

RECOMMENDED: THE STATE'S REQUEST FOR A FOUR (4) YEAR NCLB WAIVER EXTENSION HAS BEEN GRANTED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.11

School Attendance Areas

ASSIGNED ZONES

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. In cases of joint custody, the student will be assigned to the area serving the residence of the parent with whom the child primarily resides. If pursuant to court order the child's time is split exactly in half between parents, the parents may choose which of the two (2) assigned schools the child will attend. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.¹

PROOF OF RESIDENCE

Upon request, parents/guardians shall submit written documentation verifying the primary residence of the child. For school purposes, a child's residence is not necessarily the residence of the child's parent(s), and if the child has assumed a permanent home with some other person standing in loco parentis to the child, then the residence of the child for school purposes is the same as that person.

IF FAMILIES MOVE

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the semester in the school in which s/he was last enrolled based on the following criteria:

1. The Principal gives approval;
2. Class size limits are not exceeded;
3. The student maintains a "C" grade (cumulative through the student's previous semester);
4. The student/parent provides transportation;
5. The student is not a discipline problem; and
6. There is no service provided or cost incurred by the Board.

Approval shall be granted with the understanding the student may be required to enroll at the school serving his/her attendance zone if, during the remainder of the semester, cap size limits are exceeded. The pupil must enroll the following semester in the school in the attendance zone of his/her legal residence.

REQUESTS FOR TRANSFER

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

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

School Attendance Areas**REQUESTS FOR TRANSFER (CONTINUED)**

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

~~*Pending renewal of~~Because the Kentucky request to the U. S. Dept. of Education for flexibility ~~was granted~~, reason #2 above ~~shall be~~is waived through the 201~~8~~4-201~~9~~5 school year. ~~If request is not renewed, then transfer reason #2 will be in force.~~

REFERENCES:

¹KRS 159.070; OAG 80-394

²OAG 77-311

³P. L. 107-110 (No Child Left Behind Act of 2001)

34 C.F.R. 200.44

LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 159.010 TO ALLOW DISTRICTS TO SET THE DROP-OUT AGE AT 18 EFFECTIVE WITH THE 2015-2016 SCHOOL YEAR.
FINANCIAL IMPLICATIONS: ADDITIONAL STUDENTS MAY REQUIRE ADDITIONAL STAFFING AND RESOURCES

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

All children in the district who have entered kindergarten or who are between the ages of six (6), as of October 1, and ~~sixteeneighteen~~ (18~~6~~), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned. ~~Beginning with the 2015-2016 school year, students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.~~¹

~~Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents, guardian, or other person residing in the state and having custody or charge of the student.~~¹ (See Board Policy 09.111.)

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

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

PHYSICIAN'S STATEMENT REQUIRED

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

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³

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

3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.⁴
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶

REFERENCES:

- ¹KRS 159.010; OAG 85-55
- ²KRS 159.030
- ³KRS 159.035
- ⁴702 KAR 7:125
- ⁵KRS 158.240
- ⁶KRS 158.070
- KRS 159.180; KRS 159.990
- OAG 79-68; OAG 79-539
- OAG 87-40; OAG 97-26

RELATED POLICIES:

- 08.131; 08.1312
- 09.111; 09.123; 09.36

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 and recording and posting of incidents with any type of device. 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. (This could also refer to any incident that occurred over the weekend that continues on to disrupt the school day.)

REPORTS

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

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

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

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

In certain cases, employees must do the following:

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

Bullying/Hazing

OTHER CLAIMS

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

REFERENCES:

¹[KRS 158.150](#); [KRS 158.148](#); [KRS 158.156](#)
[KRS 160.290](#)

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

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

RELATED POLICIES:

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

Adopted/Amended: 07/16/2012

Order #: 4

RECOMMENDED: THIS CHANGE IS TO CLARIFY THAT TAKING PICTURES, VIDEO, OR AUDIO RECORDINGS OF OTHERS MAY RESULT IN VIOLATION OF CONFIDENTIALITY AND PRIVACY AND MAY BE PROHIBITED. THIS POLICY LANGUAGE SHOULD BE CHECKED FOR CONSISTENCY WITH THE STUDENT DISCIPLINE CODE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4261

Telecommunication Devices

TELECOMMUNICATIONS DEVICES DEFINED

Telecommunications devices are defined to include, but are not limited to, paging and portable music devices, cellular phones, cameras, and other similar electronic devices used to deliver communications.

