

Mercer County School District Code of Acceptable Behavior and Discipline



TITAN PROUD – NO EXCEPTIONS

Mission: Mercer County Schools promote excellence in a positive academic, social and extra-curricular environment, emphasizing equity, diversity, safety and respect.

Beliefs:

All Students Can Be Successful
Collaboration is essential for learning
Communication, Creativity, Problem Solving, and Critical Thinking Are Essential for
Future Success.
Learning Begins at Home and Continues at School and in the Community
Family Engagement is Beneficial to Student Success
Learning is a life-long process

Vision: Students will possess life-long skills, which will prepare them to be constant learners who are successful in continuing education, pursuing career options, and transitioning to adult life.

The Mercer County School District Code of Acceptable Behavior and Discipline is available online on the District Web Site www.mercer.kyschools.us. If you do not have access to the District Web Site please request a copy from your child's school.

IMPORTANT: Parents/Guardians and Students: Once you have read this Code of Acceptable Behavior and Discipline, there are forms at the end of the document that must be completed, signed, and returned to your child's homeroom teacher. If you complete online registration, you will acknowledge that you have read this online.

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INTRODUCTION

***The Mercer Co. School District's "Healthy at School" plan and COVID-19 Matrix have procedures that may differ from the information provided in this document. Families should familiarize themselves with both the "Healthy at School" plan and COVID-19 Matrix and the information in these documents. The "Healthy at School" plan has been approved by the Mercer Co. Health Department and the Mercer County Board of Education. These plans will be followed during the COVID-19 Pandemic Crisis. These documents are available on the Mercer Co. School Website: www.mercer.kyschools.us**

The Mercer County Board of Education believes a safe school is a place where students can learn and teachers can teach in a warm and welcoming environment free of intimidation and fear. It is with this code that a setting can be maintained where the educational climate fosters a spirit of acceptance and care for every child, and where behavior expectations are clearly communicated, consistently enforced, and fairly applied.

The Mercer County Board of Education requires high standards of personal conduct from each student to promote respect for the rights of others and to accomplish the purposes of the schools. The Board also requires compliance with established standards and rules of the district and the laws of the community, state, and nation.

The central purpose of the school system is to educate each student to the highest level possible. To support the success of the educational program, the Board directs employees to hold each student accountable to Code standards in a fair manner. Compliance with the standards is necessary to provide:

- Orderly operation of the schools,
- A safe environment for students, district employees and visitors to the schools,
- Opportunities for students to achieve at a high academic level in a productive learning environment,
- Assistance for students at risk of failure or of engaging in disruptive behavior,
- Regular attendance of students, and
- Protection of property

This Code applies to all students in the district while at school, on their way to and from school, while on the bus or other district vehicle, and while they are participating in school-sponsored trips and activities. The superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administration and implementation of this Code within his/her school in a uniform and fair manner without partiality or discrimination. Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook.

Teachers, and other instructional personnel, are responsible for administering Code standards in the classroom, halls, and other duty assignment locations.

This Code establishes minimum behavior standards. Recognizing that each school, grade or class may require special provisions, school councils, administrators and teachers have full authority to make rules to enforce these standards in keeping with their areas of responsibility.

STATEMENT OF NONDISCRIMINATION

The Board of Education does not discriminate on the basis of age, color, disability, parental status, marital status, race, national origin, religion, sex, genetic information, or veteran status in the programs, activities and services it provides, as required by law.

Individuals who have questions concerning compliance with this requirement should contact the Mercer County School District Central Office.

“You will find similar statements of the school system’s policy of non-discrimination in the following documents and policies:”

Examples:

- Other Board of Education policies
- The District's Safety Plan
- Student Records Information (FERPA)
- The District’s Special Education Policy and Procedures Manual
- Kentucky Revised Statutes and Administrative Regulations
- Council Policies
- School Handbooks
- Athletic or Other Extracurricular policies

This Code is part of the Mercer County School Board policy on student behavior and discipline.

CAUTION: After this Code is distributed for the school year, changes to Board policy, including those effecting provisions of this Code, may be necessary due to new/revised statutes and regulations and case law. A complete copy of the Mercer County School Board Policy Manual is available online for inspection.

The Board has included samples of prohibited behaviors to help the reader understand how the behavior standard will be enforced. Other behaviors not included in the examples may also be prohibited.

Appropriate Behavioral Education Plan:

Mercer County Public Schools is committed to providing quality education for all students. We believe it is important to create a community within our schools where students’ needs are met, expectations are understood, guidance is given, and a safe and orderly environment is maintained. This Code has been developed to help share our expectations with students and their families. Additionally, each school Site-Based Decision Making council has adopted school specific Discipline, Classroom Management and School Safety Policies on these matters. Each school principal and school staff members are responsible for implementing these school council polices.

The Mercer County School District believes the greatest prevention tactic is to build relationships with parents and children from the beginning. We work to develop trusting relationship with families and this prevents a lot of trouble day to day that could erupt in more difficult situations along the way. We see the value in having close communication with families and working to share information among ourselves so that we stay up to date for potentially challenging situations. Keeping our trust level and communication open makes a huge difference in being able to meet needs and prevent unnecessary trauma.

Mercer County School District has implemented Positive Behavioral Intervention Systems (PBIS) to include a trauma informed approach. PBIS is the behavior component of a Multi-Tiered System of Supports (MTSS) designed to achieve both social and academic success for all students. The framework of MTSS utilizes high quality evidence based instruction, intervention, and assessment practices to provide all students with the level of instruction and support to match their needs. Each school has PBIS/Trauma-Informed team(s) that implements this process in their buildings.

The PBIS framework includes three tiers of intervention:

- Tier 1 interventions refer to services all students receive in the form of academic and social-emotional behavioral instruction. Tier 1 provides school-wide and class-wide supports and interventions available to all students to prevent problem behaviors, encourage pro-social behaviors

and address the unique academic, behavioral and social-emotional needs of students in a particular school.

- Tier 2 interventions are provided for students who need more student-specific instruction and support. These services may be provided in small groups both in and out of the classroom. The purpose of Tier 2 instruction and supports is to improve student performance and prevent further negative impacts on learning and social development.
- Tier 3 interventions provide intensive supports that are matched to the specific needs of an individual student. These services may be provided individually or in small groups. The purpose of Tier 3 instruction is to help students overcome significant barriers to learning academic and/or behavior skills required for school success.

RIGHTS AND RESPONSIBILITIES:

As citizens of the United States of America, students may participate in activities that do not (1) materially or substantially disrupt the education process, (2) present a clear and present danger to the health and safety of others or property or (3) infringe on the rights of others.

Specifically, students have the right to:

- An orderly educational atmosphere conducive to learning.
- Personal safety and security while at school and school-sponsored activities.
- Academic grades based on academic performance, not on conduct.

Students have the responsibility to:

- Comply with district, school and classroom rules and follow directions given by teachers and other school personnel.
- Immediately report student threats to harm others to a teacher, counselor or school administrator.
- Give their best effort to tasks assigned by their teacher, coach or other person who works with them.
- Behave safely at all times.
- Keep school doors closed and following proper check-in procedures.
- Inform school personnel immediately if you become aware of threats, weapons/dangerous instruments on school property or other safety concerns or violations of the Guide.
- Know and follow all school and bus transportation rules and procedures.
- Attend school and classes regularly and on time.
- Do your best to participate and meet the requirements of each class.
- Earn credits or grades fairly without cheating or plagiarism.
- Take care to protect your belongings. * Lost or stolen personal items are the responsibility of the student or parent and are not covered by the school district's insurance.
- Respect personal or school property.
- Honor reasonable requests made by school district employees and student teachers.
- Behave in a way that does not create disruption, disorder or infringe on the rights of others.

STUDENT RESPONSIBILITY:

BUS EXPECTATIONS:

While waiting to board or departing from the bus:

- Be on time to the bus stop. The driver cannot wait on you.
- Do not play or stand in the roadway. Stand away from the road when the bus approaches.
- Students fighting at the bus stop and/or on the way to and from school will be disciplined by the principal.
- Never run alongside the bus when the bus is moving
- Students must wait off the roadway until the bus stops and the driver opens the door and signs to enter the bus.

- Do Not Push or Shove.
- Keep all articles off the roadway and remain clear of traffic.
- Be respectful of personal property.

ON THE BUS

- Follow the directions of the bus driver or monitor at all times.
- Sit in the seat assigned by the bus driver, if he or she assigns seats.
- Share seats as directed by the driver.
- Keep portions of your body and all other items inside the bus.
- Avoid creating any unsafe conditions, which could result in injury to you or others.
- Speak and behave respectfully toward students and adults at all times.
- Avoid bringing the following prohibited items onto the bus:
 - Tobacco products.
 - Weapons, explosives or any dangerous articles.
 - Drugs, drug paraphernalia or alcohol.
 - Animals of any kind.
 - Other items that might frighten other riders or distract the driver.

GETTING OFF THE BUS

- Leave the bus only at your designated bus stop, unless prior written permission is obtained from your principal (or their designee) and provided to the bus driver.
- Go to a point approximately 10 (ten) feet ahead of the bus and wait for the driver to signal you before crossing the road if you live on the opposite side of the road from the bus stop.
- Never cross behind a stopped school bus.

ADMINISTRATOR RESPONSIBILITIES (Not a complete list; for additional information refer to the district website)

Each school level administrator have the responsibility for the following but are not limited to:

- Serve as chief administrator
- Participate in, supervises and coordinates the planning, development, and operation of the total school.
- Provide general and specific supervision over the total school program and over school assigned personnel.
- Formulate for an effective system for board review and approval, the polices, directives, and procedures to promote and improve instructional programs.
- Provide and disseminate such information that is needed to keep the Superintendent, the Mercer County Board of Education, the school staff, and the general public informed of progress and programs.
- Formulate and enforce rules of discipline. Involve students, staff, and community in the formulation and review of such rules and regulations.
- Provide an orientation program for new teachers and staff assigned to his/her building.
- Plan and implement safety programs and holds regular drills pertaining to fire, tornado, and other hazards as required by law.
- Provide a system for the notification of parents concerning student discipline, health, or academic issues.
- Notify the Harrodsburg/Mercer County Law Enforcement as necessary to protect the safety, health and welfare of students and staff.
- Comply with the Individuals with Disabilities Education Act (IDEA), Section 504 and applicable Kentucky procedural safeguards for discipline of students with disabilities.
- Make reasonable efforts to meet with parents/guardians and giving consideration to their input.

TEACHER RESPONSIBILITIES (Not a complete list; for additional information refer to district website)

- Prepare, present, and evaluate material designed for pupil learning experiences. The teacher shall develop, enforce, and interpret policies of student behavior to students, parents, and community.
- Execute board and administrative policies within the classroom and at school-related activities.
- Keep various class attendance records, grade books, and other records to document student progress and attendance.
- Work with parents, principals... and others in helping pupils to learn and develop.
- Prepare lesson plans, objectives, and instructs pupil in various grades or specific subject areas.
- Uses various levels of materials and teaching techniques to instruct all levels of pupil ability and progress.
- Provide evaluations and referral of students to the proper program for optimum learning.
- Provide for the safety, health, and general welfare of the student
- Watch for and reports signs of child abuse and/or neglect.
- Refer students for guidance and/or counseling services when deemed necessary.
- Maintain discipline in the classroom, during school events, and in/on school property.
- Familiarize self with laws, directives, and system policies relating to teachers, students, curriculum, and school-related activities.
- Plan and implement "safety programs" and participates in regular drills required by law.
- Report potential safety hazards to appropriate personnel and/or immediate supervisor.
- Participate in the system for notification of parents concerning student discipline, health, or academic problems.
- Maintain a positive, professional attitude toward all students.
- Document the actions taken to address student misconduct.
- Use data to monitor and evaluate progress and effectiveness of behavior management strategies.

GUIDANCE COUNSELOR RESPONSIBILITIES (Not a complete list; for additional information see district webpage)

- Provide a service designed to aid students directly.
- Assist the teaching staff, parents, and the community.
- Assist in the identification of student's intellectual, emotional, social, and physical characteristics.
- Assist student in the development of talents and interests.
- Identify available resources to meet student needs.
- Help students meet their social needs.

PARENTS/GUARDIAN RESPONSIBILITIES:

- Stressing the importance of education and learning to your child.
- Making sure your child attends school on time every day.
- Keeping the school aware of, and providing documentation of, any custody changes involving your child.
- Providing resources to help your child complete class work and homework.
- Being involved with school activities.
- Keeping in touch with the school about your child's progress.
- Communicating with school and district personnel in a civil manner.
- Participating in parent/teacher conferences and other school-requested meetings regarding your child's behavior or academic performance.
- Cooperating with the school if disciplinary action is necessary.
- Notifying the school when your child has any conditions or situations (e.g., medical problems,

family issues or social concerns) that could threaten the safety of your child, other children, or school personnel.

- Remaining familiar with the Guide, the policies and regulations of the district, and school rules.

Employee Duty to Report

Board Policy 09.2211

KRS 620.030

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

REFERENCES:

- KRS 158.154
- KRS 158.155
- KRS 158.156

Duty to Report: Employee Reports of Criminal Activity

Board Policy 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 Duty to Report Certain Acts to Local Law Enforcement Agency

When Principals have reasonable belief that certain violations have taken place, they are required by law to immediately report them to law enforcement officials. Violations on school property or at a school-sponsored function requiring a report to law enforcement officials include:

- 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 weapon or dangerous instrument (Including look a likes)
- Possession of a controlled substance in violation of the law
- Damage to school property
- In addition to violations of this Code, students may also be charged with criminal violations

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:
 - (1) Carrying, possession, or use of a deadly weapon; or
 - (2) Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
2. The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

KRS 158.156

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

REQUIRED STANDARDS

The Board expects employees, students, parents/ guardians and others associated with the schools to apply the following standards in a reasonable and fair manner:

To promote the full implementation of conduct standards and maximize safety in the school environment, the Board requires *all* employees to make **supervision of all students at all** school activities a top priority among their assigned duties. (The younger the child, the greater the need for adult guidance and protection)

Supervision of student conduct: (KRS 161.180): 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 conducts 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.

