

## SIMPSON COUNTY SCHOOLS

### 2019-20 Code of Acceptable Student Behavior and Discipline

Superintendent: Tim Schlosser

Simpson County Board of Education:

Heidi Estes

Jennifer Stone

Nancy Uhls

David Webster

Tara Heinze

High School Principal: Byron Darnall

Middle School Principal: Jaxon Grover

Lincoln Elementary Principal: Joyce Pais

Simpson Elementary Principal: Michael Barnum

Franklin Elementary Principal: Rachel Wright

Formatted: Height: 11"

Deleted: 8-2019

Deleted: James Flynn

Deleted: Tim Schlosser

### **DEVELOPMENTAL PROCEDURES**

1. The contact person, teachers, parents, students, and administrators formulated the policy.
2. The Kentucky Department of Education Guidelines were reviewed.
3. Kentucky School Laws were considered.
4. Discipline codes from other school districts were reviewed.
5. Draft copy was reviewed by the school board attorney.
6. The final draft was prepared and submitted to the Superintendent and the local board of education for approval.

### **ANNUAL REVIEW**

At the close of each school year, the Superintendent, Administrative Staff, Principals, Review Committee, and local board of education will review the Code of Acceptable Student Behavior and Discipline, and the Superintendent will make revisions deemed necessary. It is subsequently to be approved by the Simpson County Board of Education.

### **DISCRIMINATION POLICY**

Students, their parents, and employees of the Simpson County Schools are hereby notified this school district does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex or handicap in employment, educational programs or activities as set forth in Title IX (The Educational Amendments of 1972), Title VI, Section 504 (Rehabilitation of the Handicapped 1973), The Civil Rights Act of 1964, and Age Discrimination Act of 1975. Any person having inquiries concerning discrimination is directed to contact Shelia Baugh who has been designated by the Simpson County Schools to coordinate the district's compliance efforts. She can be contacted at Simpson County Board of Education, P.O. Box 467, Franklin, KY 42135, (270) 586-8877.

### **DEFINITIONS**

Numbers in parenthesis are (KRS) Kentucky Revised Statutes, (KAR) Kentucky Administrative Regulations, OR (SCB) Simpson County Board of Education Policy Manual. Special Education Rights and Privacy Act are (P.L.) Public Law or Rehabilitation Act (Subpart D) taken from the Simpson County Policy and Procedural Manual for Programs for Exceptional Children

All of these are on file in the Simpson County Board of Education, 430 South College Street, Franklin, KY 42134.

The District's Code of Acceptable Student Behavior and Discipline may be referenced throughout the District's policy manual as the Code of Conduct, the Student Discipline Code, the Code of Student Conduct, Student Discipline Guidelines, and/or the Code of Acceptable Behavior and Discipline. All references refer interchangeably to the document required by KRS 158.150(4).

### **ORIENTATION FOR STUDENTS, PARENTS, AND TEACHERS**

1. The certified staff shall receive instruction concerning the Code of Acceptable Student Behavior and Discipline during a beginning of the school year in-service and/or opening day of school group meeting to be conducted by the Principal of each school.
2. Instruction shall be provided by the homeroom teacher within the first two weeks of school for the purpose of explaining the Code of Acceptable Student Behavior and Discipline to the students.
3. Each student will receive a copy of the Code of Acceptable Student Behavior and Discipline in addition to the student handbook for the school he/she is attending.
4. Parents will be asked to sign stating that they have read and understand the Code of Acceptable Student Behavior and Discipline.
5. For any and all discipline problems that may arise that are not covered in this discipline guideline, the Superintendent is to make the decision as to how the matter is to be solved.

## **PHILOSOPHY**

We believe that the Simpson County School System should provide a challenging program for all pupils regardless of race, color, or creed. Each individual should be given an equal opportunity for maximum development of his/her potential in the areas of physical, cultural, social, and moral life.

We believe that our program should contribute to opportunities for academic achievement and cultural enrichment. The curriculum should include a wide range of courses of study and extracurricular activities varied enough to give opportunities for self-expression and prepare students for a successful life including college and career readiness.

We realize the need for each pupil to live a happy, useful, and worthwhile life. Therefore, the school has a definite responsibility in the establishment of constructive attitudes.

We believe that moral values and citizenship responsibilities need to be firmly and consistently stressed in our efforts to help the pupil determine his/her standards of behavior and to assume responsibility for his/her own behavior.

We believe pupils must be the center of every decision made with efforts directed toward the activation of educational curiosity and reinforcement of citizenship responsibilities.

We believe that the American system of education must be the most forceful institution in perpetuating democracy. Each pupil must be taught that the privileges of democracy must be balanced with individual responsibility.

The Philosophy of the Simpson County School System states "...varied enough to give opportunities for self-expression." We believe that this Code of Acceptable Student Behavior and Discipline, which must be administered by many teachers, administrators, and board members, must allow a variety of approaches. Within the limits of these guidelines, each teacher will communicate his/her expectations to his/her students. Each Principal shall formulate and communicate the rules of conduct to be adhered to by staff, teachers, and students in that school. It is believed that these guidelines must be as general as possible to provide an overall structure for the many divergent approaches to guiding student behavior that are present in this school system.

## **KENTUCKY STATUTES AND SIMPSON COUNTY BOARD POLICIES SUPPORTING THE CODE OF ACCEPTABLE STUDENT BEHAVIOR AND DISCIPLINE**

### **Equal Educational Opportunities** - (SCB 09.13)

**DISCRIMINATION PROHIBITED** - No pupil shall be discriminated against because of age, color, disability, parental status, marital status, race, national origin, religion, sex, or veteran status.

**STUDENTS WITH DISABILITIES** - The District shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction. The District shall operate its programs in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

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

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

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

### **Disrupting the Educational Process** - (SCB 09.426)

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

## **STUDENT DRESS AND APPEARANCE - (SCB 09.427)**

Students should dress appropriately for the occasion and avoid extremes in clothing, cosmetics and hair styles. Students should feel a responsibility to present a suitable appearance in order to reflect credit upon themselves and their family, school and community. The primary purpose of this policy is to avoid embarrassment for students and parents, and to ensure an educational climate that is not disrupted or impeded.

Following are guidelines for student dress:

- Modesty and avoidance of distractions are keys to appropriate dress;
- Wearing of attire/cosmetics and/or, presentation of extraordinary personal appearance or any unsanitary body condition which, in the judgment of the administration, significantly disrupts school work, or threatens the health of other pupils and/or faculty, is prohibited;
- Hats, caps, bandannas/headbands, hoods, or headdresses shall not be worn in school, with the exception of days designated by the Principal.
- Baggy clothes are not permitted. Pants should be worn at the waist;
- "Trench coats", "dusters", or other coats which extend below the knee are prohibited;
- Sunglasses shall not be worn inside the school building without a medical excuse. (A doctor's note must be presented beforehand.);
- Shorts should be at least as long as the end of the finger tips when hanging naturally, skirts and dresses should be no shorter than three inches above the knee for secondary students. Extremes should be avoided (e.g. shortness and tightness of garment);
- Patches, emblems, tattoos and clothing depicting vulgarity, profanity, or sexual content, or clothing that advertises alcoholic beverages, tobacco products or illegal substances, or clothing that is perceived degrading to others shall not be permitted. This shall include but is not limited to the following: Black Panthers, Confederate Flag, Nazi Swastika, Gang Symbols, and/or hate groups of any sort, etc.;
- The body shall be appropriately covered at all times.
- The nude look and/or see-through or cutaway styles that expose the ribcage or midriff, shoulders, or chest are prohibited. Sleeveless attire is acceptable for girls. Boys must wear clothing with sleeves at all times.
- Chains (such as long chains classified as billfold chains) or jewelry which may present a safety hazard if misused are prohibited. Jewelry symbolizing drugs or illegal substances is prohibited.
- Students are prohibited from wearing attire which exposes undergarments. Students are not permitted to wear clothes with holes above where the end of the fingertips when hanging naturally.

The Principal/designee is authorized to interpret this policy when students wear clothing that is a variation of or is not included in these guidelines.

On pre-announced days (e.g. during homecoming or testing weeks), students may be exempt from portions of this dress code. On days when shorts are allowed as a reward or incentive, they must hit mid-thigh.

This dress code is adopted in the interest of developing and maintaining a student body which is well groomed, neat, and stylish. Students failing to follow the established policy should expect to face corrective action.

When informed of a dress code violation, the student must correct the situation by removing the offending item and/or changing into more suitable clothing before s/he returns to class. If necessary, parents will be notified to bring suitable clothes to school and/or the student will be sent home to change clothes. If necessary, disciplinary action may be taken by the Principal.

If a school/council chooses to develop a dress code, it shall be consistent with Board policy and the District's Code of Acceptable Behavior and Discipline.

## **Student Disciplinary Processes - (SCB 09.43)**

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

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

Unless an administrator or the Board acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the school. 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 the student's records.

3. The student and/or parent/guardian may appeal actions taken to the Superintendent or to the Circuit Court with appropriate jurisdiction.

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

**COUNCIL RESPONSIBILITY** - Each school council shall select and implement discipline and classroom management techniques for the school. The council's discipline policies shall provide for involvement of parents in disciplinary situations involving their children. In non-SBDM schools, the Principal shall make these decisions in compliance with Board policy. The discipline and classroom management techniques utilized shall comply with the school district Student Discipline Code adopted by the Board.

