debriefing session shall occur as soon as practicable, but no later than five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school.

The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

PARENT COMPLAINTS

Parents may submit a complaint regarding the physical restraint or seclusion of their child using the established grievance policy. On receipt of a complaint, the school shall investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, where appropriate, take corrective action.

STATEMENTS FROM PHYSICIAN

The Principal/designee shall review and respond to any statement received from a student's licensed physician that the student is not to be subjected to physical restraint.

DOCUMENTATION

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by 704 KAR 7:160.

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system.

At the end of each school year, the Associate Commissioner of Career and Technical Education shall review data on each school's use of physical restraint and seclusion to identify any recommendations to be made for policy revisions.

REFERENCES:

704 KAR 7:160

KRS Chapter 503: KRS 503.050, KRS 503.070, KRS 503.080, KRS 503.110

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of Rehabilitation Act of 1973

Adopted/Amended:
Order #:

Driving and Parking Regulations

SECONDARY STUDENTS

Driving to the area technology center by high school students is strictly prohibited since buses transport high school students to and from their respective schools, except under extenuating circumstances.

Students desiring to have a vehicle worked on in one of the technical programs shall complete a *Driving Permit* form and obtain the required signatures prior to driving. Students shall not be permitted to transport other students when bringing a vehicle to the area technology center to be worked on. The permission form shall be displayed on the dash the entire time the vehicle is on school grounds. Students shall be made aware that unauthorized vehicles may be searched for a good cause.

On occasion, students will need to drive to participate in field trips, competitions, etc., which requires them to leave before school begins and return after school closes. Students participating in these activities shall complete the *Driving Permit* form and obtain the required signatures prior to driving.

POSTSECONDARY STUDENTS

Postsecondary students attending area technology centers who drive personal vehicles shall obtain a parking permit from the office. The permit shall be visible to school personnel at all times. Postsecondary students who fail to comply with all established driving and parking regulations shall jeopardize their privilege to drive.

REFERENCES:

KRS 161.180
Driving Permit

Adopted/Amended:
Order #:

Emergency Medical Treatment

FIRST AID

The following information shall be provided during initial employment orientation and at the beginning of each school year.

- Emergency and non-emergency first aid shall be administered by a person or persons trained and certified to render first aid.
- In no case shall ointments, salves, disinfectants or oral medicine be rendered except on advice of a physician.
- In no case shall any person or persons render first aid to a degree above that for which they are trained and certified.
- First aid kits shall be **placed in each lab/shop area** and equipped with gauze, bandages, large and small Band-Aids, bottle of peroxide, disinfectant wipes, latex gloves and other sterile materials required to stop bleeding and cover wounded areas.
- Fire blankets shall be placed in those areas where the potential exists for fire and explosion. Large shops shall have two (2) fire blankets.

SICKNESS/ACCIDENTS

The following steps shall be implemented:

1. First aid shall be administered as required (ambulance called if necessary). The first aid provider shall be trained and certified in first aid. Injured persons shall not be transported in private auto or state vehicle by center personnel.
2. The center Principal or designee shall be notified.
3. Personnel shall secure the area for inspection by the Frankfort safety unit. The Principal or designee shall notify the Safety Director in the Frankfort Office. **This procedure shall be used when accidents are severe enough in nature to cause or could cause loss of life or limb.** All other accidents are to be reported and detailed on the *designated accident reporting form* as soon as possible after first aid is provided and the victim and/or area is secured.
4. Personnel shall secure the name of any witnesses available, and if possible make photos of the accident scene.

REFERENCES:

702 KAR 1:160
KRS 156.160
KRS 156.502

RELATED POLICIES:

03.14
09.22
09.2241

Adopted/Amended:
Order #:

Student Medication

School personnel authorized to give medications must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160. Guidelines for diabetes medication administration under 702 KAR 1:160 no longer apply to training of non-licensed school personnel.

School personnel shall not dispense medication of any type. However, antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

A student who takes prescription or over the counter medication shall have written permission on file in the office before medication is brought to school.¹ **Medications shall be carried in their original container. If medication is to be taken during school hours, the teacher shall be notified. Any drug that is seen and not reported to the teacher shall be in violation of school policy. This information shall be communicated to students during the orientation process and included in the student handbook.**

SELF-ADMINISTRATION

As authorized by policy of the student's sending district, a student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and health care practitioner files **with the student's sending district** a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.²

In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an epinephrine auto-injector in all school environments. The auto-injector shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.³

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

Students shall not share any prescription or over-the counter medication with another student. **Violations** shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

REFERENCES:

¹OAG 73-768

²KRS 158.834; KRS 158.838

³KRS 158.836

KRS 158.832

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

OAG 77-530

OAG 83-115

RELATED POLICIES:

09.22

09.224

Adopted/Amended:

Order #:

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 neglected¹ 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 620.030.²

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 Associate Commissioner of Career and Technical Education/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 school 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 school, 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 school 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.

