



2021 – 2022

Estill County Public Schools

Student Discipline Code
of Acceptable Behavior &
Discipline

Estill County Public Schools
253 Main Street
Irvine, Kentucky 40336

Approved July ??, 2021 by the Estill County Board of Education
www.Estill.kyschools.us

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STUDENT DISCIPLINE CODE

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The 2021-2022 Student Discipline Code was reviewed by the following committee members:

Jeff Saylor, Superintendent - Central Office
Tonya Isaacs, Assistant Superintendent - Central Office
Donald Norton, DPP - Central Office
Amanda Bryant, Dir. of Spec. Education & Federal Programs Coord. - Central Office
Kathy Flynn, School Psychologist - Central Office
Jeremy Simpson, Chief Information Officer - Central Office
Renaë Wainscott, School Counselor - West Irvine Elementary
Mickie Tucker, Assistant Principal - Estill County Middle School
Josh Yost, Principal - Estill County High School
Laura Freeman, Transportation Manager - Transportation Center

The Student Discipline Code, (Code of Acceptable Behavior and Discipline), is reviewed with students at the beginning of the school year. The parent/guardian and student shall sign and return to school, a statement acknowledging receipt of the Student Code Discipline Code of Behavior and Conduct.

No provisions in this Student Discipline Code are intended to grant students or parents, throughout this district, (parents refers to guardians), more rights than are provided by the United States Constitution, federal statutes, the Kentucky Constitution, and/or Kentucky statutes, and are instead intended solely to reflect the Estill County Public Schools' understanding and intended application of those federal and state constitutional and statutory provision.

The Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, or disability in employment, educational programs, or activities. Our Title IX Coordinator and 504 Coordinator is: Margaret Snowden. Please call (606) 723-2181 with questions or concerns.

ANNUAL NOTICE OF NON-DISCRIMINATION

Recipients of federal funding must annually issue a public statement of non-discrimination for all programs including career and technical education programs.

This notification is to:

- Be made prior to the beginning of each school year.
- Advise students, parents and families, employees, and the general public of the policy of non-discrimination;
- Contain an assurance that the lack of English language skills will not be a barrier to admission and participation in career and technical education programs;
- Be disseminated to communities of national origin minority persons with limited English language proficiency skills in their native language;
- Provide a brief summary of program offerings and admission criteria, and;
- Provide the name or title, office address and telephone number of the person(s) designated to coordinate Title III, VI, VII, IX, and Section 504 compliance.

Estill County Board of Education Annual Public Notice of Non-Discrimination

Students, their families, district employees, and potential employees of the Estill County Public Schools are hereby notified that the Estill County Public Schools does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment, vocational programs, or activities as set forth in compliance with federal and state statutes and regulations.

Board Policies, administrative procedures (APs), school-based decision making (SBDM) policies, and classroom management practices shall be applied consistently to all students without regard to their race, color, national origin, age, religion, sex, genetic information or disability following federal and state statutes. Also, different treatment of students based on race is unqualifiedly prohibited by Title IV.

Any persons having inquiries concerning Estill County Public Schools' compliance with Title II, Title IV, Title VI, Title IX, and/or Section 504 may contact:

Amanda Bryant
amanda.bryant@estill.kyschools.us
Estill County Board of Education
253 Main Street
Irvine, KY 40336
(606)723-2181

To obtain this information in a language other than English, call (606)723-2181.

Policy Statement

The Estill County Board of Education requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school district and the laws of the community and state.

It is the intent of the Estill County Board of Education to provide a positive school climate for all participants (students, teachers, parents/guardians) in the schooling process; therefore, the Board of Education believes that every student has the right to a relevant education without disruption and a corresponding responsibility not to deny this right to other students.

Since students will spend their lives in contact with others, they must learn to control themselves and be effective in training themselves to be self-disciplined, socially responsible citizens. The Board believes it to be a reasonable expectation for students to exhibit self-disciplined behavior. Disciplinary methods used by personnel will be aimed at not only preserving an atmosphere conducive to learning, but also developing student codes of behavior that are consistent with society. The school district is responsible for the school placement of students. The district reserves the right to place students in a different school due to behavioral issues.

This Student Discipline Code provides for consistent treatment for all pupils, fairness as required by constitutional due process and an atmosphere of open communication with clearly understood rules. It encourages behavior that will enable the pupils to develop to their fullest potential. Students will be responsible for this code in school, at school sponsored or related activities and on school buses.

In accordance with KRS 158.148, 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 Student Discipline code also shall include a process addressing how students can report code violations to district personnel for appropriate action. 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. The board shall update the Student Discipline Code at least every two (2) years. 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.

Related Policies: 09.2211, 09.3, 09.42, 09.421, 09.422, 09.426, 09.42811

School Authority

The Superintendent/Designee will take reasonable action and be responsible for overall implementation and supervision of the board's Student Discipline Code and each principal will take reasonable action for administration and implementation of the code within each school. The principal (refers to principal, assistant principal and designee when appropriate), shall apply the code uniformly and fairly to each student without partiality or discrimination. Each school council shall set school policy concerning the selection and implementation of appropriate discipline and classroom management necessary to carry out the code.

Each teacher and administrator shall hold students to a strict account for their conduct on school premises, on the way to and from school, and on school sponsored trips and activities. Any person who enters school property is under the authority of the school during such a time as he/she remains on school property, and he/she shall abide by all rules and regulations set by the State Board, or school officials. (*Legal Ref: KRS 161:180*), Each teacher is primarily responsible for monitoring the conduct of students assigned to his/her class, however, the teacher should also assume responsibility for correcting improper conduct on the part of students of any level in any situation around the school, if they are not under the direct supervision of another person at that time. The classroom teacher is expected to manage discipline problems as much as possible. If it becomes necessary, students in question should be referred to the principal's office. In addition to the superintendent, principals and assistant principals are empowered to suspend students, but shall report any such action in writing immediately to the superintendent/designee and to the parent or guardian.

The principal shall oversee the deportment of students who ride on the school bus and who walk to and from the school. The discipline of students is the responsibility of the principal who will decide the appropriate level of discipline for each reported incident. Factors that the principal may consider are: the seriousness of the incident, the student's age, and

educational factors. The principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The principal shall notify the parents in cases where bus-riding privileges have been withheld. The superintendent or the superintendent's designee may withhold bus-riding privileges up to the remainder of the school year. The board has given the bus driver the responsibility of safely transporting students to and from school. The bus driver also has the authority to manage student behavior on the bus to maximize safe transportation.

Student and Parent Expectations

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 at all times. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, use of lewd, profane, or vulgar language or action, taunting, verbal, or physical abuse of others, and/or other threatening inappropriate behavior.

Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered. (*Legal Ref: SCBE 09.422*)

Students are expected to follow the regulations in the Student Discipline Code. If students are aware of anything impacting the safety of others or anything which may be a violation of the Student Discipline Code, they should report the information to a teacher or administrator. Upon receiving notification, an administrator will investigate the claim and respond accordingly to district policy and state guidelines.

Student expectations

- to an appropriate public education which maintains high education standards and meets the needs of individual pupils.
- to notification of information pertaining to regulations and policies, which pertain to their public school experiences.
- to reasonable physical protection and safety of their personal property.
- to consultation with teachers, counselors, administrators, and other school personnel.
- to free student elections for organizations within the school or their counterparts within the state and nation.
- to candidacy and to hold office in student organizations within the school or within state or national student organizations.
- examination of their own personal school records. Further, students under the age of eighteen (18) are required to obtain parental-guardian approval for this examination.
- to challenge data. Students eighteen (18) or older or parents of children younger than 18 have the right to challenge the content of school records if they believe the records are inaccurate, misleading, or in any way violate the students' rights.
- to involvement in the school activities without being subject to any form of discrimination.
- to participation in school activities which require competition on an equal basis.
- to receive respect from other students and school personnel.
- to present complaints and grievances to proper school authorities and to receive replies from school officials regarding the disposition of their complaints and grievances within a reasonable amount of time.

Parents/Guardians expectations

- to send their student to a school with a positive educational climate.
- to expect all disruptive behavior is dealt with fairly, firmly, and quickly.
- to enroll their student in regularly scheduled classes with minimal disruptions.
- to expect their school to maintain high academic standards.
- to examine their student's personal school record.
- to address grievances to proper school authorities concerning their student and to receive a prompt reply pertaining to the specific grievances.

Student and Parent Responsibilities

Students have the responsibility:

- to maintain acceptable conduct at all times and to show respect for school authority by avoiding all acts of defiance.
- to display consideration for the rights and property of others. (see board policy 9.426)

- to dress in a manner that does not interfere with the educational process and to maintain proper hygiene at all times.
- to abstain from the possession and or use of illegal substances including alcohol and tobacco.
- to abstain from possession and or use of weapons, dangerous instruments, fireworks, and other incendiary devices.
- to abstain from physically attacking any person on buses, school activities and/or school grounds.
- to refrain from persistent violation of school regulations and to represent the truth in all matters.
- to be in attendance at all scheduled classes.
- to abstain from gambling, extortion, theft, or any other unlawful activity.
- to complete all homework and classwork and to refrain from cheating on all academic and/or athletic activities.
- to avoid the use of verbal abuse with all persons.
- to refrain from the harassment of fellow students and/or school personnel.
- to exhibit respect for other opinions by refraining from rudeness or inappropriate language.
- to abstain from willful disobedience by open rebellion to school regulations and /or school personnel.
- to practice proper safety procedures while using the building facilities and to report any unsafe condition to school authorities.
- to demonstrate commitment to the educational process by taking advantage of every opportunity to further their education.
- to practice self-control in terms of voice and limbs and to abstain from any form of disruptive classroom behavior.
- to remain on school grounds while school is in session.
- to refrain from all acts of sexual harassment.
- to abstain from displays of affection at school.

Parents/Guardians have the responsibility:

- to support in their child the need for an education and to instill a sense of responsibility.
- to become familiar with educational policies, programs and disciplinary procedures of the Board of Education.
- to aid their child in understanding the disciplinary procedures of the school and for their child to follow all school policies.
- to see that their child is regular in attendance and to exhibit concern for the progress and grades of their child.
- to inform school officials of any illness affecting their child.
- to demonstrate respect for all school personnel at school and related activities.
- to inform school officials of concerns pertaining to disciplinary procedures.
- to support in their child the need for proper and appropriate student attire and hygiene.
- to report any unsafe condition to school authorities.