**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.

**Right To Due Process** - (SCB 09.431)

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. 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.

**Grievances** - (SCB 09.4281)

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

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

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel.

**Procedures** --Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

**EXCEPTION** - Harassment/Discrimination allegations shall be governed by Policy 09.42811.

**Harassment/Discrimination** - (SCB 09.42811)

**DEFINITION** - Harassment/Discrimination is 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.)

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 have been a victim of an act of harassment/discrimination or who have observed incidents involving other students that they believe to be an act of 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. 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 observe prohibited behaviors or with whom students share a complaint shall notify the Principal or their immediate supervisor, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) days of submission of the original written complaint. 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 three (3) 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 the information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

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

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

**NOTIFICATION** - 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. (SCB Policy 09.227)

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

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

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

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

Failure by an employee, immediate supervisor, Principal, and/or Superintendent 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 files a written grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

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

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

**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.

#### **Bullying/Hazing** - (SCB 09.422)

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. This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process. However, students who violate this policy shall be subject to appropriate disciplinary action.

**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.

**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.

#### **Reporting of Code Violations** - (SCB 09.438 AP.1)

Students wishing to report a violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action as defined by the code. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offense, or a report that may be required by law, including reports to law enforcement.

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

#### **Employee Reports of Criminal Activity** - (SCB 09.2211)

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

KRS 158.154 - When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155 - An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

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

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

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.

#### **Students With Disabilities** - (SCB 08.131)

The Board shall operate programs for students with disabilities to the extent required by law.

LEGAL - The Board operates programs for students with disabilities in accordance with the legal obligations contained in the special education and section 504 procedures relating to such programs.

In situations involving students with disabilities, the Board shall determine whether to file for due process hearings, or appeals therefrom, on behalf of the District, except in the following situations: The Superintendent/designee is authorized to request due process hearings and to file for extensions and appeals therefrom, and to request injunctive relief, due to substantial likelihood of harm/danger/likelihood of injury by or of a student. The Superintendent/designee is authorized to file for mediation on behalf of the Board and to file appeals from the Kentucky Department of Education Special Education Complaint decisions on behalf of the Board.

ASSESSMENT - District special education programs and related services shall meet all requirements established by governance authorities.

(See the above-referenced District manual for specific policy and procedure information for students with disabilities.)

EXTENDED YEAR PROGRAM - The Board shall consider an extended school year program for students having disabilities which are severe in nature. Program eligibility shall be based on the following considerations:

1. Significant regression due to an interruption of educational programming, and
2. Limited recoupment capacity which would render unlikely the attainment of a level of self-sufficiency and independence from caretakers which would be expected for the disabling condition.

If extended year programming is indicated to maintain skills already acquired, the amount of time required for maintenance of skills may vary for each student as determined by the appropriate Admissions and Release Committee.

NOTIFICATION OF PARENTS - The Board shall provide written notification of the availability of the extended school year program to the parents of students with disabilities.

DOCUMENTATION REQUIRED - Documentation of regression and recoupment shall be recorded on a regular basis by the staff of each school, as well as by specialists, who assist in implementation of the student's Individual Education Plan (IEP).

REVIEW BY COMMITTEES - The School Based Admissions and Release Committee (SBARC) shall review extended school year guidelines and send any referrals to the Central Steering Committee which assists in determining student eligibility.

All referrals for extended school year programming shall be received by the Central Steering Committee. The Central Steering Committee shall review all requests and send results to the School Based Admissions and Release Committee (SBARC).



Appeals may be made to the Administrative and Release Committee (AARC).

**Supervision of pupils' conduct** - (KRS 161.180)

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

(2) The various boards of education of the Commonwealth of Kentucky, and the principals of the public schools, may use teacher's aides in supervisory capacities, such as playground supervision, hallway supervision, lunchroom and cafeteria supervision, and other like duties, including, but not limited to, recreational activities and athletic events, relating to the supervision and control of the conduct of the pupils; and while so engaged, such teacher's aides shall have the same authority and responsibility as is granted to, and imposed by law upon teachers in the performance of the same, or similar duties. (Repealed and reenact. Acts 1990, ch. 476, Pt. V, § 481, effective July 13, 1990.)

**Corporal Punishment** - (SCB 09.433)

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.

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

**Telecommunication Devices** (SCB 09.4261)

**POSSESSION AND USE**

1. Students shall not use personal telecommunications or other related electronic devices during instructional time for non-instructional purposes.
2. Nothing in this policy shall prohibit a student from using a personal telecommunication device while attending athletic events which are held on school property after regular school hours.
3. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual.
4. When students violate this policy, they shall be subject to disciplinary action. In addition, the teacher in charge of the field trip or school administrator, may confiscate the device which shall only be returned to the student's parent/guardian.
5. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property or taken to school-sponsored and/or school-related activities.
6. In this policy, "personal telecommunications device" shall mean a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor including, but not limited to, a paging device and/or a cellular telephone.
7. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

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

**Alternative Education** - (SCB 09.4341)

**ASSIGNMENT** - For conduct that disrupts the educational process, a student may be assigned to the alternative education program by the Principal or his designee without parent consent. The duration of assignment shall be fixed by the Principal or his designee.

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

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

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

**Suspension** - (SCB 09.434)

**WHO MAY SUSPEND** - In accordance with KRS 158.150, the Superintendent, Principal or assistant Principal may suspend a pupil up to a maximum of ten (10) days per incident. Any student recommended for suspension in excess of ten (10) days cumulative per school year shall be referred to the superintendent.

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[1] (09.431), unless immediate suspension is essential to protect persons or property or to avoid disruption. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

**UNLESS THERE IS 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 writing 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.

**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.

#### **Expulsion** - (SCB 09.435)

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

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

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

**HEARING AND RECORDS REQUIRED** - Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board. The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.

**BOARD DECISION FINAL** - The Board's decision shall be final.

**STUDENTS WITH DISABILITIES** - In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)

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

#### **Expulsion of Special Education Students**

Students who create a dangerous or disruptive situation may be suspended from school. The due process procedures that should be followed for short-term suspension (up to ten days cumulative per school year) are the same for all students.

The behavior of exceptional students and students who have been referred for evaluation for possible special education placement and/or related services should be considered during the initial Admissions and Release Committee meetings. Behavioral interventions, treatment, and consequences should become a part of the Individual Education Plan for that student. Should these interventions prove unsuccessful, as evidenced by misconduct of the student, the issue should be brought to the ARC to make changes in the student's program which might result in more appropriate behaviors.

In deciding Kaelin v. Grubbs, the Sixth Circuit Court of Appeals outlined general standards governing the suspension and expulsion of handicapped children in Kentucky, which the Simpson County Board of Education has adopted.

1. A handicapped child may be suspended temporarily without the special education change of placement procedures.
2. A handicapped child may be expelled as long as appropriate Admission and Release Committee procedures are followed with a committee determination that the child's disruptive behavior was not a result of the handicapping condition.
3. A handicapped child may not be expelled if the committee determines that the child's disruptive behavior was a result of the handicapping condition.
4. Even if the child is expelled through the appropriate procedures there must not be a complete cessation of educational services. Therefore, if a handicapped child is expelled, services shall be provided in an interim alternative educational setting.

#### **Assault and Threats of Violence** - (SCB 09.425)

New Section of KRS 158 requires written notice to all students, parents and guardians of students within ten (10) days of the first instructional day of the school of the provisions of KRS 508.078 (making it a crime to make the described threats against school-affiliated persons and persons lawfully on school property or against school operations). In compliance with this requirement, the text of KRS 508.078 is set forth below. Please be advised that there are serious penalties for this second degree terroristic threatening offense. Potential penalties upon conviction of this Class D felony include a term of imprisonment of not less than one (1) year nor more than five (5) years and a fine of not less than one thousand (\$1,000) and not greater than ten thousand (\$10,000) as provided in KRS 532.060 and KRS 532.030, respectively. In addition, a court in a juvenile case dealing with charges based on bomb threats or other criminal threats that disrupt school operations may order the child or his parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060).

#### **KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE)**

1. A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:
  - a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
  - b) Makes false statements by any means, including by electronic communication, for the purpose of:
    1. Causing evacuation of a school building, school property, or school sanctioned activity;
    2. Causing cancellation of school classes or school sanctioned activity; or
    3. Creating fear of serious bodily harm among students, parents, or school personnel;

- c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
- d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
- 2. A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
- 3. A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- 4. Terroristic threatening in the second degree is a Class D felony.

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.

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 action 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 or from the District's transportation system 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.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

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 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.

NOTIFICATION - Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of weapons violation and/or 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 school official who has knowledge of the student's behavior prior to the assignment or contact.

**Terroristic threatening in the first degree.** – (KRS 508.075)

- (1) A person is guilty of terroristic threatening in the first degree when he or she:
  - (a) Intentionally makes false statements that he or she or another person has placed a weapon of mass destruction on:
    1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;
    2. A school bus or other vehicle owned, operated, or leased by a school;
    3. The real property or any building public or private that is the site of an official school-sanctioned function; or
    4. The real property or any building owned or leased by a government agency; or

- (b) Intentionally and without lawful authority, places a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed, with the written permission of the chief officer of the school or other institution, as a part of an official training exercise and is placed by a public servant, as defined in KRS 522.010.
- (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- (4) Terroristic threatening in the first degree is a Class C felony.