REFERENCES:

¹KRS 600.020 (1)(15)

²KRS 620.030; KRS 620.040

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 199.990; KRS 209.020; 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:
Order #:

Student Insurance

MEDICAL AND ACCIDENT INSURANCE

In accordance with 780 KAR 2:110, all students enrolled in area technology centers shall have medical and accident insurance coverage during the period of enrollment. The policy shall be a full excess policy (\$10,000 maximum limit) and pay the covered expenses incurred that are in excess of those paid or payable by another plan. Students shall be directed to take a copy of the insurance claim to their physician or hospital when seeking medical assistance due to injury while at the technical school. ATC staff shall complete the claim form and submit bills for payment.

LIABILITY INSURANCE FOR CLINICAL PARTICIPATION

State funds shall not be expended for the purchasing of student liability insurance. However, schools that operate health sciences programs where clinical experience is a required element of the curriculum may purchase student liability insurance provided the student reimburses the school. Students are responsible for the expense of liability insurance associated with their instructional program.

REFERENCES:

780 KAR 2:110

KRS 158.860

Safety – Student Insurance Claim Form

Adopted/Amended:

Order #:

Student Organizations

All students must have the opportunity to join and participate in the activities of the student organization connected to or associated with the program in which they are enrolled. Recognized as an integral part of the career and technical education program, career and technical student organizations provide a unique program of career and leadership development, motivation and recognition exclusively for secondary and postsecondary students enrolled in technical education programs. The career and technical student organization is a powerful instructional tool that is integrated into the curriculum and classroom by technical educators who are committed to the development of the total person.

The Office of Career and Technical Education recognizes the educational programs and philosophies embraced by the following career and technical student organizations as being an integral part of career and technical education instructional programs:

Technology Student Association (TSA)

DECA – An Association for Marketing Students

Future Business Leaders of America (FBLA)

FFA

Health Occupations Students of America (HOSA)

SkillsUSA

Family, Career & Community Leaders of America (FCCLA)

Organizations administered by the Office of Career and Technical Education include HOSA for students in health related fields and SkillsUSA-VICA for students in industrial technology programs.

Teachers and administrators shall advise and assist student organizations as they strive to improve the quality and relevance of instruction. The Kentucky TECH framework for total student development should include training in leadership and professionalism, employability and work ethics, community service and civic responsibility. Together with competitive events and industry-validated curriculum, these training components provide graduates with a strong foundation for employability, re-employability, and positive citizenship. The career and technical student organization should constantly support each program in addressing employer demands that Kentucky TECH graduates be fully functional in a globally competitive, team-managed work environment. Membership, while voluntary, shall be made available and recommended to each student as soon after enrollment as possible.

All student organizations and student organization activities shall be open to all students regardless of race, color, national origin, sex, religion, marital status, or disability. Age guidelines are set by national career and technical student organization constitutions and by-laws.

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including clubs.

NOTE: The school may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

Student Organizations**ORGANIZATION GUIDELINES**

- The State Advisor/Director has final authority to override any decisions of the Executive Councils that do not comply with the philosophies of the Office of Career and Technical Education.
- Career and Technical Student Organization state conferences shall be for the purpose of student professional development and professionally judged competition in career/technical skills and leadership ability. These activities are co-curricular, but shall require no more than three (3) school days to complete.
- Leadership development activities offered at the state or regional level for local officers are co-curricular but shall not require more than two (2) days per year.
- State officer training systems vary with each student organization. State career and technical student organization officers are often called upon to deliver training and professional development to others. The school advisor shall work closely with the officers to develop responsible and prudent time management skills. As ambassadors for leadership, officers are expected to be exemplary students first and foremost.
- Advisor training is an integral part of the career and technical student organization year. Administrators shall work with instructors to create a professional development plan that includes training in delivery of leadership development through a recognized career and technical student organization.
- Students attending an organization activity shall be adequately chaperoned by a designated and approved advisor. A chaperone to student ratio shall be no more than eight (8) students to one (1) advisor.
- Secondary student participation in regional, state, and/or national career and technical student organization activities, while co-curricular, shall be subject to local board of education policies and regulations.
- All conferences shall be evaluated to ensure accessibility. It shall be the responsibility of all registered participants with disabilities to request reasonable accommodations. The accommodations needed for registered participants and/or staff including, but not limited to, deaf interpreters and special equipment shall be the responsibility of the school that submitted the registration.
- Student organizations shall submit an annual program of work outlining plans and activities for the school year to the Principal for approval.
- Teacher(s) and students shall be made aware of all monetary transactions within the student organization through the proper maintenance of financial records.
- An organized record keeping system shall be available for review and audit upon request.
- A separate bank account in the name of the student organization shall be established with the requirement of two (2) signatures on each check or financial document. The two (2) signatures shall not be the Principal or school secretary.

