

# Gallatin County Schools



**WILDCATS**

## Code of Acceptable Behavior & Discipline

2022-2023

Including Technology Acceptable Use Policy

[Link to 2021-2022 Code of Conduct](#)

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# General Information

## **School Telephone Numbers:**

Gallatin County High School	859-567-7640
Gallatin County Middle School	859-567-5860
Gallatin County Upper Elementary School	859-567-2060
Gallatin County Lower Elementary School	859-567-6340

## **Schools' Addresses:**



Gallatin County High School 70 Wildcat Circle Warsaw, KY 41095	Gallatin County Upper Elementary School 50 Paw Print Path Warsaw, KY 41095
Gallatin County Middle School 88 Paw Print Path Warsaw, KY 41095	Gallatin County Lower Elementary School 25 Boaz Drive Warsaw, KY 41095

## **Mission Statement:**

Maximizing Student Learning and Achievement

## **Vision of Gallatin County Schools:**

Preparing all students to be 21st century learners and ready for college, career, and life.



## **Nondiscrimination Policy:**

Students, their parents, and employees of the Gallatin County Public Schools are hereby notified that this school district does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or handicap in employment, educational programs, or activities as set forth in Title IX, Title VI, and Title VII of the Civil Rights Act of 1964, and Section 504. Any person having inquiries concerning the Gallatin County Public Schools' compliance with Title IX, Titles VI or VII of the Civil Rights Act of 1964 may contact the Central Office.

# 2022-23 Calendar:

## School Calendar

### August:

August 12                **No School** - Leader Prep Day  
 August 15                **No School** - Leader Prep Day  
 August 16                **No School** - Staff Opening Day  
 August 17                First Day of School for Students

### September:

September 5            **No School** - Holiday #1 (Labor Day)  
 September 6            **No School** - Leader Prep Day

### October:

October 3-7              **Closed** - Fall Break  
 October 24              **No School** - Leader Prep Day

### November:

November 23            **No School**- Thanksgiving Break  
 November 24            **No School** – Holiday #2 (Thanksgiving)  
 November 25            **No School** – Thanksgiving Break

### December:

December 19-30        **No School** - Winter Break -Holiday #3 (Christmas Day)

### January:

January 2                **No School** - Leader Prep Day  
 January 3                First Day back from Winter Break  
 January 16               **No School** –Holiday #4 (Martin Luther King Jr. Day)



**February:**

February 20      **No School** - Leader Prep Day

**April:**

April 3-7      **No School** - Spring Break

**May:**

May 8-25      State Testing Window

May 25      Last Day of School for Students

May 26      Staff Closing Day



The Code of Student Conduct is published for good communication and to establish the framework to provide an environment for excellence in learning. It is based on basic principles contained in the Policies and Procedures of the Gallatin County Board of Education. The complete Policy Manual is available at the Central Office, each school, and online at [www.gallatin.kyschools.us](http://www.gallatin.kyschools.us).

This booklet does not contain a comprehensive listing of ALL student misconduct and district personnel disciplinary responses. The Gallatin County Board of Education, each school's administration, and its SBDM reserve the right to administer other appropriate corrective measures for offenses listed and others that may occur. Variations from responses listed in the discipline code will be based on the severity of the incident and the number of times a student has had disciplinary referrals.

## Attendance Policy:

All students are expected to attend school on a regular basis and to be on time for classes in order to benefit from the instructional program provided. We want our students to develop desirable traits of punctuality, self-discipline, and responsibility. Employers hire and keep people that have these traits and the right attitude towards work.

**Truancy Defined**

As Amended KRS 159.150 to read:

Any public school student who has not reached his or her twenty-first birthday, who has been absent from school without a valid excuse for three (3) or more days or tardy without a valid excuse on three (3) or more days as truant.



A habitual truant is any student who has been reported as truant two (2) or more times.

For the purpose of this policy, the number of absences shall be based on the cumulative number of days of unexcused absences, rather than the number of absence incidents. The numbers of tardies shall be based on the number of tardy incidents.

A public school student who has attained the age of eighteen (18), but has not reached his or her twenty-first (21) birthday, is accountable if the student fails to comply with school truancy laws. The

parent, guardian, or custodian of a public school student who has not reached his or her eighteenth (18) birthday is accountable if the student fails to comply with school truancy laws. The court-appointed guardian of a public school student, who has not reached his or her twenty-first birthday, is accountable if the student fails to comply with the school truancy laws.

The Gallatin County Schools Director of Pupil Personnel (DPP) is required to inform students between the ages of 18 and 21, parents, guardians, and custodians that they are subject to the truancy laws.

Personal contact with a student's parents/guardians will be established by the DPP/designee upon notification in writing that the student has six (6) unexcused absences or tardies. At such time "FINAL NOTICE" as per KRS 159.180 will be issued personally or by certified mail notifying the parent/guardian of said student's habitual truancy.

Court referrals will be made for any unexcused absence after final notice is issued. Legal action shall be initiated in the Gallatin County District Court in cases of habitual truancy of pupils.

Legal action shall be sought against parents of habitually truant students younger than twelve (12) years of age under the auspices of the County Attorney's office. Charges will be filed directly against habitually truant students twelve (12) to eighteen (18) years of age initially through the offices of the Court Designated Worker. Students eighteen years of age (18) or older will be charged by the County Attorney.

### **Definitions/Clarifications of Gallatin County Attendance Policy**

**ABSENT** is the missing of more than 120 minutes of the school day. This includes being absent from all scheduled activities such as all classes, field trips, assemblies, etc.

**TARDY** is being absent for 120 minutes or less. This includes arriving late or leaving early. (Checking In or Checking Out)

1. **Doctor Notes:** Medical appointments and illnesses that require a doctor visit will be excused and will be considered an additional excused absence. Documentation must be a physician's certified statement indicating that the student was seen by the doctor and was unable to attend school. ***Doctor notes must be received by the school within 2 days of the absence. After 10 doctors' excuses, students may be required to have their physician complete a Gallatin County Schools Medical Excuse Form (available from each school's attendance leader or the district director of pupil personnel)***
2. **Parent Notes:** As outlined by KRS 159.150 and Board Policy 09.123, the school will accept five (5) parent notes each school year to excuse student absences. **Parent notes on paper will be the only form accepted from each school (no emailed notes or phone calls).**

### **Excused Events/Absences and Verifiable Documentation:**

1. Personal illness\* without a doctor's visit (up to five per school year with a parent note)
2. Medical/dental/vision appointment (documentation is required from a physician)
3. Death in the immediate family \*\*, (funeral notice is required as documentation)
4. School activities (documentation will be provided by the school)
5. Driver's Test ( a copy of the student's newly received Driver's License will serve as documentation and only a ½ day absence will be allowed one time during a student's four year school career)

**Medical Excuse Form**  
**Gallatin County Schools**  
 75 Boardwalk  
 Warsaw, Kentucky 41095  
 Phone 939-567-1129 / Fax 939-567-4528

*(This form required only after 10 regular medically excused absences)*

Student Name: \_\_\_\_\_

I hereby authorize this health care provider to release the information requested on this form for my child listed above. \_\_\_\_\_  
 (Sign as Guardian/Parent)

**IMPORTANT NOTE:** The above child has missed ten (10) or more school days already this year due to medical absences. In order to keep our student in school as much as possible and ensure a quality education for our students, we ask that the doctor or ARNP complete this form and return it to the school with the student. A medical excuse will not be accepted for the student due to a doctor's medical absence that has already occurred.