**Terroristic threatening in the second degree.** – (KRS 508.078)

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

**Terroristic threatening in the third degree.** – (KRS 508.080)

- (1) Except as provided in KRS 508.075 or 508.078, a person is guilty of terroristic threatening in the third degree when:
  - (a) He threatens to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person; or
  - (b) He intentionally makes false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation.
- (2) Terroristic threatening in the third degree is a Class A misdemeanor.

**Weapons** - (SCB 05.48)

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

**WEAPONS PROHIBITED** – Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity or knowingly participating/assisting in such conduct, is prohibited.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under policy 09.435. 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 firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

FEDERAL REQUIREMENTS - The penalty for students bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under policy 09.435. However, the Board may modify such expulsions on a case-by case basis.

Any student who brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

EXCEPTIONS - An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.

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

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

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

The above criminal penalty shall not apply to those persons listed in KRS 527.070 (3).

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon 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.

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

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

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

ENFORCEMENT - In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

#### **Use of Alcohol, Drugs and Other Prohibited Substances** (SCB 09.423)

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES - No pupil shall receive, purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on 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. Narcotics, drugs, controlled drug substances and drug paraphernalia;
3. Substances that "look like" narcotics, drugs or controlled substances. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance; and
4. Mood altering substances (such as inhalants).

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 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 and prohibited volatile substances as defined in KRS 217.900 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 health professional shall not be considered in violation of this policy provided the drug is presented to the school office in its original container for dispensing.

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

**DRUG TESTING PROGRAM** - Students participating in athletics or competitive extracurricular activities at the high school or middle school and students who wish to obtain parking permits to park and drive on school grounds shall participate in the District's student random drug-testing program. Competitive extracurricular activities include participation in school clubs or organizations not required by a class and athletic teams, including but not limited to baseball, basketball, cheerleading, cross-country, dance, football, softball, tennis, track, volleyball, swimming and golf.

While not required, other students may voluntarily participate in the District's random drug-testing program upon receipt of parental consent and completion of all appropriate forms. Testing shall be accomplished by the analysis of urine specimens obtained from the student. Collection and testing procedures shall be established, maintained, and administered to ensure:

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

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

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

**Student Random Drug Testing Procedures (SCB 09.4231 AP.1)**

**TESTING PROTOCOLS -**

1. The High School and Middle School principals will ensure training as necessary to staff members regarding the District's student random drug testing program.
2. Each competitive extracurricular activity sponsor shall establish a roster of student participants and submit the roster to the Drug Coordinator. Changes in the roster should be reported immediately to the Drug Coordinator.
3. "Competitive extracurricular activity" shall be defined as any school activity not required by a class (i.e. "extracurricular" and not "co-curricular") formed primarily for the purpose of engaging in competition with other schools, and athletic teams (including, but not limited to, baseball, basketball, cheerleading, cross-country, dance, football, softball, tennis, track, volleyball, swimming and golf).
4. Students and parents or legal guardians will have the opportunity to participate in a District informational meeting concerning the District's random drug testing policy. Prior to obtaining a parking permit to park and/or driving on school grounds or participating in a competitive extracurricular activity, students and parents or legal guardians must read Board Policy 09.423 and this procedure and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures. Immediately prior to giving a urine specimen, each student shall complete all forms required by the testing company selected by the District.
5. Testing will occur for the following:

DRUG CLASS	SCREEN CUTOFF	GC/MS CUTOFF
Amphetamines	1000ng/ML	500ng/ML
Barbiturates	300ng/ML	300ng/ML
Benzodiazepines	300ng/ML	300ng/ML

Cocaine Metabolite	300ng/ML	150ng/ML
Opiates (Codeine, Morphine, Hydrocodone, Hydromorphone)	300ng/ML	100ng/ML
Oxycodone	100ng/ML	100ng/ML
Phencyclidine	25ng/ML	25ng/ML
Marijuana Metabolite	50ng/ML	15ng/ML
Methadone	300ng/ML	300ng/ML
Methaqualone	300ng/ML	300ng/ML
Propoxyphene	300ng/ML	300ng/ML

6. The testing company approved by the Board shall determine which students are to be tested by the random selection of names from among all students.
7. The collection of urine specimens and the scientific analysis of the collected specimens shall be conducted by a professional testing company selected by the Board.
9. Collection procedures for urine specimens shall be developed, maintained, and administered by the testing company in an effort to minimize any intrusion or embarrassment for each student, ensure the proper identification of students' specimens, minimize the likelihood of the adulteration of a urine specimen, and maintain confidentiality of test results.
10. The collection of urine specimens shall be conducted on school premises, with the testing company approved by the Board taking extra care to avoid interference with school activities whenever possible. If a test result is found to have been adulterated, the student may be required to be retested.
11. Each specimen shall initially be tested using a highly accurate immunoassay technique ("EMIT"). Initial positive results must be confirmed by gas chromatography/mass spectrometry ("GC/MS"). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive.
12. Analysis by Medical Review Officer - A Medical Review Officer ("MRO") is a licensed doctor of medicine or osteopathy with knowledge of drug abuse disorders. The MRO is responsible for reviewing the results of the initial and confirmatory tests by the testing laboratory and exploring alternative explanations for a positive result. The MRO will contact the parent of the student whose drug or alcohol screen test is positive and will provide them with an opportunity to discuss the positive test result. Following this conversation, the MRO will make an independent decision as to whether the drug or alcohol screen test result, together with the parent's explanation, supports a finding of a positive drug or alcohol test result. The MRO, following the analysis of the test results, will report to the Drug Coordinator whether a student's drug or alcohol screen test result was positive or negative. Only those samples which tested positive for drugs or alcohol and for which the student failed to offer a satisfactory explanation will be reported. All other tests will be reported as negative.
13. Survey data will be collected by school personnel. Survey information is anonymous. Results are to be used for the sole purpose of determining program success as related to student, parent, and teacher attitudes toward drug use and the testing program. Surveys conducted for the evaluation of the program are voluntary. Students will not be penalized for not participating in the surveys.
14. A split sample of each urine specimen given by each student shall be preserved by the testing laboratory for a minimum of six (6) months.
15. Written confirmation of all test results shall be forwarded by the testing company to the Drug Coordinator, who shall provide the results (negative or positive) to the Principal/Designee and Head Coach or Organization Advisor. All test results are confidential and shall be maintained by the Drug Coordinator under the strictest security.
16. The test results forwarded to the Drug Coordinator shall indicate that positive results were confirmed by the GC/MS technique and shall indicate the name of the individual for whom the test results are being reported; the type of test indicated on the custody and control form; the date and location of the test collection; the identity of the persons or entities performing the collection and analysis of the specimens and reporting test results; the verified results of the controlled substances test; and, if positive, the identity of the controlled substance(s) for which the test verified positive. Test results shall be forwarded to the Drug Coordinator in a manner to ensure that the Drug Coordinator cannot determine that any test was a presumptive, positive test unable to be confirmed by GC/MS.
17. In the event that a student's urine specimen produces a positive result (after the GC/MS confirmation), the Drug Coordinator will disclose the positive test result in writing, by certified mail, to the student and the student's parent(s) or legal guardian(s). The Principal/Designee, the Organization Advisor and/or Head Coach shall then meet with the student and the student's parent(s) or legal guardian(s) to discuss the test results. At this meeting, the Principal/Designee and/or Head Coach or Organizational Advisor shall advise the student and the student's parent(s) or legal guardian(s) of further procedural rights under this policy and procedure.
18. Any student who has tested positive or the student's parents or legal guardians may contest the test result by informing the Principal within seventy-two (72) hours of receipt of written notice of the positive test result. The student and parent shall be entitled to present any evidence they desire to defend the charge of violation of this policy prior to implementation of sanctions. The Principal may require written documentation (such as a doctor's statement) of any evidence the student may wish to present that the student feels may have affected the test results. Failure to present written documentation to support the student's defense



of the case shall result in the student being subject to the sanctions provided in this procedure for a positive test result. Upon request by the student's parents or legal guardians, further laboratory analysis shall be conducted with the student's remaining urine specimen preserved by the testing laboratory at the student's expense.

19. The final determination of the student's eligibility shall be made at the school level by the Principal.
20. Any refusal by a student to be tested shall be treated as a violation, and the appropriate sanctions will be assessed. (See Sanctions.) The student's parents or legal guardians shall be notified by the Principal of the refusal and sanction.
21. Violations shall be deemed to accumulate throughout the student's involvement in all competitive extracurricular activities and driving privileges.
22. Any violation by a student shall be reported to the student's parents or legal guardians, but no disciplinary action will occur.
23. If a student is eighteen (18) years of age or will turn eighteen (18) years of age during the school year, the student must agree to release all test results to the student's parents or legal guardians.
24. One (1) year after the student turns eighteen (18) years old or one (1) year after the student's graduation, whichever is later, all records in regard to this procedure concerning each student shall be destroyed, and at no time shall these results or records be placed in the student's academic file or be voluntarily turned over to any law enforcement agency, or used for any purpose other than those stated herein. For students who transfer out of the District or otherwise do not fulfill the requirements for graduation, the records of that student shall be destroyed one (1) year after the student turns eighteen (18) years old.