Harassment and Discrimination

Harassment/Discrimination is behavior based on race, color, national origin, age, religion, sex, sexual orientation or gender identity, or disability that is sufficiently severe, pervasive, or objectively offensive that adversely affects a student’s education or creates a hostile or abusive educational environment. The Estill County Board of Education has adopted policies where students are not denied equal education opportunities and do not suffer harassment. The Estill County Board of Education hereby declares its intention to fully comply with provisions of the Rehabilitation Act of 1973, as amended (commonly referred to as Section 504) and the Americans with Disabilities Act (ADA), as amended. In accordance with the mentioned acts, no programs, policies or practices of this agency will discriminate on the basis of a disability.

Examples of conduct and/or actions prohibited include but are not limited to the following:

1. Any nicknames, slurs, stories, jokes, written or electronic materials or pictures that are lewd, vulgar, demeaning, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy.
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors.
3. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct.
4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories.

5. Seeking to involve students with disabilities in antisocial, dangerous, or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity.
6. Destroying or damaging an individual's property based on any of the protected categories.

When a student or parent believes the student has been harassed or discriminated against, a complaint may be filed using the following procedure:

1. The student or parent makes a written complaint to a counselor or principal (or to the superintendent's designee if the principal is an alleged party to the harassment or discrimination). The written complaint shall be forwarded to the principal or superintendent's designee.
2. The principal (or superintendent's designee) shall promptly investigate the allegation, may attempt to resolve the issues presented, shall keep the superintendent advised, and may take corrective measures if warranted.
3. District employees involved in the investigation of the complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violation.

The Estill County Board of Education intends that the program shall be in full compliance with the Title IX Federal provisions and with the provisions of all Disability Education Acts. *Related Policies: 03.162, 03.262, 09.13, 09.227, 09.422, 09.426, 09.42811*

District Title IX Coordinator

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Conduct Definitions

Conduct fitting the definitions below and other similar definitions which injures, degrades or disgraces the victim, disrupts the educational process and/or interferes with other students' opportunities to obtain an education, will be subject to disciplinary action. Students should generally maintain a "hands-off" policy with regard to other persons' bodies and possessions, and no student should engage in behavior toward someone else which they would not want directed toward themselves (follow the "Golden Rule"). Victims of these behaviors and/or other students who witness these behaviors (bystanders) are encouraged to ask the offender to stop and/or report the behavior to a teacher or other staff member. Efforts will be made, if possible, to protect the confidentiality of anyone making a report. Retaliation against a student who has made a report of bullying will be treated as a violation of this section as well.

"Harassment" and "Harassing Communications" under the category of "Bullying" are separate from the definition of "Harassment/ Discrimination" which involves behavior based on race, color, national origin, age, religion, sex, sexual orientation, gender identity, or disability. However, a report of a violation of this section will be evaluated by school personnel to determine whether it should be treated as a report of harassment/discrimination which would require an investigation under the "Harassment/Discrimination" section of this Student Discipline Code.

Bullying and Cyberbullying

Bullying encompasses a continuum of behaviors that can occur with varying levels of physical or psychological intensity. Bullying is defined as a range of behaviors that rise to the level that the intended victim no longer feels safe at school, the aggressor's intent (real or perceived) is an attempt to gain or assert power and dominance over another with no legitimate purpose, while there is a real or perceived imbalance power where that be of social, socioeconomic, or academic

consequence. Bullying behavior incidents can occur on one occasion with extreme intensity, or have been repeated overtime with varying intensity, or has the potential to be repeated. Bullying involves any unwanted verbal, physical, or social behavior among students that includes: 1. real or perceived power imbalance, 2. a rise to the level that the intended victim does not feel physically or psychologically safe at school, and 3. an attempt to do physical or psychological harm as a byproduct of the behavior. Bullying involves either taking advantage of a real or perceived imbalance of power or is used to create an imbalance of power. Bullying may also involve intimidation as an attempt to cause fear. Bullying may rise to the level of law violation. Harmful behaviors that fall into this category include, but are not limited to: inappropriate and unwanted physical contact (including hitting, kicking, shoving and pushing); intimidating and threatening comments (oral, written or electronic); name calling or put-downs (selecting or using a nickname which is intended to embarrass or humiliate); manipulation, intimidation, or coercion of another student to do something the student does not want to do; setting someone up to be bullied or encouraging another student to engage in bullying; sharing or starting rumors or gossip; hurtful teasing or making fun of someone; hiding or destroying someone's belongings; or shunning or excluding someone from a group or activity in order to embarrass or humiliate the person.

This definition shall not be interpreted to prohibit civil exchange of opinions, 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. As such, the manner in which individuals disagree or debate should always include respect. Items mentioned in this paragraph could rise to the level of law violation.

Cyberbullying involves the use of information and communication technologies includes, but not limited to, email, cell phone, text messages, social networking (examples: private instant messaging, personal websites, blogs, online games and online personal polling websites), to support deliberate, repeated, and hostile behavior by any individual or group, that is intended to harm others by communicating threats, by revealing private or embarrassing information, by conveying false and/or slanderous information that could be reasonably anticipated to cause embarrassment or to accomplish any of the purposes of bullying as mentioned above. This includes but is not limited to the use of any device which records audio, video, or still images of another person for no legitimate purpose. Items mentioned in this paragraph could rise to the level of law violation.

Hazing

Hazing involves behavior used as a way of initiating new members into a group. It usually consists of some ritualistic test involving the new member being required to perform a task or series of tasks which are intended to be demeaning, degrading, harmful, or embarrassing to the new member or which require the new member to engage in conduct toward others which is demeaning, degrading, harmful, or embarrassing. Hazing can include but is not limited to the force or coerced consumption of drugs or alcohol or the forced or coerced performance of lewd or suggestive acts. Items mentioned in this paragraph may rise to the level of law violation.

Menacing

Menacing involves actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury. Menacing is exemplified by the raising and drawing back of a hand or fist in order to make the other individual believe he/she is about to be slapped or punched, or the swinging or jabbing of a hand toward someone to cause him/her to flinch, duck or raise his/her hands in anticipation of being struck. Items mentioned in this paragraph may rise to the level of law violation.

Harassment

Harassment involves any verbal, electronic, and/or physical action displayed with the intent to intimidate, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors: striking, shoving, kicking or other physical contact with another person; the attempt to strike, shove, kick or engage in other physical contact toward another person; using an offensively coarse utterance, gesture, display toward another person; addressing abusive language toward another person; following a person in or about a public place; engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy another person which serves no legitimate purpose; or damaging possessions or committing theft of the property of another student; substantially disrupting the operation of the school; or creating a hostile school 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. Items mentioned in this paragraph may rise to the level of law violation.

Harassing Communications

Harassing Communication involves the intent to intimidate, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors: communicating with a person, anonymously or otherwise, by telephone, social media, mail or any other form of electronic or written communication in a manner which causes annoyance, alarm and serves no purpose of legitimate communication, or communicating with or about another student, anonymously or otherwise, by telephone, the Internet, 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. Items mentioned in this paragraph may rise to the level of law violation.

Stalking

Stalking involves intentional conduct which is directed at a specific person or persons; which seriously alarms, annoys, intimidates or harasses the person or persons; which serves no legitimate purpose, and which would cause a reasonable person to suffer substantial mental distress. Stalking does not involve merely following another person or regularly observing another person's actions, but includes behavior which conveys a threat of harm to the other person or which can be reasonably anticipated to cause the other person to fear harm. Items mentioned in this program may rise to the level of law violation.

Duty to Report (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 local police, sheriff, state police and principal of the school attended by the victim. When a student is involved in an incident reportable under this section the principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student. The principal shall file 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 a written report containing: (a) The names and addresses of the student and his or her parents, legal guardians, or other persons exercising custodial control or supervision; (b) The student's age; (c) The nature and extent of the violation; (d) The name and address of the student allegedly responsible for the violation; and (e) Any other information that the principal making the report believes may be helpful in the furtherance of the purpose of this section.

Care of School and Personal Property

Pupils shall be held responsible for damage and/or theft to school property. Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property. In addition, when reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property, removal and/or theft. For the purposes of determining when to make this report, damage to school property shall refer to instances involving the following: Intentional harm, and/or damage beyond minor loss or breakage, excluding normal wear and tear. Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school sponsored activities shall be subject to suspension or expulsion from school. Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action. Parents shall be liable for property damage caused by their minor children. *Related Policy: 09.438*

Tobacco, Alternative Nicotine, and Vapor Products (as e-cigarettes)

Students shall not be permitted to use or possess any tobacco product in any form, alternative nicotine product, or vapor product as defined in KRS 438.305 on or in all Board property at all times, including any vehicle, owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. 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.

Student Medication

Prescription and/or over the counter medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency medications shall be maintained in the first aid kit. Pupils may take medicine which is brought from home once a completed authorization form from the parent/ guardian is on file.

Self-Administration

Under procedures developed by the superintendent, a student may be permitted to carry certain medication that has been prescribed or ordered by a physician to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and physician files a completed authorization form each year as required by law, a student with asthma or who is at risk of having anaphylaxis shall be allowed to carry emergency medication.

Students shall not share any prescription or over-the-counter medication with another student. Within the first 30 student attendance days, the district shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion. *Related Policy: 09.224*

Authorized Medication

Use of a drug authorized by and in accordance with a prescription/documentation from a physician, dentist, or other licensed healthcare professional shall not be considered in violation of this policy. However, it will be considered a violation of this policy if there is reason to believe a pupil has abused the drug prescription by its use in a manner inconsistent with the prescription.

Drugs/Controlled Substances

No pupil shall possess, use, sell, or distribute any of the following on or about school property, at any location of a school-sponsored activity, or in route to or from school or a school-sponsored activity:

- Alcoholic beverages, controlled drug substances, synthetics and drug paraphernalia;
- Substances that “look like” a controlled substance. In instances involving “look-a-like” substances, there must be evidence of the student’s intent to portray the non-controlled or non-prescribed item as a controlled substance;
- Non-controlled substances that cause a rush or high from inhaling, including but not limited to paint, glue, white out, bath salts or stimulants in pill or powder form such as caffeine pills or powders;
- Prescription drugs for the purpose of sale or distribution.