Date of Appointment: \_\_\_\_\_ Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_

Reason for Appointment (i.e. routine office visit, follow up visit, orthodontic, dental, emergency, etc.): \_\_\_\_\_

Was it medically necessary for this student to be absent on date of appointment?  
 Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_

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

Will this student need to be absent more than one day? Yes \_\_\_ No \_\_\_

If yes, how long?  
 (If this student will be out for six days or longer, please complete a Home Request application.)

This student may return to school on \_\_\_\_\_ (Date)

Health Care Provider: \_\_\_\_\_  
 Name & Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature of Physician/ARNP: \_\_\_\_\_  
 Date: \_\_\_\_\_

*Return this completed form to the School Attendance Leader.*



6. Permit Test (a copy of the student's newly received Permit to Drive will serve as documentation and only a ½ day absence will be allowed one time during a student's four year school career)
7. Court appearance (written documentation from the court is required)
8. Religious holidays and practices as pre-arranged with Principal; with verification from the fair).
9. Documented military leave (one (1) day prior to departure of parent/guardian called to active military duty; one (1) day upon the return of parent/guardian from active military duty).
10. Student attendance at the Kentucky State Fair (one day only, as approved by the Principal)
11. Emergencies declared by the principal and pre-approved (the principal will provide the documentation for emergency absences through a written note to the Attendance Leader).

When a student or parent needs to request an emergency principal's note, the parent or student must get pre-approved written permission from the principal PRIOR to the absence. A maximum of two (2) emergency principal's notes can be given per school year to each student.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity (EHO) determined by the Principal to be of significant educational value. The EHO must be submitted to the principal in writing prior to the event or trip. This type of absence cannot occur during any of the school's district-wide assessments, unless there are extenuating circumstances that are approved by the Director of Pupil Personnel. If you have students in more than one school, a request must be made to each school principal. Principals have identical guidelines that are to be followed for EHO.

\*Students with chronic or recurring personal illnesses or family illnesses are required to have a doctor's note on file with the school. Students with excessive absences due to illness who also have a request from a physician may be placed on Home Hospital.

\*\*Immediate family is defined by Gallatin County Schools as mother, father, brother, sister, grandparent, aunt, uncle, close cousin (first, second, or third), mother-in-law, father-in-law, brother-in-law, sister-in-law, and legal guardian

### **Early Dismissal from School**

No student shall be dismissed early from school without permission from the Principal. Any student who leaves the school grounds without permission from the Principal shall be subject to appropriate disciplinary action.

Students shall be dismissed early from school only if they are signed out by the custodial parent/guardian or if written authorization from the custodial parent/guardian is on file in the principal's office. The authorization form completed by the custodial parent/guardian shall list those people who may pick up the student.

In the event that it is not possible for the Principal to obtain prior authorization to dismiss a child from school into the custody of someone other than the custodial parent/guardian, and the Principal determines the situation to be an emergency, the person signing the student out must provide valid identification and sign the student dismissal form.

Emancipated students may sign their own dismissal.

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant. In such cases, the student's parent/guardian shall be notified at the earliest opportunity.

### **School's Attendance Requirements**

Each school's SBDM Council shall develop specific attendance requirements that will be followed for each and every student attending Gallatin County Schools.



# *Kentucky Legislature*

## **Statute Revision Information**

### **Home Hospital**

The long-term illnesses of five (5) school days or more, the parent/guardian may request a doctor's verification for the student to participate in Home Hospital instruction. Upon presentation of a completed Home Hospital application, a committee will determine approval/denial of the physician's recommendation for Home Hospital services.

### **Home Schooling**

For parents who explore the option of homeschooling, please be advised that the student forfeits their eligibility to participate in all extracurricular activities or course offerings at all Gallatin County Schools.

## **Rights and Responsibilities:**

### **A Guide for Students, Parents, and Educators**

The following are reasonable guidelines for students, parents/guardians, teachers, and principals. All parties need to discuss these rights and responsibilities and adhere to them in the school environment and at home. This will enable the school to meet objectives and the maximum learning potential of each student.

***All students in the public schools shall be expected to follow the rules and regulations of the Board of Education and school administration. Students are expected, therefore, to obey the Student Discipline Code from the time they leave home in the morning until they return home in the afternoon. This includes students who walk to and from school as well as those who ride the school bus. All school sponsored activities (ball games, club meetings, dances, etc.) are included as a part of the Student Discipline Code.***

The following sections list specific rights and responsibilities of the members of the Gallatin County School community which includes students, parents, teachers, and administrators.

### **Student Rights**

Students have the right to:

- A school system that plans for and meets the needs of individual students
- Freedom of speech and expression including, but not limited to, appearance, assembly, association, and circulation of petitions and literature (KRS 160.295)
- A written notification of school rules and regulations
- Participation in decision making procedures affecting students
- "Due Process" in regard to major disciplinary action (KRS 160.295)
- Protection of person and property to the fullest extent possible by the school

- Participation in all school programs and activities within the limits of individual capabilities and established standards without regard to race, creed, or sex
- Confidentiality of personal school records
- Freedom from abuse and threat by members of school faculty and administrative personnel (KRS 160.295)

### **Student Responsibilities**

Students have the responsibility to:

- Attend school regularly
- Be accountable for their own conduct
- Show consideration for the rights and property of others
- Refrain from obscene or damaging words or actions which might significantly disrupt the work of the school
- Obey the rules and use established procedure for an explanation of those rules
- Make suggestions in a positive, reasonable manner following established procedures, taking into careful consideration the welfare of all
- Exercise courtesy and reason at all times
- Accept just punishment
- Avoid unreasonable appeals
- Refrain from making false accusations for petty or vicious reasons
- Refrain from acts or actions which would endanger self or others including school property (School Board Policies 5.48, 9.4-9.438)
- Make the best possible contribution within their individual abilities to the activities of the school
- Follow established procedures in requesting release of personal records to persons not legally entitled to such records with proper consent
- Complete all academic work assigned
- Respect the reasonable exercise of authority by school administrators and teachers in maintaining discipline in the school and at school sponsored activities.



### **Parent Rights**

Parents and guardians have the right to:

- Send their child to a school with an environment where learning is valued.
- Expect that any classroom disruptions will be dealt with fairly, firmly, and quickly.
- Enroll students in a Kentucky public school district where they shall attend classes regularly and promptly with minimal interruptions.
- Expect the school to maintain high academic standards.
- Review the student's academic progress and other pertinent information, which may be contained in the student's personal records.
- Address a question concerning their child to the proper authority and to receive a reply in a reasonable time period.