## **SANCTIONS**

### **FIRST VIOLATION:**

1. (a) The student shall be suspended for the next four (4) consecutive weeks from parking or driving on school grounds and/or from competitive extracurricular activities. If necessary, the suspension shall carry over to the student's subsequent participation on another team and/or organization to the following season. Participation consists of practicing, dressing-out, traveling with, or receiving recognition with or for the activity(s) in which the student is involved before reinstatement to the team or organization, or the issuing of the parking permit after a first violation.  
(b) Prior to readmission to the team/organization or re-issue of the parking permit, the student must: (i) receive an assessment or evaluation for chemical dependency by a qualified chemical dependency professional selected from an approved list compiled by the Drug Coordinator; and (ii) provide a negative drug test result from the testing company currently under contract with the Board at the student's expense. The student's continuing eligibility for said activity and/or permit shall be contingent on the student's successful completion of all recommendations resulting from the above-referenced chemical dependency assessment.
2. (a) If a student is reinstated to the team or organization, or re-issued a parking permit following a first violation, the student's participation in another team or organization shall not be restricted solely because of the existence of the first violation, as long as the student has completed the period of suspension and was appropriately reinstated to the prior team or organization, or re-issued a parking permit pursuant to paragraph (1) immediately preceding above.  
(b) If the student elects not to seek reinstatement to a team or organization, or re-issue of the parking permit after the first violation (either because of the student's own election or the season concluded prior to the expiration of the student's own suspension), the student shall complete the following prior to having eligibility reinstated for any other competitive extracurricular activity and/or parking permits: (i) provide written verification of the appointment for the chemical dependency assessment or evaluation described in 1(b) hereinabove; (ii) serve the unexpired portion of the suspension; and (iii) provide a negative drug test result from the testing company currently under contract with the Board at the student's expense. The student's continuing eligibility for said activity and/or permit shall be contingent on the student's completion of the chemical dependency assessment and all recommendations resulting therefrom.  
(c) A student serving a suspension for one activity may try out for a second activity if the student: (i) provides written verification of the appointment for the chemical dependency assessment or evaluation described in 1(b) hereinabove; and (ii) provides a negative drug test result from the testing company currently under contract with the Board at the student's expense. If the student successfully makes the team/organization, prior to participation, the student must serve the unexpired portion of the previous suspension. The student's continuing eligibility for said activity and/or permit shall be contingent on the student's completion of the chemical dependency assessment and all recommendations resulting therefrom.

### **SECOND VIOLATION:**

1. (a) The student shall be suspended for the next twelve (12) consecutive weeks from parking or driving school grounds and/or competitive extracurricular activities with no association with teams or organizations. If necessary, the suspension shall carry over to the student's subsequent participation on another team or organization, or the issuing of a parking permit and/or to the following season.  
(b) Before reinstatement to the team/organization or re-issue of the parking permit after a second violation, the student must: (i) successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to that effect issued by a qualified chemical dependency professional; and (ii) provide a negative drug test result from the testing company currently under contract with the Board at the student's expense.

2.(a) If a student is reinstated to the team or organization, or re-issued a parking permit following a second violation, the student's participation in another team/organization shall not be restricted solely because of the existence of the second violation, as long as the student has completed the period of suspension and the required chemical dependency program and was appropriately reinstated to the prior team or organization, or re-issued a parking permit pursuant to paragraph (1) immediately preceding above.

(b) If the student elects not to seek reinstatement to a team or organization, or the re-issue of the parking permit after the second violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension), the student shall complete the following prior to having eligibility reinstated for any other extracurricular activity and/or parking permit: (i) provide written verification of the completion of all recommendations resulting from the chemical dependency assessment described in (1)(b) immediately preceding hereinabove; (ii) serve the unexpired portion of the suspension; and (iii) provide a negative drug test result from the testing company currently under contract with the Board at the student's expense.

(c) A student serving a suspension for one team or organization or with a revoked parking permit may try out for a second activity if the student: (i) provides written verification of the student's compliance to date with the recommendations from the chemical dependency assessment; and (ii) provides a negative drug test result from the testing company currently under contract with the Board at the student's expense. If the student makes the team, prior to participation, the student must serve the unexpired portion of the previous suspension and provide written verification of the completion of all recommendations resulting from the chemical dependency assessment.

#### **THIRD VIOLATION:**

The student shall be suspended for a period of one (1) calendar year from the date of the most recent test that yielded positive results. Prior to having eligibility restored, the student must: (i) successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to that effect issued by a qualified chemical dependency professional; and (ii) submit to regular drug testing, at the student's expense, administered by the testing company currently under contract with the Board in accordance with the same procedures utilized for random drug testing at the student's expense. A positive test during the subsequent testing will be treated as a fourth violation.

#### **FOURTH VIOLATION:**

The student shall be excluded from obtaining a parking permit and from participation in any competitive extracurricular activity for the remainder of the student's enrollment in the District.

**CONFIDENTIALITY** - Appropriate measures shall be taken to protect student confidentiality throughout the testing process and in the handling of test results. All records and information regarding drug testing of a student including, but not limited to, referral, evaluation, substance screen results, and treatment shall be maintained as confidential medical information and will be maintained in a separate file from the student's education record.

**NOTICE TO PARTICIPANTS** - Prior to participation for any competitive extracurricular activity, or the issue of a student parking permit each year, the District shall provide all participating students and their parent or legal guardian with a written copy of District Policy 09.423 and this administrative procedure. Each student who chooses to participate and a parent or legal guardian of that student shall be required to sign a statement indicating that the student and the student's parent or legal guardian have read, understand and agree to be bound by the terms and conditions of the policy and procedure.

#### **Tobacco – (SCB 09.4232)**

Students shall not be permitted to use or possess any tobacco product on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, and during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline. Use of tobacco is prohibited at all times in or on any property owned or operated by the Board. In addition, use of tobacco in any form shall not be permitted in outdoor facilities owned or operated by the Board during all District-sponsored activities, including sporting events.

#### **Use of Alcohol, Drugs and Other Controlled Substances - (SCB 09.423 AP.1)**

**POSSESSION, USE AND PARAPHERNALIA FORBIDDEN** - Pursuant to Board Policy 09.423, both possession or use of drug paraphernalia and possession, use or being under the influence of alcoholic beverages, any controlled substance, mood altering substances (such as inhalants), or any substance which "looks like" a controlled substance on or about school property, at any location of a school-sponsored activity or en route to or from a school-sponsored activity are forbidden.

**First Offense:** The student will be suspended for 5-10 days and recommended for expulsion. The recommendation for expulsion may be waived, if the principal or assistant principal so decides and the student and parents/guardians choose to do all of the following:

- A) complete the days of suspension;
- B) obtain an evaluation, at the parent/guardian's expense, from a qualified alcohol/drug counselor acceptable to the Superintendent/designee, and;
- C) complete any and all recommendations of the qualified counselor. Failure to do so will result in referral to the Board of Education for expulsion.
- D) The student must have completed the evaluation or have verbal and/or written confirmation of an appointment upon returning to school.

**Second Offense:** Any student violating the policy for the second time in one school year will be suspended for 10 days and recommended for expulsion.

**TRANSFER FORBIDDEN** - Pursuant to Board Policy 09.423, sale or transfer of drug paraphernalia, alcoholic beverages, any controlled substance or any substance which "looks like" a controlled substance on or about school property, at any location of a school-sponsored activity or en route to or from a school-sponsored activity is forbidden.

**First Offense:** The student will be suspended 10 days and recommended for expulsion. The recommendation for expulsion may be waived if the principal or assistant principal so decides and if the student or parents/guardians choose to do all of the following:

- A) complete the 10 days of suspension;
- B) obtain an evaluation, at the parent/guardian's expense, from a qualified alcohol/drug counselor acceptable to the Superintendent/designee, and;
- C) complete any and all recommendations of the qualified counselor. Failure to do so will result in referral to the Board of Education for expulsion.
- D) The student must have completed the evaluation or have verbal and/or written confirmation of an appointment upon returning to school.

**Second Offense:** Any student violating the policy for the second time in one school year will be suspended for 10 days and recommended for expulsion.

**REFERRAL TO LEGAL AUTHORITIES** - Any violators of the Board Policy 09.423 will be referred to local law enforcement and/or the local county attorney's office.

#### **THE USE OF ILLICIT DRUGS AND THE UNLAWFUL POSSESSION AND USE OF ALCOHOL IS WRONG AND HARMFUL.**

For information about any drug and alcohol counseling and rehabilitation and re-entry programs, please contact Shelia Baugh, Simpson County Title IV Coordinator at (270)586-8877, or any of the school counselors. Agencies offering assistance include the Simpson County Family Resource Center (586-2007), Franklin-Simpson Middle School Youth Service Center (586-2046), Franklin-Simpson High School Youth Service Center (586-8802), Life Skills, Inc. (586-8826), or Champions Against Drugs ((270) 842-5509).

#### **Conduct on Bus** - (SCB 06.34)

##### **Rules & Regulations for Riding a School Bus**

Regulations are issued in accordance with the Students Code of Conduct, Simpson County Board of Education Policy. Kentucky Administrative Regulations and Kentucky Revised Statutes do not require Boards of Education to furnish transportation to and from school for Pupils. The Simpson County Board of Education has elected to provide Transportation for only those Pupils regularly enrolled in the Public Schools within Simpson County School District. Pupils have the privilege of riding a Simpson County School Bus to and from school provided they comply with the Directions from the Driver, Monitor, and the Rules and Regulations for Pupils Riding School Buses. Video cameras are installed in the District's school buses to record student behavior during transportation to and from school and school related events. Evidence of student misbehavior recorded on video may be used to discipline students under provisions of governance authorities.