Drugs Defined

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance which may be added by the Kentucky Department of Human Resources under regulations pursuant to KRS 218A. Abuse of a prescribed medication shall be a violation of this policy.

Drug Penalty

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

suspended under this policy for up to ten (10) days and may result in expulsion.

Reporting Drugs

Employees of the district shall promptly make a report to local police, sheriff or state police, and the principal, 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 property or within one thousand (1,000) feet of school property, on a school bus, or at a school-sponsored or sanctioned event.

First Offense for Drugs

For possession, use, distribution and/or sale, or being under the influence of alcoholic beverages, narcotics, drugs, synthetics, controlled substances or look-alike and/or possession of drug paraphernalia, the student will receive an immediate suspension up to five (5) days (all five (5) suspension days shall be served consecutively) with consideration for expulsion. Parents and appropriate law enforcement authorities will be immediately notified when violation of laws governing use, possession or sale of alcohol or other controlled substances has occurred.

The recommendation for expulsion may be waived to a ten (10) day suspension, by the Superintendent/Designee, if:

1. The parent(s) or guardian(s) agree(s) to seek, at their expense, an evaluation of the student's alcohol or drug use from a qualified chemical dependency counselor, not at the expense of the Estill County Public Schools, and acceptable to the school district. Written proof of the evaluation must be provided to the Office of Student Services, School Principal, and Counselor prior to reinstatement from suspension.
2. The student complies with the recommendations of the qualified chemical dependency counselor, not an employee of the Estill County Public Schools. Written confirmation from a qualified chemical dependency counselor must be provided to the school administration.

If no treatment as such is recommended in the evaluation, the school principal may also require that the student either agree to meet with the school counselor a designated number of times to qualify for waiver of the recommendation for expulsion.

Second Offense

A second offense of the policy will result in immediate suspension and recommendation for expulsion.

Sale or Transmission

For sale or transmission of alcoholic beverages, narcotics, drugs, controlled substances, synthetics, or look-alikes, the student will receive an immediate suspension and recommendation for expulsion.

Caffeine Pills/Over the Counter Stimulants

For the use of, possession of, or transmission of caffeine pills or other over-the-counter stimulants, the student will receive an immediate suspension of up to 5 days. The student will be recommended to meet with a counselor who may, depending on circumstances, refer the student to a qualified chemical dependency counselor. All suspension days shall be served consecutively, on days when school is in session.

Use of Vapor Device Disciplinary Procedure

1st Offense- Device Confiscated (not returned), 1 day AER+ BASE Education Module

2nd Offense- Device Confiscated (not returned), 1 day suspension and mandatory counseling

3rd Offense- Device Confiscated (not returned), treated as FIRST offense for Drug Possession+ Court charges (maximum 5 day suspension)

4th Offense- Device Confiscated (not returned), treated as SECOND offense for Drug Possession

Awareness Program

The superintendent/designee shall establish a drug free/alcohol-free awareness program for students, which shall include notice of the following:

- the dangers of drug/alcohol abuse in the schools/buses;
- the district's policies and related procedures on drug-free/alcohol-free schools;
- the requirements for mandatory compliance with the district's established standard of conduct;
- information about available rehabilitation/student assistance programs; and penalties that may be imposed upon students for drug/alcohol abuse violations. *Related Policy: 09.2241, 09.423*

Assault and Threats of Violence

For purposes of this policy, a “threat shall include but not be limited to, physical assault, battery or abuse of others; the threat of physical force; threatening statements and/or behaviors suggesting suicidal or homicidal ideation, the carrying, possessing, or transfer of weapons or dangerous instruments, and any other behavior which may endanger the safety of others.

Pupils

Any pupil who threatens, assaults, batters or physically or verbally abuses another pupil(s) shall be subject to appropriate risk assessment by school psychologist or their designee and/or disciplinary action up to and including suspension or expulsion from school and/or legal action.

School Personnel

Any pupil who threatens any school personnel shall be subject to a risk assessment by the school psychologist or their designee and/or appropriate disciplinary action up to and including suspension or expulsion from school and/or legal action, if appropriate. Any pupil who assaults, batters or physically or verbally abuses shall be subject to appropriate disciplinary action up to and including suspension or expulsion from school and/or legal action, if appropriate. 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.

Removal of Students Due To Assault or Threats of Violence

School administrators, teachers, or other school personnel will immediately follow procedures, both legal and school policy, related to threats made by students at school, at school related functions or through any other means (electronic, social media, in writing, etc.). Upon learning of a threat, principals, counselors, and teachers will follow Estill County Risk/Threat assessment procedures to determine the credibility of the report, initiate a "fact finding" investigation to assist with determining the nature and viability of the threat, request a threat or risk assessment by School Psychologist, or their designee, and then follow appropriate policy to reestablish safety (psychological and physical) and normalcy for all parties involved. Should school personnel witness a student(s) displaying behaviors that provides enough concern that the risk for violent behavior appears to be imminent OR witnesses violent, assaultive, or battering behavior from a classroom or common area setting or from a district's transportation system, they may immediately remove, or cause to be removed, these students. Appropriate Risk Assessment by the School Psychologist or their designee **and/or** further disciplinary action will follow according to school procedures. Violent or threatening behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students that are directly threatening or obviously suggestive of intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to others or property.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080. Each school principal/designee shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

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

A person who is an administrator, teacher, or other employee of a public or private school shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- a. The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 1. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - a. carrying, possession, or use of a deadly weapon; or
 - b. use, possession, or sale of controlled substances; or
 2. Any felony offense under the laws of this Commonwealth; and
- a. 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.

Notification Requirements

Any school employee assigned to work directly with, or who comes in contact with, a student with a documented history of weapons violation and/or physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other school official who has knowledge of the student's behavior prior to the assignment or contact. *Related Policy: 03.123, 03.223, 06.34*

Threat/Risk Assessment Process

The Estill County Public Schools has developed a Threat/Risk Assessment Process. Any student who threatens to harm himself/herself or others, either in writing, verbally, by their nonverbal actions, or by possession of a weapon or other means of inflicting harm, will be evaluated as soon as possible by a School Psychologist or their designee after conference with principal and school counselor. An appropriate plan of action will be formulated that may include recommendations for treatment and possible disciplinary actions. The student may be prohibited from returning to school until the assessment process is complete, but will be provided educational services should this be the course of action. Students and parents are advised to contact the tip-line, their school counselor or principal, or other trusted school employee if they are privy to threatening or risky behavior or statements by other students or anyone that suggests they may compromise the safety of school staff or students within Estill County Schools.

Restraint and Seclusion

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff is appropriately trained to use seclusion. Use of physical restraint by trained personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. [704 KAR 7:160](#), [KRS 503.050](#), [KRS 503.070](#), [KRS 503.080](#), [KRS 503.110](#) *Related Policy: 09.2212*

Weapons

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

Weapons Prohibited

Except where expressly and specifically permitted by Kentucky Revised Statutes, knowingly carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle, personal vehicle or at any school sponsored activity is prohibited. Such weapons or dangerous instruments include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun, chains, slingshot, bludgeon, booby trap device, brass knuckles or artificial knuckles of any kind, knife which is readily capable of causing death or serious physical injury (including but not limited to pocket knives or hunting knives) or any other object that is carried for the purpose of or potential of inflicting injury on another. Weapons implicating the need to report to law enforcement are described in Board Policy 05.48. An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS527.070. Law enforcement officials are authorized to bring weapons onto school property in performance of their duties.

Posting Regarding Weapons

The superintendent/designee shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state: UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (10,000) FINE.* The above criminal penalty prohibiting the unlawful possession of a weapon on school property shall not apply to those persons listed in KRS 527.070.

Reporting Weapons

Refer to Board Policy 05.48 for coverage of deadly weapons and reporting to law enforcement agencies. Employees of the district shall promptly make a report to local police, sheriff or state police, and the principal, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use

of a deadly weapon on school premises or within one thousand (1,000) feet of school premises, on a bus, or at a school sponsored or sanctioned event. KRS 158.155 (4) mandates the principal, based on reasonable belief, shall report the possession of a firearm to the appropriate law enforcement agency. Employees who receive information from a student or other person regarding conduct required to be reported, shall report the conduct in the same manner as stated above.

Enforcement of the Policy Regarding Weapons

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

Penalties Regarding Weapons

Violation of this policy by students shall require that proceedings for expulsion be proposed immediately by the Principal through the Superintendent. *Related Policies: 05.48, 09.435, 09.436*

Search and Seizure

Reasonable Suspicion Regarding Search and Seizure

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there is reasonable suspicion to believe the search will reveal evidence that the pupil has violated or is violating either a school rule and/or state or federal law.

Authorized Personnel Regarding Search and Seizure

When an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, the school principal that is responsible for the students is authorized to conduct the search of a student or his/her personal effects.

Witness/Personal Searches Regarding Search and Seizure

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students. These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety. No strip searches of students shall be permitted. Strip search will be defined as: requiring a student to remove any article of clothing, or requiring a student to lift or lower an article of clothing, thereby causing the exposure of undergarments to allow for a visual inspection. The required removal of shoes, socks or a hat or the removal or arrangement of outerwear does not constitute a strip search. Students, who fail to cooperate with school authorities when requested, shall be subject to disciplinary action.

Regular Inspection Regarding Search and Seizure

School property, such as lockers, desks, network systems, technology resources and accounts owned or supplied by the district are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

Illegal Items

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

Disposition of Items

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

Related Policies: 09.2323, 09.4261

Technology

Access to Electronic Media (Acceptable Use Policy)

The board supports the right of students, employees, and community members to have reasonable access to various

information formats and believes it is incumbent upon students, employees, and community members to utilize this privilege in an appropriate and responsible manner.

This policy outlines both the privileges and the responsibilities associated with the use of the Estill County Public Schools' network and its resources. It addresses ethical and educational uses of electronic media, including, but not limited to, the Internet, email, and other technological resources. It also addresses issues of privacy versus administrative review of electronic files and communications. The policy prohibits use of networks for illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

As a user of the Estill County School District's computer network, you 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. You further understand that violation of the regulations is unethical and may constitute a criminal offense. Should you commit any violation, your access privileges may be revoked and school disciplinary action and/or legal action may be taken.