### **Parent Responsibilities**

Parents and guardians have the responsibility to:

- Instill in their child the value of an education
- See that their child attends school regularly and promptly
- Instill in their child a sense of responsibility
- Instill in their child a sense of respect for self, peers, faculty, staff, and school

- Understand that unnecessary interruptions in the school are detrimental to the educational program for all students
- Become familiar with the educational policies of the Gallatin County Board of Education and the rules and regulations of the schools
- Aid their child in understanding the disciplinary procedures of the schools
- Check with the proper school officials regarding the facts of any situation that they might question
- Support the efforts of the school
- Inform school officials of concerns pertaining to disciplinary procedures
- Instill in their children the need for proper and appropriate student attire and hygiene
- Periodically check with school officials concerning their children's behavior as well as academic progress and be involved in planning for their children's needs

### **Teacher Rights**

Teachers have the right to:

- Work in a positive educational environment with a minimum of disruption
- Expect the support of students, co-workers, administrators, parents, and the community at large
- Expect all assignments, including homework, to be completed as assigned and turned in on time
- Remove any student from class whose behavior significantly disrupts a positive learning environment
- Freedom from verbal abuse and safety from physical harm
- Provide input in the formulation of school policies
- Proceed as necessary in emergencies to protect persons or property

### **Teacher Responsibilities**

Teachers have the responsibility to:

- Present subject matter and experiences to students and to inform students and parents/guardians of achievement and/or problems.
- Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
- Assist in the administration of such discipline as is necessary to maintain order throughout the school without discrimination on any basis.
- Evaluate and record students' assignments and return them as soon as possible.
- Exhibit exemplary behavior in action and speech.
- Exhibit appropriateness, neatness, and cleanliness of personal dress and hygiene.
- Reward exemplary behavior or work of students.
- Maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students.
- Recommend for retention in a class any student who fails to meet the basic communicated standards for such class.
- Maintain necessary records of student progress and attendance as possible.
- Follow and enforce policies, rules, and regulations of the Board of Education and/or school administration.
- Care for the equipment and physical facilities of the school.

Alone we can  
do so little;  
together we can  
do so much.

### **Administrator Rights**

Principals and designated administrators have the right to:

- Receive the support and respect of students, parents, and teachers in carrying out the educational programs and policies established by the school system
- Provide input for the establishment of procedures and regulations that relate to the school
- Expect safety from physical harm and verbal abuse
- Take necessary action in emergencies to protect their own person or property or the persons or property of those in their care
- Follow due process when suspending any student whose behavior violates the discipline code
- Administer the school environment to provide the proper learning atmosphere

### **Administrator Responsibilities**

Principals and designated administrators have the responsibility to:

- Create and foster an atmosphere of mutual respect and consideration among pupils and staff members
- Administer discipline fairly and equally, following the guidelines set forth herein, but in doing so use his/her own best judgment
- Exhibit exemplary behavior in action, dress, and speech
- Implement and evaluate all aspects of the educational program to improve learning and comply with policies, regulations, procedures or laws of the district, state and nation
- Disseminate information explaining the Code of Student Conduct to the school community
- Evaluate the effectiveness of the discipline policies at their individual schools and initiate alternative possibilities

### **Emergency Medical Treatment**

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a healthcare professional become available. Parents' telephone numbers or a number at which parents can be reached, the name of the family physician, and how the student is to be transported shall be maintained at each school for all its pupils. Reasonable efforts shall be made to notify parents in the event of an accident or illness as soon as possible after the event or occurrence. Each staff member shall refer to the Emergency Procedure Guide for handling medical emergencies. When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

## **School Bus Safety:**

The privilege of any student to ride a school bus is conditioned upon his good behavior and observance of the following regulations. The school bus driver has the authority to enforce the below regulations. It is each student's responsibility to maintain his/her riding privileges by exhibiting acceptable conduct on the bus at all times.

Bus drivers shall promptly report any violation of District policy or school rules to the Director of Transportation who will notify the Principal. Drivers are in charge of their buses, and their first responsibility shall be the safe transportation of their passengers. In the event that one or more pupils are behaving in such a way as to endanger the safety of other pupils on the bus, the driver is authorized to order the offending pupils from the bus. In the event a pupil is discharged for disciplinary reasons, the

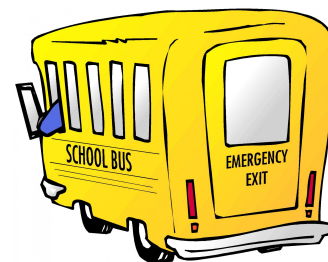
driver shall make every effort to do so near a house or open a business establishment. At the first reasonable opportunity, the driver shall notify the Director of Transportation of the school where the pupil attends or the Superintendent and the student's parent or legal guardian.

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 Principal may also withhold bus-riding privileges up to the remainder of the school year. **Parents shall be responsible for providing transportation for their child who has been suspended from riding the school bus.**

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

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

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



Instruction in bus conduct and safety shall be provided to all transported students. Instruction shall include the following rules:

1. Pupils shall wait at their assigned bus stop off the traveled roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.
  - a. Students must be on time. Buses cannot wait beyond the schedule time
  - b. Parents are responsible for the safety of students who are going to and from the pick-up points and for their meeting the bus on schedule.
  - c. Students should never stand in the road while waiting for the bus.
2. When pupils must cross the roadway to enter the school bus or cross the roadway when leaving the school bus, they shall not cross the roadway until signaled to do so by the bus driver. Students should not run toward or across the roadway while the bus is moving.
3. When students are required to cross the roadway when entering or leaving the school bus, the roadway crossing shall be made in front of the bus. The students shall cross the roadway approximately ten (10) feet in front of the bus so that the bus driver may see them. (702 KAR 5:090(3))
4. When students enter the bus, they shall proceed directly to a seat without disturbing other students.
5. Students shall remain seated until the bus has come to a complete stop before leaving their seats.
6. Students shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.
  - a. Buses will not leave school in the afternoon until all students are seated and quiet.
  - b. Bus drivers will strictly enforce this rule.
7. Students shall not extend their arms, legs, or heads out the bus windows.
8. Students shall not create excessive noise or engage in any activity which might divert the driver's attention from driving the bus and create a safety hazard or cause an accident such as:
  - a. Loud talking, laughing, or unnecessary confusion (boom boxes, radios, and any other music devices.)
  - b. Unnecessary conversation with the driver
9. Students SHALL NOT at any time:
  - a. Smoke, chew, dip, possess, or use any tobacco or vaping related products on the bus