Student Organizations**EXPECTATIONS OF STATE OFFICERS**

State officers shall represent the organization at all times in a manner that will reflect a positive image. They shall set an example for all members adhering strictly to the Code of Conduct for Participants as established by each organization. State Officers shall carry out the duties of their office, including:

- Being prepared to serve a full term representing their school and district.
- Attending local, state, and national activities including state and national conferences.
- Attending all State Officer training activities, some of which may be out of state.
- Serving the needs of local chapters and regions, including assisting with training local and regional officers.

State Officers found to be in violation of the above shall be reprimanded which may include resignation from their office according to each individual organization's policies.

REFERENCES:

KRS 161.185
705 KAR 4:231
780 KAR 4:010
Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

03.121
09.15
09.36

Adopted/Amended:
Order #:

Fund-Raising Activities

Fund-raising activities shall be requested in the program of work and approved by the Principal¹ before actual fund-raising activities can occur. Fund-raising activities should be scheduled outside of the regular school day to avoid any loss of instructional time. Local board of education policies concerning fund-raising shall be followed.

Funding for student organizations comes from dues, business donations, fund-raising activities and funds generated from vending machines. Funds from vending machines shall be used to supplement student organization budgets and shall be deposited in the name of the student organization and managed according to established procedure.

PUPIL NOT COMPELLED

No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity.²

GAMING ACTIVITIES LICENSE

Schools and individual classes planning to conduct charitable gaming activities, as defined by law and Accounting Procedures for Kentucky School Activity Funds, shall obtain and display the appropriate license.²

REFERENCES:

¹KRS 158.290

²Accounting Procedures for Kentucky School Activity Funds

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 POLICIES:

04.312

09.32

Adopted/Amended:
Order #:

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.¹

REFERENCES:

¹KRS 161.180
KRS 160.290

Adopted/Amended:
Order #:

School-Related Student Trips

OFF-CAMPUS SITES

The Division of Pupil Transportation in the Kentucky Department of Education has authorized transportation for secondary area technology center students who are transported to off-campus sites that provide actual work experience for training programs. This work experience must be a component of the curriculum of the technical program. Examples of approvable off-campus transportation are transporting health science students to clinical sites, transporting carpentry or masonry students to off-campus building sites, etc.

Class trips designated as educational, but not related to work experience, shall not be approved or reimbursed for payment by the Division of Pupil Transportation. Expenses incurred for such trips shall be the responsibility of parties involved who plan the trips. The destination of educational trips shall be investigated to the extent that programs, activities, and buildings are accessible to persons with a disability.

Principals and teachers shall comply with the travel regulations for bus use established by the local school district(s). Vehicles that can transport nine (9) or fewer passengers, including the driver, may be used for approved school activities. Vehicles shall be clearly marked as transporting students.¹ If the local district imposes stricter guidelines for student transportation to school activities, the ATC should follow those guidelines.

Students participating in Work-Based Learning projects (cooperative education, mentoring, shadowing, etc.) shall provide their own transportation if not provided by a local school district. OCTE staff shall not use their personal vehicle or ATC vehicle to transport students.

Students traveling to off-campus training projects, student organizations events, and miscellaneous field trips shall be transported by local district school buses or in accordance with 702 KAR 5:130.

Teachers may arrange field trips with administrative approval to various businesses and industries whenever the trip is relevant to the training program or is a student organization activity. A field trip permission form shall be completed and signed by each student participating in the field trip:

- Field Trip Permission Form - Short Trips
- Field Trip Permission Form - Student Organizations

Expenses incurred for such trips shall be the responsibility of the student organization and/or parties involved who plan the trips. Students shall not be permitted to drive a personal vehicle to a field trip site.