Parental Agreement for Use of Electronic Media

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

Consent for Use of LIVE@EDU

The Outlook Live email solution is provided to your child by the District as part of the Live@edu service from Microsoft. By signing this form, you hereby accept and agree that your child's rights to use the Outlook Live email service, and other Live@edu services as the Kentucky Department of Education may provide over time, are subject to the terms and conditions set forth in District policy/procedure as provided, and that the data stored in such Live@edu services, including the Outlook Live email service, is managed by the District pursuant to policy 08.2323 and accompanying procedures. You also understand that the Windows Live ID provided to your child can also be used to access other electronic services that provide features such as online storage and instant messaging. Use of those Microsoft services is subject to Microsoft's standard consumer terms of use (the Windows Live Service Agreement), and data stored in those systems is managed pursuant to the Windows Live Service Agreement and the Microsoft Online Privacy Statement. Before your child can use those Microsoft services, he/she must accept the Windows Live Service Agreement and, in certain cases, obtain your consent.

Consent for Use of Google G-Suite for Education and Google related services

The Google Gmail solution is provided to your child by the District as part of the Google G-Suite for Education service from Google. By signing this form, you hereby accept and agree that your child's rights to use the Gmail email service, and other Google G-Suite for Education services as the Kentucky Department of Education may provide over time, are subject to the terms and conditions set forth in District policy/procedure as provided, and that the data stored in such Google G-Suite for Education services, including the Google Gmail email service, is managed by the District pursuant to policy 08.2323 and accompanying procedures. You also understand that the Google user account provided to your child can also be used to access other electronic services that provide features such as online storage and instant messaging. Use of those Google G-Suite for Education services is subject to Google's standard consumer terms of use (the Google G-Suite for Education Service Agreement), and data stored in those systems is managed pursuant to the Google G-Suite for Education Service Agreement and the Google G-Suite for Education Online Privacy Statement. Before your child can use any Google G-Suite for Education services, he/she must accept the Google Service Agreement and, in certain cases, obtain your consent.

For additional information, see school board policies for students, certified and classified employees, regarding use of school property, disrupting the educational process, and conduct.

Educational Suitability of Electronic Media

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

Network Reliability of Electronic Media

Estill County Public Schools will not be responsible for any damages not limited to loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its own negligence or user errors or omissions.

Safety of Electronic Media

Accounts are to be used in support of education and research that is consistent with the educational objectives of the Estill County Public Schools. This may include **reasonable** personal use. Examples of acceptable use include, but are not limited to, protecting yourself and others by not revealing personal information that could lead a stranger to you or another person, (i.e. name, address, telephone, workplace, etc.). Users should notify a principal or School Technology Coordinator (STC) of any policy violations or security breach. This can be done anonymously.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites, in chat rooms and cyber bullying awareness and response.

Unacceptable Use of Electronic Media

Guidelines for unacceptable use shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data. Unacceptable use of technology includes, but is not limited to, the following;

- Sharing your password
- Using or altering anyone else's password
- Allowing someone to access any area of your account or accessing any computer or network for which you are unauthorized
- Creating or sharing computer viruses
- Destroying another person's data
- Monopolizing the network resources by running large programs and applications over the network during the day and/or sending massive amounts of email to other users, or using system resources for games
- Vandalizing network resources. Vandalism is defined as any attempt to harm or destroy equipment, data, operating systems or applications, our network, or any other networks
- Playing games with no educational purpose over the network
- Taking from or placing on the network, any copyrighted material including copyrighted movies and music without authorization from the district network administrator
- Distributing or collecting obscene, abusive, discriminatory or threatening material via telephone, video, email, internet or other means that is deemed intentional
- Demonstrating or discussing policy violations or security breaches with someone other than a school network administrator
- Annoying other users with things such as talk requests and chain letters
- Conducting any illegal activity via the network; known illegal activity will be reported to the authorities
- Sending harassing or abusive email messages to others
- Using vulgar or inappropriate language
- Using network resources for personal profit

Access Privileges to Electronic Materials

Access to electronic information resources may range from read-only access to instructional software to full search capability of the Internet and to email. For these reasons the Estill County Public Schools maintain the right to limit access to software and/or documents found either on our network or the Internet via technical or human barriers.

Network Privileges for Students

User Folders, supervised internet access & supervised class email (K-5), independent internet access, and independent email (6-12).

Student Contracts

A contract, signed by the student, shall be required prior to the school granting that student access to the network, internet, and/or email. The signature of a parent or guardian is also required for students under the age of eighteen (18) and will indicate the degree of access granted to the student. This document shall be kept on file by the principal or School Technology Coordinator (STC) as a legal, binding document and shall continue to be in effect throughout the student's attendance in the building in which their grade level is housed (i.e. K-5, 6-8 and 9-12), unless modified by the parent/guardian. These signatures indicate understanding and agreement with the specified acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations.

Logins and Passwords

Upon signing a contract, a private login and password will be assigned to each user. The user is responsible for any activity performed under that login and password and therefore, passwords must be kept private.

There will be no access to the network, email, or the internet without the use of a login and password and those will only exist for those persons with a signed contract.

Right to Privacy

The Estill County Public Schools reserve the right to ask a Network Administrator to access any user folder and/or email account of any user at any time. Users are advised not to place confidential documents in their user folder and never to use email for confidential communication. Email is not private. All Internet sites visited will be logged and reviewed for suitability of internet use to assure compliance with the AUP and with state law. Internet access has been granted for educational and research purposes only.

Disregard of Rules

Individuals who refuse to sign required acceptable use documents or who violate district rules governing the use of district technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other technological resources.

Responsibility for Damages

Parents or guardians shall reimburse the board for repair or replacement of district property lost, stolen, damaged, or vandalized while under their care.

Disciplinary Action

Any user who violates the terms and conditions of this Acceptable Use policy will experience immediate degradation of services to "read only access." Loss of privileges may continue for a period of up to one (1) calendar year, and/or other disciplinary actions may be enforced as per the discipline policy.

The DTC, STC or Network Director, may convert an account to "read only access" at any time as required. The DTC, STC, or Network Director, in cooperation with the building administrator, must notify the user, and the user's parents in case of a minor, in writing within two weeks informing them of the reason for suspension or termination of an account.

Users whose accounts are denied, suspended, or revoked do have the following rights:

1. To request (in writing) from the District Technology Coordinator a written statement justifying the disciplinary actions.
2. To submit a written appeal to the superintendent and a committee he/she shall designate. Pending the decision of this committee, a user can make a final appeal to the Estill County Board of Education. The decision of the board of education is final.

Related Policies: 03.17/03.27, 08.1353, 08.2322, 09.14

Telecommunication 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 (e.g. cell phones, music players, iPads, iPods, tablets, laptops), 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 (unauthorized audio or videotaping by students is prohibited),
 - 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.

2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned off and operated only before and after the instructional day.
3. 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, the principal/designee, may confiscate the device, which shall be returned only to the student's parent/guardian.
4. 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.
5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize telecommunication and other related electronic devices (e.g. cell phones, music players, iPads, iPods, tablets, laptops) in a manner that would violate the district's Acceptable Use policy or procedures or its Student Discipline Code.

Driver's License Revocation (No Pass/No Drive)

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 for student's age sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they drop out of school or accumulate nine (9) unexcused absences in class/classes for the preceding trimester. Suspensions shall be considered unexcused absences.

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then have their standing confirmed. Director of pupil personnel shall make the required report to the appropriate agency.

Related Policies: 08.221, 09.123

Discipline Procedures and Processes

The authority of the district in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored. All school sponsored student activities shall be under the direction of the Principal and faculty of the school, except that a non-faculty coach or non-faculty assistant may accompany a student on athletic trips as provided in statute. The Principal may suspend a student's eligibility to participate in extracurricular and co-curricular activities, pending investigation of any allegation that the student has violated either the district behavior standards or the school council's criteria for participation. Eligibility for a school sponsored activity not required for a course will be contingent on maintaining the academic grade requirement as established by the activity association to which the school belongs. While on suspension or expulsion, a student shall not be allowed to participate in any extra-curricular activity sponsored by the school. Student

disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group.

Unless an administrator or the board acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source.

Disciplinary Procedures

The teacher has the responsibility to take reasonable action to stop behavior that interferes with the educational process, to preserve the rights of others, and to help students improve their self-discipline.

The teacher is responsible for utilizing the accepted school site-based discipline plan. Corporal punishment is prohibited and loss of physical activity periods shall not be used as a disciplinary consequence. Serious offenses may require direct referral to the principal/designee. Use of physical restraint or seclusion by school personnel is subject to 704 KAR 7:160. Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training, may physically restrain students, but shall summon core trained school personnel as soon as possible. Parents will be notified of the restraint or seclusion within 24 hours of the event. Nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

If measures taken within the classroom do not succeed in correcting misbehavior or if the behavior requires further assistance, the student will be referred to a school administrator. When a student is referred, the steps of due process will be followed (see Due Process).

Parent/Guardian Conference

When a student's misbehavior continues despite repeated and enhanced efforts to correct it by school personnel, the administrator shall call a conference to meet with the student, the parent/guardian, and appropriate school staff. The administrator will schedule the conference in consultation with the parent/guardian. If telephone or personal contact with the parent/guardian has not occurred, written notice of the conference shall be sent. A mutually acceptable method of conferring should be agreed upon if a conference at school (or during school hours) is not possible for the parent/guardian.

If multiple violations occur at frequent intervals, a single conference to address these problems will be sufficient. If the parent/guardian is unable to attend or chooses not to attend the scheduled conference, then the conference will take place in the absence of the parent/guardian. When the conference proceeds in the absence of the parent/guardian, the administrator will report the conference results to him/her.

The purpose of the conference is to identify the source of the problem; to arrive at fair, effective solutions; and to improve student behavior. During the conference, the student will be afforded the opportunity to describe the problem as he/she sees it and to suggest actions that would resolve the problem. The parent/guardian and staff will be afforded the same opportunity.

The student's academic and disciplinary records will be available for review during the conference. All participants in the conference will observe strict courtesy. A summary of the results of the conference will be documented.