- b. Eat or drink on the bus
  - c. Throw paper or waste on the floor of the bus
  - d. Throw articles on the bus or out of the window
  - e. Fight, push, or shove
  - f. Use profane, vulgar, or abusive language
  - g. Possess knives, sharp objects, or other lethal objects
  - h. Bring animals on the bus
  - i. Tamper with mechanical equipment or accessories which control the bus
  - j. Place musical instruments or other articles in the door of the bus
  - k. Obstruct aisle in any manner
  - l. Possess or take drugs
  - m. Operate the entrance door handle or any other bus control except in case of emergency
  - n. Occupy more space in a seat than required. Items belonging to the student must be held by the student and not placed in another seat or on the floor.
  - o. Track excessive mud and dirt on the bus
  - p. Open and close windows without the permission of the driver
  - q. Bring firearms, explosives, or dangerous weapons on the bus
  - r. Interface or intercede with a bus driver in disciplining a student, even if it is a sibling
  - s. Bring helium balloons or floral arrangements on the bus
  - t. Have in their possession water guns, squirt bottles, or related items
10. Students shall ride the school bus to which they are assigned to and from school each day and shall get on and off the bus at the same stop each day unless written permission is granted by the principal of the school which the student attends.
- a. Permission notes from parents, teachers, or others will not be accepted by the bus driver unless signed by the principal
  - b. Only those persons assigned to the bus shall be allowed to ride a bus. Persons not of school age, parents, or other persons will not be allowed to ride a school bus without permission from the transportation director or principal.
11. Students who damage any part of the school bus will be subject to disciplinary action by the school principal. Parents will be required to pay for the damage and students may not be allowed to ride the bus.
12. Students shall not leave the bus through the rear door except during an emergency situation.
13. Student behavior can be monitored by the use of electronic equipment. All tapes are subject to confidentiality restrictions.

#### **Procedure for Handling Bus Misconduct**

1. Upon enrollment in school, all students will be provided access to the Code of Acceptable Behavior and Discipline Handbook. The Acknowledgement Form must be signed by the parent and returned to school.
2. For minor infractions, the driver will warn the students.
3. For the FIRST MISCONDUCT REPORT, the Principal will have a conference with the student and give a reprimand or appropriate additional discipline. The Principal will explain to the student what will happen if a second misconduct occurs. A copy of the misconduct report will be sent home explaining what will occur if a second bus misconduct occurs.
4. For the SECOND MISCONDUCT REPORT, the Principal will conference with the student and may issue a 1 – 3 day bus suspension. The Principal will send information home with the parent's copy of the misconduct report explaining what will happen if a third bus misconduct occurs.

5. For the THIRD MISCONDUCT REPORT, the principal will conference with the Director of Transportation and student and may issue a 3-5 day bus suspension. The principal may notify the parent that a conference may be needed before the student is allowed back on the bus.
6. For the FOURTH MISCONDUCT REPORT, the Principal will work with the Director of Transportation, bus driver, and parent to determine riding privileges for the year. If privileges are revoked, a letter from the Principal will be sent home.

\* A student may be suspended from riding the bus on the first offense if the problem is severe enough to warrant such action.

\*\* The principal will use discretion when dealing with minor bus problems that may not warrant bus suspension.

\*\*\*The principal will make every effort to take action on the driver's report of the student's misconduct on the day it is received or the next day the student is present at school if possible.

## Disciplinary Issues:

### Care of School and Personal Property

Pupils shall be held responsible for damage 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 or replacing the property. Anyone or group who steals or willfully or wantonly destroys, defaces, or damages 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. Anyone or group 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.

### Bullying/Hazing

Bullying includes hazing; menacing; taunting; intimidating; verbal or physical abuse of others; the use of lewd, profane or vulgar language; verbal or physical abuse of others; or other threatening behavior toward students, staff members, or visitors in person or through acts of cyberbullying. Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it. Bullying is defined as "any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated." (S.B. 228)

Bullying refers to any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school-sponsored activity, which are repeated against the same student over time. Bullying involves repeated negative behavior, carried out over time with a purpose to harm another person physically or mentally, or to benefit oneself through behavior which causes such harm to the other person. Bullying involves taking advantage of either a real or perceived imbalance of power. Bullying may involve an attempt to cause fear. Examples of 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 or coercion of another student to do something he/she does not want to do; setting someone





up to be bullied or encouraging a 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.

The Kentucky Center for School Safety (<https://kycss.org/cyberbullying.php>) addresses Cyber Bullying: **Cyberbullying** involves the use of information and technology such as e-mail, cell phone, text messages, instant messaging, the publishing of defamatory personal web sites, blogs, social media websites, online games, and online personal polling websites that are used to support conscious, willful, deliberate, repeated, and hostile behavior by one or more people with the intent to harm others. On-line harassment or threatening is **Cyberbullying**.

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

### **Actions Not Tolerated**

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

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

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

### **Harassment**

#### **I. General Statement of Policy**

Gallatin County Schools is committed to maintaining an educational and work environment that is free from harassment and violence on the basis of sex, race, color, national origin, disability, age, religion, marital status, or any other basis prohibited by federal, state, or local law, ordinance, or regulation.

Gallatin County Schools strictly prohibits any form of harassment or violence on the basis of race, color, national origin, disability, age, religion, marital status, or any other basis prohibited by federal, state, or local law, ordinance, or regulation.

The provisions of this section shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process.

**School Safety**

Anonymous Hotline - 859-449-7699 ext 192

Harassment/discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. The prohibition also applies to visitors to the school who may come in contact with employees and students. Acts of harassment/discrimination based on sex may be committed by person of the same or the opposite sex. District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

Students who engage in harassment/discrimination of any employee, another student, or visitor on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension or expulsion if an investigation of the alleged incident verifies the reported conduct.

Gallatin County Schools will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial, sexual harassment, or violence, and to discipline or take appropriate action against any pupil, teacher, administrator or other institution personnel who is found to have violated this policy.

II. Conduct and/or prohibited behaviors under this section of the Code of Acceptable Behavior and Discipline include, but are not limited to:

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

Students who engage in harassment/discrimination of an employee or another student on the basis of race, color, national origin, age, religion, marital status, political beliefs, sex, or disability shall be subject to disciplinary action, including but not limited to suspension and expulsion.

Students who feel they are the object of harassment have the right to protection as described in School Board Policy 09.42811. The District's complete policy/procedures are available online at [www.gallatin.kyschools.us](http://www.gallatin.kyschools.us), in the Principal's office, and at the Central Office at 75 Boardwalk, Warsaw, for review.

### **Tobacco**

The use or possession of cigarettes, chewing tobacco, smokeless tobacco of any kind, or e-Cigarettes by the students of Gallatin County Schools is strictly prohibited. Violation of this policy shall be grounds for disciplinary action. **All tobacco and tobacco cessation products that are confiscated at school will not be returned and parents will be notified!**

### **Drugs and Alcohol**

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

1. Alcoholic beverages;
2. Controlled drug substances and drug paraphernalia;
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.
4. Any prescription or non-prescription medication for the purpose of sale, distribution, or use (unless otherwise permitted by Board policy).