School-Related Student Trips**DRIVERS/VEHICLES**

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

Vehicles used to transport students on trips shall either be insured by a local board of education, owned by the state or be appropriately certificated as a common carriers.³

OUT OF STATE TRAVEL FOR STUDENT ORGANIZATION ACTIVITIES

School advisors serving as official chaperones to out-of-state national student organization meetings shall be selected using criteria established by the respective student organizations and published in their constitutions, by-laws, or published guidelines. Advisors shall stay within budget limitations. Special room, meal and travel rates are negotiated for the national meetings. The budget is generally based on actual costs not to exceed per diem and/or travel limitations. Budget constraints require that the following guidelines for chaperones shall be followed for national student organization meetings:

1 – 8 students	1 Chaperone
9 – 16 students	2 Chaperones
17 – 24 students	3 Chaperones
25 – 32 students	4 Chaperones

NOTE: The number of chaperones shall not exceed 8 to 1 ratio. Consideration shall be given to the number of students of each gender in assigning the number of chaperones to attend the meeting(s).

Requests for travel shall have the approval of the Principal, appropriate state career and technical student organization director, and the Office of Career and Technical Education. Chaperones shall be designated in the following priority order:

1. Advisors qualified to be “official advisors” according to the guidelines of each student organization;
2. State career and technical student organization directors;
3. Advisors attending to fulfill official state career and technical student organization obligations on national planning, coordinating, and contest committees; and
4. Corporate officers, persons receiving national recognition or honors, and those with other national obligations

A list of official representatives and chaperones for national conferences and state/national officer training activities shall be compiled by the state career and technical student organization director and sent to the appropriate administrators.

School-Related Student Trips**OUT OF STATE TRAVEL (CONTINUED)**

Processing of out-of-state travel requests shall require the following:

- All out-of-state travel on official work time, with or without reimbursement of expenses, must first be reviewed by the supervisor.
- The supervisor shall initial the official out-of-state travel request form in the upper right hand corner acknowledging the request prior to submitting for approval.
- If approved by the supervisor, the request shall be forwarded to the state director and then submitted to the Director for the Office of Career and Technical Education for approval.
- Out-of-state travel requests must be submitted at least six (6) weeks prior to the actual travel time.
- Out-of-state travel requests shall follow the most current guidelines established for processing.

SUPERVISION AND TRAVEL OF STUDENTS

1. Local advisors shall be responsible for supervising students attending and participating in student organization events and activities.
2. A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips.² When traveling, students shall be accompanied by the local advisor who is an official chaperone and/or a member of the school faculty. Other school faculty or administrative staff may be utilized when the advisor is unable to travel or the size of the group warrants a second chaperone.² Districts may share an official chaperone but must submit a *Career and Technical Student Organization (CTSO) form*:

Advisor/Chaperone Consent Agreement.

3. Under the direction and supervision of local advisors, adult volunteers who have been approved by the local district may assist with supervisory responsibilities. Persons designated to accompany students shall be at least twenty-one (21) years old., shall not be a violent offender or have been convicted of a sex crime and shall submit to a criminal record check.⁴
4. When traveling out of the local community, each student shall sign a *medical release/parent permission form*. The local adviser shall bring these forms to each student activity and submit them in accordance to each association's guidelines.
5. When traveling to student organization events, including overnight trips, male and female chaperones are recommended when the group includes both genders.
6. Students shall be transported to student organization events and activities in accordance with state and local policies. A vehicle driver who is transporting students shall be a school employee or a person contracted by the school district or state agency.⁵

School-Related Student Trips

STATE CONFERENCE TRIPS

A chapter shall be in “good standing” in order to participate in the conference. A chapter in “good standing” is one that has paid membership dues by the deadline, submitted conference registration materials by the deadline, and met all financial obligations. The following individuals may attend the state conference:

- Competitors
- Voting delegates
- Advisors
- Officer candidates
- Campaign workers (limit 5)
- State officer guests (more than two (2) shall pay registration)

Every advisor and student shall sign a *code of conduct and medical release form*. The local advisor shall assure this is done. Advisors and students shall adhere to the association’s dress code at all conference activities (competitive events, general sessions, awards assembly, etc.). Name badges shall be worn at all times.

Curfew **shall** be followed. Local advisors shall conduct room checks each night at curfew. Visitation of male and female members in hotel guest rooms is not encouraged. Permission from advisors of both parties shall be obtained before visitation can take place. The chapter advisor(s) shall provide proper supervision between visitations of the opposite sex.

Chapters shall adhere to their local board policies regarding the transportation of students to and from the state conference. Advisors shall only transport students from their school, and only when the proper paper work has been completed. For off-site competitive events students shall utilize the transportation provided by the state association.