Right to Due Process

Before being punished at the school level with suspension for violation of school policy, a pupil shall have the right of the following due process procedures:

1. The pupil shall be given oral or written notice of the charge(s) against him/her.
2. If the pupil denies the charge(s), he/she shall be given an explanation of the evidence against him/ her.
3. The pupil shall be given an opportunity to present his/her own version of the facts concerning the charge(s).

In cases involving clear and present danger to the safety of persons and property, a student may be suspended before an informal hearing is held. In these cases an informal hearing shall be held as soon as possible, not to exceed three (3) days. At this time, a school based mental health professional, e.g. a school counselor will be called to confer with the administrator to determine if the student needs a threat assessment or other mental status examination before the suspension, in order to keep everyone named, and/or involved in the incident, safe. *Related Policies: 09.43, 09.433, 09.434*

Disciplinary Consequences

Students with Disabilities

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

In cases involving sanctions other than suspension or expulsion, students with disabilities are generally subject to discipline as any other student unless the individualized program devised for the child provides otherwise. The development or modification of a behavioral intervention plan (BIP) should be considered by the 504 or Admission and Release Committee (ARC). In cases of serious disciplinary action involving students with disabilities, suspension and expulsion may be disciplinary options insofar as consistent with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. section 1400, et seq. or Section 504 of the Rehabilitation Act of 1973, and corresponding state law and regulations. See particularly KRS 158.150 and 20 U.S.C. section 1415. In addition, children identified with disabilities may be subject to placement in interim alternative educational settings in the case of disciplinary infractions involving weapons or drugs or having inflicted serious bodily injury upon another person while at school or school function insofar as consistent with the foregoing statutory provisions and corresponding regulations. *Related Policies: 09.43, 09.431, 09.435*

Behavior Contracts

Behavior problems in school may result in placement of a student on a behavior contract, the length and substance of which will be determined by the principal or assistant principal. Behavior expectations required by the school and consequences for failing to meet those expectations will be specified in the behavior contract.

These consequences may include, but are not limited to, the following: extended detention, suspension from school, suspension from participating in, or attending, extra-curricular activities, or an alternative placement. School counseling may be required as a component of a behavior contract. The behavior contract should be signed by the student, the parent/guardian, and the principal/assistant principal.

Suspension and Expulsion

The Kentucky State Law requires teachers and administrators to hold pupils to a strict account for their conduct during the entire school day. Section 161.180 of Kentucky Statutes reads as follows:

“Each teacher and administrator in the public schools shall in accordance with the rules, regulations, and bylaws of the board of education, 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”.

KRS 158.150 further states: “All pupils admitted to the common schools shall comply with the lawful regulations for the government of the schools; willful disobedience or defiance of the authority of the teachers or administrators, use of profanity or vulgarity, assault or battery or abuse of other students, the threat of force or violence, the use or possession of alcohol or drugs, stealing or destruction or defacing of school property or personal property of students on school property, off school property, or at school-sponsored activities constitutes cause for suspension or expulsion from school. Assault or battery or abuse of school personnel; stealing or willfully or wantonly defacing, 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”.

Suspension

In matters of discipline resulting in suspension, the student who has allegedly committed a violation of the Student Discipline Code is entitled to due process. An informal hearing is required and will be conducted by the principal/assistant principal before a student is suspended for 1 - 10 days. School must be in session for that day to count toward the suspended days. Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the superintendent/ designee. In the case of a pending expulsion hearing, the superintendent/designee may suspend the student until that hearing is held. The superintendent, principals, and assistant principals are empowered to suspend students. Principals and assistant principals shall report any such action in writing to the superintendent/designee and to the parent or guardian. The report shall include the reason for suspension,

the length of time of the suspension, and the conditions for reinstatement. If possible, the parent or guardian should be contacted immediately.

If the superintendent/designee or principal believes that immediate removal is necessary to protect persons, property, or to avoid disruptions of the academic process, the student may be removed immediately. In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension, otherwise, suspension shall be made according to the due process procedure.

Prior to readmission to school, a conference may be held between the official who meted out the suspension and the student and the parent(s) or guardian(s). A student placed on suspension is prohibited from entering the school grounds (except for a prearranged conference with an administrator), from attending any day or night school functions of the Estill County Public Schools, or from riding a school bus during the term of the suspension. Violations of the conditions of suspension shall cause further disciplinary action to be taken. At all stages of the suspension process, students shall be guaranteed informal due process rights as outlined in the Student Discipline Code.

Expulsion

KRS 158.150 (2), concerns expulsion. That section reads: "Each local board of education shall adopt a policy requiring the expulsion from school for a period of not less than one (1) year for a student who is determined by the board to have brought a weapon to a school under its jurisdiction." The board shall also adopt a policy requiring disciplinary actions, up to and including expulsion from school, for a student who is determined by the board to have possessed prescription drugs or controlled substances for the purpose of sale or distribution at a school under the board's jurisdiction, or to have physically assaulted, battered or abused educational personnel or other students at a school or school function under the board's jurisdiction.

The board may modify the expulsion requirement for students on a case-by-case basis. A board that has expelled a student from the student's regular school setting shall provide or assure that the educational services are provided to the student in an appropriate alternative program or setting, unless the board has made a determination, on the record, 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 into a state-funded agency program. Other intervention services as indicated for each student may be provided by the board or by agreement with the appropriate state or community agency. A state agency that provides the service shall be responsible for the cost. In determining whether a student has brought a weapon to school, a local board of education shall use the definition of 'unlawful possession of a weapon on school property' stated in KRS 527.070".

Expulsion shall mean that the pupil is excluded from school from the date of the violation or for a specified period not to exceed one school year. In the case of a student bringing a weapon as described in KRS 158.150 (2) to school, expulsion means exclusion from school for a maximum of one calendar year, subject to reduction by the Board on a case by case basis. An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.

When charges are made against a student and expulsion is recommended, the superintendent may conduct a preliminary conference with the student. At this conference, the pupil will be given the opportunity to admit or deny the alleged misconduct. Regardless of the response, the student is entitled to a procedural due process hearing before the board. The full procedure shall include: The superintendent shall notify the student and the parents/guardians, with a written statement setting forth charges which, if proven, would justify expulsion under the law. This statement shall be presented adequately in advance of the hearing to allow the student to prepare a reasonable defense and in any event not less than five school days. The parent shall respond to the notification within the same five school day limit.

Administrators have the primary responsibility and particularized knowledge to investigate the incident(s) and to determine the reliability of the witnesses and the evidence. In certain cases when it is necessary to protect the safety and anonymity of witnesses, the school administrators may present the findings by presenting a summary of the investigation conducted.

During the hearing, the student and the parents/guardians shall be afforded the opportunity to present to the Board, by oral or written testimony, a defense to the charges. This defense may include the introduction of a reasonable number of witnesses on the student's own behalf.

Should the student and the parent/guardian desire, they may be accompanied and represented by legal counsel. If this is desired, they must notify the Superintendent of this intention so that the Board attorney may also be present.

The student is entitled to an expeditious handling of their case, careful reflection by the board, and a prompt decision.

Expulsion Procedures

The Board may expel any pupil from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.¹

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

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.¹ The special education and disciplinary records of IDEA eligible students shall be part of the information during the expulsion hearing.

The Board's decision shall be final.¹

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)^{1&3}

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol, or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.²

Expelled/Convicted Students

If a student has been adjudicated guilty of an offense specified in this subsection or has been expelled from school for an offense specified in this subsection, prior to a student's admission to any school, the parent, guardian, principal, or other person or agency responsible for a student shall provide to the school a sworn statement or affirmation indicating on a form provided by the Kentucky Board of Education that the student has been adjudicated guilty or expelled from school attendance at a public or private school in this state or another state.

Transportation

The Estill County Board of Education is pleased to provide transportation for your child during the upcoming school year. Pupil transportation is a vital part of the educational process. Our goal is to provide your child safe transportation to and from school.

The rules and regulations outlined in this document are for your child's safety and protection. They also will assist bus drivers and assistants who work with your child. These will be strictly enforced and are put in place to assist everyone involved in the transportation process (students, drivers, and assistants). Bus drivers will report infractions to the school principal and bus riding privileges may be withdrawn if students do not abide by the established rules and regulations.

Riding a bus is a privilege. We maintain the same behavior expectations for students on the bus that we have for students in our schools. In order to operate transportation safely, all Student Discipline Code rules apply to students on buses and at bus stops.

Rules and Regulations for School Bus Riders

- 1. Observe same conduct as in the classroom.**
- 2. Be courteous, use no profane language.**
- 3. Do not eat or drink on the bus.**
- 4. Keep the bus clean.**
- 5. Cooperate with the driver.**
- 6. Do not smoke.**
- 7. Do not be destructive.**

8. **Stay in your seat.**
9. **Keep head, hands, and feet inside the bus.**
10. **Bus drivers are authorized to assign seats.**

Pupil's Responsibilities

Pupils shall conform to transportation rules and regulations prescribed under state statutes and under state and local regulations.

Pupils to Wait at Assigned Stop

Pupils shall wait at their assigned bus stop off the roadway prior to the bus arriving and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus. **Pupils should be looking for the bus 5 minutes prior to the scheduled time.**

Crossing on Driver's Signal

Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver.

Crossing in Driver's Vision

When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order that they may be seen by the bus driver.

Seating

When pupils enter the bus, they shall proceed directly to a seat. Drivers and other school personnel may assign seats on buses.

Seated Until Complete Stop

Pupils shall remain seated until the bus has come to a complete stop.

Body Not to Protrude From Window

Pupils shall not extend their arms, legs, or heads out the bus windows.

Changing Seats

Pupils shall not change from one seat to another while the bus is in motion.

Pupil Noise

Pupils shall not create noise on the bus to the extent that it might distract the bus driver or to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.

Estill County Schools – Bus Expectations

- 1. BE SAFE**
- 2. BE RESPECTFUL**
- 3. BE RESPONSIBLE**
- 4. BE COOPERATIVE**

The following apply to all students who are transported on Estill County school buses:

1. When waiting at the bus stop, students must stand away from the road where vehicles travel.
2. While waiting for the bus, respect the property and persons who are residents of the area. Be at the stop five (5) minutes before the bus is scheduled to arrive.
3. Do not fight or engage in rough play while waiting on the bus, or while riding the bus.