### **Controlled Substance 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 Health Services under regulations pursuant to KRS 218A.010, and marijuana.

### **Authorized Medication**

Use of a drug authorized by and administered in accordance with a prescription from a physician/health care provider shall not be considered in violation of this policy when medications are maintained in the school's office. An Authorization to Administer Medication form must be completed for students who will be taking medications at school.

### **Penalty**

Violation of this policy shall constitute reason for disciplinary action including suspension, expulsion from school\*\*\*, loss of driving privileges, and suspension or dismissal from athletic teams, extracurricular activities, and/or other school-sponsored activities

For sale or transmission of alcoholic beverages, narcotics, drugs, controlled substances, counterfeit or look-alike narcotics, drugs or prohibited substances and/or the assistance in the receipt, sale, or transfer of alcoholic beverages, drugs, narcotics, or prohibited substances, the student will be immediately suspended for ten (10) days, and a recommendation for expulsion will be made.

*\*\*\*First time offenders who use and/or possess alcohol, drugs, look-alike substances, or drug paraphernalia **may** be eligible to participate in an Adolescent Intensive Outpatient Program or Individual Outpatient Therapy. Only those students without prior major disciplinary infractions will be offered this option. The student and his or her family must participate in the program together and the expulsion will be waived pending program completion. Students can only participate in the program once in their school career. The administration at Gallatin County Schools will reinstate the expulsion if a student who agreed to participate in the program does not complete it. \*\*\**

### **Reporting**

The Principal/Assistant Principal or Drug Testing Coordinator shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone, or otherwise, if s/he knows or has reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or school sanctioned event.

### **Prevention Program**

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

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

### **Terroristic Threatening (KRS Chapter 508)**

Students should realize that terroristic threatening is punishable with up to 12 months in jail. Effective June 2001, terroristic threatening is a crime in the state of Kentucky (KRS 508.080). A person is guilty of terroristic threatening when: **(a)** He or she threatens to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person; or **(b)** He or she intentionally makes false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation. Such offenses may lead to expulsion without educational services.

### **Weapons**

Carrying, bringing, using, or possessing any dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited by students, staff members, or visitors to the school. Such weapons include, but are not limited to: knives, any pistol, revolver, rifle, shotgun, air gun or spring gun, slingshot, bludgeon, booby trap device, brass knuckles or artificial knuckles of any kind.

It is the policy of the Gallatin County School System to report any student who is determined to have brought a weapon or firearm to a school or school grounds under the jurisdiction of this system to the criminal justice or juvenile delinquency system. To comply with existing requirements of the Individuals with Disabilities Education Act (IDEA) regarding discipline of students with disabilities, our board or education will modify the expulsion requirements, on a case-by-case basis, for IDEA-eligible students. IDEA-eligible students may be expelled for behavior unrelated to their disabilities, as long as the procedural safeguards required by IDEA and KRS 158.150 are followed.

Non-IDEA eligible students will also have their expulsion requirements modified on a case-by-case basis by the board of education.

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

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

The above criminal penalty prohibiting the unlawful possession of a weapon on school property shall not apply to those persons listed in KRS 527.

Employees of the district shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

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.

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with board policies 09.436

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

### **Assault**

Any pupil who assaults another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.

Any pupil who assaults or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action and/or legal action.

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

### **Assault on School Personnel**

Before a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function is assigned to work directly with or comes in contact with any district employee, that person shall be notified in writing of the student's history by the Principal. The notice shall describe the nature of the student's behavior.

Any assault or verbal abuse by a pupil on a teacher or other school personnel is prohibited.

Violation of this policy shall be grounds for disciplinary action.

### **Disrupting the Educational Process**

Behavior that is disruptive to the educational process shall not be tolerated. For the purpose of this section, behavior that disrupts the educational process, shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may potentially damage property;
3. Illegal activity; or
4. Conduct that interferes with or hinders the orderly administration of the school and school-related activities.

Violation of this policy shall be grounds for disciplinary action. Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.

### **Due Process**

The US Supreme Court has held that a student may not be deprived of the opportunity to a public education without good cause in which procedural due process is observed. Due process requires that all students:

1. The pupil shall be given oral or written notice of the charges against him/her;
2. That they receive an explanation of the evidence against him/her;
3. The pupil shall be given an opportunity to present his/her own version of facts concerning the charge(s).

In cases of severe misconduct, the Principal may set up an administrative hearing with the student. When drug or alcohol violations have occurred, the Principal may request the convening of the Disciplinary Review Committee. In cases that involve students with disabilities, the procedures mandated by federal and state law shall be followed.

### **Suspensions (KRS 158.150)**

The Superintendent, Principal, or Assistant Principal may suspend a pupil up to a maximum of ten (10) days per incident.

A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431), unless immediate suspension is essential to protect persons or property or to avoid disruption of the ongoing academic process. In such cases, the due process procedures outlined above shall follow suspension as soon as possible but no later than three (3) schools days after suspension.

The administrator will contact parents, when possible, before the suspension. When a student is suspended, the administrator shall report such action in writing immediately to the superintendent/designee and parent/guardian of the student. Written notice shall be mailed to the parent/guardian and a copy shall be given to the student.

When a student is suspended, they are not allowed to attend school for an assigned number of days. Suspended students are ineligible to attend or participate in any extracurricular activities – this includes practices, meetings, games, competitions, or competitions of any form. Students who are suspended from school are not allowed on school property (day or night) during the suspension. Students who are caught, observed, or reported by school officials to be on school property during a suspension will receive double suspension time. Students who are suspended from school are not allowed to participate in or attend any school functions or contests and are not allowed on school property for the entire duration of their suspension (this includes weekends).

### **Expulsions**

Expulsion is the most serious penalty that a board of education can impose and should only be used as a last resort. If expulsion is deemed necessary, the principal shall recommend expulsion to the superintendent. At that time parents will be notified of a scheduled due process hearing to be held no earlier than five days from the day the notice is received or not later than the next regular school board meeting (09.434).

### **Search and Seizure**

No pupil's clothing shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule, a Board policy, or the law. Search of a pupil's person shall be conducted only with the express authority of the Principal. A witness will be present if possible.

As a precautionary measure against the spread of COVID-19, school lockers will not be available for student use during the 2020-2021 school year. This decision has been made for all schools at the district level due to school buildings reopening under KDE's "Initial Guidance for Schools and Districts" guidelines. Therefore, school officials reserve the right to check backpacks/book bags to help insure a safe school environment.

Searches of a pupil's person or his/her personal effects shall only be conducted by the Principal or a certified person directly responsible for the conduct of the pupil at the school where the student attends.

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; or a witness of the same sex as the pupil shall be present during the search. No search of a pupil shall be conducted in the presence of other students. No strip searches of students shall be permitted. Students who fail to cooperate with school authorities when requested shall be subject to disciplinary action.