State officers shall be reimbursed for the following expenses while participating in the state conference:

- Lodging: Officers shall stay four (4) per room if at all possible. The association will cover the costs.
- Per diem based on the organization’s policies
- Registration (provided by the association)
- Travel, if needed (state officers are strongly encouraged not to drive to CTSO activities and meetings)

State officers shall receive a stipend toward National Conference expenses.

NATIONAL LEADERSHIP CONFERENCE TRIPS

Local chapters shall be responsible for their own travel arrangements. HOSA and SkillsUSA shall not arrange travel to the national conference for the state delegation. “Official Advisors” shall be selected based on each association’s guidelines. Chapters shall meet registration deadlines as established by the association.

School-Related Student Trips**TRIP CODE OF CONDUCT FOR PARTICIPANTS**

Participants shall include advisors, students, and conference guests.

Local advisors/teachers/approved chaperones shall be responsible for their students at all times.

Each Career and Technical Student Organization shall adopt a Code of Conduct for its organization. The Code of Conduct shall be followed at all regional, state and national functions.

This Code of Conduct shall include at least the following:

- Participants shall attend all sessions in accordance with the conference agenda.
- Participants' behavior at all times shall be such that it reflects credit to the individual, the school, and the organization represented.
- All conference participants shall wear their conference ID while participating in conference activities.
- Participants shall keep advisors informed of where they are at all times.
- Participants shall sleep in the rooms for which they are registered.
- Students shall observe the designated curfew. (Curfew is described as being in the designated assigned room by the designated hour.) Curfew times shall be listed in the conference program.
- Participants shall respect hotel property and contest facilities and equipment. The individual(s) and/or parents/guardians shall pay any damages to the property or furnishings in the hotel rooms or building.
- Participants shall be considerate and respect the rights of their roommates and other hotel guests by refraining from behavior that may disturb others. Participants shall not make excessive noise or have the radio or TV at a high volume.
- Conference participants shall not possess or consume alcohol, drugs, or any form of artificial stimulant while traveling to, during, or returning from the conference/contest site. (Drugs prescribed by doctors are permissible in the original container.) Violators shall be expelled from the conference and turned over to the proper authorities. Chapter advisors shall notify parents/guardians and school principal of the action taken.
- Visitation of male and female members of the opposite sex in hotel guest rooms is strongly discouraged. Permission from advisors of both parties and designated adult supervision shall be obtained before visitation can take place. The chapter advisors shall be responsible for providing proper supervision between visitations of the opposite sex.
- Participants shall immediately report any accidents, injuries, or illnesses to their advisor.
- Use of tobacco products shall be prohibited in business sessions, workshops and other scheduled conference activities **and** while in official dress.
- Participants shall refrain from using profane language, making obscene gestures, or performing acts that would mar the image of the organization.

School-Related Student Trips**TRIP CODE OF CONDUCT FOR PARTICIPANTS (CONTINUED)**

- When leaving the hotel or conference site, students shall stay in groups of at least three (3).
- Students shall not participate in any activity that might cause personal injury to themselves or any other person. Any participant found in violation of hotel safety codes or criminal laws may be sent home at the expense of the student/parent/guardian. The chapter advisor shall contact the parents/guardians and the school principal.
- The State Career and Technical Staff Person shall have the right to take immediate action when violations occur, including sending individuals home at their own expense. In the event this occurs, the local advisor or the assigned chaperone shall contact the parents/guardians and the school principal.

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 Principal/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:

¹KRS 156.153

²KRS 161.180, KRS 161.185

³702 KAR 5:060

⁴KRS 161.148

⁵KRS 158.110, 702 KAR 5:080

702 KAR 3:220, 702 KAR 5:013, 702 KAR 5:030, 702 KAR 5:130

KRS 189.125, KRS 189.540

RELATED POLICIES:

09.15; 09.221; 09.32; 09.2241

Adopted/Amended:
Order #:

Pregnant and Married Students

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

REFERENCES:

¹34 CFR 106.40
OAG 93-37
OAG 97-26

Adopted/Amended:
Order #:

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.²

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.¹

REFERENCES:

¹KRS 157.140 (Textbooks); KRS 405.025 (Willful Damage)

²KRS 158.150

KRS 158.154

704 KAR 3:455

Adopted/Amended:

Order #:

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.¹
- This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods (cyber-bullying).
- 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

Students that believe they are victims of bullying/hazing shall be directed to report such incidents to school personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including intervening and reporting to the Principal those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or school. 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 to the Principal or designee.