- Students will be under the supervision of a qualified adult.
- Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school sponsored trips and activities, except that a non-faculty coach or non-faculty assistant may accompany students on athletic trips as provided in statute.

Supervision of Students Responsibility:

Principals shall develop and implement a plan of supervision for their schools to address the following areas:

1. Bus loading and unloading;
2. Meals;
3. Halls, restrooms, and playgrounds;
4. Time before and after the school day; and
5. Field trips and other school activities.

Prior to the opening of school each year, the Principal shall submit the plan to the Superintendent/designee for review and to the Board for its approval.

The Board expects each school to develop a School Emergency Management Plan. The Principal will review this plan with the staff at the start of each school year as required by law. The plan shall address state requirements, board policies, and situations specific to each school. Examples of items (but not limited to) in a school plan are:

1. Fire Drills
2. Severe Weather Drills
3. Earthquake Drills
4. Intruder Lockdowns
5. Chemical Lockdowns
6. Tornado Drills
7. Reverse Evacuation
8. Evacuate & Relocate
9. Bomb Threat

ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY:

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extracurricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the

purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

PHYSICAL RESTRAINT

Employees are authorized by law to physically restrain students as necessary for the following reasons: a) the student's behavior poses an imminent danger of physical harm to self or others and as permitted under KRS 503.050, KRS 503.070 and KRS 503.110; b) the physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication, unless the student uses sign language or an augmentative mode of communication as the student's primary mode of communication and the implementer determines that freedom of the student's hands for brief periods during the restraint appears likely to result in physical harm to self or others; c) the student's physical and psychological well-being is monitored for the duration of the physical restraint; d) less restrictive behavioral interventions have been ineffective in stopping the imminent danger of physical harm to self or others, except in the case of a clearly unavoidable emergency situation posing imminent danger of physical harm to self or others; and e) school personnel implementing the physical restraint are appropriately trained as required by Section 6(3) of the regulation, except to the extent necessary to prevent physical harm to self or others in clearly unavoidable emergency circumstances where other school personnel intervene and summon trained school personnel as soon as possible.

PROHIBITED BEHAVIOR

This Code establishes minimum behavior standards. Recognizing that each school, grade or class may require special provisions, school councils, administrators and teachers have full authority to make rules to enforce these standards in keeping with their areas of responsibility.

A professionally planned and positive school atmosphere is necessary for academic progress and a safe environment. Therefore, students shall not interfere with the orderly environment of the school or school activity.

STUDENT DISCIPLINARY PROCESSES (Board Policy Online 09.43)

- SCHOOL-RELATED ACTIVITIES
- TREATMENT OF PUPILS
- SERIOUS PROBLEMS
- COUNCIL RESPONSIBILITY
- CHILDREN AND YOUTH WITH DISABILITIES

Students shall exercise self-control as required by the particular situation and in keeping with school and district rules, or be subject to removal from the regular classroom setting or transportation system. In addition, a student may be barred from participating in extracurricular activities, pending investigation that she/he has violated either the District's behavior standards or the school council's criteria for participation.

VIOLATIONS: –

Examples of prohibited behavior include, but are not limited to the following actions:

- Harassment of, or discrimination against, other students on the basis of race, color, national origin, age, religion, marital status, political beliefs, sex or disability.
- Insubordination, (disobedient or defiant behavior)
- Sale of items without prior approval of the Superintendent or Principal
- Disruptions of the educational process or threaten health or safety
- Wearing Apparel, Accessories, or Hairstyles that Disrupt the Educational Process

Continued examples of prohibited behavior include, but are not limited to:

- Fighting and physical attacks
- Possession or use of a weapon
(Includes pocket knives and other dangerous instruments)
- Threats by verbal or written statements or gestures with intent to harm or demean others
- Use, possession, or transfer of alcohol or prohibited drugs
- Use or possession of prohibited tobacco products (including alternative tobacco products such as e-cigs)
- Use of items that disrupt the educational process including cell phones, cameras, IPODS, MP3 players, laser lights, paging devices, electronic instruments that transfer sound or pictures, etc...
- Inappropriate use of district technology equipment or Mercer County Schools' Acceptable Use Policy including E-mail, blogs, online journals, etc...

School property belongs to the community and the state. It must be protected and preserved for educational and community use. Therefore, students shall respect school property and the property of others. Examples of prohibited behaviors include, but are not limited to:

- Theft of school property or personal property of employees or other students
- Abuse of school or personal property to include intentional or careless damage or destruction
- Extortion of money or property
- Prohibited use of electronic media and other district technological resources
- Littering

Students shall work cooperatively and productively with each other and with school personnel in a manner that is consistent with standards of respect and courtesy.

Examples of prohibited behaviors that would detract from a safe and orderly learning environment include, but are not limited to:

- Making abusive and harassing statements regarding race, gender, disability, religion or nationality
- Use of profanity
- Lying
- Cheating
- Plagiarism / Copyright Infringement
- Ignoring or breaking rules and procedures established to maintain order
- Otherwise behaving in a manner disrespectful of others

DISRUPTING THE EDUCATIONAL PROCESS

Behavior which is disruptive of the educational process shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. Samples of disruptive behavior by students as follows: conduct which may damage public or private property, including the property of students or staff; 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 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.

OFF CAMPUS CONDUCT

All disciplinary action normally available with regard to a student for violation of school rules or other clear misconduct on-campus shall be available for any activity away from campus, whether or not school is in session when such activity occurs, if such off-campus activity may be reasonably interpreted to threaten the ability of the district to maintain a safe, orderly, and disciplined educational atmosphere.

When it is brought to the attention of the District that a student has engaged in such conduct off-campus, the Superintendent or designee, or Principal of the school, which the student attends, shall conduct such investigation and may initiate disciplinary in the same fashion as if the action had occurred on campus. In conducting such investigation, the Principal or his/her representative may cooperate with law enforcement authorities.

ABUSE OF A TEACHER PROHIBITED KRS 161.190 Whenever a teacher or school administrator is functioning in his capacity as an employee of a Board of Education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school

USE OF TELECOMMUNICATION OR ELECTRONIC DEVICES (Refer to Board Policy 09.4261)

Use of telecommunication and or electronic devices that disrupt the educational process will be considered prohibited behavior. Inappropriate use of items, such as cell phones, MP3 Players, Cameras, IPODS, laser lights, paging devices and electronic devices, are prohibited

COMMUNICATION DEVICES

POSSESSION AND USE

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

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

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

Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day.

“Sexting” or using a personal telecommunication device to send texted or email messages or possessing texted or email messages containing images reasonably interpreted as indecent or sexually suggestive while at school or school related functions is prohibited.

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

2. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
3. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
4. 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.

TELECOMMUNICATIONS DEVICE DEFINED

A telecommunication device is a device that emits an audible signal, vibrates, displays a message, or otherwise receives or sends a communication from the possessor including, but not limited to, cell phones, digital phones, and/or pagers.

CELL PHONES / ELECTRONIC DEVICES SHALL BE OPERATED ONLY DURING EACH SCHOOL’S DESIGNATED NON-INSTRUCTIONAL TIMES (i.e., before school starts, end of school day) (Lunch and other non-instructional times are designated specifically to each school policy)

Unless a certified employee authorizes the student to do otherwise, devices shall be turned on and operated **only** during designated non-instructional times, throughout the school day. Students are banned from taking pictures, audio or video recording in the school setting during any activity that is not an instructionally approved use of the cell phone or electronic device. Students are prohibited from taking pictures, audio, or video recording any acts of violence, fighting, incorrigible, bad acts, or other unapproved activity and posting these on social media. Students also may not send any prohibited pictures, audio, or video to others. These actions are a violation of the Code of Acceptable Behavior. When students violate this prohibition, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the student’s parent/guardian as outlined and determined by school policy.

Students are NOT allowed to use a cell phone in a disaster. Please do not call your child's cell phone. Cell phones can detonate bombs and the ringing of a cell phone can make your child a target, and also endanger the lives of other students and staff.

Tobacco/ Alternative Nicotine Products/Vapor Product

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) 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.

"Alternative nicotine product" means a noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means.

"Tobacco product" means any cigarette, cigar, snuff, smokeless tobacco product, smoking tobacco, chewing tobacco, and any kind or form of tobacco prepared in a manner suitable for chewing or smoking, or both, or any kind or form of tobacco that is suitable to be placed in a person's mouth.

"Tobacco product" does not include any alternative nicotine product, vapor product, or product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act;

"Vapor product" means any noncombustible product that employs a heating element, battery, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size and including the component parts and accessories thereto, that can be used to deliver vaporized nicotine or other substances to users inhaling from the device. "Vapor product" includes but is not limited to any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and every variation thereof, regardless of whether marketed as such, and any vapor cartridge or other container of a liquid solution or other material that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar product or device.

*If it is determined that the substance inhaled through the Vapor product is an illegal drug, drug look-a-like, or other prohibited substance. Administration will refer to the Alcohol, Drugs, Look Alikes, Synthetic, and other Prohibited Substances (including vapor products) chart on the following page.

	POSSESSION	UNDER THE INFLUENCE	POSSESSION/TRANSFER
1 st Offense	1 day ISAP	2 days of ISAP	3 days of ISAP
2 nd Offense	1 day of Saturday School, Friday School, or 2 days of ISAP; Tobacco Cessation	2days of Saturday School, 2 days of Friday School, or 4 days of ISAP; Tobacco Cessation	3 days of Saturday School, 3 days of Friday School, or 8 days of ISAP; Tobacco Cessation
3 rd Offense	1 day Suspension; Refer to law enforcement	2 days Suspension-Refer to law enforcement	3 days Suspension; Refer to law enforcement

1st, 2nd, 3rd, and subsequent offense time calculations may be based upon the current school calendar year.

In the case of an elementary student, charges may be brought against the parent.

DISABLED STUDENTS- For purpose of this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered as to the appropriate disciplinary consequences including the length of suspension and whether or not to recommend for expulsion or file court charges.

ELEMENTARY AGE STUDENTS- For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered as to the appropriate consequences or court charges and any recommendation for expulsion.

WEAPONS

Students are *never* allowed to bring a weapon to school. The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons. Board policy and the law prohibit the carrying, bringing, using, or possessing of any weapon or dangerous instrument, including knives, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity. This policy applies to students, staff members, and visitors to the school.

For the purpose of Mercer County School's Code of Acceptable Behavior and Discipline, the term weapon includes a knife of any size. A knife of any size is considered a weapon including pocket knives and are NOT to be brought to school. (KRS 158.154 Duty to Report to Local Law Enforcement Agency)

FEDERAL REQUIREMENTS REGARDING FIREARMS: (BOARD POLICY: 05.48)

The penalty for students possessing a firearm at school or bringing a firearm 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 case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.

Any student who possesses a firearm at school or 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.

Although students are subject to disciplinary action for violating any restriction in this policy, the twelve (12) month expulsion penalty mandated by the Federal Gun-Free Schools Act does not apply to a firearm lawfully stored in a locked vehicle on school property.

Dangerous Instruments: This violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, or using any instrument, including parts of the body (when a serious physical injury directly results from the use of that part of the body), article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury [KRS 500.080(3)] (see Section 4.03).

Examples include, but are not limited to, the following:

- Ammunition for a firearm (e.g., a bullet, shotgun shell or other round).
- Fireworks or other flammable items (e.g., sparklers, "pop bottle" rockets or Black Cats®).
- Combustibles (e.g., road flares or flammable liquids).
- Objects which emit noxious gases (e.g., tear gas, a smoke bomb or stink bomb)
- Bladed instruments (e.g., a hunting or pocket knife).
- Utility tools (e.g., a razor blade or box cutter).
- "Look-alikes", simulations or facsimiles (e.g., a rubber knife).
- Defensive repellants (e.g., mace, "pepper spray", other a similar chemical spray).
- Office implements (e.g., a letter opener or a pen).
- A laser pointer.

DEADLY WEAPONS may include:

- A weapon of mass destruction
- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged
- Any knife other than an ordinary pocket knife or hunting knife
- Billy, nightstick, or club
- Blackjack or slapjack
- Nunchaku karate sticks

- Shuriken or death star
- Stun devices (e.g., a Taser)
- Artificial knuckles made from metal, plastic, or other similar hard material;

Firearm/Explosive Device: In compliance with the federal Gun-Free Schools Act, for the purpose of this section, a firearm/explosive device is defined as follows:

- Any weapon which will or is designed to or may be readily converted to expel a projectile by the action of an explosive.
- The frame or receiver of any weapon described above.
- Any firearm muffler or firearm silencer.
- Any explosive, incendiary, or poison gas: 1) Bomb; 2) Grenade; 3) Rocket having a propellant charge of more than 4 (four) ounces; 4) Missile having an explosive or incendiary charge of more than 1/4 (one quarter) ounce; or 5) Minor similar device.
- Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2" (one-half inch) in diameter.
- Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

DEADLY WEAPON: This violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, or using any instrument described in KRS 500.080(4) or elsewhere in state statute.

DEADLY WEAPON; LOOK-ALIKE: This violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, or exhibiting any look-alike, toy, or facsimile of a Deadly Weapon as defined by state statute.

Examples include, but are not limited to, the following:

- Any weapon of mass destruction [KRS 500.080(4)(a)] including, but not limited to, a "destructive device" (i.e., an explosive, incendiary or poison gas bomb, grenade, mine, rocket, missile, or similar device and includes the unassembled components from which such a device can be made) [KRS 237.030(1)] or a "booby trap device" (i.e., a device or substance designed to surreptitiously or covertly take life, endanger life or destroy or damage property) [KRS 237.030(2)].
- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged [KRS 500.080(4)(b)] including, but not limited to, a handgun (i.e., a pistol or revolver originally designed to be fired by the use of a single hand, or any other firearm originally designed to be fired by the use of a single hand) [KRS 237.060(1) and 527.010(5)], a rifle, a shotgun, or other firearm [KRS 237.060(2) and 500.010(4) and 527.010(4)].
 - Components of these weapons (e.g., a stock, barrel, frame or receiver).
 - Certain accessories for these weapons (e.g., a muffler/silencer).
 - Any item(s) which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.
 - Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
 - Items represented as such weapons (e.g. a concealed object shaped like a gun or referred to as a gun or any object such as a stick or finger concealed under clothing and is being portrayed as a firearm).
 - Commercial explosives (e.g., dynamite, blasting caps or chemical oxidizing agents).
 - Simulations or facsimiles of such weapons (e.g., toy guns).
 - Knife
 - Billy, nightstick, or club
 - Blackjack or slapjack
 - Nunchaku karate sticks

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

Students - 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. District employees must also report to law enforcement officials if they know or have reasonable cause to believe that conduct has occurred that constitutes the carrying, possession, or use of a weapon on the school premises, on a school bus, or at a school sponsored or sanctioned event.