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

Illegal items (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.

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

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

School authorities shall have the authority to conduct routine patrols of student parking lots and to inspect the exteriors of student vehicles parked on school property.

Subject to the following conditions, the Principal may authorize the use of trained dogs to locate controlled substances on school grounds:

1. The dogs shall be certified as never having been trained as attack dogs.
2. The Principal or the Principal's designee shall be present.
3. Searches involving dogs shall be conducted only when students are in classrooms; no student shall be in the vicinity of lockers being searched.

#### **Police Officers in the School (School Resource Officer)**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody). As soon as possible, officials shall endeavor to notify the parents of any student who is arrested.

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from school whom they suspect of committing a crime off school property:

1. Parents/guardians of minor students shall be notified by school officials as soon as possible prior to interrogation or removal from school.
2. If the student is an alleged victim of abuse or neglect by a parent, school officials shall follow the directions provided by the investigating officer or Cabinet for Families and Children representative as to whether to contact a parent.
3. If the parent(s) comes to the school or consents to permit the officer(s) to interview the student, a private place for the interview shall be provided.
4. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order or juvenile petition, or arrange to interview the student off the school grounds.

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parents.

### **Grievance Procedures**

Parents having concerns/grievances are encouraged to contact school personnel following the outlined steps. However, under no circumstances are classes to be interrupted.

- Call the school office for an appointment to discuss the concern with the teacher
- Call the school office for an appointment to discuss the concern with the principal/assistant principal and classroom teacher (if appropriate)
- Call the central office for an appointment to discuss the concern with the superintendent or appropriate staff

### **Student Grievance Procedures**

This procedure is for the purpose of providing a student/parent an opportunity to report a grievance or complaint. It is recognized that there are times when complaints and questions arise as the result of actions by school employees. Constructive criticism on such matters is welcome in the following manner:

- If the complaint is related to the classroom, the student/parent will contact the Principal or Counselor of the school to arrange a conference with the classroom teacher, as soon as possible, to discuss the problem.
- If this conference does not resolve the situation, the teacher and parent may arrange for a conference with the Principal with a minimum amount of delay.
- If the complaint is not related to the classroom, the student/parent will contact the Principal directly.
- If the Principal or Counselor is an alleged party in the complaint, the complaint shall be directed to the Superintendent.
- The staff member to whom the complaint was directed shall make prompt investigation of the allegations and a written response to the student/parent within five (5) working days after receiving the complaint. A copy of the complaint and response shall be filed with the Superintendent.
- If the student/parent is not satisfied with the resolution developed under the above steps, or if the solution is not received in the prescribed five (5) days, s/he may appeal in writing to the Superintendent, who shall investigate the allegations within five (5) working days from the date the appeal was received.

A written response will be made by the Superintendent within ten (10) working days from the date of the appeal and presented to the student/parent with a copy to be filed in the Superintendent's office. If the resolution of the complaint developed by the Superintendent is not satisfactory, and the complaint concerns the methods in which a Board policy was administered, the fairness of a Board policy, or the violation of a policy by personnel, the student/parent may appeal in writing to the Board for a hearing at the next regularly scheduled meeting. The Board does not have the authority to discipline personnel. This authority lies with the Superintendent.

The resolution reached by the Board shall be final and shall be presented to the student/parent in writing within three (3) working days from the date of the Board's decision with a copy filed in the Superintendent's office.

The school council has authority to adopt policies, within existing Board policies, regarding the management of students and student conduct, curriculum, extra-curricular activities, and the assignment of staff and students. The school council does not have the authority to discipline personnel. This authority lies with the Superintendent.



If the complaint concerns the fairness of a school council policy, the parent may present evidence to the school council regarding why the parent feels that the policy is unfair.

If the above procedures do not solve the situation and the complaint concerns the method in which a board policy was administered or the violation of a policy by personnel, the student/parent may appeal in writing to the Superintendent who shall investigate the allegations within five (5) working days from the date the appeal was received.

A written response will be made by the Superintendent within ten (10) working days from the date of the appeal and presented to the student/parent with a copy filed in the Superintendent's office. If the resolution of the complaint developed by the Council/Superintendent is not satisfactory, the student/parent may appeal in writing to the Board for a hearing at the next regularly scheduled meeting. The resolution of the complaint shall be made by the Board within three (3) working days of the next regularly scheduled meeting following the hearing.

The resolution reached by the Board shall be final and shall be presented to the student/parent in writing within three (3) working days from the date of the Board's decision with a copy filed in the Superintendent's office.

### **No Pass/No Drive**

The "No Pass/No Drive" statute (HB 32, amending KRS 159.051) results in the denial or revocation of a student's driver's license for academic deficiency, or dropping out of school as a result of excessive or unexcused absences.

### **Driver's License Revocation Policy**

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. Gallatin County Board of Education policy 9.4294 is also a source of information and further information on NO PASS/NO DRIVE.

#### **1. Academic and Attendance Deficiencies**

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

- They shall be deemed academically deficient if they have not received passing grades in at least 66% of his/her courses, or the equivalent, taken in the preceding semester.
- They shall be deemed deficient in attendance when they drop out of school or accumulate nine (9) or more unexcused in the preceding semester. Suspensions shall be considered unexcused absences.
- In the event any individual under the age of 18 possessing a driver's permit or license who has enrolled as a student in Gallatin County Schools fails to maintain the standards established to retain their driving privileges, the Principal of the school shall submit that student's name to the Superintendent of Gallatin County Schools. Within ten (10) days after receiving notification, the Superintendent shall report the student's name and status to the Transportation Cabinet.

#### **2. Reinstatement of Driving Privilege**

- Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Principal to have their standing confirmed. The District shall make the required report to the appropriate agency.
- Forms will need to be picked up from the attendance leader before taking the application to the driving permit test at the circuit clerk's office.

# Student Support Services:

## **Equal Education Opportunities**

No pupil shall be discriminated against because of age, color, disability, parental status, marital status, race, national origin, religion, sex, or genetic information. The District shall provide a free, appropriate public education to each qualified disabled student, as defined by law, within its jurisdiction. The District shall operate its program in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional activities. Students who are at least (18) years of age may submit their own requests. If assistive technology is deemed necessary for a student, every effort will be made to obtain that technology in a timely fashion.

## **Non-Discrimination Notice**

Students, their parents, and employees of the Gallatin County Public Schools are hereby notified that this school district does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or handicap in employment, educational programs, or activities as set forth in Title IX, Title VI, and Title VII of the Civil Rights Act of 1964, and Section 504. Any person having inquiries concerning the Gallatin County Public Schools' compliance with Title IX, Titles VI or VII of the Civil Rights Act of 1964 may contact the Central Office.