1. The bus driver and monitor are in charge of the bus and pupils will have an assigned seat.
2. Pupils should arrive at the stop 5 minutes before time for the bus to arrive. The driver cannot wait but will cooperate when it is raining, snowing or extremely cold.

3. Pupils should wait 10 feet away from the street or road and on the side of the street where the pupil lives, not crossing until the bus arrives and stops the traffic.
4. **When pupils must cross the roadway to enter or leave the bus, they shall cross the roadway approximately 10 feet away from the bus and not cross until all traffic has stopped and the driver signals for them to cross.**
5. **Pupils should always board the bus in an orderly manner, using the handrail and going immediately to sit down, sitting in the assigned seat.**
6. **Pupils are to remain seated until the bus has come to a complete stop, with the park brake set, before leaving the bus seats to get off the bus.**
7. **Pupils are not to change from one seat to another while bus is in motion.**
8. **For safety reasons, pupils shall sit back to back and bottom to bottom and keep arms, legs and head inside the bus.**
9. **Pupils shall not create noise on the bus to the extent that it would distract the driver or interfere with the driver's ability to hear emergency vehicles or trains.**

**10. The following activities are prohibited at all times:**

- a. Improper behavior (insolence, vulgarity, foul language, fighting, pushing, or similar offenses.)
- b. The use of any tobacco substances on the bus, possession or under the influence of a controlled substance.
- c. No pens, pencils or cards out.
- d. Eating or drinking on the bus.
- e. Throwing articles in or from the bus.
- f. Possessing knives, sharp objects, glass containers, helium balloons, or lasers.
- g. Tampering with controls of the bus.
- h. Littering the bus.
- i. Placing articles at the door by the driver.
- j. Obstructing the aisle in any manner.
- k. Water guns or water gun fights.
- l. Any articles causing damage or excessive wear to the bus.
- m. Pupils are allowed CD players with head phones, but cannot share or have CD's out of players. **MUST REMOVE WHEN LOADING/UNLOADING AND AT RAILROAD CROSSINGS.**
- n. **NO** cell phones, cameras or hand held games out.
- o. Students must maintain quietness at railroad crossings.
- p. Occupying more space in a seat than required (pupils shall only be allowed to carry on a school bus those items which they can securely hold and contain in their lap without imposing into another passenger's area. **NO** baby doll carriers.

**11. Pupils ARE NOT permitted:**

- a. To stand or sit on the steps at the entrance of the bus, or in the landing area.
- b. To operate the signals or entrance door.
- c. Any type of weapon on the bus either operative or ceremonial.
- d. To bring any object that would likely block the aisle or exits.
- e. To bring pets, snakes, mice or preserved specimen that would likely frighten any pupil or cause a commotion on the bus.

12. Pupils are to ride their assigned buses only and are required to get off the bus at their assigned stop unless the pupil presents the driver a pass signed by the principal or designate.

13. Non-students are not permitted to ride the bus anytime unless with written permission from the superintendent.

14. Students on extra-curricular trips are required to abide by the same safety rules and regulations.

**Pre-Entry** students must have a parent, guardian or a responsible person authorized by the parent or guardian in writing prior to transportation, to be at bus stop with student. a Driver Assistance shall be responsible to deliver and receive the child safely to and from parent/guardian or person authorized, [702 KAR 5:150] **this is a hand to hand release of child** [SC Board of Education District Handbook] (child's hand is being held by Driver Assistance or parent, guardian or authorized person at **ALL TIMES**).

**Entry Level** students must have a parent, guardian or a responsible person authorized by the parent or guardian in writing with school prior to transportation, to be **VISIBLE** for delivery of student. If parent or guardian or responsible person is **NOT VISIBLE** for delivery, the student shall be taken to a prearranged location.

Students returned three times will be denied transportation. A meeting with the parent or guardian, principal, transportation manager or designee outlining procedures will need to take place before transportation resumes.

**PRINCIPAL RESPONSIBLE** - The Principal shall oversee the department of students who ride on the school bus and who walk to and from the school.

**REPORTING OF VIOLATIONS** - The bus drivers shall promptly report any violation of District policy or school rules to the Principal.

**DISCHARGE OF PUPILS FROM BUS** - Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver is authorized to stop the bus and contact the bus garage or Superintendent's designee to send someone to pick up the student, or, if the behavior warrants, the driver shall request support from law enforcement officers. At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends or the Superintendent.

**WITHHOLDING OF RIDING PRIVILEGES** - The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld. Parent notification shall be issued verbally or via certified mail with return receipt prior to privileges being denied.

The Superintendent or the Superintendent's designee may withhold bus-riding privileges up to the remainder of the school year.

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

**RESTITUTION OF DAMAGES** - The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

**STUDENTS WITH DISABILITIES** - Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.

#### **Search and Seizure** - (SCB 09.436)

**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, a Board policy, or the law. Search of a pupil's person shall be conducted only with the express authority of the Principal.

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

**REGULAR INSPECTION** - School property, such as lockers and desks, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy to items left in such locations. A single desk or locker may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

**ILLEGAL ITEMS** - Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

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

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

USE OF TRAINED DOGS - Subject to the following conditions, the Superintendent/designee may authorize the use of trained dogs to locate contraband (prohibited items) on school grounds:

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

### **Criminal Violations**

Students are accountable to their school in their role as students as well as to the law in their capacity as citizens. The criminal laws of the Commonwealth of Kentucky and of the federal government apply to the conduct of all persons on school property and at school-related or sponsored functions. Violations should be dealt with according to these laws and local school board policy.

## RIGHTS AND RESPONSIBILITIES

The Simpson County Board of Education believes each student, parent, and school employee should accept corresponding responsibility with each right appropriate to the maturity level of the student involved and that all persons are to abide by the rules and regulations of the Board and its designated employees.

<u>Student Rights</u>	<u>Student Responsibilities</u>
To an education preparing the student within the limits of abilities to reach maximum potential for contributing to the individual's welfare and that of society.	To attend school regularly and to take advantage of the opportunities offered by cooperating with those trying to teach and working at the job of learning and not to interfere with the rights of fellow students to an education.
To freedom of speech and expression.	To responsibly use that freedom in such a way as not to offend the rights of others with obscene or damaging words or actions and, within the limits of good taste, to avoid the use of language in a discourteous, offensive, or inflammatory manner.
To request an explanation of the purpose of rules.	To obey the rules, and to question them in a way earnestly seeking explanation for understanding and not just for the purpose of an argument.
To suggest rules or changes in rules.	To make suggestions in a positive, reasonable manner, taking into careful consideration the welfare of all, not just that of one or a few individuals.
To "due process" in regard to disciplinary action, including the right to hear charges, his/her side, and to appeal decisions honestly believed unjust from teacher to principal to Superintendent to Board of Education according to established procedures.	To exercise courtesy and reason at all times, to accept just punishment, to avoid unreasonable appeals, and to state refrain from making false accusations for petty or vicious reasons.
To access and confidentiality of academic records outside of the school system, except upon written authorization of the student or his/her parents.	To follow established procedures in requesting release of personal records to persons not legally entitled to such records without proper consent.
To participate in all school programs and activities within the limits of capabilities and the established standards without regard to race, creed, or sex.	To make the best contribution possible with individual abilities, to support the school in all phases of the program or activity, and to behave in such a way that participation will be a contribution and not a detriment.
To freedom from abuse and threat of abuse by members of school faculties and administration personnel. To protection of person and property to the fullest.	To refrain from acts or actions which would endanger self or others, including property, and to take those steps and precautions necessary to protect self and possessions.
To receive academic grades based only upon academic performance.	To complete all homework, class-work, and make-up assignments in accordance with the teacher's instruction.

<b><u>Parent Rights</u></b>	<b><u>Parent Responsibilities</u></b>
To send their child to a school with a positive educational climate.	Instill in their children the values of an education by seeing to it that their children: (1) attend school regularly and promptly, (2) demonstrate respect for the teachers, administrators, school personnel at school and all school related activities, (3) exhibit neatness and cleanliness at all times.
To expect disruptive behavior to be dealt with fairly, firmly, and quickly.	Instill in their children a sense of responsibility, respect, and also inform their children about the disciplinary procedures of the school.
To enroll their child in regularly scheduled classes with minimal interruptions.	Understand that interruptions in the school are detrimental to the progress of all students.
To expect their school to maintain high academic and accreditation standards.	Be familiar with the educational program, procedures, and policies.
To review the child's academic progress and other pertinent information which may be contained in the student's personal records.	To exhibit concern for the progress and grades of their child.
Address a question concerning their child to the proper authority and receive a reply in a reasonable time period.	Check with the proper school officials regarding the facts of any situation that they might question. Support the efforts of the school personnel.

<b><u>Teacher Rights</u></b>	<b><u>Teacher Responsibilities</u></b>
The support of students, co-workers, administrators, and parents.	To maintain high standards of professional and personal conduct which fosters mutual respect, and consideration for pupils, parents, and co-workers.
To work in a positive educational environment with a minimum of disruptions.	Maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students.
To expect all assignments, including homework, to be completed and turned in as assigned.	Evaluate student's assignments and return them as soon as possible. Reward exemplary behavior or work of students.
To request the removal from class of any student whose behavior significantly disrupts a positive learning environment.	Assist in the administration of such discipline as is necessary to maintain order throughout the school without discrimination on any basis. To administer such disciplinary measures as outlined in this code in order to maintain a positive learning environment.
To safety from physical harm and freedom from verbal abuse.	Exhibit exemplary behavior in action, speech, and personal appearance.
To provide input to aid in the formulation of policies that relate to their relationship with students and school personnel.	Follow and enforce rules and regulations of the Board of Education and/or school administration.
To take necessary action in emergencies pertaining to the protection of persons or property.	Care for the inhabitants, equipment, and physical facilities of the school.