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

Reference Board Policy 05.48 This policy applies to students, staff members, and visitors to the school.

Job Duties which may require staff to carry a pocket knife or other tools may include: maintenance, mechanic, custodial, transportation, shop, agriculture, or technology.

KNIVES /DANGEROUS INSTRUMENT/ LOOK ALIKES/ DEADLY WEAPONS (Board Policy: 05.48)

- Including Pocket Knives or Dangerous Instrument

For the purpose of Mercer County School District Code of Acceptable Behavior and Discipline, the term weapon includes any knife/dangerous instrument. A knife/dangerous instrument is considered a weapon, including pocketknives, and are **NOT** to be brought to school.

(KRS158.154 Duty to Report to Local Law Enforcement Agency)

*This includes items that are deemed a look-alike.

POSSESSION/EXHIBITING/THREATENING/USE/ASSAULT with deadly weapon –Notification of law enforcement

	POSSESSION	POSSESSION/ Exhibiting Knife or Dangerous Instrument	POSSESSION/ THREATENING with Knife or Dangerous Instrument	POSSESSION/ USE & Assault w/ Knife or Dangerous Instrument
1 st Offense 1 st Offense May Also Include	MINIMUM 1 Day In-School Suspension (Minimum Elementary Student Half-Day to 1 day- In School Suspension) Shall report to law enforcement May Recommend Discipline Committee/ Expulsion	MINIMUM 1-2 Day Suspension (Minimum for Elementary Student Half to 1 day- In School Suspension ISAP) Shall report to law enforcement May Recommend Discipline Committee/ Expulsion	MINIMUM 5-10 Days Suspension (Minimum Elementary Student 1-5 days - In School Suspension) Shall report to law enforcement Shall Recommend Discipline Committee/ Expulsion	MINIMUM 7-10 Days Suspension (Minimum Elementary Student 1-3 -days Suspension) Shall report to law enforcement Shall Recommend Discipline Committee/ Expulsion
2 nd Offense	MINIMUM 1-3 Day Suspension Shall report to law enforcement May Recommend Discipline Committee/ Expulsion	MINIMUM 3-5 Day Suspension (Minimum Elementary Half -1 Day of ISAP) Shall report to law enforcement May Recommend Discipline Committee/ Expulsion	MINIMUM 7-10 Day Suspension (Minimum Elementary 1-5 Days In-School Suspension) Shall report to law enforcement Shall-Recommend Discipline Committee/ Expulsion	MINIMUM 10 Day Suspension (Minimum Elementary 3-5 days Suspension) Shall report to law enforcement Shall-Recommend Discipline Committee/ Expulsion
3 rd Offense	MINIMUM 3-5 Day Suspension (Minimum Elementary Student 1-3 Days Suspension) Shall report to law enforcement May Recommend Discipline Committee/ Expulsion	MINIMUM 7-10 Day Suspension (Minimum Elementary 1-3 Days Suspension) Shall report to law enforcement May Recommend Discipline Committee/ Expulsion	MINIMUM 10 Day Suspension (Minimum Elementary 1-3 Days Suspension) Shall report to law enforcement Shall-Recommend Discipline Committee/Expulsion	MINIMUM 10 Day Suspension (Minimum Elementary 5-10 days Suspension) Shall report to law enforcement Shall-Recommend Discipline Committee/ Expulsion

1st, 2nd, 3rd, and subsequent offense time calculations may be based upon the current school calendar year.

For purposes of Mercer County School District Code of Acceptable Behavior and Discipline, the term "weapon" shall include knives, including pocketknives & hunting knives, box cutters, or other dangerous instrument that can cause injury or death. DEADLY WEAPON- (Board policy 05.48) Consequence becomes much more severe if it is determined to be a DEADLY WEAPON, and the nature of the incident.

ELEMENTARY AGE STUDENTS- For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered as to the appropriate consequences or court charges and any recommendation for expulsion.

In the case of an elementary student, charges may be brought against the parent.

If a student accidentally brings any of the above-mentioned items to school and immediately upon realization of having the item, the student makes an administrator aware of its presence, and the administrator is able to determine that the item was brought on school grounds accidentally; this information will be taken into consideration regarding consequences.

DISABLED STUDENTS- For purpose of this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered as to the appropriate disciplinary consequences including the length of suspension and whether or not to recommend for expulsion or file court charges

REVISED PROCEDURE

ALCOHOL, DRUGS, LOOK ALIKES, SYNTHETIC, AND OTHER PROHIBITED SUBSTANCES (POTENTIALLY INCLUDING VAPOR PRODUCTS)

	POSSESSION	UNDER THE INFLUENCE	POSSESSION/TRANSFER
1 st Offense	MINIMUM 5 Days Suspension (Minimum-Elementary Student 1 Day In-School Suspension) Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion	MINIMUM 5 Days Suspension (Minimum-Elementary Student 1 Day Suspension) Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion	MINIMUM 10 Days Suspension Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion
2 nd Offense	MINIMUM 7 Days Suspension Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion	MINIMUM 7 Days Suspension Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion	MINIMUM 10 Days Suspension Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion
3 rd Offense	MINIMUM 10 Days Suspension Shall notify Law Enforcement SHALL Recommend Discipline Committee/Expulsion	MINIMUM 10 Days Suspension Shall notify Law Enforcement SHALL Recommend Discipline Committee/ Expulsion	MINIMUM 10 Days Suspension Shall notify Law Enforcement SHALL Recommend Discipline Committee/ Expulsion

1st, 2nd, 3rd, and subsequent offense time calculations may be based upon the current school calendar year.

KRS 158.154 Duty to Report to Local Law Enforcement Agency- ALCOHOL, DRUGS, AND OTHER PROHIBITED SUBSTANCES

ELEMENTARY AGE STUDENTS- For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered as to the appropriate court charges and any recommendation for expulsion.

In the case of an elementary student, charges may be brought against the parent.

DISABLED STUDENTS- For purpose of this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered as to the appropriate disciplinary consequences including the length of suspension and whether or not to recommend for expulsion or file court charges.

Alcohol, Drugs and Other Prohibited Substances

BOARD POLICY STUDENTS 09.423

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

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

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

DEFINITIONS

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

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

Prohibited substances include:

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

AUTHORIZED MEDICATION

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

PENALTY

Violation of this policy may constitute reason for suspension or expulsion.

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.

PREVENTION PROGRAM

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

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

RANDOM DRUG TESTING AND DRUG SAFETY PROGRAM

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

The program consists of two components:

1. Education and Prevention Plan
2. Drug Testing Policy

Education and Prevention Plan includes:

Educational Seminars. Each semester at least one (1) educational seminar on alcohol and drug use/abuse shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all Mercer County Middle and High School students and all students in the middle schools and high school will attend these scheduled programs during the school instructional day. The educational seminars shall be required for all athletic and extracurricular team members, coaches, and parents of students participating in these activities. Each student participating in athletics, extracurricular and drivers shall be administered an assessment over the content of the seminar upon completion and demonstrate competency of seminar content.

Training in Drug Awareness. Mercer County Middle and High School teachers will be given an opportunity to receive training in drug awareness. Part of the training will enable each teacher to incorporate drug awareness information into his/her current curriculum. A teacher with keener awareness of drug use/abuse signs and symptoms, as well as methods of referral, will be a direct result of the training. Instructional units on drug use/abuse, such as those currently taught in our health courses, will be enhanced by this teacher education component.

Education and Prevention Plan (continued)

Seminars for Parents/Guardians. Educational seminars for parents/guardians addressing alcohol and other forms of drug use/abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information toward drug prevention.

All student athletes/extracurricular participants/drivers and their parents/guardians must read this policy and accompanying procedures and must acknowledge, in writing, that they have read the policy, understand the policy, and agree to be bound by the terms and conditions contained in the policy.

Statement of Need. A recent dramatic increase in the number of Board expulsions for drug violations, and the Kentucky Incentives for Prevention (KIP) data demonstrate a concern for the number of youth being affected by drug use or abuse. In addition, in surveying our parents and staff, the majority of our parents and staff believe a random drug testing program is needed in our District and have a desire to implement a random drug testing policy beginning in the 2015-2016 school year.

All athletic and extracurricular team coaches/sponsors and the administration of Mercer County Middle and High School recognize that the unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of middle and high-school students engaged in that use. It is also recognized that the unlawful use of alcohol and other drugs is a potential problem for all middle and high-school students.

Students engaged in interscholastic athletics and extracurricular activities often are viewed by fellow students as holding or enjoying positions of leadership and are well-known in the student body. These students are confronted by unique pressures and risks that make them particularly vulnerable to the harms presented by that use. Because of the student's well-known status in the student body, derived from

athletic and extracurricular participation, these students also potentially impact or influence the attitudes and actions of other members of the student body.

Finally, in order to deal effectively with drug and alcohol pressures and health risks, we believe it is imperative to adopt a mandatory random drug testing policy governing the illegal use of drugs by student participants in the Mercer County Middle and High School athletic teams and extracurricular activities. Clubs are part of the extracurricular student activity covered by this policy.

All middle and high school athletic teams, extracurricular activities and student drivers are covered by this policy. The subsequent addition of any extracurricular activity or athletic team shall immediately be subject to this policy.

Additionally, any after-school activity, competition, or event that is associated with an extracurricular activity, club, athletic team, or driver privilege and not part of a co-curricular course, is subject to this policy and shall be included in the random drug testing program.

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

Administrators shall not use information obtained in the course of administering this policy for disciplinary purposes other than those set forth herein. This policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities, other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under 18 years of age, the administrator shall not release any student's test results to any person other than those described within this policy or as required by law or a lawfully issued subpoena or court order.

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

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

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

Implementation, Review, and Evaluation. All student participants and their parents/guardians must sign the "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form before the student shall be permitted to participate as a member of any athletic team, become a member of an extracurricular activity at the middle and high-school levels, or be authorized to drive or park on school property.

A Substance Abuse Prevention Committee shall be established and shall have the overall responsibility for implementing this policy. The Committee, as defined by the Superintendent/designee, may consist of the Random Drug Testing Coordinator, school Principals, Head Coaches of the athletic teams, designated

sponsors of extracurricular activities, Athletic Director, Title IV Coordinator, School Health Coordinator, Counselor, and a School Board Member.

The Committee shall establish procedures as needed to implement the policy fairly and efficiently. In addition, the Committee shall review and evaluate the effectiveness of the drug testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance-testing program, procedural safeguards, and the list of drug substances tested. The Committee’s purpose is limited to procedures and evaluation of the policy.

Testing Program. Testing shall be accomplished by the analysis of a urine specimen obtained from student participants. Collection and testing procedures shall be established, maintained, and administered by a Board approved testing vendor to ensure, among other things, the following:

1. Randomness of selection procedures
2. Proper student identification
3. Identification of each specimen with the appropriate student participant
4. Integrity of the collection and testing process, as well as the confidentiality of test results (The specific testing process shall be on file at the testing laboratory approved by the Board.)
5. Information regarding this policy, including but not limited to, the collection procedure(s) will be made available upon request.

Substances Tested. Urine specimens of participating students shall be tested for the following which include, but may not be limited to:

1. Amphetamines	1. Barbituates
2. Benzodiazepines	2. Cocaine Metabolite
3. Opiates	3. Oxycodone
4. Phencyclidine	Marijuana Metabolite
5. Methadone	Methaqualone
6. Synthetic Drugs	* KRS 218A.010 * KRS 217.900 (Referenced below)

*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](#).

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

Any student participant who tests positive, or the student's parents or legal guardians, may contest the test result by informing the Superintendent/designee within seventy-two (72) hours of receipt of notice of the positive test result. Prior to implementation of sanctions, the student and/or parent shall be entitled to present any evidence they desire to defend the charge of violation of this policy. The Superintendent/designee may require written documentation (such as a doctor's statement) of any evidence the student may wish to present that she feels may have affected the test results. If requested, failure to present written documentation to support the student's defense of the case shall result in the student being subject to the consequences provided in this policy for a positive test result.

Further laboratory analysis shall be conducted at the student participant’s expense with the student’s remaining urine specimen preserved by the testing laboratory. If the student and/or the student’s parents/guardian choose to challenge the results, s/he would be obligated to pay for any testing of their choosing including, but not limited to, a test of any sample maintained by the lab.

The following violations shall be cumulative for students from grade 6-8th and then 9th-12th grades. Any offenses occurring prior to the entrance into 9th grade year shall not be considered for purposes of calculating what level violation of offense a student may face from 9th to 12th grade.

First violation:

1. Notify the parent or guardian.
2. Due process hearing shall be conducted by the Principal per policy 09.431.
3. Upon completion of any due process hearing or subsequent to the conclusion of any challenge by the student and/or his parent(s) or legal guardian the following consequences shall apply:
 - a. The student participating in extracurricular activities and or driving privileges shall be suspended for two (2) weeks from date of due conclusion of the due process hearing or the date of the notice of the positive screen, whichever is later.
 - b. During the period of suspension, the suspended student shall not be permitted to work out, try out, practice, dress-out, travel with, or receive recognition with or any and all extracurricular activity(ies) and/or shall not be entitled to drive or use and parking facilities of the school district.
 - c. Parents and the Student are encouraged to complete a chemical dependency assessment for their child after testing positive. This shall not be a condition of reinstatement.
4. If a student is reinstated to extracurricular activities following a first violation, the student's participation in other extracurricular activities 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.

Second Violation:

1. Notify the parent or guardian.
2. Due process hearing shall be conducted by the Principal per policy 09.431
3. Upon completion of any due process hearing or subsequent to the conclusion of any challenge by the student and/or his parent(s) or legal guardian the following consequences shall apply:
 - a. The student participating in athletics, extracurricular activities, or driving to school shall have participation in extracurricular activities suspended for the nine (9) weeks from date of due conclusion of the due process hearing or the date of the notice of the positive screen, whichever is later.
 - b. During the period of suspension, the suspended student shall not be permitted to work out, try out, practice, dress-out, travel with, or receive recognition with or any and all extracurricular activity(ies) and/or shall not be entitled to drive or use and parking facilities of the school district.
 - c. Parents and the Student are encouraged to complete a chemical dependency assessment for their child after testing positive. This shall not be a condition of reinstatement.
4. If a student is reinstated to athletics, extracurricular activities, or student driving following a second violation, the student's participation in other extracurricular activities 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 was appropriately reinstated.

Third Violation:

1. Notify the parent or guardian.
2. Due process hearing shall be conducted by the Principal per policy 09.431
3. Upon completion of any due process hearing or subsequent to the conclusion of any challenge by the student and/or his parent(s) or legal guardian the following consequences shall apply:
 - a. Upon a third or subsequent violation of this policy, the student shall be suspended from participation in all extracurricular activities, or driving to school, for a period of one (1) calendar year from the date of the last test yielding positive results.

- b. During the period of suspension, the suspended student shall not be permitted to work out, try out, practice, dress-out, travel with, or receive recognition with or any and all extracurricular activity(ies) and/or shall not be entitled to drive or use and parking facilities of the school district.
 - c. Parents and the Student are encouraged to complete a chemical dependency assessment for their child after testing positive. This shall not be a condition of reinstatement.
4. If a student is reinstated to extracurricular activities following a third violation, the student's participation in other extracurricular activities shall not be restricted solely because of the existence of the third violation, as long as the student has completed the period of suspension and was appropriately reinstated.

Notice to Participants: Prior to participating as a member of an athletic team or joining an extracurricular activity, the sponsor, head coach, or administrator shall provide all students choosing to participate in the athletic team/ extracurricular activity and their parents/guardians with a written copy of this policy. Parents of students wishing to take drivers education or to park on school property shall also be provided a copy. Additionally, any after-school activity, competition, or event that is associated with an extracurricular activity, club, athletic team, or driver privilege and not part of a co-curricular course, is subject to this policy and shall be included in the random drug testing program.

Each student who chooses to participate and a parent/guardian of that student shall be required to sign a statement indicating that they have received, read, and understand and fully agree to be bound by the terms, conditions, and procedures under this policy.

All students choosing to participate in any sport, extracurricular activity, or have driving privileges on school property will need to sign up for the random drug testing program with the appropriate "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form before the student shall be permitted to participate as a member of any athletic team, become a member of an extracurricular activity at the middle and high-school level, or be authorized to drive or park on school property. If a student transfers to the District, s/he shall complete the required consent form to be included in the random drug testing pool, at the time of transfer if he/she chooses to participate in any sport, extracurricular activity, or requests driving privileges.

VOLUNTARY RANDOM DRUG-TESTING PROGRAM

The District has established a volunteer random drug testing program at the middle and high school level for student. Completion of a "Consent for Urinalysis" form is required to participate in voluntary drug-testing.

During the school year if a parent or an eighteen (18) year old student no longer chooses to participate in the voluntary random drug testing program, they may request their name be removed from the random drug testing pool. The parent/student will need to complete the request form, submit it to the Drug Testing Program Coordinator to have their name removed from the random drug testing pool

Any offense by a voluntary student participant who does not participate in extracurricular activities shall be reported to the student's parent(s) or guardian(s), but no discipline may occur through the random drug testing policy. However, such student shall not be permitted to thereafter participate in extracurricular activities for a period of time equivalent to the suspension period and under the terms of reinstatement applicable to other students participating in the program.

REFERENCES: [KRS 156.070](#); [KRS 158.150](#); [KRS 158.154](#); [KRS 158.155](#) [KRS 160.290](#); [KRS 161.180](#) [KRS 217.900](#); [KRS 218A.020](#); [KRS 218A.1430](#); [KRS 218A.1447](#) [OAG 82-633](#); [OAG 93-32](#) CLARK COUNTY BOARD OF EDUCATION VS. JONES, KY. APP., 625 S. W. 2d 586 (1981). BOARD OF ED. OF TECUMSEH PUBLIC SCHOOL DISTRICT, INDEPENDENT SCHOOL DIST. NO. 92 OF POTTAWATOMIE CTY. V. EARLS, U.S., 242 F.3d 1264 (2002). [IMPROVING AMERICA'S SCHOOLS ACT OF 1994\(IASA\)](#), TITLE IV: SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

<p>STAFF Drug-Free Alcohol-Free Schools Certified Personnel Board Policy 03.13251 Classified Personnel Board Policy 03.23251 Staff must read board policies for Drug-Alcohol Free Schools in their entirety and sign acknowledgement form/contract as applicable</p>

Assault and Threats of Violence

STUDENTS 09.425

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.

TERRORISTIC THREAT: This violation means

[KRS 508.080(1)]: 1) Intentionally making false statements about placing a weapon of mass destruction on the real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education, a school bus or other vehicle owned, operated, or leased by a school, or the real property or any building public or private that is the site of an official school sanctioned function, or the real property or any building owned or leased by a government agency [KRS 578.075(1)(a)]; 2) Intentionally and without lawful authority, placing a counterfeit weapon of mass destruction at any location or on any object specified in KRS 508.078(1)(a) [KRS 578.075(1)(b)]; 3) Intentionally, with respect to a school function, threatening 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 his or her employment by a school, or work or attendance at school, or a school function [KRS 508.078(1)(a)]; 4) Intentionally making false statements about placing a weapon of mass destruction at any location other than one specified in KRS 508.075 [KRS 508.078(1)(b)]; 5) Intentionally, without lawful authority, placing a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075 [KRS 508.078(1)(c)]; 6) Threatening 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 [KRS 508.080(1)(a)]; or 7) Intentionally making false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation [KRS 508.080(1)(b)].

NOTE: 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 [KRS 508.078(1)(a)].

Examples include, but are not limited to, the following:

- Delivering a letter, hand-written note, email, or text message containing a death threat.
- Creating a blog entry indicating that arson will occur to in a wing of a school building.
- Placing an actual or “look-alike” explosive, incendiary, letter, straight, concealed, or time delayed device along with a note that threatens detonation.
- Making any similar threat (e.g., any other act that threatens large scale violence to students, staff, or the interests of the school or district accompanied or unaccompanied by verbal, written, or symbolic communication indicating that such an action is either imminent or in progress).
- Any communication verbally or written by electronic or other means any message containing a threat of serious physical injury or death.
- Creating threatening posts on Social Media (FACEBOOK, snap chat, INSTAGRAM, etc)

Pupils

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

ELEMENTARY AGED STUDENTS:

For purposes of this Code of Acceptable Behavior and Discipline, Board Policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered as to the appropriate court charges and any recommendation for expulsion.

In the case of an elementary student, charges may be brought against the parent. Elementary aged students and their parents may be required to meet with a Disciplinary Committee to determine the necessity of an expulsion hearing. Members of Disciplinary Committee may consist of Superintendent/Designee, Safe Schools Coordinator, School Administrator, and School Resource Office.

SCHOOL PERSONNEL

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

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting 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 005:080](#).

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.

NOTIFICATIONS

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

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

Below is a letter for all Parents and Guardians regarding Terroristic Threats and the consequences of making such a threat:

Dear Parent/Guardian,

Our most important function in the Mercer County School District is to provide the safest learning environment possible for all of our students and school staff members.

Unfortunately, in recent years, Kentucky's P-12 schools have experienced an escalation of terroristic threats made by students with intent to do harm to either other students or school staff members. Plainly stated, these are threats being made to shoot people or detonate bombs with lethal intent. In fact, between January 23 and April 30th of last school year (2018), Kentucky schools experienced (294) terroristic threats that caused widespread fear throughout the school's community and resulted in total disruption to the educational process. In many of those cases, school officials and law enforcement officials were forced to close schools to investigate the threats that had been made. In other cases, school attendance plummeted for days after the threat was made. Many school leaders have said that the emotional, instructional, and financial impacts of these acts are incalculable.

Terroristic Threating in the second degree is defined in state law (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:

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**

Such threats to our students and school staff are totally unacceptable and will not be tolerated. As a result, the purpose of this letter is to notify all parents and guardians that school district officials (in coordination with responding law enforcement agencies) will **pursue immediate legal charges for felony terroristic threatening in the second degree, to the absolute fullest extent of the law, against anyone who makes such threats, including students.** Moreover, we will advocate to our highest ability that the prosecution of these individuals be swift and their punishment be severe.

Our approach to eliminating terroristic threatening in our school and district is strong and unwavering, and as a result, it is imperative that you discuss this critically important matter with your student as soon as possible. School and law enforcement officials are determined to put a halt to these willful acts of terrorism being made toward our students. Please do your part to ensure that your student never becomes a party to such an offense by educating him/her on the seriousness of its consequences.

Together we can prevent this unnecessary, dangerous, and disruptive crime from victimizing our schools. I appreciate your partnership in keeping our school the safest place for your student to learn and grow.

If you have any questions or concerns, please contact me at your convenience 859-733-7000

Sincerely,

Dennis Davis

Dennis Davis, Superintendent
Mercer Co. Schools

Definitions of Terroristic Threatening:

508.078 Terroristic threatening in the 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 any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or 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 at a scheduled, publicly advertised event open to the public, place of worship, or 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) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.

(5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

Penalties

Violating a Class D felony (adult) 1-5 years imprisonment (KRS 532.020) and/or \$1,000-\$10,000 fine (KRS 532.020).

Violating a Class C felony (adult), 5-10 years imprisonment (KRS 532.020) and/or \$1,000-\$10,000 fine (KRS 532.020).

Violating a felony (juvenile) fine not to exceed \$500 (KRS 635.085), with fine assessed at the court's discretion in lieu of commitment to the Department of Juvenile Justice.

HAZING, BULLYING, LEWD LANGUAGE

Reference Board Policy 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.

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, written 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.

Definition of Bullying according to KRS 158.148: Bullying is any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated. (1) That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or (2) That disrupts the educational process.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state of federal constitution 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.

BULLYING/ HARASSMENT

For the purposes of the Mercer County Code of Acceptable Behavior and Discipline, KRS 158.148, KRS 525.070 and KRS 525.080 will be taken very seriously. A report by a student or parent or an incident within the school, at a school activity, on the school bus, or at any sponsored school function will be investigated and action taken. Incidents can be reported anonymously through the S.T.O.P. bullying hotline to eliminate the potential for retaliation. These tips are emailed directly to school administrators. Incidents maybe reported directly to a teacher, school building administrator, or central office staff. If an incident is reported to a teacher, the teacher will share that information with school administrators so they can investigate the report. Following the administrator's investigation, bullying/ harassing behaviors will be addressed with all students involved. Parents will be informed of the investigation and if applicable, the consequences of the behavior. Data will be kept in the Infinite Campus System on all reports of bullying and harassment including information pertaining to the incident, the victims, and the offenders.

Consequences for bullying/harassment range from parent notification and student conference up to court charges. Consequences are determined by the factors identified through the administrator's investigation of the reported incident. On continued harassing behaviors, the school will work with local court officials to determine if there is an evidenced pattern of behavior that has become harassment. A harassing behavior or single incident may not always result in a harassment charge. However, some harassing behaviors may immediately be determined to be harassment, due to the nature of the incident, and upon consult with local court officials, charges may be filed.

See information for S.T.O.P. Tipline on page 31 on how to report bully, harassment, or risky behavior anonymously.

KRS 525.070 HARASSMENT reads as follows:

A person is guilty of harassment when, with intent to intimidate, harass, annoy, or alarm another person, he or she:

- Strikes, shoves, kicks, or otherwise subjects him to physical contact
- Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact
- In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present

- Follows a person in or about a public place or places
- Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose

Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:

- Damages or commits a theft of the property of another student
- Substantially disrupts the operation of the school
- Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.

HARASSING COMMUNICATIONS

KRS 525.080

A person is guilty of harassing communications when with intent to intimidate, harass, annoy, or alarm another person he or she:

- Communicates with a person, anonymously or otherwise, ***by telephone, telegraph, mail or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication***
- Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication
- Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or ***any other form of electronic or written communication*** in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

Harassing communications is a Class B misdemeanor.

RETALIATION PROHIBITED

Employees and other student shall not retaliate against a student because he/she reports a violation of the Code or assists or participate in any investigation, proceeding, or hearing regarding the violation. The Superintendent or Designee shall take measures needed to protect students from such retaliation.

STRATEGIES TO ADDRESS PROTECTION FROM RETALIATION MAY INCLUDE BUT ARE NOT LIMITED TO:

- During the course of the investigation, students and parents will be informed of definition of retaliation.
- Consequences for retaliation will be explained to students and parents.
- Alleged victims of the incident, and parents/guardians will be informed to report to school officials or law enforcement (if necessary) if they feel threatened.
- Additional measures for students may be taken by the administration as deemed appropriate.

The District has provided the S.T.O.P Safety Tipline so that students may report issues anonymously and avoid retaliation.



This "TIPLINE" is not for immediate response. If you need immediate assistance, dial 911.

Kentucky Center for School Safety is proud to provide an email tipline to all Kentucky schools.

The Safety Tipline, Online Prevention or S.T.O.P Tipline is designed for use as an "online" reporting/prevention tool. If students, parents or community members know of an unsafe situation in school (bullying, weapons, drugs or alcohol, etc.), they can anonymously pass on that information to school personnel by using this basic email format.

What can YOU do to STOP Bullying, Violence or Risky Behavior?

VISIT YOUR DISTRICT'S

S.T.O.P Tipline

How does it work?

- 1) Click logo** on your district's webpage:
www.mercer.kyschools.us
- 2) Choose** whether you want to submit a tip about 1) bullying, 2) violence or 3) other risky behaviors (i.e. alcohol, drugs, self-harm, sexual abuse or theft, etc...)
- 3) Fill-in** the check boxes and explain
- 4) Click submit**

FAQ: KRS 158.148 Bullying Definition

This document is intended to provide schools and districts guidance with regard to [KRS 158.148](#), which created a formal definition for bullying.

When do you begin an investigation for bullying?