In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by 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:

¹KRS 158.150; KRS 158.148; KRS 158.156

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; 09.13; 09.421; 09.425; 09.426; 09.42811

09.2211 (re reports required by law)

Adopted/Amended:
Order #:

Use of Alcohol, Drugs and Other Prohibited Substances

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

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

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

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

DEFINITIONS

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

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

AUTHORIZED MEDICATION

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

PENALTY

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

REPORTING

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

Use of Alcohol, Drugs and Other Prohibited Substances

REFERENCES:

KRS 158.150; KRS 158.154; KRS 158.155

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

RELATED POLICY:

09.2241

Adopted/Amended:
Order #:

Tobacco

Students shall not be permitted to use or possess any tobacco product, including electronic cigarettes, on school property, inside state-owned vehicles, 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 school board's code of acceptable behavior and discipline.

REFERENCES:

P. L. 107-110 (No Child Left Behind Act of 2001)
KRS 161.180
KRS 438.050
KRS 438.350
OAG 81-295
OAG 91-137

Adopted/Amended:
Order #:

Assault and Threats of Violence

For purposes of this policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

PUPILS

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.¹

SCHOOL PERSONNEL

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

REPORT TO LAW ENFORCEMENT AGENCY

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 assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

NOTIFICATIONS

As soon as the Principal/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Assault and Threats of Violence**NOTIFICATIONS (CONTINUED)**

Any school employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.

REFERENCES:

¹KRS 158.150
KRS 158.154
KRS 161.155; KRS 161.190; KRS 161.195
KRS 508.025; KRS 508.075; KRS 508.078

RELATED POLICIES:

03.123
09.14; 09.2211; 09.422

Adopted/Amended:
Order #:

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.

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.

REFERENCE:

KRS 158.150

RELATED POLICIES:

09.13; 09.422; 09.42811

Adopted/Amended:
Order #:

Telecommunication Devices

Each area technology center shall follow the policy of the local school district where the center is located as to student use of cell phones, pagers, and other telecommunication devices. Students in violation of local school board policy shall be subject to disciplinary action.

REFERENCE:

KRS 158.165

RELATED POLICY:

09.426

Adopted/Amended:
Order #:

Student Dress Requirements

Students shall dress in accordance with specific safety regulations established in each technical program. All safety precautions shall be taken and additional precautions may be required depending on the technical area. The following is a list of essential safety practices related to student dress:

- Hardhats shall be worn when head protection is required.
- Safety glasses (with side shields) shall be worn by students and teachers at all times in the shop area.
- Shop and lab clothing shall be cleaned frequently.
- Student's hair length shall not pose a safety hazard; if hair is long, it shall be contained under an approved head covering.
- Loose and flowing clothing or dangling jewelry shall be avoided in labs equipped with moving or turning power equipment.
- Gloves and eye protection shall be worn by all Health and Human Services students when in direct contact with body fluids.
- Foot protection appropriate for the program shall be worn.
- Hearing protection shall be furnished if needed.

Adopted/Amended:

Order #:

Harassment/Discrimination Grievances

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 of 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.)

School 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 of the local school district. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the local 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, EEO Counselor or other local district administrator, the school 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 Principal, who shall immediately invoke the grievance investigation process. The Principal/designee may take interim measures to protect complainants during the investigation.

Harassment/Discrimination Grievances**PROCESS**

The following student grievance process must be published each school year in its entirety in a student handbook or code of conduct for each center with an assurance that every student is notified and receives a copy of this policy and procedure.

Students shall be informed of this procedure as part of the Kentucky TECH student orientation. Documentation of this training is to be placed in student files each year.

TITLE VI – TITLE IX – SECTION 504 – ADA – HARASSMENT**STUDENT GRIEVANCE PROCEDURE**

Students who feel they have been discriminated against, harassed by students or employees, denied reasonable accommodations, and/or denied an opportunity to enroll in a vocational program, or participate in activities because of their race, color, national origin, sex, disability, age, religion, or marital status have the right to file an informal and/or formal complaint as follows:

NOTE: Regulations require notification of 180 days for filing with the Office for Civil Rights and/or filed within 60 days after the institution or other agency has completed its investigation and notified the complainant that it will take no further action. Extension can be granted for good reason.

INSTITUTION EEO/GRIEVANCE COUNSELOR(S)

NAME _____

ADDRESS _____ PHONE _____

STUDENT INFORMAL GRIEVANCE PROCEDURE

Step 1 If a complainant feels that he/she has been discriminated against, the student must first bring the problem to the attention of the EEO/Grievance Counselor within five (5) days of the knowledge or alleged cause for grievance occurs. The EEO Counselor will conduct a preliminary investigation of the alleged complaint.