4. Do not use profane language, threats, obscenities, disrespectful language, or gestures while waiting on the school bus, on the bus, or after disembarking from the bus.
5. The throwing of any object on or off the bus is prohibited.
6. Show consideration and respect for the bus driver, assistant, and your fellow students by refraining from noisy and boisterous conversation or other distracting acts.
7. Students must not deface or cause damage to a bus in any way. When damage is caused such as cutting, tearing, punching holes in seats, or writing on the bus, the cost of repair or clean-up must be paid by the student performing the act or his parent/guardian.
8. Tobacco products are not allowed on the bus. This included alternative smoking products as well.
9. Students cannot save seats for others and the driver shall assign seats to students as is deemed proper.
10. All principals have the authority when loading and unloading on school grounds.
11. Any equipment or object considered to be dangerous to the safety and welfare of those aboard, will be prohibited by the bus driver. There must be nothing placed in the aisle or at the front of the bus on the floor. All exits must be free from obstructions at all times. Band instruments and sports equipment will be permitted when they can be held in the student's lap or placed under the seat of the bus and not obstruct the driver's view on the boarding and unloading of the bus. Under bus storage may be used when the bus is equipped.
12. Food / Drink is prohibited on the bus.
13. No live animals, fuel, explosives, or incendiary devices such as matches, lighters, fireworks, gunpowder, or ammunition are allowed on any bus.
14. There will be no change in the location of the bus stop or the routing of buses without the approval of the Transportation Director. ONLY WHEN WRITTEN APPROVAL OF PARENT/GUARDIAN AND THE SCHOOL PRINCIPAL, WILL THE BUS DRIVER ALLOW A STUDENT TO DISEMBARK THE BUS OTHER THAN AT HIS/HER REGULAR BUS STOP.
15. Students must remain seated at all times and must remain seated until the bus comes to a complete stop.
16. Students must depart from the bus in an orderly manner, in single file and students are not allowed to check mailboxes when disembarking. When standing by the front of the bus, students must watch for the driver's visual direction to cross the roadway.
17. Students shall not have in their possession any type of unauthorized weapon or dangerous articles which might be used as a weapon or is commonly accepted as a weapon. Students shall not use any articles as a weapon, regardless of whether it is commonly accepted as such.
18. Students are not allowed to play with any pointed objects such as pens, pencils, compasses, etc. while on the bus.

***THESE RULES ARE POSTED ON EACH ESTILL COUNTY SCHOOL BUS AND ARE STRICTLY ENFORCED.**

Levels of Misconduct

Levels of misconduct are listed below followed by examples and suggested response options. Principals have the authority to proceed to response III through IV if the infraction is considered serious. When students are suspended from the bus, school attendance is still required and parents must provide transportation. You are urged to review this information with your child. Bus drivers and classroom teachers will also go over bus expectations with each child to make sure everyone is working together to provide the safest, most efficient mode of transportation available to students.

Level I Misconduct

Level I misconduct on the part of the student is defined as minor infractions, which impede bus procedures or interfere with the orderly operation of the bus. Level I misconduct can usually be handled by the bus driver, but sometimes may require the intervention of other school support personnel.

Examples of Level I misconduct:

1. Failure to obey driver's instructions
2. Foul language or inappropriate gestures
3. Failure to stay seated
4. Hanging hand, arms, and/or legs out windows
5. Eating or drinking on the bus
6. Throwing paper or other objects on the floor
7. Inappropriate display of affection
8. Use of telecommunication device (cell phone, tablet, etc.) unless approved by driver or school personnel

Suggested Response Options:

1. Verbal reprimand by driver
2. Assignment of seat by driver
3. Discipline referral to principal

Level II Misconduct

Level II misconduct is conduct whose frequency or seriousness tends to disrupt the bus and often result from the continuation of Level I misbehaviors. These types of misbehaviors are serious enough to require action by an administrator.

Examples of Level II misconduct:

1. Failure to ride assigned bus
2. Failure to sit in assigned seat
3. Throwing objects
4. Use of tobacco products/electronic cigarettes
5. Leaving the bus at an unscheduled stop without authorized permission

Suggested Response Options:

1. Discipline referral to principal
2. Use of any tobacco product/electronic cigarettes carries an automatic one day bus suspension by the principal
3. Principal may exercise any Level II response:
 - a. Notify parents
 - b. Teacher-principal conference
 - c. Parent conference (driver may be asked to attend)
 - d. One day in school suspension
 - e. Bus suspension by principal (1-3 days)
 - f. Counseling

Level III Misconduct

Level III misconduct refers to acts directed against another person or property by whose consequences do not seriously endanger the health or safety of others on the bus. These types of misbehaviors are serious enough to require action by an administrator.

Examples of Level III misconduct:

1. Fighting
2. Vandalism (under \$100)
3. Throwing objects at driver/assistant
4. Harassment of driver/assistant

Suggested Response Options:

1. Discipline referral to principal
2. Bus suspension by principal (4-10 days)
3. Principal may use any Level III response:
 - a. Notify parents and require restitution for damaged property
 - b. Confiscation of materials
 - c. Bus suspension
 - d. Alternate in-school suspension
 - e. Extended school day detention
 - f. Mandated counseling sessions
 - g. Placement change
 - h. Suspension from school (3-5 days)

Level IV Misconduct

Level IV misconduct is evidenced by acts that result in violence to self or other's property or presents a direct threat to the safety of self or others on the bus. A "threat" shall refer to a communication made by any means, including, but not limited to electronic and/or online methods. 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 to intentionally inflict harm to themselves, others or property.

Examples of Level IV misconduct:

1. Possession or use of drugs, alcohol or other controlled substance on the bus
2. Possession of a dangerous instrument on a school bus or deadly weapon: ex. Knife with blade in excess of 3.5 inches
3. Throwing items out of the bus

Suggested Response Options:

1. Driver is to immediately call bus garage for specific instructions from law enforcement officials
2. Restitution
3. Loss of non-educational field trip(s)
4. Principal may use any Level IV response:
 - a. Immediate parent notification
 - b. Police involvement
 - c. Refer to social services
 - d. Suspension from school (5-10 days)
 - e. Loss of bus riding privileges for the remainder of the semester/year
 - f. Board action may result in expulsion for up to 12 months (for suspension and expulsion procedures involving students in special education , refer to the Estill County Procedures for Students with Disabilities

Level V Misconduct

Level V misconduct is evidenced by acts that result in violence to another's person or property or presents a direct threat to the safety of others. These acts are serious enough to be considered criminal and require immediate administrative action, which will entail an immediate removal, the intervention of law enforcement authorities, and action by the school board. Transportation director will notify the superintendent.

1. Second charge of possession or use of drugs, alcohol or any controlled substance on the bus

Mandatory Response:

1. Driver is to immediately call the bus garage for specific instructions from law enforcement officials.

Additional Transportation Information

A signed note from the parent/guardian is necessary for a student to obtain a bus pass from the principal/designee of the student's school to get off the bus at a stop other than his/her designated stop. A note from each student's parents is necessary when one student goes home with another. A student riding a bus with a pass, who is disciplined for an infraction, may have their bus riding privileges suspended and may not be allowed to continue riding the bus for which the pass was written.

If a student is suspended from one school bus, he is suspended from all other buses as well. A school bus suspension is not an excused absence from school. Students will be expected to be at school each day of their bus suspension.

No glass containers (not including thermos bottles), helium balloons, or live animals will be transported on the bus.

The principal will take reasonable steps to enforce Student Discipline Code and/or Site Base Council policy in addition to

the Bus Rider Policy and Rules when a student commits a criminal offense. If a criminal offense occurs, all school employees shall, without unreasonable delay, cause an oral or written report to be made to the local police, sheriff, state police and principal of the school attended by the victim.

All Estill County Public School buses are equipped with video camera boxes. Videotapes contain audio. Tapes may be used to document events and responsibility for actions that occur on the buses. Evacuation drills will be conducted four (4) times each year. Two (2) evacuations shall be conducted each semester with the first being conducted within the first full week following the beginning of the semester. The drills consist of an orderly use of the available exits on the bus, and are designed to familiarize students with the proper safety procedures to be followed in case of an emergency.

Students are permitted to leave the bus only at their designated bus stop. Students who live on the opposite side of the road from the bus stop should, when exiting from the bus, go to a point approximately ten (10) feet ahead of the bus and wait until the driver signals to cross the road. Students should never cross at the rear of a stopped school bus. In the event of an accident, the bus driver is not allowed to release students from the scene. The student will be transported, by the school district, to his/her bus stop upon release from police or other authorities.

Estill County Middle School students are not permitted to board buses at Estill County High School without a boarding pass issued from the principal. Middle school students are not permitted to walk to the high school, the county park or along US Highway 25.

School buses stopped for the purpose of loading and unloading students will have the side "Stop Arm" activated. Any time the "Stop-Arm" is out and lights are flashing, all traffic must stop. It is not permissible, even on school property, to pass a school bus while it is loading or unloading students. An exception is when the bus is on a multi-lane highway (4 or more traffic lanes); traffic going in the opposite direction does not have to stop.

Violations of Acceptable Behavior (Definitions)

Violations of acceptable behavior at school, on buses, at bus stops, on the way to and from school, and at school-sponsored activities are defined below. Behavior occurring off school grounds, at locations not listed above, that threatens the safety and well-being of students or staff and directly affects the school's ability to ensure a safe learning environment for all students is also a violation.