<b><u>Administrator Rights</u></b>	<b><u>Administrator Responsibilities</u></b>
The support of students, parents and teachers in carrying out the educational programs and policies established by the school system.	Create and foster an atmosphere of mutual respect and consideration among pupils, parents, and staff members.
Provide input for the establishment of procedures and regulations that relate to the school.	Follow and enforce rules and regulations of the Board of Education and/or administration.
To safety from physical harm and verbal abuse.	Exhibit exemplary behavior in action, speech, and personal appearance.
To take necessary action in emergencies to protect their own person or property, or the persons or property of those in their care.	Care for the people, equipment, and physical facilities of the school.
To suspend any student whose conduct disrupts the educational environment or process.	Administer discipline fairly and equally following the guidelines set herein, but in doing so use his/her own best judgment. Direct a program of dissemination of information explaining the Code of Acceptable Student Behavior and Discipline to the school community.
To the right of respect from students, parents, and the school staff.	To maintain high standards of professional and personal conduct which fosters mutual respect and consideration for pupils, parents, and co-workers.
To decide on the punishment for each offense committed.	To be fair and concerned with students and their welfare in administering punishment.

### **SIMPSON COUNTY SCHOOLS STUDENT GRIEVANCE STATEMENT**

Students who feel they have been discriminated against or denied an opportunity because of their race, color, national origin, age, religion, marital status, sex, or handicap as set forth in Title IX (The Educational Amendments of 1972), Title VI, Section 504 (Rehabilitation of the Handicapped 1973, the Age Discrimination Act of 1975 and the Civil Rights Act of 1964 have the right to file an informal and/or formal grievance. The designated contact persons for the Simpson County Schools are:

Shelia Baugh                      P.O. Box 467                      Franklin, KY 42135                      (270) 586-8877

### **INFORMAL GRIEVANCE PROCEDURE**

#### **STEP 1.**

If a student feels he/she has been discriminated against, the student should first bring the problem to the attention of the coordinators (listed above) within five (5) school days of the knowledge or alleged cause for grievance occurs.

#### **STEP 2.**

The student, coordinators (and others involved) will work informally to negotiate a solution within five (5) school days.

#### **STEP 3.**

If the grievance cannot be satisfactorily resolved working informally, the student may want to proceed to file a formal grievance.

### **FORMAL GRIEVANCE - GENERAL PROVISIONS**

1. Any full or part-time student who believes he/she has been subjected to unfair, discriminatory, or abusive treatment may request in writing that an investigation be carried out without delay. The student shall be assured of a prompt, orderly, and fair response in writing.
2. The student is entitled to file their grievance without interference, coercion, discrimination, or reprisal.
3. A student at any point in the grievance process has the right to call the Equal Educational Opportunities Coordinator in Frankfort at (502) 564-2703. This person would only act as a consultant.
4. At any step in the informal or formal process, the student has the right to call the Office for Civil Rights in Atlanta.
5. The school authorities shall inform all students, staff, and parents, of the provisions of this regulation and any modifications. This must be done once a year.

#### **Student Records – (SCB 09.14)**

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

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

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

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

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

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

### **Notification of FERPA Rights**

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

1. ***The right to inspect and review the student's education records within forty-five (45) days of the day the District receives a request for access.***

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

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

Except for disclosure to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to the parent or eligible student, FERPA regulations require the District to record the disclosure.

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

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

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him/her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

Exceptions that permit disclosure without consent include:

- a. Disclosure to school officials with legitimate educational interests. A “school official” is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a volunteer, or an outside person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the District.

This may include contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions.

- b. Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student’s enrollment or transfer.
- c. Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.
- d. Disclosure to state and local educational authorities and accrediting organizations, subject to requirements of FERPA regulations.

Designated Kentucky State agencies may be permitted access to student record information, which will depend on the authority granted to their particular agency.

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

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

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

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

7. ***The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.*** The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

**DIRECTORY/ INFORMATION** - The Superintendent/designee is authorized to release Board-approved student directory information. Approved “directory information” shall be: name, address, phone number, date and place of birth, 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 and awards received, and most recent educational institution attended. Any

eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

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

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

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

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

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

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

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

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

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

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

#### **Notification of PPRA Rights**

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students (those who are 18 or older or who are emancipated minors) certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. No surveys which fall under the provisions of this amendment are scheduled for this school year. If surveys are scheduled at a later date, you will be notified and afforded the opportunity to opt out.

#### **Electronic Resources Acceptable Use Policy**

**CONDITIONS, RULES AND ACCEPTABLE USE AGREEMENT** - The Simpson County School District has actively pursued making advanced technology and increased access to learning opportunities available to our students and staff. The Simpson County Board of Education believes that the Internet offers vast, diverse, and unique resources to students, teachers, and other users. The purpose of the district system is to assist in preparing students for success in life and work in the 21st century by providing them with electronic access to a wide range of information. The district technology system will be used to

increase district intra-communication, enhance productivity, and assist district employees in upgrading their skills through greater exchange of information with their peers. The District's goal in providing this service to staff and students is to promote educational excellence in schools by facilitating resource sharing, innovation, and communication.

Internet access is now available to students, teachers, and staff in the Simpson County School System. Access is being provided through a collaborative effort involving the Kentucky Educational Technology System (KETS) and the local school district.

The Internet is an "electronic highway" connecting millions of computers all over the world, and millions of individual users. By providing this privilege to Simpson County students and staff, we believe the Internet will offer vast, diverse and unique resources to both students and teachers. Our goal in providing this service to teachers and students is to promote educational excellence in the Simpson County Schools by facilitating resource sharing, innovation and communication.

Telecommunications, electronic information sources and networked services significantly alter the information landscape for schools by opening classrooms to a broader array of resources. The Simpson County Board of Education supports access by student to rich information resources along with the development by staff of appropriate skills to analyze and evaluate such resources.

In making decisions regarding student access to the Internet, the Simpson County Schools considered its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees during an Age of Information. Access to telecommunications will enable students to explore thousands of libraries, databases, and bulletin boards while exchanging messages with people throughout the world. The expectations from the Simpson County Board of Education are that the staff will blend thoughtful use of such information throughout the curriculum, and that the staff will provide guidance and instruction to students in the appropriate use of such resources.

**RIGHTS, RESPONSIBILITIES, AND PRIVILEGES** - Students are expected to maintain responsible behavior on school computer networks just as they are in a classroom or a school hallway. Communications on the network are often public in nature. The network is provided for students to conduct research and communicate with others. Access to network services will be provided to students who agree to act in a considerate and responsible manner.

Ultimately, parents and guardians of minors bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media by setting standards and guidelines.

All users should recognize that files stored on school-based computers will not always be private. The Simpson County School District and school network administrators reserve the right to review any material on user-accounts and to monitor files server space in order to make determinations on whether specific uses of the network are inappropriate. Electronic messages and files stored on school-based computers may be accessed. Administrators and faculty may review files and messages to maintain system integrity and insure that users are acting responsibly.

Any violation of District policy and rules will result in the immediate loss of District-provided network services including, but not limited to the Internet, and could eliminate future access. Additional disciplinary action may be determined at the building level in keeping with existing procedures and practices regarding inappropriate language or behavior as stated in the school and district discipline policies.

Student availability to the Internet is provided only under the supervision of a teacher, instructional assistant, or other trained adult volunteer. This includes any time the student is on a district/school computer.

Teachers, administrators, or other staff are required to immediately report knowledge of any illegal operations such as copyright violations or terroristic threatening to their supervisor, District Technology Coordinator, Superintendent, and local police.

Student use of telecommunications (including e-mail) and electronic information resources will be permitted only after the submission of permission forms and agreement forms by parents of minor students (under 18 years of age) and by students themselves if over 18. Access is a privilege, not a right. Access entails responsibility.

**NETWORK AND INTERNET REGULATIONS** - The following uses of district-provided technology and Internet access are not permitted:

- a. to access, upload, download, or distribute pornographic, obscene, or sexually explicit material;
- b. to transmit obscene, abusive, sexually explicit, or threatening language;
- c. to violate any local, state, or federal statutes;
- d. to vandalize, damage, or disable property of another individual or organization;
- e. to access another individual's materials, information, or files without permission; and,
- f. to violate copyright or otherwise use the intellectual property of another individual or organization without permission;
- g. to gain unauthorized access to the district system or to any other district system or go beyond their authorized access;

- h. to make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses by any other means – these actions are illegal;
- i. to use the district system for commercial purposes, such as designing and posting their own web site that offers or provides goods or purchasing of goods or services for personal use;
- j. to use the district system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal activity, threatening the safety of a person, etc.