Step 2 The complainant, EEO/Grievance Counselor, and other involved parties will work informally to negotiate a solution within five (5) school days (or a total of ten (10) days from filing a grievance).

Step 3 If the grievance cannot be satisfactorily resolved by working informally, the student may want to proceed to file a formal written grievance within five (5) school days. (A total of fifteen (15) school days from filing a grievance)

Step 4 A formal written grievance may be filed within fifteen (15) days of starting the Informal Grievance Process by completing the *Formal Grievance Process Form*, which is available from the Title VI, Title IX, Section 504, ADA and Harassment Coordinator.

NOTE: Days given are to keep the process moving and can be changed by agreement of all parties.

In the following Formal Grievance Procedure, the reference to the EEO/Grievance Counselor is the person assigned the duties of Title VI, Title IX, Section 504, ADA, and Harassment at the various levels in the procedure.

Harassment/Discrimination Grievances**STUDENT FORMAL GRIEVANCE PROCEDURE**

Step 1: Within fifteen (15) school days of the alleged discrimination or denial of service, a student will file written notice to the appointed institution EEO/Grievance Counselor. The student's written notice shall identify the nature of the alleged discrimination, the date(s) of occurrence, expected outcomes, and be signed and dated by the student filing the grievance. The appointed EEO/Grievance Counselor shall respond in writing regarding the process followed, persons involved, and other investigative steps taken to try and resolve the alleged grievance. The EEO/Grievance Counselor's response will be given to the complainant within five (5) school days from the date of initiation of Step 1 of the formal grievance process. (*See Form, Formal Grievance Response to the Student.*) The proposed solution to resolving the alleged grievance will have to be approved by the Kentucky TECH administrator and other parties involved. (Within a total of twenty (20) school days from the initiation of the grievance process)

Step 2: If the complainant is not satisfied with the proposed solution, the complainant may appeal in writing by notifying the Kentucky TECH administrator within five (5) school days of the proposed solution to be taken in Step 1. (*See Form, Formal Grievance Appeal Form for Students.*) The Step 2 appeal written notice must contain all written documentation from Step 1 and the student's written reasons for not accepting the proposed solution to be taken. The Kentucky TECH administrator will respond in writing to the complainant within five (5) school days from the date of the Step 2 written appeal as to the action to be taken (or within a total of thirty (30) school days from the initiation of the grievance process).

Step 3: If the complainant is not satisfied with the recommended action to be taken by the Kentucky TECH administrator, the complainant may appeal in writing within five (5) school days to the attention of the EEO/Grievance Coordinator, Office of Career and Technical Education, Capital Plaza Tower, Frankfort, KY 40601. Mark the envelope "CONFIDENTIAL". The Step 3 written appeal must contain all written documentation related to Step 1 and Step 2 of this Formal Grievance Process. The complainant must include their written statement as to the reasons for not accepting the proposed solution to their alleged grievance. The EEO/Grievance Coordinator for the Office of Career and Technical Education will respond in writing, within twenty (20) school days of the date of the Step 3 appeal as to the recommended action to be taken, or within fifty-five (55) school days from the initiation of the grievance process.

A complainant may withdraw a complaint at any time during Step 1, 2, and 3 by completing the Complaint Withdrawal Form for Students. (*See Form, Complaint Withdrawal Form for Students.*)

The following is another option for resolving a complaint that can be used by students, parent/guardian of a minor student, or employees:

In the event that the complainant is not satisfied with the action taken at any point in the grievance process or upon completion of Step 3, the complainant may call or write for technical assistance to the Director of the Office of Civil Rights, Eastern Division, in Philadelphia, PA. If the complainant wants to file a grievance with OCR it must be in writing, signed, and dated and include any information collected or used in the attempt to resolve the complaint at the local level. The complainant has 180 days to file with OCR from the date of the incident or within 60 days after completion of the local grievance process.

Harassment/Discrimination Grievances**NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, school 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.¹

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;
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

School 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.

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.

Harassment/Discrimination Grievances**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 Principal 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.

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:

¹KRS 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:

09.13; 09.2211; 09.227
09.422; 09.426

Adopted/Amended:
Order #:

Student Discipline

Teachers and the school Principal shall be responsible for the supervision and discipline of students while they are in attendance at the area technology center. Students are responsible for complying with the policies and procedures of the area technology center.

The authority of the school in matters of student behavior is not limited to the school building 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.