Every report of bullying from students, parents, guardians, staff, or other individuals should be investigated by school personnel. Bullying can happen to anyone at any time, so it is important for all incidents to be investigated, regardless of the frequency of reports or the identity of the students supposedly involved in the bullying.

What does “real or perceived power imbalance” mean?

According to Dr. Dan Olweus¹, who created the internationally-recognized Olweus Bullying Prevention Program, bullying happens to someone who “has difficulty defending himself or herself.” The person may have difficulty defending himself/herself verbally, physically, or socially for various reasons. The following scenario is not all-inclusive of what “real or perceived power imbalance” means, but it may help to provide an example of what this could look like in school. For weeks now, Marsha has been telling her friends not to let Tia sit with them at lunch. She also has posted mean things about Tia on social media, which all of the friend group have seen. Tia has been avoiding her family at home, and her grades have dropped. Both girls are the same age, approximately the same height and weight, and have historically been friends. However, because Marsha has begun repeatedly excluding Tia and verbally abusing her on social media, Tia does not feel comfortable standing up for herself due to the risk of further bullying and embarrassment. While it can be difficult to see, a perceived power imbalance like that between Marsha and Tia can be very powerful and devastating.

What does “potential to be repeated” mean?

Webster’s dictionary defines “potential” as “capable of becoming real.” It defines “repeated” as “said, done, or happening again and again.” The plain meaning of this phrase would then be that bullying can be capable of happening again and again.

Again, the following scenario is not all-inclusive of what the “potential to be repeated” means, but it is intended to help explain how this would be exhibited in school. Charlie is the “ringleader” of a group of boys who have been bullying Nadia for being tall and skinny. When Lionel moves into the school in October, Charlie laughs at him and calls him names for being tall and skinny in front of the entire class. Even though this is just one instance of Charlie picking on Lionel, because he was previously bullying Nadia, there is a potential for this bullying behavior to be repeated on Lionel. Charlie picking on Lionel just one time would be considered bullying.

What does “disrupts the education process” mean?

Behavior which disrupts the educational process includes, but is not limited to:

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

What is the difference between bullying and peer conflict?

As previously noted in the bullying definition, bullying is repeated, intended to cause harm, and involves a power imbalance. A peer conflict does not include all of these three criteria. Typically, a peer conflict does not involve a power imbalance. For example, John and Benjamin get in a fist fight over a girl for the third time this school year. The fights have been repeated, and both boys have been aggressive in their actions. However, both are also approximately the same size, equally popular, and are in the same class. Therefore, there is no power imbalance. This is a peer conflict and does not need to be treated as bullying.

How do we know when to report bullying in Infinite Campus?

Once an administrator or other school personnel has determined after an investigation that an incident is bullying, all bullying and harassment behavior events must be recorded in Infinite Campus, regardless of resolution. Please reference the [Safe Schools Data Standards](#) for more information.

What is covered under [KRS 158.148\(1\)\(b\)](#) where it indicates that the above definition “shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process”?

Students in public schools frequently engage in conduct of an expressive nature, including discussion and debate regarding various personal opinions and beliefs. For example, students may engage in debate

regarding religious or political views. Such conduct, absent disruption to the education process (see above), is NOT bullying as set forth in [KRS 158.148](#), even if one student seems to dominate the conversation. In fact, such conduct may be protected by students' first amendment rights to free speech. However, if student conduct of an expressive nature that is unwanted AND upsets the education process AND involves a real or perceived power imbalance AND is repeated or has the potential to be repeated, it meets the definition of bullying.

This following scenario is not all-inclusive of the "civil exchange" between students, but it can serve as an example of what may occur in schools when a civil exchange can turn into bullying. In Ms. Patterson's political studies class, several of her students began a discussion about the spread of a different religion in Latin America in the 1700s. Mike and Loretta in particular differed heatedly over the subject, as Mike believed that it was fine for the religion to be spread to the native peoples. Loretta stated that she believed the spread of the religion negatively affected the native people's culture. While the discussion was heated and repeated over several days, it was not bullying, as the education process was not interrupted and did not involve a power imbalance. However, Mike began bringing up the discussion at lunch after their class for several weeks and calling Loretta derogatory names for believing that his religion should not have been spread. Several other students began to pick on Loretta for not following the dominant religion. Loretta chooses to withdraw from any discussion in Ms. Patterson's class, as she now feels uncomfortable sharing her opinions. She also experiences feelings of anxiety whenever it is time for the political science class. Mike and his like-minded friends now dominate the discussion in class. This has now become bullying, as it is repeated, aggressive, and involves a power imbalance as many students are now attacking Loretta for her religious beliefs. While Mike has shared his opinions, he has affected Ms. Patterson's class by stifling other students' opinions, particularly Loretta's.

In other words, how does this relate to First Amendment protections for free speech?

Keep in mind that students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate," according to the United States Supreme Court's holding in *Tinker v. Des Moines Independent School District (1969)*. Students, however, do not have an unlimited right to self-expression. Students' First Amendment guarantees must be balanced against a school's need to keep order: As long as an act of expression doesn't disrupt the educational process or invade the rights of others, it's acceptable. Therefore, students are free to engage in conduct of an expressive nature so long as that conduct does not harm others or disrupt the educational process. If a student's expressive conduct threatens the health, safety, or welfare of a fellow student, or materially or substantially interferes with another student's access to educational opportunities or programs, the expressive conduct is NOT protected by the First Amendment and may rise to the level of bullying pursuant to [KRS 158.148](#).

BOARD POLICY: 09.422

Bullying/Hazing

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

ACTIONS NOT TOLERATED

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

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

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

BULLYING DEFINED

Bullying refers to any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.

REPORTS

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

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

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

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

In certain cases, employees must do the following:

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

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.

STUDENTS 09.42811
Harassment/Discrimination

DEFINITION

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

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

PROHIBITION

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

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

DISCIPLINARY ACTION

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

GUIDELINES

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

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

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency. The Superintendent/designee may take interim measures to protect complainants during the investigation.
2. A process to identify and implement, within five (5) 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, Code of Conduct, and/or pamphlets; and/or
 - such other measures as determined by the Superintendent/designee.

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

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

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

NOTIFICATIONS

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination. In circumstances also involving suspected child abuse, additional notification shall be required by law. (See policy 09.227.)

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

PROHIBITED CONDUCT

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

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

CONFIDENTIALITY

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

APPEAL

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

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

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

RETALIATION PROHIBITED

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

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

FALSE COMPLAINTS

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

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.

In an attempt to eliminate inappropriate language and actions from the school environment and to clarify to students that such language/actions will not be accepted regardless of the intent of their use of the language/actions the following chart has been developed to provide guidance to families and school administrators of the consequence for behaviors:

DISCRIMINATORY LANGUAGE/ACTIONS CONSEQUENCE RANGE		
*All reports require an office discipline referral for documentation in Infinite Campus Behavior. This chart is not to take the place of the school board policies referring to Harassment/Discrimination or Bullying but instead is guidance for discipline consequences in addition.		
	USE OF INAPPROPRIATE AND/OR DISCRIMINATORY LANGUAGE OR ACTION <u>WITHOUT</u> THE INTENT TO DISCRIMINATE, OFFEND, OR INSULT*	USE OF INAPPROPRIATE AND/OR DISCRIMINATORY LANGUAGE OR ACTION WITH THE INTENT TO DISCRIMINATE, OFFEND, OR INSULT
1 st Offense	<p>RANGE OF CONSEQUENCES:</p> <ul style="list-style-type: none"> • Student conference • Parent contact • 0-3 day IN-SCHOOL SUSPENSION • Educational Redirection <p>If applicable, administrator will review the Harassment/Bullying policies and consequences and complete the Harassment/Bullying form to document the conference has occurred.</p>	<p>*Administrator shall review the Harassment/Bullying policies and consequences with student and complete the Harassment/Bullying form to document this conference has occurred.</p> <p>MINIMUM RANGE OPTIONS:</p> <ul style="list-style-type: none"> • Parent Contact • 1-3 day(s) In-School Suspension • 1-3 days of After-School Detention • 1-3 days of Saturday School. • Educational Redirection <p>MAXIMUM RANGE OPTIONS:</p> <ul style="list-style-type: none"> • Court Charges • 1-10 days of Suspension • Discipline Committee Meeting • Expulsion Hearing
	<p>RANGE OF CONSEQUENCES:</p> <ul style="list-style-type: none"> • Parent Contact • 1 day of Saturday School • 1 Friday School • 1-3 days of ISAP • Educational Redirection 	<p>MINIMUM RANGE:</p> <ul style="list-style-type: none"> • 3-5 days of In-school suspension • 3-5 days of Saturday School. • Educational Redirection <p>MAXIMUM RANGE OPTIONS:</p> <ul style="list-style-type: none"> • Court Charges • 1-10 days of Suspension • Alternative Placement • Discipline Committee Meeting • Expulsion Hearing
3 rd Offense	<p>RANGE OF CONSEQUENCES:</p> <ul style="list-style-type: none"> • PARENT CONTACT • 0-3 days Suspension • Educational Redirection 	<p>MINIMUM RANGE:</p> <ul style="list-style-type: none"> • 1-10 days of Suspension • Educational Redirection <p>MAXIMUM RANGE:</p> <ul style="list-style-type: none"> • Court Charges • Discipline Committee Meeting • Alternative Placement • Expulsion Hearing

ELEMENTARY AGE STUDENTS- For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered as to the appropriate consequences or court charges and any recommendation for expulsion.

DISABLED STUDENTS- For purpose of this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered as to the appropriate disciplinary consequences including the length of suspension and whether or not to recommend for expulsion or file court charges

ATTENDANCE:

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.

SCHOOL HANDBOOKS: EACH SCHOOL HANDBOOK SHALL INCLUDE SPECIFIC ATTENDANCE REQUIREMENTS.

GOOD ATTENDANCE IS THE KEY TO STUDENT SUCCESS IN SCHOOL

It is more important NOW than ever to have a good education...

One key aspect to obtaining a good education... good attendance in school.

Making school attendance a priority helps children learn good work and study habits that will serve them well now and throughout their lives. Regular school attendance also teaches children the ethics of responsibility and dedication. It also builds qualities they will need as they tackle increasingly more demanding schoolwork in the upper grades and face life-long challenges. Furthermore, these character traits, along with strong academic and technical knowledge, are what today's employers say they value most in those they hire.

Research has shown students who attend school on a regular basis demonstrate:

- A strong correlation between a strong attendance record and a higher grade point average.
- Higher levels of academic achievement than students who are frequently absent
- Stronger bonds to the school and community
- Lower rates of delinquent and high risk behavior
- Increased participation in higher education or job related success

Research has shown that high rates of absenteeism result in:

- Lack of educational engagement
- Lack of participation
- Behavior problems
- Falling behind in class work or credits
- Inability to keep up with their school work; for every missed day of school, it takes students two days to catch up since they must make up missed learning and catch up with new learning at the same time. (U.S. Dept. of Education)
- Being absent means that children miss the social side of school life, which can affect their ability to make and keep friends, and work alongside people later in life.
- Increased risk of failing, retention, and dropping out later in school

HOW PARENTS ENCOURAGE, PROMOTE, & ENSURE REGULAR SCHOOL ATTENDANCE

Make attendance and academics a priority. Let children know that school attendance and homework come before time with friends, extracurricular activities or the computer.

Make medical and other appointments during non-school hours whenever possible. Schedule family vacations during school holidays or the summer recess so that students are not missing important lessons and struggling to make up for lost time.

Stay home **only** when sick. Most children will have occasional sick days, but healthy children rarely need to miss more than a few days each year. Children need to know that, unless they are truly sick, you expect them to go to school every day and do their best while there. Communicate with school staff. Let the school know in advance if your child is going to be absent or if you have concerns about your child's attendance or school performance. Create a space in your home for children to store backpacks and other supplies. Develop a routine where children have their homework done, classroom material together, and

their bags packed the night before. Set reasonable bedtimes. On average, school aged children need about nine hours of sleep to be healthy and alert. As they move into the teen years, children's brains begin to signal them to stay up later and to sleep in later the next day. Despite what nature is telling them, reinforce reasonable bedtimes for your children, and encourage them to get up and get ready on their own.

High School Age- Good school attendance prevents school failure and reduces dropout rate. It also demonstrates to potential employers that your child is reliable and dependable.

95-100% Attendance Goal for all Students

A student should have no more than 7 or 8 total absences for the year.

Kindergarten through 12th Grade

Good School Attendance= Student Success in the Classroom

- **EHO (Enhanced Educational Opportunity)** Students may be excused for up to 10 days per year for educational activities. This application form (09.123 AP.2) must be completed and returned to your school Principal at least five (5) days prior to the absence. The principal then deems if it is educationally relevant and determines approval. A student may be approved for up to ten (10) days of absence per year for this purpose. This type of absence can not occur during the school's CATS Testing or District-wide assessments, unless there are extenuating circumstances approved by the Principal
- **Home/Hospital-** If a student is anticipated to be absent for 5 days or more, due to a surgery, medical procedure, accident, serious illness, or medical related long-term absence, they are eligible to complete a home/hospital application for service request for home/hospital instruction. **Home/Hospital is designed for short-term instructional delivery option only. Students who are on home/hospital longer than 10 days are not eligible for school extracurricular events and school activities. See school handbooks for additional policies regarding home/hospital. If a student is on home/hospital longer than 10 days, they have lost privileges to all extracurricular and school activities. If a parent believes there are special circumstances, they may seek an appeal through the home/hospital school committee who reviewed the original home hospital application.**
- **Doctor's Notes /Medical Notes- TEN NOTE Limit for the Year-** Doctor's notes/Medical Notes are limited to ten (10) for the year. In special circumstances, or as deemed necessary by a chronic health situation, additional days may be granted after a form is completed by your family physician for doctor/medical excuses with medical documentation and principal/designee approval. (Note: The ten (10) note limit for doctor/medical notes does not apply to IEP's or 504's where medical documentation regarding the chronic health issues has been provided and approved and is on file at the school)
- **After School Appointments-** Parents, staff, and students are encouraged to make doctor/dental/optometrist/orthodontist appointments after school or on the days of the school breaks, unless it is related to an immediate health need.
- **Absences & Written Documentation-** Always provide written documentation for any absence. **Email and Faxed notes are also accepted. Written Documentation-** Every time your child is tardy, checks-out early, or is absent, **you are encouraged to send a note on the day of the student's return to school.** There is a 5-day grace period to submit the documentation.
- **Six Parent Absent Excuse Limit for the Year** Mercer County School District allows a total of six (6) parent excuse absences for the year. If a student is already a habitual truant, as defined by Kentucky statues, this automatically revokes the use of any parent notes.
- **Parent Excused Tardy-** Mercer County School District allows a total of six (6) parent excuse morning and/or afternoon tardy for the year.