POSSESSION AND USE

Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:

- a. Poses a threat to academic integrity, such as cheating;
- b. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;
- c. Is profane, indecent, or obscene;
- d. Constitutes or promotes illegal activity or activity in violation of school rules; or
- e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

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

Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.

Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

ELEMENTARY SCHOOL

A student in the Henderson County Schools, grades P-5, shall not use/display a telecommunications device while on school property during the regular school day unless 1) his/her school has been wired for BYOD; 2) the licensing process (DDL) for elementary students has been completed, and 3) the Principal/designee has granted permission.

Telecommunication Devices**MIDDLE SCHOOL**

A student in Henderson County Schools, grades 6 – 8, may use telecommunications devices during non-instructional times as defined by school policy, at the direction of instructional staff, and in compliance with AUP (Access to Electronic Media).

HIGH SCHOOL

A student in grades 9-12 may use telecommunication devices during non-instructional times as defined by school policy.

Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only at the direction of instructional staff and in compliance with AUP (Access to Electronic Media).

When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.

CONSEQUENCES

First Offense: In-house or out-of-school suspension and the parent may pick up the telecommunication device the next school day.

Second Offense: In-house or out-of-school suspension and the parent may pick up the telecommunication device the next school day.

Subsequent Offense: Severe disciplinary action, including, but not limited to, out-of-school suspension, short term placement or long term placement at Central Academy and the parent may pick up the telecommunication device the next school day.

Note: Telecommunication devices confiscated on a Friday may be picked up on Monday by a parent or guardian. Parents or guardians will need to contact the Principal to make arrangements if the telecommunication device is confiscated before holidays or breaks.

NOTICE OF POLICY

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

REFERENCE:

KRS 158.165

RELATED POLICIES:

08.2323

09.426, 09.436, 09.438

Dress and Appearance

The wearing of any item, lack of clothing or presentation of any unsanitary body conditions which, materially or significantly disrupts or distracts from the educational process or threatens the health or safety of other students or staff members is prohibited. The standards set out in this policy shall be included in the District's Code of Conduct Handbook.

This dress code is adopted in the interest of developing and maintaining a student body that is neat and clean. When violations occur, the Principal/designee will inform the student of the violation and instruct him/her how to correct the discrepancy. If the student then fails to conform, the Principal/designee will schedule a conference with the parent/guardian to review the written policy, and the disciplinary action imposed.

1. Clothing designed to fit at the waist shall be worn at normal waist level (no sagging or exposing undergarments).
2. Extremely tight, form-fitting or baggy clothing is prohibited.
3. Shorts, skorts, and skirts that are of finger tip length may be worn by primary school students (P-3).
4. For students in grades 4-12, shorts, skorts, and skirts must be a minimum of knee length.
5. Clothing, jewelry, buttons, and other forms of ornamentation (including those containing slogans, endorsements or commentary) are permissible except when they make distracting noises, express violence, are obscene or suggest obscenity, suggest racial bias, nudity, advertise alcohol, drugs, or tobacco products illegal items, or suggest promotion or identification of gangs.
6. All students shall wear shoes to school. House shoes are not permitted.
7. No hats, caps, bandannas, head coverings, or sunglasses will be worn inside the school building, unless for religious or medical purposes.
8. Heavy coats and/or long outerwear will not be worn inside the school building. Unless the Principal/designee grants an exception for a heating emergency, all heavy coats and/or long outerwear must be kept in the student's locker or stored in the designated area in each classroom.
9. Halter tops, spaghetti straps, muscle shirts, cut-off T-shirts, off-the-shoulder garments, see-through or mesh type garments, or any tops that expose cleavage or the midriff are prohibited.
10. No undergarments shall be worn as outerwear. No pajamas or articles of clothing that are torn or cut shall be worn.