The use of accounts must be in support of education and research and be consistent with the educational objectives of the Simpson County School District. The following restrictions apply:

- a. Do not give your password to anyone.
- b. Users may not use or alter anyone else's Internet account.
- c. Users may not offer Internet access to any individual via your account.
- d. Do not break in or attempt to break into other computer networks.
- e. Users may not create or share computer viruses.
- f. Users may not use MUD (multi-user games) network via the Simpson County School's Net.
- g. Users may not subscribe to any Internet site requiring financial obligation for the school or school district.
- h. Users may not employ the network for commercial purposes.
- i. Attempts to log on to the Internet as a system administrator will result in immediate cancellation of user privileges.
- j. Users who are aware of a security problem on the Internet, you must notify a system administrator.
- k. Any copyright violation will result in immediate disciplinary action and revocation from technology privileges.
- l. Do not use the network in such a way that would disrupt the use of the network by others.
- m. Vandalism - any malicious attempt to harm or destroy data another user - will not be tolerated. Any questionable action will result in the cancellation of user privileges

**ELECTRONIC MAIL REGULATIONS** - The following rules will be followed in providing e-mail access:

- a. Be polite. Do not get abusive in your messages to others.
- b. Use appropriate language. Do not swear, use vulgarities, or any other inappropriate language. Do not access, upload, download, or distribute pornographic, obscene, or sexually explicit material. Do not transmit obscene, abusive, sexually explicit, or threatening language. Do not violate any local, state, or federal statutes;
- c. Do not reveal any personal information such as address or phone numbers of yourself or other people;
- d. Note that electronic mail (e-mail) is not guaranteed to be private. System e-mail operators do have access to all district e-mail accounts. Inappropriate messages can result in suspension of privileges as well as other disciplinary consequences as appropriate. This is not a private e-mail address but a school district e-mail account.
- e. No posting of chain letters or engaging in "spamming". Spamming is sending an annoying or unnecessary message to a large number of people.
- f. Check e-mail frequently, deleting unwanted messages.

**RESPONDING TO CONCERNS** - School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

**AGREEMENT FOR STAFF AND COMMUNITY MEMBERS** - A written request/agreement shall be required prior to staff and community members being granted independent access to electronic media involving district technological resources or access.

The required request/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations, must be signed by the staff or community member. This document shall be kept on file as a legal, binding document.

## Homeless Children and Youth in the Every Student Succeeds Act of 2015

The Every Student Succeeds Act of 2015 (ESSA) amended the McKinney-Vento Act's Education for Homeless Children and Youth program, as well as Title I, Part A of the Elementary and Secondary Education Act. The ESSA amendments include many provisions designed to improve training, identification, enrollment, stability, and success, from pre-school through high school, and the transition to post-secondary education. A brief summary is provided.

### At the State Agency Level

Every State Education Agency (SEA) must designate an Office of State Coordinator that can sufficiently carry out duties in the Act. Key duties include:

- Posting on the SEA website an annually updated list of local educational agency (LEA) liaisons, and the number of homeless children and youth.
- Responding to inquiries from homeless parents and unaccompanied youth.
- Providing professional development programs for liaisons and others.
- Conducting monitoring of local educational agencies to enforce compliance.

### At the Local Agency Level

Every LEA must designate a liaison for students experiencing homelessness who is able to carry out the duties described in the law.<sup>vi</sup> Key duties include:

- Ensuring that homeless children and youth are identified and enrolled in school, and have a full and equal opportunity to succeed in school.
- Participating in professional development and other technical assistance offered by the State Coordinator.
- Ensuring school personnel receive professional development and other support.
- Ensuring that unaccompanied homeless youth are informed, and receive verification, of their status as independent students for college financial aid.
- Ensuring that homeless children, youth, and families receive referrals to health, dental, mental health, housing, substance abuse, and other appropriate services.
- Disseminating public notice of McKinney-Vento rights in locations frequented by parents and youth, in a manner and form understandable to them.
- Ensuring that parents and youth are informed of and assisted in accessing transportation.
- Removing barriers that prevent homeless youth from receiving credit for full or partial coursework satisfactorily completed at a prior school.

### School Stability

- LEAs must make best interest determinations about school selection that presume that staying in the school of origin is in the best interest of the child or youth; consider specific student-centered factors; prioritize the wishes of the parent, guardian, or unaccompanied youth; and include a written explanation and right to appeal if the LEA determines that school stability is not in the best interest of the child or youth.
- The definition of school of origin now includes both the designated receiving school at the next grade level (if there is a feeder school pattern), and preschools.
- Transportation to the school of origin is required, including until the end of the academic year when a student obtains permanent housing (if it is in the student's best interest to remain in that school).

**School Enrollment and Participation**

- Homeless children and youth must be enrolled in school immediately, even if they lack documents or have missed application or enrollment deadlines during any period of homelessness.
- SEAs and LEAs must develop, review, and revise policies to remove barriers to the identification, enrollment, and retention of homeless students in school, including barriers due to fees, fines, and absences.<sup>xix</sup>
- If a dispute arises over eligibility, school selection or enrollment, the child or youth must be immediately enrolled in the school in which the parent, guardian or unaccompanied youth seeks enrollment, pending resolution of the dispute, including all available appeals.
- States must have procedures to ensure that homeless children and youth do not face barriers to accessing academic and extracurricular activities.

**Preschool Children**

- The definition of school of origin includes preschools.
- Liaisons must ensure homeless families and children can access Head Start, Early Head Start, LEA-administered pre-school programs and early intervention services under IDEA Part C, if eligible.

**Credit Accrual and College Readiness**

- States must have procedures to identify and remove barriers that prevent students from receiving appropriate credit for full or partial coursework satisfactorily completed while
  - Attending a prior school, in accordance with State, local, and school policies.
  - State plans must describe how homeless youth will receive assistance from school counselors to advise, prepare, and improve their readiness for college.

**Definition of Homelessness**

- The McKinney-Vento definition of homelessness includes children and youth who lack a fixed, regular, and adequate nighttime residence.
- This definition specifically includes children and youth who are: sharing the housing of others due to loss of housing, economic hardship, or a similar reason; living in shelters, transitional housing, or cars; and staying in motels or campgrounds due to lack of adequate alternative accommodations.
- The phrase “awaiting foster care placement” was deleted from the McKinney-Vento Act. New protections for all children in foster care were included under Title I Part A.

**Title I, Part A**

- All LEAs that receive Title I Part A funds must reserve funds to support homeless students.
- Reserved funds may be used for services not ordinarily provided by Title I, including local liaisons and transportation to the school of origin.
- State report cards must include disaggregated information on the graduation rates and academic achievement of homeless children and youth.



Dear Parent or Guardian:

Each school district in the Commonwealth is required to implement a program of "integrated pest management" with the primary goal of preventing and controlling pests through strategies that may include judicious use of pesticides. The application of pesticides in the school or on school grounds during times when children are present is limited by state regulation, but there may be occasions when, after consulting with a certified pesticide applicator, the school administration determines that a pesticide application is necessary when children are present in the school. As required by state regulation, we have created a registry for parents or guardians who wish to receive an electronic message or telephone call prior to the application of pesticides in the school when children are present. Please provide the school administration your email address or phone number if you wish to be placed on this registry.

Name: \_\_\_\_\_ School: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

For more information, please contact Robert White at 270-586-8877 or [robert.white@simpson.kyschools.us](mailto:robert.white@simpson.kyschools.us).

FRANKLIN ELEMENTARY	REPRIMAND	LOSS OF PRIVILEGES	EXTRA WORK	DETENTION (After School)	INDIV. CONFERENCE	COUNSELING	PARENT CONFERENCE	SUSPENSION (1-5 DAYS)	SUSPENSION (6-10 DAYS)	TRANSFER (Class/School)	EXPULSION	FINANCIAL RESTITUTION	SEARCH/SEIZURE	POLICE ASSISTANCE	COURT REFERRAL																					
I FAILURE TO FOLLOW CLASS RULES	X	X			X	X	X																													
I CLASSROOM DISTURBANCE	X	X			X	X	X																													
I CLASSROOM TARDINESS							X																													
I ABUSIVE LANGUAGE / PROFANITY	X	X			X	X	X	X																												
I FAILURE TO DO ASSIGNMENTS	X	X					X																													
I DRESS CODE							X																													
II GAMBLING							X																													
II SMOKING	X				X	X	X																													
II FIGHTING	X	X			X	X	X	X																												
II THREATS OR HARASSMENT	X	X			X	X	X	X					X	X																						
II FORGED SIGNATURES	X	X			X	X	X																													
II OBSCENE BEHAVIOR	X	X			X	X	X	X																												
II CUTTING CLASS				X	X	X	X																													
II LEAVING SCHOOL / NO PERMISSION	X	X			X		X	X																												
II NON-ATTENDANCE					X	X	X								X																					
III STEALING	X	X			X	X	X					X	X	X																						
III EXTORTION					X	X	X					X	X	X																						
III BOMB THREAT/FIRE ALARM/PAGING DEVICES	X				X	X	X	X			X		X	X																						
III POSSESSION/USE OF WEAPONS					X	X	X	X			X	X	X	X																						
III ASSAULT/BATTERY/VERBAL ABUSE	X				X	X	X	X			X	X	X	X																						
III VANDALISM					X	X	X	X			X	X	X	X																						
III ARSON					X	X	X	X			X	X	X	X																						
III POSSESSION UNAUTHORIZED DRUGS							X	X	X		X	X	X	X																						
III POSSESSION ALCOHOLIC BEVERAGES							X	X	X		X	X	X	X																						

[illegible]