The following, along with other serious infractions, shall be cause for disciplinary action, up to and including suspension from the school:

- Willful disobedience or defiance of the authority of teachers and administrators
- Assault, battery, or abuse of other students or school personnel
- Threat of force or violence
- Use or possession of illicit drugs or alcohol
- Stealing, destroying or defacing school or personal property
- Possessing or using dangerous weapons or instruments
- Other incorrigible bad conduct on school property or at school- sponsored activities

Secondary students who are subject to disciplinary action by the ATC Principal shall be reported to the principal of the parent high school in which the student is enrolled.

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 Principal or to the Circuit Court with appropriate jurisdiction.¹

SERIOUS PROBLEMS

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student. The Principal shall also forward the report to the principal of the parent high school.

Student Discipline

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:

¹KRS 158.153
KRS 158.150; KRS 160.290, KRS 160.340, KRS 160.345
KRS 161.180; KRS 610.345
P. L. 105-17
780 KAR 2:060

RELATED POLICIES:

09.14
09.423
09.425
09.426
09.434

Adopted/Amended:
Order #:

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.¹

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.²

REFERENCES:

¹KRS 158.150

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

RELATED POLICIES:

09.43

09.433

09.434

Adopted/Amended:

Order #:

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
704 KAR 7:160

RELATED POLICIES:

09.2212
09.43

Adopted/Amended:
Order #:

Suspension

WHO MAY SUSPEND

In accordance with KRS 158.150, the area technology center Principal shall have the authority to immediately suspend secondary students for a maximum of three (3) days, without action by the parent school, to protect persons or property, or to avoid disruption of the ongoing technical programs. Students who are covered under IDEA or Section 504 may not be suspended from school for more than ten (10) days total during the school year. If more suspension is required, an ARC meeting must be held to determine appropriate placement and if the behavior is a result of the disability.

The area technology center Principal shall submit in writing to the principal of the parent high school the reason(s) for disciplinary action and recommend any further action. The principal of the parent high school shall respond to the Principal of the area technology center as to the action to be taken.

Secondary students who are suspended or expelled from a participating local high school shall be suspended or expelled for the Kentucky TECH School in which the student is enrolled.

PRIOR DUE PROCESS REQUIRED

A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)¹, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process.

IMMINENT DANGER

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

WRITTEN REPORT REQUIRED

The Principal/designee shall report any suspension in writing¹ immediately to the principal of the sending school and to the parent of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

ALTERNATIVE SCHOOL STUDENTS

According to Title 780 of the Kentucky Administrative Regulations, any student who is suspended or expelled from a participating local high school is also suspended from the Kentucky Tech School in which he/she is enrolled. If a student is expelled from the school system and placed in an alternative school setting, he/she will only be allowed back in a Kentucky Tech School with special permission from the Associate Commissioner's Office.

The Kentucky Tech System is like any other school system in the state and has the right to deny admission to a student who has been expelled from another school to ensure a safe environment that is conducive to learning for all students.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

Suspension

REFERENCES:

¹KRS 158.150

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673

707 KAR 1:340, 780 KAR 2:060

Goss v. Lopez, 419 US 565 (1975)

RELATED POLICIES:

08.131

09.43

09.431

Adopted/Amended:
Order #:

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.¹ Search of a pupil's person shall be conducted only with the express authority of the Principal/designee.

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/designee. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

WITNESS/PERSONAL SEARCHES

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. In addition, no search of a pupil shall be conducted in the presence of other students.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

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 school or the Office of Career and Technical Education 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 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.

Search and Seizure**FACILITY DRUG SEARCH**

A request to use dogs for a drug search in an area technology center shall not be conducted without a search warrant or consent of the Principal or designee. Although local boards own area center facilities operated by the Office of Career and Technical Education, local law enforcement officials should either obtain the consent of Principal or designee or present a search warrant. For further advice on this procedure, contact the Office of Career and Technical Education and/or the Kentucky Department of Education Office of Legal Services.

OTHER DISRUPTIVE ITEMS

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

DISPOSITION OF ITEMS

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

REFERENCES:

¹New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)
KRS 161.180; KRS 531.335
Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

RELATED POLICIES:

08.2323; 09.4261

Adopted/Amended:
Order #:

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.¹

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.²

CRIMES ON SCHOOL PROPERTY

Except in cases of emergencies involving threats to health and safety, when the Principal 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:

¹OAG 76-129

²OAG 85-134, OAG 92-138

RELATED POLICY:

09.1231

Adopted/Amended:
Order #: