

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 780 KAR 2:060. Discipline of students.

6 RELATES TO: KRS 156.802(3) [~~151B.025(3)~~], 158.150, KRS 158.444

7 STATUTORY AUTHORITY: KRS 156.802(3) [~~151B.025(3)~~], 156.852 [~~151B.150~~]

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.802(3) [~~151B.025(3)~~] gives the

9 Kentucky Department of Education [~~Office of Career and Technical Education~~] the

10 responsibility for all administrative functions of the state in relation to the management, control,

11 and operation of state-operated secondary area technology centers. KRS 156.852 [~~151B.150~~]

12 authorizes the Kentucky Board of Education [~~Executive Director of the office~~] to promulgate

13 administrative regulations to implement career and technical education in Kentucky. KRS

14 158.150 establishes the grounds and procedures for discipline from the state's common schools.

15 This administrative regulation establishes the procedure for the suspension and expulsion of

16 students from Kentucky TECH schools for disciplinary reasons following the grounds and

17 procedures established in KRS 158.150 for the common schools.

18 Section 1. Definition. "Kentucky TECH" means the system of state-operated secondary career

19 and technical education programs in the area technology centers.

1 Section 2. Teachers and administrators employed **in or assigned to work** in a Kentucky TECH
2 school shall be responsible for the supervision and discipline of students during the time the
3 students are in attendance at a state-operated **career and** [~~vocational-~~]
4 technical facility.

5 Section 3. All students shall comply with the policies of the Kentucky TECH school in which
6 they are enrolled. The following actions shall constitute [~~be~~] cause for disciplinary suspension or
7 expulsion: (1) Willful disobedience or defiance of the authority of a teacher or administrator;
8 (2) Assault, battery or abuse of another student or school personnel;
9 (3) Threat of force or violence;
10 (4) Use or possession of illicit drugs or alcohol;
11 (5) Stealing, destroying or defacing school or personal property;
12 (6) Possessing or using a dangerous weapon or instrument; or
13 (7) Other incorrigible bad conduct on school property or at school-sponsored activities.

14 Section 4. (1) Except as provided in subsection (2) of this section, any secondary student subject
15 to disciplinary action shall be referred by the school administrator of a Kentucky TECH school
16 to the principal of the **sending** [~~parent~~] school in which the student is enrolled, **where pursuant**
17 **to KRS 158.444, the incident must be recorded within the student information system.**

18 (2) The Kentucky TECH school administrator or his/**her** designee shall have the authority to
19 immediately suspend secondary students **from the Area Technology Center (ATC)** [~~for a~~
20 ~~maximum of three (3) days;~~] without action by the **sending** [~~parent~~] school, to:

- 21 (a) Protect persons or property; or
22 (b) Avoid disruption of the ongoing academic programs.

1 (3) The Kentucky TECH school administrator shall submit in writing to the principal of the
2 **sending** [parent] high school the reason for disciplinary action and recommend any further
3 action.

4 (4) The principal of the **sending** [parent] high school shall respond to the Kentucky TECH
5 school administrator as to the action to be taken.

6 **(5) The due process procedures outlined in KRS 158.150(5) shall follow the suspension as soon**
7 **as practicable, but no later than three (3) school days after the suspension.**

8 Section 5. A secondary student who is suspended [~~or expelled~~] from a participating local high
9 school **or expelled from a participating local school district** shall be suspended or expelled
10 from the Kentucky TECH school in which the student is enrolled. (17 Ky.R. 719; eff. 10-14-90;
11 Am. 20 Ky.R. 1694; eff. 2-2-94; 22 Ky.R. 358; 725; eff. 10-5-95; 26 Ky.R. 2320; 27 Ky.R. 962;
12 eff. 10-16-2000; 35 Ky.R. 1894; 2223; eff. 5-1-09.)