LINCOLN ELEMENTARY SCHOOL	LOSS OF PRIVILEGES	INDIVIDUAL CONFERENCE	PARENT NOTIFICATION/CONFERENCE	COUNSELING	REMOVAL FROM CLASS	DISCIPLINE ASSIGNMENT	DETENTION	SUSPENSION (1-5 DAYS)	SUSPENSION (5-10 DAYS)	BEHAVIOR CONTRACT	RESTITUTION	ALTERNATIVE ED. PLACEMENT	SEARCH/SEIZURE	LAW ENFORCEMENT REFERRAL	COURT REFERRAL	EXPULSION																		
I FAILURE TO FOLLOW CLASS RULES	X	X	X	X	X	X	X			X	X																							
I CLASSROOM DISTURBANCE	X	X	X	X	X	X	X			X	X																							
I CLASSROOM TARDINESS	X	X	X	X		X	X			X	X																							
I FAILURE TO DO ASSIGNMENTS	X	X	X	X		X	X			X	X																							
I DRESS CODE	X	X	X	X	X	X	X	X		X	X		X																					
II ABUSIVE LANGUAGE/PROFANITY/OBSCENE BEHAVIOR	X	X	X	X	X	X	X	X	X	X	X			X																				
II GAMBLING	X	X	X	X	X	X	X	X		X	X		X	X																				
II TOBACCO OFFENSES	X	X	X	X	X	X	X	X	X	X	X		X	X																				
II LEAVING SCHOOL WITHOUT PERMISSION	X	X	X	X		X	X	X	X	X	X			X																				
II CUTTING CLASS	X	X	X	X		X	X			X	X																							
II NON-ATTENDANCE / TRUANCY	X	X	X	X		X	X			X	X			X	X																			
II FIGHTING	X	X	X	X	X	X	X	X	X	X	X		X																					
II ELECTRONIC DEVICES (PAGERS, CELL PHONES ETC.)	X	X	X	X		X	X	X		X	X		X																					
II HABITUAL OFFENDER	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X																		
II DEFIANCE OF AUTHORITY	X	X	X	X	X	X	X	X	X	X	X																							
II THREATS OR HARASSMENT	X	X	X	X	X	X	X	X	X	X	X		X	X																				
III BOMB OR SIMILAR THREAT	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III FIRE ALARM	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III FORGED SIGNATURES	X	X	X	X		X	X	X		X	X		X	X	X																			
III THEFT	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X																		
III EXTORTION	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III POSSESSION OR USE OF WEAPONS	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X																		
III POSSESSION OR USE OF UNAUTHORIZED DRUGS	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X																		
III POSSESSION OR USE OF ALCOHOL	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III ASSAULT, MENACING, CRIMINAL HARASSMENT	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III DISORDERLY CONDUCT OR ABUSE OF TEACHER	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III TERRORISTIC THREATENING	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
III VANDALISM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X																		
III ARSON	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X																		
(I - DISRUPTIVE BEHAVIOR                      II - MORE DISRUPTIVE BEHAVIOR                      III - MOST DISRUPTIVE BEHAVIOR / CRIMINAL ACTS)																																		

FRANKLIN-SIMPSON MIDDLE SCHOOL	REPRIMAND	LOSS OF PRIVILEGES	EXTRA WORK	DETENTION (After School)	ISOLATION	INDIV. CONFERENCE	COUNSELING	PARENT CONFERENCE	BEHAVIOR CONTRACT	SUSPENSION (1-5 DAYS)	SUSPENSION (6-10 DAYS)	TRANSFER (Class/School)	EXPULSION	FINANCIAL RESTITUTION	SEARCH/SEIZURE	POLICE ASSISTANCE	COURT REFERRAL	DETENTION/Homework Det.	ISI	LEARNING OPP. CTR. (LOPC)				
I FAILURE TO FOLLOW CLASS RULES	X	X	X	X	X	X	X	X	X	X	X	X							X					
I CLASSROOM DISTURBANCE	X	X	X	X	X	X	X	X	X	X	X	X							X					
I CLASSROOM TARDINESS	X	X	X	X	X	X	X	X	X										X					
I ABUSIVE LANGUAGE / PROFANITY	X	X		X	X	X	X	X	X	X	X	X				X			X	X				
I FAILURE TO DO ASSIGNMENTS	X	X	X	X	X	X	X	X	X									X	X					
I DRESS CODE	X	X		X	X	X	X	X	X	X									X					
II GAMBLING	X	X		X		X	X	X		X				X	X				X					
II SMOKING		X		X		X	X	X		X	X				X	X			X	X				
II FIGHTING	X	X		X		X	X	X		X	X	X	X		X	X	X		X	X				
II THREATS OR HARASSMENT	X	X		X		X	X	X		X	X		X			X	X		X	X				
II FORGED SIGNATURES		X		X		X	X	X		X	X			X	X	X	X		X	X				
II OBSCENE BEHAVIOR	X	X	X	X		X	X	X		X	X	X	X			X	X		X	X				
II CUTTING CLASS	X	X	X	X		X	X	X	X	X	X	X				X	X	X	X	X				
II LEAVING SCHOOL / NO PERMISSION	X	X		X		X	X	X		X	X					X	X		X	X				
II NON-ATTENDANCE	X	X		X		X	X	X		X							X		X					
II DEFIANCE OF AUTHORITY	X	X		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X				
III STEALING		X		X		X	X	X		X	X		X	X	X	X	X		X	X				
III EXTORTION		X		X		X	X	X		X	X		X	X	X	X	X		X	X				
III BOMB THREAT/FIRE ALARM										X	X		X	X	X	X	X		X	X				
III POSSESSION/USE OF WEAPONS						X	X	X		X	X		X	X	X	X	X		X	X				
III ASSAULT/BATTERY/VERBAL ABUSE						X	X	X		X	X		X	X	X	X	X		X	X				
III VANDALISM		X				X	X	X		X	X		X	X	X	X	X		X	X				
III ARSON						X	X	X		X	X		X	X	X	X	X		X	X				
III POSSESSION/USE UNAUTHORIZED DRUGS/ALCOHOL						X	X	X		X	X		X	X	X	X	X		X	X				
III TERRORISTIC THREATENING						X	X	X		X	X		X	X	X	X	X		X	X				
III SEXUAL HARASSMENT	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X				

(I - DISRUPTIVE BEHAVIOR

II - MORE DISRUPTIVE BEHAVIOR

III - MOST DISRUPTIVE BEHAVIOR / CRIMINAL ACTS)

Franklin-Simpson High School		LOSS OF PRIVILEGES	INDIVIDUAL CONFERENCE	PARENT NOTIFICATION/CONFERENCE	COUNSELING	REMOVAL FROM CLASS	DISCIPLINE ASSIGNMENT	DETENTION	IN SCHOOL ISOLATION	SUSPENSION (1-5 DAYS)	SUSPENSION (5-10 DAYS)	BEHAVIOR CONTRACT	RESTITUTION	SEARCH/SEIZURE	REFER TO COMMITTEE	LAW ENFORCEMENT REFERRAL	COURT REFERRAL	ALTERNATIVE ED. REFERRAL	RECOMMENDATION FOR EXPULSION
I	FAILURE TO FOLLOW CLASS RULES	X	X	X	X	X	X	X	X			X	X						
I	CLASSROOM DISTURBANCE	X	X	X	X	X	X	X	X			X	X						
I	CLASSROOM TARDINESS	X	X	X	X		X	X	X			X	X						
I	FAILURE TO DO ASSIGNMENTS	X	X	X	X		X	X	X			X	X						
I	DRESS CODE	X	X	X	X	X	X	X	X	X		X	X	X					
II	ABUSIVE LANGUAGE/PROFANITY/OBSCENE BEHAVIOR	X	X	X	X	X	X	X	X	X		X	X			X			
II	GAMBLING	X	X	X	X	X	X	X	X	X		X	X	X		X			
II	TOBACCO OFFENSES	X	X	X	X	X	X	X	X	X		X	X	X		X			
II	LEAVING SCHOOL WITHOUT PERMISSION	X	X	X	X	X	X	X	X	X		X	X		X	X			
II	SKIPPING CLASS	X	X	X	X	X	X	X	X			X	X		X				
II	NON-ATTENDANCE / TRUANCY	X	X	X	X		X	X	X			X	X		X	X	X		
II	FIGHTING	X	X	X	X	X	X	X	X	X		X	X		X	X			
II	ELECTRONIC DEVICES (I-POD, CELL PHONES ETC.)	X	X	X	X		X	X	X	X		X	X	X					
II	HABITUAL OFFENDER	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
II	DEFIANCE OF AUTHORITY	X	X	X	X	X	X	X	X	X		X	X		X	X			
II	THREATS OR HARASSMENT	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
II	FORGED SIGNATURES	X	X	X	X		X	X	X	X		X	X	X	X	X	X		
III	BOMB OR SIMILAR THREAT	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	FIRE ALARM	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	THEFT	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	EXTORTION	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	POSSESSION OR USE OF WEAPONS	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	POSSESSION OR USE OF UNAUTHORIZED DRUGS	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	POSSESSION OR USE OF ALCOHOL	X	X	X	X	X	X		X		X	X	X	X	X	X	X	X	X
III	ASSAULT, MENACING, CRIMINAL HARASSMENT	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
III	DISORDERLY CONDUCT/ABUSE OF TEACHER/BEYOND CONTROL	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X

[illegible]

(I - DISRUPTIVE BEHAVIOR      II MORE DISRUPTIVE BEHAVIOR      III - MOST DISRUPTIVE BEHAVIOR / CRIMINAL ACTS)

## II MORE DISRUPTIVE BEHAVIOR

### III - MOST DISRUPTIVE BEHAVIOR / CRIMINAL ACTS)