## **Family Educational Rights and Privacy Act (FERPA)**

FERPA makes student records confidential, but permits schools to release directory information. It also allows parents and/or students to request that their information not be released without the parent's prior consent. Notice to the parent is not required when court ordered or in the context of dependency, neglect, or abuse proceeding in which the parent is a party. Notification of all FERPA rights are contained in District policy 09.14AP.111. Schools provide military recruiters and institutions of higher education with students' names, addresses, and telephone listings. Students and parents have the opportunity to opt out of the school's disclosure of that information. Forms requesting that students' information not be released to the military or institutions of higher learning are available in the office of each school.

## **Notification of Protection of Pupil Rights Amendment**

Under the Protection of Pupil Rights Amendment (PPRA), parents and eligible students are afforded the right to provide consent before minor students are required to complete a protected information survey, have information used for marketing purposes, or conducting certain physical examinations. They can choose to opt out their child and can inspect any such survey before administration. Complete information regarding the PPRA is contained in Board Policy 09.14 AP.112.

## **The Right to Confidentiality of Access to Student Records**

In accordance with the Family Education Rights and Privacy Act, written policies and procedures have been developed which describe the Gallatin County School District's requirements regarding confidentiality of personally identifiable information. Stated in this notice is a summary of your rights under the Act. These rights are passed on to the student at age eighteen (18). For the purpose of this notice, the student 18 years or older, and the students who are married, will be referred to as the "emancipated" or "eligible" student. Parents, guardians, and eligible students may review and inspect all education records relating to that student by making a request to the Principal of the school where that student attends.

The Gallatin County Public Schools (GCPS) will presume that the parent has the authority to review and inspect records relating to their children unless the district has been advised in writing that the parent

does not have the legal authority under applicable state law governing such matters as guardianship, separation, and divorce.

Personally identifiable information is not released to another party unless there is written authorization from the parent or eligible student, or there is a “Legitimate Educational Interest” as defined in the policies and procedures for confidentiality. A current list of employees’ names and positions who have access to personally identifiable information is on file in each school. The GCPS has described in its policies and procedures the conditions under which personally identifiable information is released to another person without written parental consent.

“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 the news media, athletic organizations, scholarship or college entrance committees, or official organizations whose need for data is connected with student help activities.

“Directory Information” includes, but is not limited to 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 your child’s school, within 30 calendar days after this notification has been distributed. The written request must specifically state what information may not be classified as directory information.

In accordance with federal regulations concerning the release or transfer of educational records, it is the policy of this school district to forward education records on request to a school in which a student seeks or intends to enroll. Parents may obtain upon request a copy of the records transferred.

The Gallatin County Schools keeps child and youth records in a secure computer system and in locked files in each school and central office.

Any parent or guardian of a student, or any eligible student, may challenge the content or accuracy of any material or entries in the student’s educational records on the grounds that it is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. Requests to amend the records are submitted to the Principal of your child’s school.

For students who have been determined eligible for programs for children and youth with disabilities, educational records will be destroyed at the request of the parent when they are no longer needed to provide educational programs and services. The GCPS will destroy the educational records of a child or youth without a parent’s request after the records have been maintained for a minimum period of seven years and are no longer needed to provide educational programs and services. Parents are advised that data contained in the records may be later needed for Social Security purposes. The GCPS retains for an indefinite period of time, a record of the student’s name, address, telephone number, grades, attendance record, classes attended, grades completed, and year completed.

Children and youth determined eligible for special education include those children and youth with disabilities who have hearing impairments, vision impairments, emotional and behavior disorders, both deafness and blindness, health impairments, specific learning disabilities, mental disabilities, multiple



disabilities, speech and language impairments, physical disabilities, autism, or traumatic brain injuries, and who because of these impairments need specifically designed instruction and related services.

### **Section 504 Policy Statement & Public Notice**

The Gallatin County Schools does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the educational programs and provision of services or in employment policies. It is the policy of the Gallatin County Public Schools to provide a free appropriate public education to each student with a disability, regardless of the nature or severity of the disability, residing within the jurisdiction of the Gallatin County.

It is the intent of Gallatin County Public Schools to ensure that students who have 504 disabilities within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may have 504 disabilities under this policy even though they do not require services pursuant to the Individuals with Disabilities Education Act (IDEA).

Due process rights under Section 504 of students with disabilities and their parents are guaranteed in the Gallatin County Public Schools are described in the Gallatin County Schools Procedures for Section 504 of the Rehabilitation Act.

Inquiries regarding compliance with Section 504 or the Americans with Disabilities Act should be directed to a Section 504 Coordinator. Please contact:

Gallatin County Schools  
75 Boardwalk  
Warsaw, Kentucky, 41095  
Phone: 859 567-1820

## **Technology Acceptable Use Policy:**

**Board Policy 08.2323** requires that all materials be consistent with the district-adopted guides, supporting and enhancing the current curriculum, while taking into account the various instructional needs, learning styles and developmental levels of the students. The Gallatin County School District believes that children can benefit from relevant and educational opportunities involving a wide array of technological and electronic resources. Access to various software, email, educational websites, online learning platforms and the Internet will enable students to enhance their educational experience. The purpose of the Technology Acceptable Use Policy is to provide guidelines for ensuring appropriate use of electronic resources by students and staff.



### **Definition of Electronic Resources**

The term *electronic resource* includes, but is not limited to, the following items:

- Devices - desktops, laptops, tablets, gaming and other computing devices
- Computer networks and all equipment connected together for the sharing of information
- Internet access
- Educational websites
- Online Learning Platforms
- Personal devices connected to the district's network
- Email
- Software
- Video hardware/software
- Voice hardware/software

### **Permissions and Agreements**

All students utilizing the Gallatin County School District network and who are under the age of 18, are required to have an Internet User Agreement and Parent Permission Form signed, by both the student and their parent(s). The required form will be kept on file at the appropriate site and be viewed as a legal, binding document. When a signed permission form is brought in and signed by the parent and student, email and internet access will be provided. It is the responsibility of the school staff to monitor student network access and internet usage. Any staff member not properly supervising may be reported to their building principal and/or the Board of Education.

All students utilizing the Gallatin County School District network and who are eighteen (18) years of age and above, are required to have signed the student portion of the Internet User Agreement and Parent Permission Form. The required form will be kept on file at the appropriate site and be viewed as a legal, binding document. When a signed form is brought in, the student will be given internet and email access.

### **Acceptable Uses**

Access to all electronic resources on the Gallatin County School District network is a privilege and carries with it responsibilities. The following are general policies that apply to all users, students and adults.