1. **Abuse of Teacher (Law Violation)** – Speech or conduct toward a teacher or administrator (when they are functioning in their capacity of an employee) that will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school. (KRS 161.190)
2. **Academic Dishonesty** - A student acting deceptively or dishonestly; including a student copying another's work and using it as his/her own (plagiarism); tampering with official school records.
3. **Acceptable Use Policy Violation** – See Acceptable Use Policy.
4. **Arson (Law Violation)** – Starting or attempting to start a fire on school property.
5. **Assault (School Personnel and Students) (Law Violation)** - Physical contact of one person or a group of persons on another with the intent to injure. Physical sexual abuse of any kind is also considered assault.
6. **Attendance-Failure to sign in and out of school** – Leaving school or school function without appropriately informing school personnel.
7. **Attendance -Skipping Class** – Failure to attend any scheduled class or assigned school activity without valid excuse.
8. **Attendance -Skipping School** - Failure to attend school on a regularly scheduled day without permission from parent or school.
9. **Attendance -Tardiness, Unexcused** - Tardiness to school or any class without a valid excuse. (Refer to individual school policy on tardiness).
10. **Attendance - Truancy** - Absence or tardiness from school for three (3) or more days, without valid excuse. Any child who has been reported as truant two (2) or more times is a habitual truant. (See District Policy).
11. **Attendance-Unauthorized Departure from Campus** - Leaving school campus at which they are enrolled without the principal's/designee's permission. Students who are in areas without permission or off limits.
12. **Aggressive Behavior Towards Any School Employee/Student** – Physical contact or the threat of physical contact toward an employee/student of the school.
13. **Bomb Threat** – Making a threat that a bomb, or explosive device, has been placed or is about to explode in a school or on school property.
14. **Bullying/Cyber Bullying** – See conduct definition (bullying/cyberbullying) in student conduct code
15. **Burglary** – Unlawfully entering a building or area of school property with the intent to commit a crime.
16. **Bus Rules Violation** - Any behavior that may create a safety problem on a bus or violate the Student Discipline Code.
17. **Dangerous Instruments, Possession of** - Dangerous instruments include any instrument, article, or substance, including parts of the human body, readily capable of causing death or serious physical injury. Dangerous instruments shall include pocket knives, bb guns, and hunting knives of all types.
18. **Defiance of Authority** - Willful refusal by a student to follow directives of authorized school personnel (including failure to identify oneself when requested) or to accept in-school disciplinary measures. Being impolite and arguing with those in authority.
19. **Disorderly Conduct (Law Violation)** - Violent or threatening behavior, noise or behavior that creates interference to the learning environment by an act that serves no legitimate purpose.
20. **Display of Affection, Inappropriate** – Acts such as kissing and caressing will not be allowed on school property, buses, and commercial carriers or during school events.
21. **Disrespect of School Employee**—behavior that is rude and lacks respect
22. **Disruptive Behavior** - Disruptions that impede the delivery of instruction, the transporting of students or alter the flow of school or district related business. Disruptions may be defined by written referrals from teachers or staff to the principal.
23. **Dress Code Violation** –Failure to follow school defined dress code requirements. Each Principal and SBDM Council at each school may develop specific guidelines for student dress.
24. **Drug Paraphernalia, Possession or Use of (Law Violation)** – Being in the possession of articles that are meant to be used for, intended to be used for or be construed to be used for drugs, alcohol or other intoxicating substances.
25. **Drugs, alcohol, narcotics, synthetics, controlled substances or look-alike items, Distribution of (Law Violation)** – the sale or distribution of drugs, alcohol or other intoxicating substances.
26. **Drugs, alcohol, narcotics, synthetics, controlled substances or look-alike items, substances or other**

- intoxicating substances, Possession/Use/Under the influence of (Law Violation)** - A student exhibiting noticeable behaviors, physical appearance, or odors consistent with use of alcohol, drugs, or other intoxicating substances. *Use of medications prescribed or ordered by a physician or dentist (Policy 09.2241) shall not be considered a violation of this policy.*
27. **Extortion (Law Violation)** - Attempting to or obtaining property from an unwilling person by intimidation or physical force.
 28. **False Fire Alarm (Law Violation)** – Falsely alerting the fire department or school to a non-existent fire.
 29. **Fighting** – Physical struggle, contact, or quarrel where no participant is identified as a victim.
 30. **Forgery (Law Violation)** - Falsifying documents or signatures.
 31. **Gambling** - Any game of chance for the express purpose of exchanging money or property.
 32. **Gang Activity, Promoting** - displaying signs, signals or gestures indicative of affiliation or advertisement of an organized gang, group or organization which advocates disruption or violence or has a history of group violence or disruption.
 33. **Harassing Communications**- See conduct definition (harassing communications) in student conduct code. (beginning on page 8)
 34. **Hazing**-See conduct definitions in student conduct code (beginning on page 8)
 35. **Law Violation**-any violation of law that occurs at school
 36. **Loitering** -Being on school grounds or in the school without authority or permission of school personnel. This would include students on shortened programs or students remaining after the school activities have ended.
 37. **Menacing (Law Violation)** - actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury.
 38. **Non-Compliance with Classroom Rules** - Failure to complete assignments, including state-mandated assessment tests, and to follow other school or classroom regulations.
 39. **Other** – Student actions that do not fit in any other area of the Student Discipline Code and may violate state or federal law.
 40. **Out of Area**—student in location other than assigned.
 41. **Pornographic/Obscene Material** – Possessing or accessing any material, whether written, printed or electronic, depicting nudity or depicts/describes sexual conduct and, when taken as a whole, lacks serious literary, artistic or other value.
 42. **Profanity or Vulgarity** - The use of words or gestures generally considered socially unacceptable.
 43. **Safety Violation** – An act of abuse or action which might injure or cause injury to oneself or others.
 44. **Sexual Harassment** – See conduct definitions in the student conduct code as well as Harassment and Discrimination section.
 45. **Sexual Misconduct** -Inappropriate conduct defined by accepted social and legal standards.
 46. **Stalking**-see conduct definition of stalking in student discipline code
 47. **Telecommunications Devices, Unauthorized Use of** - A student using or activating (turning on) a telecommunication device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.
 48. **Terroristic Threatening (Law Violation)** - A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally: (a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
 49. **Theft, Stealing or Possession of Stolen Property** - Taking or possessing property belonging to the school or another person.
 50. **Threat or Intimidation** - The act of threatening force or violence, scaring, or insulting another person.
 51. **Tobacco Products, Alternative Nicotine Product, or Vapor Product (e.g. e-cigarettes), Possession/Use of** - The possession or use of any tobacco products (**Alternative Nicotine Product or Vapor Product**) by students.
 52. **Vandalism** - Destruction or defacing of public or personal property, including computer hardware or software.
 53. **Verbal Altercation** - Students who engage in comments which are disruptive toward others.
 54. **Violating Security Procedures** - Compromising district and/or school security procedures or putting others at risk. This may include but is not limited to trespassing, failure to follow lock down or other safety drill procedures, opening of exterior doors other than single monitored entrance, tampering with security cameras,

telephone and/or fire alarm system, remaining on school grounds after posted hours without prior permission from school officials, and intentionally reporting false tips to administrators, teachers, or other sources.

55. **Violation of Suspension Regulations** - Suspended students may not be on school property, property under the supervision of school personnel, buses, or attend school activities without permission of school administrators. Students violating suspension conditions are subject to prosecution for criminal trespass. In addition, further administrative action may be taken under 18 of this Section, "Defiance of Authority." (See KRS 508.060)
56. **Wanton Endangerment (Law Violation)** - Engaging in conduct that creates a substantial danger of injury to another person.
57. **Weapon (other than firearms), Possession of (Law Violation)** Possession of any weapon/instrument or look-alike toy that may be capable of producing physical injury other than those described in "Possession of a Deadly Weapon" section.
58. **Weapon (Deadly), Possession of (Law Violation)** – The possession of any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged; any knife, billy club, nightstick, or club; blackjack or slapjack; nunchaku karate sticks; shuriken or death star; or artificial knuckles made from metal, plastic, or other similar hard material.

Behavior & Consequence Chart for Discipline

Students at different ages and grade levels are expected to assume varying degrees of responsibility for their actions; therefore, different disciplinary measures may be used to reflect different levels of maturity and self-discipline. The following chart indicates specific consequences for each offense and the consequences that will occur if there are repeated violations. The principal/designee reserves the right to alter the application of the penalties included in this Student Discipline Code if, in his/her opinion, the behavior is resulting from unusual or extenuating circumstances. Levels of consequences may be determined by grade level or age of student as expectations for primary, elementary, middle and high school students may differ.

Disciplinary measures may increase in severity and may be administered progressively by moving from left to right on the chart. However, if the principal deems necessary, he or she may impose a more severe action. Repeated and unmodified behavior violations may result in any disciplinary action listed on the Behavior/ Consequence Chart for Violations up to and including expulsion.

Discipline Chart for Schools	IC Board/ Law Violation*	Teacher/ Driver Imposed Disc.	Conference	Detention	In School Discipline Assignment	Saturday School Assignment	Short Term School/Bus Suspension (1-5 days)	Long Term School/Bus Suspension (6-10 days)	Expulsion or Bus Susp. for Rest of the Year	Law Enforce ment
Abuse of Teacher (KRS 161.190)	Verbal Abuse						x	x	x	x
Academic Dishonesty	Cheating	x	x	x	x		x			
Acceptable Use Policy Violation	Inappropriate Use	x	x	x	x					
Aggressive Behavior toward staff or student	Threatening or Verbal Abuse*				x	x	x	x		x
Arson	Arson*						x	x	x	x
Assault and Battery (School Personnel and Student)	Assault*						x	x	x	x
Attendance: Failure to Sign In and Out of School	Leaving Campus		x	x		x				
Attendance: Skipping Class	Skipping Class	x	x	x	x	x	x			
Attendance: Skipping School	Skipping School	x	x	x	x	x	x			
Attendance: Tardiness, Unexcused	Tardy to Class	x	x	x	x	x				
Bomb Threat							x	x	x	x
Bullying /Cyberbullying	Bullying	x	x	x	x	x	x	x	x	x
Burglary							x	x	x	x
Bus Rules Violation :	Bus Disturb.	x	x	x	x	x	x	x	x	x
Dangerous Instruments, Fireworks, or Ammunition, Possession of	Dangerous Instruments				x		x	x	x	x
Defiance Of Authority	Disrespectful	x	x	x	x	x	x	x	x	x
Disorderly Conduct							x	x	x	x
Display of Affection, Inappropriate	Disrespectful	x	x	x	x	x				
Disrespect of School Employee	Disrespectful	x	x	x	x	x	x			
Disruptive Behavior	Disruptive	x	x	x	x	x	x	x	x	x
Dress Code Violation	Dress Code	x	x	x	x	x				
Drug Paraphernalia, Possession or Use of	Look-alike (or law*)						x	x	x	x