- **Parent Excuse Absences Can Be Revoked-** Once a student has six parent excused absences, or has already become a habitual truant as defined by Kentucky statutes, all subsequent absences will require a medical statement.
- **Unexcused Absences-** Once a student has six (6) unexcused absences, he/she is then a habitual truant as defined by Kentucky statutes. If a student is already a habitual truant, as defined by Kentucky statutes, this automatically revokes the use of any parent excuses.
- For absences and tardies without written documentation, a Parent Excuse will be used to excuse the absent/tardy if these are available. If the limit of six (6) parent excuse absence/tardy have been reached, the absence/tardy will be considered unexcused.

Checking in and Checking Out of School

- **Checking in Students-** Parents must come in the building and sign the student in and provide written documentation for reason for the absence PARENT EXCUSE or DOCTOR NOTE in addition to signing log is required. For absences and tardies without written documentation, a Parent Excuse will be used to excuse the absent/tardy if these are available. If the limit of six (6) parent excuse absence/tardy have been reached, the absence/tardy will be considered unexcused.
- **Checking Out Students-** Parents must come in the building to check out students, sign the log, and provide written documentation for the reason for the check out. PARENT NOTE or DOCTOR NOTE in addition to signing log is required.
- **Checking Out Students-** If someone other than the parent will be checking out a child, a written note authorizing one of the individuals on their check-out list must be received in the office the morning of the check-out, with a number to reach the guardian to verify the check-out. In case of an emergency or extenuating circumstance, contact the principal and authorization for the check-out may be granted through the office of the Principal.
- **Student Drivers-** Student drivers must have a written note from the parent on the morning of the check-out. A parent/guardian phone number where you can be reached must be included in the note.

ATTENDANCE- KENTUCKY COMPULSORY ATTENDANCE LAW

Mercer County School System is required to enforce the compulsory attendance law (KRS 159.150) as required by the State of Kentucky. **ATTENDANCE REQUIREMENT- BOARD POLICY- 09.122**

Kentucky Compulsory Attendance Law (KRS 159.150) states that any student between the ages of six and twenty-one years of age who has been **absent from school without a valid excuse** for three days or more, or **tardy without a valid excuse** on three days or more is a truant. A student who has been reported as a truant two (2) or more times (six incidents) is a Habitual Truant under KRS 159. 150.

HABITUAL TRUANCY CHARGES FILED ON PARENTS

A charge of “**unlawful transaction with a minor in the third degree**” (KRS 530.070) may be filed on parents/guardians whose child is a habitual truant. This is a criminal charge and the parents will appear in District Court (not juvenile court). If guilty, the parents can serve 90+ days in jail and/or pay a fine.

HABITUAL TRUANCY- CHARGES FILED ON STUDENTS

In addition to the above, middle school and high school students who are habitual truants will have charges filed on them individually. These students and their parents will be required to meet with the Court Designated Worker (CDW) who will refer the students on to juvenile court. The law has been expanded to cover students who are 18 years old.

HABITUAL TRUANCY- ADDITIONAL CHARGES FILED ON PARENTS

For habitual truants, a second charge of educational neglect or unlawful transaction with a minor may be filed on their parents/guardians

PARENT PORTAL: We encourage all parents to sign up for parent portal, as well as have ongoing communication with your child’s school.

Mercer County Attendance/Truancy Prevention Forms

This form is required ONLY after ten (10) medically excused absences or tardies. This form needs to be completed and turned in on the day of the student's return to school. There is a 5-day grace period to submit the documentation, but after five (5) days, it will be counted as unexcused.

PARENTS (STUDENTS) – PLEASE TAKE THE STUDENT'S ATTENDANCE PROFILE TO THE DOCTOR WITH YOU SO IT MAY ASSIST THE PHYSICIAN IN DETERMINING HOW MUCH THE ILLNESS & RELATED ABSENCES ARE IMPACTING THE CHILD'S REGULAR ATTENDANCE IN SCHOOL

Student Name: _____

Release of Information: I hereby authorize this health care provider to release the information requested on this form for my child listed above. I understand that this is a reciprocal release between the medical health care provider listed below and Mercer County School employees to share educational information regarding school services (special educational services, 504 plans, G/T records, psychological testing, counseling issues, etc.), absences, grades, behavior, and medical information that are related to school absences in the hopes of preventing chronic absenteeism and improving school attendance. The information shared between the school and medical health care provider will remain confidential between the two parties unless information is pertinent to the student's educational services, or the safety of the student listed or others.

Parent Signature

Date

If student is to be absent five or more consecutive days, please complete a homebound application.

Date of Appointment: _____ **Time of Appointment In:** _____ **Time Out:** _____

Is this student regularly seen in your office? Yes No

Reason for Appointment (check only one)

Routine Office Visit Follow-up Visit Orthodontic Dental Vision Emergency

Tests

Was it medically necessary for this student to be absent the entire day on date of appointment? Yes No

If no, would student have missed all day due to office location, etc.? Yes No

Date student may return to school: _____

Did the student /parent bring the students' attendance profile for you to review? _____ **If so, please initial the attendance profile form.**

Will the student have re-occurring follow-up appointments in your office (ex: weekly counseling visits, monthly orthodontist visits, etc.)? Yes No **If yes, how frequently and when?**

***Parents: Please schedule re-occurring appointments afterschool hours. If this is not possible, please make use aware of the dates/times of appointments and we may be able to adjust your child's schedule to minimize effect on their learning.**

Health Care Provider Name _____

Address: _____ **Phone:** _____

Health Care Provider/Physician/ARNP Signature

Date

Principal Review & Signature

Date

CONSEQUENCES FOR VIOLATIONS:

School personnel are encouraged to use a wide variety of behavioral supports both to help students self-regulate their behavior and to pre-empt student misconduct wherever possible. When it is evident that these supports have failed to prevent inappropriate or unacceptable behavior, it is essential that prompt, corrective action is taken as defined herein. Students and parents/guardians can expect to be treated reasonably, fairly, and consistently whenever action is taken by school personnel to address student Code of conduct violations.

Behavioral violations of a minor nature should be handled by the **classroom teacher** who may choose from a variety of response options to include, but not be limited to:

- Loss of privileges
- Detention
- Referral for counseling/mediation
- Verbal warning
- Other techniques established by school handbook/council policy

Procedures for Identifying, Documenting, and Reporting Violations:

Office Discipline Referrals may be made by school personnel to a school level administrator.

A referral shall be made:

- Whenever there is suspected illegal activity or safety risk;
- Whenever actions taken to address student misconduct have failed to correct the inappropriate or unacceptable behavior(s) involved; or
- Whenever the specific behavior(s) involved require other help.

In all cases, the referring person shall contact the parent and submit an office discipline referral form in accordance with school policy. Documentation of the violation and resulting administrative action, as indicated on the office discipline referral form, shall be kept by the assigned administrator, entered into the behavior database (Infinite Campus), and be made available upon request to the appropriate teachers, administrators, counselors, the student, or the parent in accordance with the provisions of FERPA and KFERPA. Disciplinary action for elementary, middle, and high schools is to be administered by the Principal or his/her designee.

For repeated or more serious violations, administrators may also use these options:

- Suspension (up to 10 days)
- In School Suspension
- Charges filed in court (Petition to juvenile court)
- Charges filed in court (Petition filed with adult court)
- Verbal warning
- Teacher-student conference
- Notification of parents
- Alternative assignment
- Classroom isolation
- Behavior contract
- Referral to police
- Referral to court-designated worker
- Refer to Board for Expulsion
- Discipline Committee Meeting

The Board does not permit use of corporal punishment as a disciplinary technique.

SUSPENSION, EXPULSION & DUE PROCESS

KRS 158.150 DUE PROCESS

For certain violations, administrators, such as the Superintendent and Principal, may remove (suspend) a student from school for up to ten (10) days per incident. Unless immediate suspension is necessary to protect persons or property or to avoid disruption of the educational process, students shall not be suspended until they have been given due process (required by law). Due process must be given before educational benefits are taken away and shall include:

1. Oral or written notice of the charge(s) against them,
2. An explanation of the evidence, if the student denies the charge(s).
3. An opportunity to present their own version of the facts concerning the charge(s). A report of the suspension shall be made in writing to the Superintendent and to the parent of the student being suspended.

KRS 158.150 SUSPENSION OF PRIMARY SCHOOL STUDENTS shall be considered only in exceptional cases where there are safety issues for the child or others.

Disciplinary Committee may meet to assign a student to an alternative placement in lieu of an expulsion hearing or in order to determine if an expulsion hearing is needed. Members of Disciplinary Committee may consist of Superintendent/Designee, Safe Schools Coordinator, School Administrator, and School Resource Office

KRS 158.150 SUSPENSION OR EXPULSION OF PUPILS

Following legally required due process; the Board may expel any pupil from the regular school setting for misconduct as defined by law for periods longer than ten (10) days. In cases of expulsion, 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 poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program. 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.

KRS 158.150 Suspension or expulsion of pupils

- Willful disobedience or defiance of the authority of teacher or administrator
- Use of profanity or vulgarity
- Assault or battery or abuse of other students
- Threat of force or violence
- Use of or possession of alcohol or drugs
- Stealing or destruction or defacing of school property or personal property of students
- Carrying or use of weapons or dangerous instruments
- Other incorrigible bad conduct on school property, as well as off school property at school-sponsored activities
- Assault or battery or abuse of school personnel: stealing or willfully or wantonly destroying or damaging the personal property of school personnel, on school property, off school property, or at school sponsored activities constitutes cause for suspension or expulsion from school

MERCER COUNTY SCHOOL DISTRICT BUS CONSEQUENCES

Riding a school bus is a privilege based upon good behavior and observance of the following rules and regulations. Any pupil who violates any of these rules or regulations will be reported to the Principal/ Assistant Principal of the school which the pupil attends for necessary corrective action. Any Pupil who persists in violating any of the rules as outlined in the District Regulations for Pupils riding the school bus shall be reported to the Principal/ Asst. Principal of the school which they attend for disciplinary action.

Student's bus privileges shall be suspended IMMEDIATELY for:

- Use of combustible items including but not limited to lighters and smoking
- Fighting
- Vandalism
- Laser Lights
- Violent or threatening behavior
- Weapons (ex: gun) (See sections on weapons on page 16 of this Code)

Consequences for the behaviors listed above:

GRADES PRESCHOOL – 5th

- Kindergarten - 5th grade students are subject to suspension from bus privileges. Disciplinary Action for bus infractions are at the discretion of the Principal/Asst. Principal

GRADES 6th -12th

Disciplinary Actions for bus infractions are at the discretion of the Principal/ Asst. Principal. Administrators will consider the severity of the infraction and the frequency of the behavioral referrals. Law violations and all major infractions may have school consequences in addition to bus consequences. (ex: inschool suspension, suspension from school or expulsion from school.)

For disciplinary behaviors listed above that have been determined not to warrant long-term bus suspensions, consequences are as followed:

- First Offense: Riding privileges suspended from 1 day up to two weeks
- Second Offense of a behavior listed above: Riding privileges suspended from 2 weeks up to remainder of school year.
- Third or more offense of a behavior listed above: Riding privileges suspended up to remainder of the school year.

In instances of vandalism resulting in damage to the bus: restitution for damages must be made not later than the last day of the two-week period of suspension or suspension will be continue until payment has been made. Principal will notify the driver when student is allowed back on the bus.

Student's bus privileges may be suspended for the following behaviors:

- Other incorrigible bad conduct that endangers the lives of the other students preventing a safe ride to school
- Willful disobedience of defiance of authority
- Assault or abuse of school personnel
- Use of profanity or vulgarity
- Assault or abuse of other students (Fighting)
- Use or possession of alcohol, drugs, tobacco products including synthetic and vapor products
- Stealing
- Destruction or defacing of school property or the personal property of students
- Carrying or use of weapons or dangerous instrument
- Students who tamper with the emergency door or any emergency exits

Bus Suspension

Amount of time suspended depends on the infraction & the number of previous substantiated bus referrals following administration's investigation. Suspension range from a minimum of 1-day suspension to a maximum resulting in suspension for remainder of the school year. Consequences are to be determined based upon severity of the infraction and the frequency of the substantiated bus referral by administration.

Administration may use the sequence below to help assist in their determination of the number of days' student may be suspended for infractions:

1 day 2 days 3 days 4 days 5 days 7 days 2 weeks Semester Remainder of Year

All major infractions are subject to Bus Suspension & Consequences in the School Setting (i.e., In-School Suspension, Suspension from School, Criminal Charges)

For Other Bus Conduct Infractions, any of the following actions may occur but are not limited to:

- Verbal or Written Warning
- Assign Seat
- Bus Driver May Contact Parent or Parent May Contact Bus Driver
- Principal/Assistant Principal Conference w/Student
- Principal/Assistant Principal Contact w/ Parent
- Detention or Alternative Classroom
- Loss of Recess or Privileges/ Lunch Detention

CELL PHONES (Not responsible for any electronic items stolen at school)

Use of cell phones to make false reports (Calling 911) or making harassing phone calls is a criminal action and will be reported to Local Law Enforcement.

SEARCH AND SEIZURE

Students have the right to be secure from unreasonable searches of their person and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating this Code or a school rule or the law. Also, school authorities may conduct general inspections of jointly held property on a regular basis. All searches will be conducted in accordance with Board policy. Students cannot expect to have complete privacy in their use of school property assigned for their use, such as desks and lockers.

SEARCH AND SEIZURE - RANDOM METAL DETECTOR SWEEPS

Random metal detector sweeps for weapons or dangerous instruments (including pocket knives) may be conducted during the year. If a classroom were selected for a random metal detector sweep, the students would be scanned with the metal detector with the principal/designee and another staff employee present. The student would be scanned individually and not in the presence of other students.