Dress and Appearance

11. Students in grades 6-12 will be allowed to bring backpacks/book bags to school. All such bags must be kept in the student's locker during the regular school day and may not be taken to class, unless it is a clear or mesh bag approved by the Principal/designee.
12. Body or tongue piercing, other than ears, or unnatural hair color including but not limited to blue, green, red, and orange are prohibited for all students.
13. Visible tattoos are prohibited for students in grades P-8.
14. Visible tattoos are permissible in grades 9-12 with the exception of any gang or bias related sign or symbol which reasonably appears to offend, victimize, or intimidate another based on race, color, religion, sex or national origin, and/or which disrupts or interferes with the educational setting and/or process.
- 14.15. No costumes are allowed unless it is a school-wide activity approved by the Principal.

REFERENCES:

Tinker v. Des Moines Independent School District, 393 U.S. 502 (1969)
Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)
[KRS 160.345](#), [OAG 73-233](#), [OAG 73-284](#)

RELATED POLICY:

09.434

Adopted/Amended: 06/21/2010
Order #: 203

LEGAL: THIS LANGUAGE IS BEING REMOVED AS IT IS A LEGAL COURT STANDARD THAT IS NOT CONTROLLED BY POLICY AND THE OFFICE OF CIVIL RIGHTS' POSITION IS THAT IT LEADS STAFF OTHER THAN ADMINISTRATORS TO BELIEVE THEY DO NOT HAVE TO ADDRESS ALLEGATIONS OF HARASSMENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.42811

Harassment/Discrimination

DEFINITION

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

The provisions 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 could be those committed by persons of the same or the opposite sex.)

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

DISCIPLINARY ACTION

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

GUIDELINES

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

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

The Superintendent shall provide for the following:

Harassment/Discrimination**GUIDELINES (CONTINUED)**

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

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

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

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

4. Age-appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation, including, but not limited to, interpreters for hearing impaired and visually impaired students and assistance in reading and filling out necessary papers.

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

NOTIFICATIONS

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

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

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

Harassment/Discrimination

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, sexting (through any form, physical, verbal or media);
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

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

APPEAL

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

If a supervisor is an alleged party in the harassment/discrimination complaint, a written complaint shall be submitted to a higher level of authority.

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

RETALIATION PROHIBITED

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

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

Harassment/Discrimination**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:

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

Suspension

WHO MAY SUSPEND

In accordance with [KRS 158.150](#), the Principal or assistant Principal may suspend a pupil up to a maximum of five (5) days per incident. Principal may add additional consequences (in-house suspension, Saturday school) based on the degree of the offense.

The Superintendent may extend the suspension by five (5) days or may suspend a pupil up to a maximum of ten (10) days per incident.

LENGTH OF SUSPENSION

A pupil may not be suspended for more than a total of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

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. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

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 or assistant Principal shall report any suspension in writing¹ immediately to the Superintendent 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. One such condition shall be that one or both parents/guardians shall confer with school officials prior to the termination of the student's suspension.

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

REFERENCES:

¹[KRS 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 001:340](#)

[Goss v. Lopez](#), 419 US 565 (1975)

RELATED POLICIES:

09.43, 09.431

Adopted/Amended: 08/17/1998

Order #: 18

RECOMMENDED: SCHOOL OFFICIALS SHALL FOLLOW DIRECTIONS PROVIDED BY THE INVESTIGATING OFFICER OR CABINET AS TO WHETHER TO CONTACT A PARENT REGARDLESS OF WHO THE ALLEGED PERPETRATOR IS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4361

Police Officers in the Schools

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/guardian is present or consents 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 as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s).

Law enforcement officials may be summoned by the Principal to conduct an investigation of alleged criminal conduct on the school premises or during a school-supported activity, to maintain the educational environment, and to maintain or restore order and prevent injury of persons or property.

During investigation procedures of students by police, the Principal or the Principal's designee shall be present.

REFERENCES:

¹OAG 76-129

²OAG 85-134, OAG 92-138

RELATED POLICY:

09.227