Drugs, alcohol, narcotics, synthetic, controlled substances or look-alike Items, Distribution of	*distribution							x	x	x	x
Drugs, alcohol, narcotics, synthetic, controlled substances or look-alike substances, or other intoxicating substances, Possession/Use/Under influence	*possession							x	x	x	x
Extortion	Other							x	x	x	x
False Fire Alarm	Other							x	x	x	x
Fighting	Fighting							x	x	x	x
Forgery	Signing Note or Forgery *	x	x	x	x	x					
Gambling	Gambling*		x		x	x					
Gang Activity, Promoting	Other		x					x	x	x	x
Harassment	Harassment	x	x	x	x	x	x	x	x	x	x
Harassing Communications	HC*	x	x	x	x	x	x	x	x	x	x
Hazing	Other	x	x	x	x	x	x	x	x	x	x
Law Violation								x	x	x	x
Loitering	Loitering*		x	x	x	x	x				x
Menacing	Menacing*	x	x	x	x	x	x	x	x	x	x
Non-Compliance with Classroom/School Rules	Failure to Follow Staff	x	x	x	x	x					
Out of Area	Other	x	x	x	x	x	x				
Pornographic/Obscene Material	Other	x	x	x	x	x	x	x	x	x	x
Profanity or Vulgarity	Profanity	x	x	x	x	x	x				
Safety Violation	Other	x	x	x	x	x	x	x	x	x	x
Sexual Harassment	Harassment		x					x	x	x	x
Sexual Misconduct	Inappropriate	x	x	x	x	x	x	x	x	x	x
Stalking	Stalking*	x	x	x	x	x	x	x	x	x	x
Telecommunication Devices, Unauthorized Use of	Violation of personal elect.	x	x	x	x	x	x				
Terroristic Threatening in the Second Degree	Ter.Threat*							x	x	x	x
Theft, Stealing or Possession of Stolen Property	Stealing							x	x	x	x
Threat to others or property or Intimidation	Threat	x	x		x	x	x	x	x	x	x
Tobacco, Alternative Nicotine & Vapor Products or Possession/Use	Smoking, Chewing, Tob. Other, alt, vapor		x	X	x	x	x				
Unauthorized Departure From Campus	Leaving Campus			x	x	x	x				
Vandalism	Vandalism*	x	x	x	x	x	x	x	x	x	x
Verbal Altercation	Other	x	x	x	x	x	x	x	x		
Violation of Suspension Regulations	Failure to Follow		x		x	x	x	x	x	x	x
Wanton Endangerment	WE*		x					x	x	x	x
Weapon (Other than Firearms) Possession of	Weapon*				x			x	x	x	x
Weapon (Deadly), Possession of	Weapon*							x	x	x	X

Estill County Schools Attendance Policy

Absences and Excuses

Attendance Goal Statement

The Estill County Board of Education believes that there is a direct relationship between poor attendance and lack of achievement. Students who have good attendance generally achieve higher grades, enjoy school more, and are much better adjusted to live in our society.

Students are expected to attend the school in which they are enrolled, regularly and punctually in order to benefit maximally from the instructional program and to develop habits of punctuality, self-discipline, and responsibility. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 007:125.

Truancy Defined

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant. Habitual truancy is defined as 6 (six) unexcused absences. At any point of truancy the court system can become involved.

Excused Absences

A student shall be permitted a total of six (6) excused absences per year upon presenting a parental note to the school Principal or designee for the following reasons (these should be documented as parent notes and ARE NOT in addition to):

1. Death or severe illness in the pupil's immediate family. The number of days excused for a death will be determined by the circumstances involved and will be kept to the minimum necessary as determined by the Principal or designee.
2. Illness of the pupil. Medical and dental appointments will be excused only for the time required to complete the appointment, unless specified by the doctor.
3. Religious holidays and practices.
4. Court appearance when the student's presence is required by subpoena or citation.
5. Driver's permit/license test, which will be excused for a portion of the day.
6. One (1) day for attendance at the Kentucky State Fair.
7. Documented military leave.
8. One (1) day prior to departure of parent/guardian called to active military duty.
9. One (1) day upon the return of parent/guardian from active military duty.
10. Visitation for up to ten (10) days with the student's parent/guardian who, while on active military duty stationed outside of the country, is granted rest and recuperation leave.

Parent notes are to be given three (3) per semester. A student is not permitted to carry over parent notes from first to second semester. Absolutely no notes will be taken after 30 days.

*Doctor's excuses do not count toward the six (6) days of excused absences. Excuses from the doctor shall specify the date of the student's absence. Doctor's notes that indicate that the student was not seen by a physician/physician's assistant will not be accepted. After the tenth (10th) physician's note, the parent /guardian must have a Medical Excuse Form completed by the physician.

** Any 18 year old student who has accumulated 10 or more unexcused absences can be removed from the school role pending Superintendent approval.

**Students are not permitted to apply for Educational Enhancement Opportunities (EHO) if they are truant (3 or more unexcused absences as documented in Infinite Campus).

Enhanced Educational Opportunity

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts. Students/parents should complete the educational enhancement opportunity request form five (5) days prior to the absence.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within state or district testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then (be appealed to the Board under its grievance policy and procedures).

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

Absences for Vacation

The regular school calendar allows students to be off during the summer months as well as holidays, fall break, spring break, Christmas break, and teacher professional days. Therefore, absences for family vacations when school is in session will be recorded as "unexcused." Since classroom time is a high correlate for learning, parents are strongly encouraged to plan vacations around the school calendar.

Notes to Excuse Absences

Notes shall include phone numbers to assist attendance personnel in verifying information. All notes of excuse shall be turned into the appropriate person within three (3) school days of the student's return to school. If a note is not received within three (30) days after returning to school, the absence or tardy will be considered unexcused. The Principal/designee shall determine whether the absence is excused. * **Absolutely no notes taken after 30 days.**

Make-up Work

Work missed due to absences may be made up by arrangement with the teacher. The student and/or the parent of the elementary student are responsible for making arrangements with the teacher for completing make-up work.

Unexcused Absences

Absence for reasons other than those listed in this policy shall be unexcused.

Suspensions

Students suspended are allowed to do the following:

1. Take major tests, such as final examinations or unit tests, upon returning from a suspension; and
2. Hand in major projects or term papers assigned before the period of suspension but due during the time the suspension occurred.

References:

[1702 KAR 007:125](#)
[KRS 36.396](#), [KRS 38.470](#), [KRS 40.366](#)
[KRS 158.070](#), [KRS 158.183](#), [KRS 158.293](#), [KRS 158.294](#)
[KRS 159.035](#), [KRS 159.140](#), [KRS 159.150](#), [KRS 159.180](#)
[OAG 76566](#), [OAG 7968](#), [OAG 79539](#), [OAG 9179](#), [OAG 96-28](#)

Related Policies:

09.111, 09.122, 09.4281
09.126 (re requirements/exceptions for students from military families)
Adopted/Amended: 07/10/2012 Order #: 9-H

Grievance Policy

The Estill County Board of Education has adopted policies that provide students with the opportunity to appeal issues regarding equal educational opportunities and educational concerns or practices. When a student or parent has an educational concern, a complaint must be filed using the following procedure:

General

The desire of the District that concerns be addressed in a collaborative manner before the grievance process is initiated. Any student who wishes to express an educational concern or grievance shall observe the following order of appeal;

1. Teacher;
2. Principal;
3. Superintendent Designee;
4. Superintendent.

Grievance Procedures

Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of grievance, and a process for the orderly review and appeal of each individual grievance. (*See Board Procedure 09.4281 AP.2*)

Exceptions

Harassment/Discrimination allegations shall be governed by Policy 09.42811. Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program. *Related Policies: 07.1, 08.13451, 09.42811, 10.2*

Family Ed. Rights and Privacy Act Notification (FERPA) and KY Family Education Rights and Privacy Act

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

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

Parents or eligible students should submit to the school principal/designee a signed written request (not an email) that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) may be inspected.

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

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

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

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. Upon request, the district shall disclose education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law.

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

Unless the parent or eligible student requests in writing that the district not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is: Family Policy Compliance Office
U.S. Department of Education, 400 Maryland Ave., SW Washington, D.C. 20202-4605

"Directory Information" is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released to news media, athletic organizations, scholarship or college entrance committees, or official organizations whose need for data is connected with student help activities. "Directory Information" shall be the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. The parent, guardian, or eligible student currently enrolled, may request all or part of the directory information be withheld. The request must be in writing to the principal of the child's school within 30 calendar days after notification has been distributed. The written request must specifically state what information may not be classified as directory information. Each parent and eligible student may obtain a copy of School Board Policy 09.14 concerning student records. School board policies and procedures may be examined in the principal's office of each school.

PPRA Rights Notification

The Protection of Pupil Rights Amendments (PPRA) affords parents and eligible students (those who are 18 or older or who are emancipated minors) certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. These include the right to:

1. Consent before students are required to submit to a survey that concerns one (1) or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education:
 - Political affiliations or beliefs of the student or student's parents;
 - Mental or psychological problems of the student or student's family;
 - Sex behavior or attitudes;
 - Illegal, anti-social, self-incriminating, or demeaning behavior;
 - Critical appraisals of others with whom respondents have close family relationships;
 - Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
 - Religious Practices,affiliations,orbeliefsofthestudentorthe student's parents;
 - Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
2. Receive notice and an opportunity to opt student out of:
 - Any other protected information survey, regardless of funding;
 - Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for any physical exam or screening permitted or required under state law); and
 - Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. Inspect, upon request and before administration or use:
 - Protected information surveys of student;
 - Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - Instructional material used as part of the educational curriculum.

The district shall annually provide parents and eligible students notice of these rights under law in the Student Handbook, the District's Student Discipline Code, or other avenues designated by the superintendent/designee.

The district shall also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. Notification will provide an opportunity to opt a student out of participating in those activities. Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office, US Dept. of Education 400 Maryland Ave., SW Washington, D.C. 20202-4605

Suicide Prevention Notification

The administration of the Estill County High School and Estill County Middle School disseminate the following information related to suicide prevention. The Estill County Public School System recognizes the importance of protecting the health, safety, and emotional well-being of students. The state of Kentucky has enacted legislative mandates that require actions on a specific timetable directed at combating the problem of teen suicides. We provide the required training in the suicide prevention and awareness for middle school and high school staff and students. We also provide counseling personnel and counseling opportunities to support students. By September 1 of each year, suicide prevention information will be disseminated to middle and high school students. Principals, counselors, and teachers will complete suicide prevention professional development each year.

References SB 65, KRS 158.070, KRS 161.011, HB 51, KRS 156.095