Metal detector sweeps for an individual student may be conducted if the Principal or Designee has reasonable suspicion a student may be in possession of a weapon, knife of any size, or dangerous instrument. Again, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating this Code or a school rule or the law.

TRAINED DOGS

Subject to the following conditions, the Superintendent or designee may authorize the use of trained dogs to locate contraband (prohibited items) on school ground. The dogs shall be certified as never having been trained as attack dogs. The Superintendent or designee shall be present. 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. All dogs shall be on a leash and will not be allowed to come in close proximity to any student.

Motor Vehicle Use

Conditions for Use

- With parental request, students under 18, and under conditions prescribed by the school principal, high school pupils may be permitted to drive motor vehicles onto the school grounds. Vehicles shall be parked in designated areas on the school campus and are not to be visited or moved during the school day unless permission is given by the Principal.
- Privilege May Be Revoked
- Driving on the school grounds is a privilege which may be revoked if conditions are violated

Substance Abuse Violations

A student who violates any of the policies concerning substance abuse **shall** have his/her driving privileges suspended for a minimum of nine (9) weeks.

NO PASS/ NO DRIVE: Driver's License Revocation

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

Academic and Attendance Deficiencies

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

- They shall be deemed academically deficient if they have not received passing grades in at least 66% of their courses, taken in the preceding semester.
- They shall be deemed deficient in attendance when they drop out of school or accumulate nine (9) unexcused absences for the preceding semester. Suspensions shall be considered unexcused absences.
- Unexcused absences shall be reported at the end of each term.

Reinstatement of Driving Privilege

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency. To review the full text of this law, please use the Legislative Research Commission's web site at the following address:

www.lrc.ky.gov/record/07RS/record.htm <<http://www.lrc.ky.gov/record/07RS/record.htm>>.

GRIEVANCES

Board Policy 09.4281

Students and parents wishing 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

Information on filing a formal complaint or grievance is available at each school and at the Central Office.

REPORTING ON CODE VIOLATIONS

REPORTING ON CODE VIOLATIONS

Students wishing to report a violation for the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action. 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 he/she reports a violation of the Code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent or designee shall take measures needed to protect students from such retaliation.

REPORTING BULLYING/ HAZING

Students who believe they are the victims of bullying/hazing need to report incidents immediately.

Students and/or parents of students, may report a violation for bullying or hazing from any of the options outlined below:

- Report it to a teacher or counselor- The teacher or counselor will address the situation and/ or report it to the Principal/designee for further action.
- Report it directly to Principal/Assistant Principal- A student or parent may also make a direct report of the bullying or hazing to the principal/assistant principal of their school. The Principal designee **shall** investigate to determine further action.
- Report it to the District Level Safe Schools Coordinator- A student or parent may also make a direct report of the bullying/hazing to the Safe Schools Coordinator. The Safe Schools Coordinator shall work with the student, parent, and school administration for investigation to determine further action.

Access to Electronic Media

CURRICULUM AND INSTRUCTION 08.2323 AP.1

Acceptable Use Procedures

STUDENT ACCEPTABLE USE PROCEDURES

All students in the District will be required to sign an Acceptable Use Agreement to obtain a network account. A written request, signed by the student and his/her parent or legal guardian for minors [those under eighteen (18) years of age or non-emancipated] shall be required before a student will be allowed access to the Internet or e-mail. This document shall be kept as a legal, binding document and shall be in effect for the entire time period the student is enrolled in that school. The student's parent/guardian ([or the student who is at least eighteen (18) years old or emancipated] must provide the Superintendent with a written request to rescind this agreement.

Except in cases involving students who are at least eighteen (18) years of age and have no legal guardian, parents/guardians may request that the school/District:

- Provide access so that the parent may examine the contents of their child(ren)'s email files;
- Terminate their child(ren)'s individual email account and/or Internet access; and
- Provide alternative activities for their child(ren) that do not require Internet access.

Parents/guardians wishing to challenge information accessed via the District's technology resources should refer to Policy 08.2322/Review of Instructional Materials and any related procedures.

Users should not expect files stored on District servers or through District provided or sponsored technology services, to be private.

RULES AND REGULATIONS-STUDENTS

Although other conduct that materially or substantially disrupts the educational process, poses a threat to District property, or endangers others is prohibited, the following is a partial list of activities that are not permitted:

1. Violating State and Federal legal requirements addressing student and employee rights to privacy, including unauthorized disclosure, use and dissemination of personal information.
2. Sending or displaying obscene messages or pictures, including those that involve:

- Profanity or obscenity or sending or displaying offensive messages or pictures. (Content is offensive under this procedure if it interferes with another individual's access to educational services or disrupts the educational environment.)
 - Harassing or intimidating communications. (Harassment is addressed in Board Policy 09.42811.)
3. Entering chat rooms except under the supervision of a teacher for a planned instructional activity.
 4. Damaging computers, school/District websites, computer systems, or computer networks, including the intentional uploading of a computer virus or the creation of a virus.
 5. Violating copyright laws, including illegal copying of commercial software and/or other protected material. (Each user is individually responsible for ensuring his/her usage does not violate any federal or state laws.)
 6. Using other user's passwords or allowing someone else to use your password.
 7. Trespassing in other user's accounts, files, directories or work and/or harming or destroying data of another user.
 8. Modifying system files used in the operation of the computer, the network or software installed on them.
 9. Intentionally wasting limited resources which includes, but is not limited to, time, memory space, and paper, including downloading of freeware or shareware programs. (Resources are deemed to be wasted if they are consumed or used for something other than a legitimate educational purpose related to the class or activity in which the individual utilizes the computer or if they are used or consumed without the permission of the teacher or network administrator.)
 10. Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com. (Bullying is defined in Board Policy 09.422)
 11. Employing the network for commercial purposes or financial purposes.
 12. Posting personal information of students and/or staff on any server without a signed Media/Web Page Release Form (09.14 AP.251).
 13. Activities deemed to be a security risk to the network.
 14. Vandalism/Defacement of the physical equipment.
 15. Installation of any unauthorized software obtained from any source.
 16. Bringing software from home and using it on the school system. (Except software that may be written by the student as part of a District programming class.)
 17. Creation and/or posting of Internet material without the supervision of a staff member.
 18. Revealing personal information including, but not limited to, home addresses, birth dates, social security numbers, phone number, credit card information, bank account number(s) or any other financial information. Your personal signature on any e-mail must use the school address only.
 19. Printing any material accessed from the Internet without permission of the staff person supervising your internet activity.
 20. Students in Primary through Fourth grade (P-4 may not visit any Internet site that has not been bookmarked for them by a staff member. They are allowed links to other sites only under the specific instruction of a staff member.)
 21. Accessing the Internet without staff permission.
 22. Accessing inappropriate sites. (A site is inappropriate if it is unrelated to the educational purpose of the class or activity for which the system is being utilized or if it causes a disruption to the educational environment.)
 23. Using any e-mail software (i.e., Hotmail, yahoo, rocket, etc.) that is not school provided Exchange.

If the user violates any of these provisions, District administrators may suspend his/her account subject to review by the Principal/designee. Disciplinary action could result in suspension from school and/or a notation on the student's permanent record card and future telecommunication access denied. The observing staff member who notes the infraction will complete a Discipline Report. All disciplinary actions shall be subject to the procedures outlined in other District Board policies, the District Code of Conduct and the school handbook. School Technology Coordinators shall be notified of action(s) taken regarding the offending student

REPORTING VIOLATIONS

Anyone who has knowledge of a violation of this procedure is encouraged to report the violation to a school administrator or the network administrator. Any student or employee who believes he/she has been the victim of bullying, harassment, or other prohibited behavior under this procedure is requested to report the matter immediately to the school administrator or the network administrator so that an investigation can be conducted and disciplinary action taken if warranted.

PARENT PORTAL USE

The Mercer County School District uses Infinite Campus for student information management. Infinite Campus (IC) has developed a parent portal to allow parents/guardians to view the records of their child(ren) via the Internet. Mercer County Schools will provide parents/guardians of currently enrolled students the privilege of free access to the Parent Portal. Only parents or guardians of students enrolled in the district will be allowed access to the Parent Portal. Mercer County Schools reserves the right to deny or cease access to the Parent Portal due to the abuse of the portal, court orders, or any other legal proceedings that limit the availability of private, educational data.

PURPOSE

Mercer County Schools has opened the Parent Portal to enhance communication between the district and parents/guardians. Users of the Parent Portal will have access to the following information about their children:

- Personal Data
- Attendance
- View/Print Student Schedule
- Gradebook and Assignments

Mercer County Schools reserves the right to add to or remove any of the above functions from the Parent Portal at any time.

USE OF THE PARENT PORTAL

Access to the Parent Portal on the district's system is a privilege, not a right. Users of the Parent Portal are required to adhere to the following guidelines:

1. Users will act in a responsible, legal and ethical manner.
2. Users will not attempt to harm or destroy data, the school or the district network.
3. Users will not attempt to access data or any other account owned by another user.
4. Users will not use the Parent Portal for any illegal activity, including violation of data privacy laws. Anyone found to be in violation of these laws may be subject to civil and/or criminal prosecution.
5. Users who identify a security problem with the Parent Portal must notify the district's Public Relations Department immediately without demonstrating the problem to anyone else.
6. Users will not share their password with anyone, including their own children.
7. Users will not set their own computer to automatically log-in to the Parent Portal.
8. Users identified as a security risk to the Parent Portal or the Mercer County Schools' network will be denied access to the Parent Portal.

PORTAL USER ACCOUNT SECURITY FEATURES

Three unsuccessful login attempts will disable the user's Portal account. In order to reactivate, the user will need to return to the student's school to present proper identification and receive password reset information. User will automatically be logged off if Portal web browser is open and inactive for a period of time. All attempts at logging in to the system are recorded and monitored.

TECHNICAL ISSUES WITH THE PARENT PORTAL

There are times when there will be a need to shutdown the Parent Portal for maintenance purposes. Mercer County Schools is not liable for any issues related to your personal computer and reserves the right to refuse technical assistance directly related to your personal computer. Technical issues should be directed to the District's Director of Pupil Personnel office.

DATA INTERPRETATION

Data posted on the Parent Portal will vary based on the school your child attends. Teachers should have grades posted to the Parent Portal within one week from receiving the assignment. Some large assignments such as projects take more time to grade, thus will take more than the standard one week. Please contact your child's teacher with any questions. Schedules will be different from school to school as well as grading scales.

Personal Data

Personal Data is typically updated within one week of student registration. The volume of changes collected during the fall registration may delay updates beyond one week. Contact the Director of Pupil Personnel office if there is incorrect information displayed.

Class Assignments

Class assignments and scores can be viewed once teachers have posted them in Infinite Campus grade book. Student scores are an APPROXIMATE grade at a specific point in time. Other factors influence grades such as the value given to the assignment and individual student progress.

REQUESTING PARENT PORTAL ACCESS

Users must complete a "Portal Activation Request" form available online at www.mercer.kyschools.us or by visiting your student's school. This form, along with photo ID, must be completed and returned to the school prior to activation of your account.

STEPS FOR CREATING A PARENT PORTAL ACCOUNT

1. Go to www.mercer.kyschools.us.
2. Click the Infinite Campus Parent Portal icon on the right side of the screen.
3. Select the "If you have been assigned a Campus Portal Activation Key, click here" option.
4. Enter your "Person GUID" number you received from your child's school in the "Activation Key" field.
5. Enter a unique username and password. Password must be 8 characters in length.

RELATED POLICIES:

09.14; 09.422; 09.42811

Review/Revised:6/21/12

CODE DEVELOPMENT

In accordance with KRS 158.148 and 704 KAR 7:050, the Board shall develop a student discipline Code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees.

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

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

DISTRIBUTION

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

REPORTING OF DATA

As directed by the Kentucky Department of Education (KDE), the District shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident. Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record. References: KRS 158.444; KRS 158.148; KRS 158.153; KRS 158.165; KRS 160.295; KRS 525.070, KRS 525.080; 704 KAR 7:050, *Student Discipline Guidelines*, Kentucky Department of Education

Copies of this Code are available online to all students and employees of the district and to parents of students, including those who enroll after the beginning of the school year. For any parent, student, or staff who are unable to access the Code online, they may request a hard copy from their school. The Superintendent has directed that the Code be posted in each school, with the Principal being responsible for seeing that guidance counselors and other personnel discuss its contents with students in a timely and age-appropriate manner. In addition, each school will reference the Code in the school handbook. On request, the Principal shall provide help for non-English speaking, blind, deaf or non-reading students and parents so that they can have access to the information contained in this Code.

We welcome suggestions as to how to improve this document. Individuals may send written comments to the administrators at their child's school or Esther Hayslett, Safe Schools Coordinator, who will forward them to the Code Committee.

KRS 525.070, KRS 525:080
KRS 527.070, KRS 527.080
KRS 620.030

APPENDIX

VIOLATION OF STANDARD	RESOLUTION OPTIONS
<u>ELECTRONIC INSTRUMENTS TELECOMMUNICATION DEVICES</u>	ASSUMES VIOLATION OF CODE OF CONDUCT, RULES, AND/OR POLICES HAVE OCCURRED Information in this chart is not intended to be a complete summation of board policies, local, state, or federal laws. Mercer county staff retain the discretion to consider the totality of the circumstances as the make disciplinary decisions and as they assign consequences.
<u>DISTRICT TECHNOLOGY RESOURCES / DISTRICT ACCEPTABLE USE POLICY</u>	<u>STUDENT CONFERENCE, PARENT INVOLVEMENT, DETENTION, REMOVAL OF STUDENT TECHNOLOGY RIGHTS, SUSPENSION, REPORT TO LAW ENFORCEMENT</u>
TARDINESS(TO/FROM SCHOOL)	STUDENT CONFERENCE, PARENT INVOLVEMENT, DETENTION, ALTERNATIVE PLACEMENT,COURT INVOLVEMENT
UNEXCUSED ABSENCES UNEXCUSED TARDIES	PARENT INVOLVEMENT, COURT INVOLVEMENT, AUDIT CLASS/CLASSWORK
DEFIANCE OF AUTHORITY DISRUPTION OF A SCHOOL DAY	STUDENT CONFERENCE, PARENT INVOLVEMENT, SUSPENSION, ALTERNATIVE PLACEMENT, COURT INVOLVEMENT
DISORDERLY CONDUCT	STUDENT CONFERENCE, PARENT INVOLVEMENT, SUSPENSION, COURT INVOLVEMENT
DRESS CODE	STUDENT CONFERENCE, PARENT INVOLVEMENT, SUSPENSION
VERBAL ABUSE	STUDENT CONFERENCE, PARENT INVOLVEMENT, SUSPENSION, ALTERNATIVE PLACEMENT, COURT INVOLVEMENT
FORGERY	PARENT INVOLVEMENT, SUSPENSION
FORGERY OF DOCTOR'S NOTE or MEDICAL NOTE	PARENT INVOLVEMENT, COURT INVOLVEMENT
THEFT	PARENT INVOLVEMENT, COURT INVOLVEMENT, SUSPENSION/EXPULSION/ Discipline Committee
BULLYING/ HARASSMENT & HARRASSING COMMUNICATIONS/ INAPPROPRIATE USE OF TECHNOLOGY/ SEXTING/ BULLYING	PARENT INVOLVEMENT, SUSPENSION/ EXPULSION/ COURT INVOLVEMENT, Discipline Committee
OFF LIMITS AREAS UNSUPERVISED AREAS	STUDENT CONFERENCE, PARENT INVOLVEMENT, SUSPENSION
POSSESSION OR USE OF TOBACCO PRODUCTS and/or alternative type of Tobacco products including E-cigarettes or vaporizers	ALTERNATIVE CLASSROOM, PARENT INVOLVEMENT, SUSPENSION, AWARENESS CLASSES, ALT. PLACEMENT, COURT INVOLVEMENT
DESTRUCTION/DAMAGE OF PROPERTY	PARENT INVOLVEMENT, CLEAN/REPAIR/REPLACE, COURT INVOLVEMENT, SUSPENSION, EXPULSION, Discipline Committee
FIGHTING	PARENT INVOLVEMENT SUSPENSION, EXPULSION, Discipline Committee, COURT INVOLVEMENT
ALCOHOL **	SUSPENSION, COURT INVOLVEMENT, EXPULSION, Discipline Committee
PHYSICAL ASSAULT**	SUSPENSION, COURT INVOLVEMENT, EXPULSION, Discipline Committee
ARSON**	SUSPENSION, COURT INVOLVEMENT, EXPULSION , Discipline Committee
DRUGS** (Including synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.	SUSPENSION, COURT INVOLVEMENT, EXPULSION, Discipline Committee
WEAPON/ DANGEROUS INSTRUMENT (Any knives of any size including pocket knives) **	SUSPENSION, MAY DEEM COURT INVOLVEMENT, EXPULSION, Discipline Committee
WEAPONS**	SUSPENSION, COURT INVOLVEMENT, EXPULSION, Discipline Committee
EXTORTION/ROBBERY**	SUSPENSION, COURT INVOLVEMENT, EXPULSION, Discipline Committee
EXPLOSIVE DEVICES**	SUSPENSION, COURT INVOLVEMENT, EXPULSION, Discipline Committee
THREAT	Threat assessment, PARENTAL INVOLVMENT, EXPULSION, Discipline Committee , COURT CHARGES, RESTITUTION

STATE & FEDERAL LAW REQUIRES SPECIAL CONSIDERATION & POSSIBLE DESIGNATION OF ALTERNATIVE CONSEQUENCES WHEN DEALING WITH BEHAVIOR & DISCIPLINARY ISSUES INVOLVING STUDENTS WITH DISABILITES

SCHOOLS MAY INCLUDE A RANGE OF DISCIPLINARY CONSEQUENCES THAT COULD INCLUDE/NOT LIMITED TO: TEACHER/STUDENT CONFERENCE, WRITING ASSIGNMENTS, ALTERNATIVE PLACEMENT, TIME-OUT, LOSS OF PRIVILEGES, AND DETENTION HALL.

The consequences of violations chart are intended to show the general range of consequences for certain violations of the Code of Acceptable Behavior and Discipline of Kentucky laws. However, each school is entitled to adopt more specific guidelines regarding the consequences of violations and students should consult the Student Handbook.

DISTRICT/SCHOOL PERSONNEL

Superintendent.....	733-7000 Ext: 4008
Transportation.....	733-7240 Ext. 1600
Safe School Coordinator.....	733-7000 Ext: 4001
Special Programs Director.....	733-7000 Ext: 4015
Title IX Coordinator.....	733-7000 Ext.: 4015
Principal, Mercer County Senior High School.....	733-7160 Ext. 8106
Principal, King Middle.....	733-7060 Ext. 5138
Principal, Mercer County Intermediate.....	733-7080 Ext. 3104
Principal Mercer Elementary.....	733-7040 Ext. 2408
Mercer County Day Treatment.....	733-7120 Ext.4103
Mercer Central.....	733-7120 Ext. 4103
Mercer County District Technology Office.....	733-7200 Ext. 1501
Mercer County Athletic Complex.....	733-7180 Ext. 8500

FAMILY RESOURCE & YOUTH SERVICES CENTERS

Family Resource Center Mercer Elementary.....	733-7040
Youth Service Center King Middle.....	733-7060
Youth Services Center Mercer Senior High School & Day Treatment.....	733-7160
Family Resource Center Mercer County Central.....	733-7100
Mercer County Intermediate School.....	733-7080

OTHER COMMUNITY RESOURCES

Mercer County Adult Learning Center	734-4195
Comprehensive Care Center	734-5486
Haggin Hospital	734-5441
Mercer County Health Department.....	734-4522
Cabinet for Families and Children	734-5448
Cabinet for Families & Children HOTLINE	(859) 245-5258
Court Designated Worker	734-0036
Harrodsburg Police Department.....	734-3311
Mercer County Sheriff.....	734-4221

STUDENT'S LAST NAME _____

CURRICULUM AND INSTRUCTION 08.2323 AP.21

Electronic Access/User Agreement Forms

Local Network/Student Use

User's Name:		
_____	_____	_____
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
User's Address		
Address: _____		
City: _____		
Zip Code: _____		
User's Age _____	Date of Birth _____	Sex _____
Phone Number _____		
School _____	User's Grade _____	
Homeroom/Classroom _____		

As a user of the Mercer County School District's computer network, I hereby agree to comply with the District's Internet and electronic mail rules and to communicate over the network in a responsible manner while abiding by all relevant laws and restrictions. I further understand that violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and school disciplinary action and/or legal action may be taken.

User's Full Legal Name (Please print) _____

User's Signature

Date

Prior to the student's being granted independent access privileges, the following section must be completed for students under 18 years of age:

E-Mail/Internet

As the parent or legal guardian of the student (under 18) signing above, I grant permission for my child to access networked computer services such as electronic mail and the Internet. I understand that this access is designed for educational purposes; however, I also recognize that some materials on the Internet may be objectionable, and I accept responsibility for guidance of Internet use by setting and conveying standards for my child to follow when selecting, sharing, researching, or exploring electronic information and media.

Consent for Use: By signing this form, you hereby accept and agree that your child's rights to use the electronic resources provided by the District and/or the Kentucky Department of Education (KDE) are subject to the terms and conditions set forth in District policy/procedure. Please also be advised that data stored in relation to such services is managed by the District pursuant to policy 08.2323 and accompanying procedures. You also understand that the e-mail address provided to your child can also be used to access other electronic services or technologies that may or may not be sponsored by the District, which provide features such as online storage, online communications and collaborations, and instant messaging. Use of those services is subject to either standard consumer terms of use or a standard consent model. Data stored in those systems, where applicable, may be managed pursuant to the agreement between KDE and designated service providers or between the end user and the service provider. Before your child can use online services, he/she must accept the service agreement and, in certain cases, obtain your consent.

Name of Parent/Guardian (Please print) _____

Signature of Parent/Guardian

Date

Daytime Phone Number: _____ Evening Phone Number: _____

NOTE: Federal law requires the District to monitor online activities of minors.

District Hosted Student Blogging Permission Form

To be completed by the classroom teacher.

(MCES, MCIS, KMS, MCSH)

Teacher's name: _____

Subject: _____

URL of Teacher Blog Site: _____

Please describe how you will use student blogging in your classroom to enhance instruction:

Student blogging standards

- All student blogs must be educationally relevant
- All blogs must be moderated by the teacher
- Student login names may contain student first name only OR a login name such as teachername01 to maintain student privacy
- All school rules apply (i.e. no inappropriate language, bullying, etc)

Teacher Signature

Date

Principal Signature

Date

Student Directory Information Notification

Consistent with the Family Educational Rights and Privacy Act (FERPA), parents (or eligible students) may direct the District not to disclose directory information listed below. We are required to disclose a student's name, address, and telephone listing at the request of Armed Forces recruiters, unless a parent or secondary school student, regardless of age, requests that this information *not* be disclosed.

_____ **Date**

Dear Parent/Eligible Student,

This letter informs you of your right to direct the District to withhold release of student directory information for

_____ **Student's Name**

_____ **Grade/Graduation Year**

Following is a list of items that the District considers student directory information. If you wish information to be withheld, please choose one (1) of the two (2) options below. Choose Option 1 if the District may not release any item of directory information or; Option 2, if the District may release the information listed below. Please be advised that parents cannot prevent the school from using directory information on District-issued ID cards or badges.

If we receive no response within thirty (30) days of the date of this letter, all student directory information will be subject to release without your consent. If you return this signed form on time, we will withhold the directory information consistent with your written directions, unless disclosure is otherwise required or permitted by law. Once there has been an opt-out of directory information disclosure, the District will continue to honor that opt-out until the parent or the eligible student rescinds it, even after the student is no longer in attendance.

Student Directory Information Listing	
Third Parties, Limited to Institutions of Higher Education & Potential Employers	
Choose one of the Options below:	
_____ Option 1: The District MAY NOT RELEASE ANY information listed below.	
_____ Option 2: The District MAY RELEASE the information checked below.	
Student's name Student's address and telephone listing Information about the student's participation In officially recognized activities and sports	Student's weight and height (if a member of an athletic team) Student's dates of attendance Degrees, honors and awards the student has received Grade level

_____ **Parent/Eligible Student's Signature**

_____ **Date**

NEW STUDENTS ONLY

NEW STUDENTS: COMPLETE, SIGN, & RETURN TO YOUR HOMEROOM TEACHER

Student Name: _____
(Last Name) (First Name)

Mercer County School District Code of Acceptable Behavior and Discipline

The Mercer County Code of Acceptable Behavior & Discipline is available online on the district web page. If you do not have access to the district web page, or are unable to access these documents, please request a copy from your child’s school. www.mercer.kyschools.us

MERCER COUNTY STUDENTS & PARENTS

CONFIRMATION OF THAT YOU HAVE READ CODE OF ACCEPTABLE BEHAVIOR & DISCIPLINE
(Please sign and return to the student’s homeroom teacher.)

I have read:

Code of Acceptable Behavior and Discipline and Student Handbook and agreed to abide by its contents.

I have also read the following documents:

- Student Directory Information Notification (New Students need to complete, sign, and return)
- Military Opt Out Form (New Students need to complete, sign, and return)
- Student Harassment/Discrimination Policy
- Drug & Alcohol Policy
- Random Student Drug Testing Policies and Procedures
- Electronic Access/User Agreement Form (New students need to complete, sign,)
- Electronic Access/User Agreement Form (All staff need to read policies due to amendments)
- Attendance Policy
- Bus Behavior & Consequences (Additional Bus Forms from Transportation must be reviewed, signed & returned.)
- Acceptable Use Policy (All students and parents need to read Acceptable Use Policy as there are amendments to these policies.)

I have read the Code of Acceptable Behavior and Discipline and the above-mentioned policies. I agree to abide by their content.

Parent or Guardian’s Signature

Date

Student’s Signature

Date

School Name

Grade

ALL PARENTS & STUDENTS

**MUST SIGN AND RETURN TO YOUR CHILD’S HOMEROOM TEACHER BY
WITHIN ONE WEEK OF ENROLMENT
IN
MERCER COUNTY SCHOOL DISTRICT**

MERCER COUNTY STAFF

CONFIRMATION OF RECEIPT OF CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

(Please sign and return to your Principal or Immediate Supervisor.)

A copy of the following document has been made available to me and I have read:

Code of Acceptable Behavior and Discipline, & Staff Handbook & agree to abide by its content.

The following copies are available to me and I have read the documents below included in the Acceptable Behavior and Discipline handbook:

- Student Directory Information Notification (New Students need to complete, sign, and return)
- Military Opt Out Form (New Students need to complete, sign, and return)
- Drug & Alcohol Policy
- Student Harassment/Discrimination Policy
- Staff Harassment/Discrimination Policy-Certified/Classified
- Electronic Access/User Agreement Form (New staff)
- Attendance Policy
- Bus Behavior & Consequences (Additional Bus Forms from Transportation must be reviewed, signed & returned by students.)
- Acceptable Use Policy (All staff need to read Acceptable Use Policy due to amendments and staff use of telecommunication device policy)
- Staff Hand Book- Online

The following board policies are available to me on-line and I have read the documents listed below:

- **Board Policy: 03.13251: AP 2. Employee Acknowledgement of Understanding for Drug/Alcohol Testing**
- **Board Policy : 03.13251 AP 1/ 03.23251AP 1: Drug-Free Workplace Notice**
- **Board Policy: 03.13251/03.23251 Drug-Free/Alcohol-Free Schools**
- **Board Policy: 03.13251 AP.11: Drug Testing Procedures**

I have read the Code of Acceptable Behavior and Discipline, attendance policy, drug and alcohol policy Harassment/discrimination policy, bus behavior and consequences, Acceptable Use Policy, and agree to abide by their content.

Staff Member Signature

Date

School Name or District Assignment

**ALL STAFF
MERCER COUNTY SCHOOL DISTRICT
MUST SIGN AND RETURN TO YOUR PRINCIPAL or IMMEDIATE SUPERVISOR
WITHIN ONE WEEK OF OPENING DAY**