- The Gallatin County School District maintains the right to limit access to software, hardware, the Internet, and the local area network.
- The Gallatin County School District will not be responsible for damages caused by loss of data or other work that results from delays, non-deliveries, missed deliveries, or service interruptions for any reason.
- Security on any computer system is a high priority. If any user identifies a security problem, they must notify a network administrator immediately and not demonstrate the problems to others.
- All users must use their own ID and password. The only exception is for students at the Preschool and Kindergarten level. Teachers and/or aides may log on for students at this level.
- All users will use a pre-defined network location, Google Drive or OneDrive for storage of files. Files located on individual workstations are subject to erasure without warning by technical staff during upgrades, maintenance or re-installs.
- All workstations will be shut down at night to decrease energy usage.
- No workstation should ever be left on and logged into the network. If a staff member does leave their station logged on and an unauthorized user gains access to the network, then the staff member who's at fault will be held liable for any damages.
- Students should not reveal their name and personal information to or establish relationships with strangers on the Internet, unless the communication has been coordinated by a parent or teacher.
- Internet access through the school is to be used for instruction, research, and school administration. School access is not to be used for private business or personal, non-work related communications.

### **E-Mail Regulations**

Email shall be used for approved school related purposes only. Its' purpose is to provide effective communications between students, staff members and themselves as well as other professionals in education. Email shall not be used for the following purposes:

- To conduct personal business or carry on personal relationships
- To rebuke, embarrass, or strike-out at others
- To harass or play practical jokes on others
- To send chain letters and other non-work related correspondence
- Do not send EXE or BAT files through E-Mail
- Do not reveal any personal information to unknown users

- Do not send student information through email
- To solicit money or participation in political or religious activities
- Do not open emails from unknown senders
- Do not click on unfamiliar links in emails
- You may not use Internet mail services, such as Yahoo, Gmail, etc... These email services are blocked by KDE
- Do not leave email up and active while you are away from your computer

### **Network and Internet Regulations**

Violation of any of the following terms and conditions for network access and Internet usage will result in immediate loss of network access and services, with the exception of required instructional sites as determined by each school, as well as possible future access.

The use of your account must be in support of education and research and consistent with the educational objectives of the Gallatin County School District.

- You may not give your password to anyone
- You may not use or alter anyone else's account
- You may not offer Internet access to any individual via your account
- You may not break into or attempt to break into the school network or any other network
- You may not create or share computer viruses
- You may not destroy another person's data
- You may not use MUD (Multi User games) on the network or via the Internet
- You may not monopolize the resources of the network by sending large amounts of e-mail, sending chain mail, using resources for games, watching or downloading movies or running large programs or applications over the network during the day
- You are not permitted to get from or put onto the network any copyrighted material (including software), or threatening or obscene material. This also applies to workstations.
- No illegal activities are permitted on the network
- No conducting of private or personal business use the district's electronic resources
- All communications and information accessible via the network should be assumed to be public property

### **Copyright**

Most software and much of the information posted on the Internet are copyrighted. Before software can be loaded onto a computer or file server, the District must have the legal right to install that particular version of the software. The software license will specify whether the rights purchased are for a single user on a single workstation, for multiple users, or for multiple workstations. Software may not be copied or shared outside the provisions of the agreement with the software publisher. Violations of software licensing agreements may constitute serious infractions of federal law and the violator may be subject to civil and/or criminal penalties.

Do not:

- Copy software without authorization from the publisher or copyright holder;
- Use software for which you do not have proof of legal right;
- Copy information or programs from the Internet and re-use or distribute it without acknowledging authorship and source;
- Assume that you can load the older version of software on another workstation when you install a software upgrade

Distributors of software and the Software Publishers Association have the right to audit the District at any time to ensure compliance with licensing agreements. For software loaded on file servers, the

network administrator for that server has the responsibility for ensuring compliance with copyright laws. For application software loaded on an individual computer, the individual and the Technical Point of Contact (TPOC) are responsible for ensuring that all resident software has been legally acquired. The user or TPOC must be prepared to show a software license certificate or copy of the purchase order for each piece of software loaded on that system. Users must not load software on District computers without notifying the TPOC. If the responsible party cannot show proof of license or proper authorization for a software program, the District has the obligation to remove the software from the computer or file server.

### **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, **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:

- Poses a threat to academic integrity, such as cheating,
- Disrupting instruction
- Violate confidentiality or privacy rights of another individual,
- Is profane, indecent, or obscene,
- Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.
- Participating in harassment or cyberbullying

2. 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.

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, an administrator may confiscate the device, which shall only be returned 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 telecommunications or other electronic devices.

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

### **Right to Privacy**

All network administrators have the right to access information stored in any user directory, on the current user's screen, or in an email. Users are advised not to place personal, confidential documents in their users' network directory or on the local workstation. Network management and monitoring software may be used to randomly access student and staff network logs, Internet logs, individual user directories, etc.

### **Misuse of Information Technology, Electronic Communications and the Law**

Kentucky statutes identify criminal penalties for:

**Criminal damage to Property Law Class D Felony KRS 512.020:** A person is guilty of criminal mischief when, having no right to do so or any reasonable ground to believe that they have such a right, they intentionally or unintentionally deface, destroy, or damage any public agency data or technology property (data, computer programs, computer systems, computer networks, computers, etc.).

**Unlawful Access To A Computer, Class C Felony Kentucky Criminal Statute KRS 434.840-434.860:** A felony may be committed when an individual goes beyond assigned duties to: knowingly and willingly, directly or indirectly, access, cause to be accessed, or attempt to access a computer system, data stored in a computer, or a network purpose of altering, damaging, or destroying data or technology.

**Harassing Communications, Class B Misdemeanor Kentucky Criminal Statute KRS 525.080:** A person is guilty of harassing communications when, with intent to intimidate, harass, annoy or alarm another person he/she communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail or any other form of electronic form of electronic or written communication should know would cause the other student to suffer fear of physical harm, intimidation, humiliation or embarrassment and which serves no purpose of legitimate communication.

These laws do not prohibit systems administrators or others from examining files, transaction logs, or other information about an individual's use of technology if that examination is within the scope of their assigned responsibilities. If an employee with such responsibilities misuses their authority or the information to which they have access, they are also subject to discipline or penalty.

**Open Records Laws, KRS 61.870 through 61.884 and KRS 171.410 through 171.720:** The Kentucky Revised Statutes specifically include information in electronic form, computer programs, and systems software within the definition of "public record." This means that records held in computers may be inspected and copied in the same manner that paper records may be. Similarly, if a paper record is not subject to inspection under the provisions of these laws, then the record will not be subject to inspection if it is in electronic form.

Electronic records are also subject to the provisions of the law related to records scheduling, retention, and disposal.

There are numerous federal laws and regulations governing access to information managed by the Department of Education and the local school districts.

The Appropriate Use Policy also assumes knowledge of and adherence to federal requirements. Information about managing the security of student records in electronic form may be found in "Program Review 95-KETS-152, Security of Student Records in the Kentucky Education Technology System."

#### **10 THINGS THAT REQUIRE ZERO TALENT**

**BEING ON TIME  
WORK ETHIC  
EFFORT  
BODY LANGUAGE  
ENERGY  
ATTITUDE  
PASSION  
BEING COACHABLE  
DOING EXTRA  
BEING PREPARED**



**Consequences**

Violations may result in loss of access for anyone violating the Acceptable Use Policy for Gallatin County Schools. Loss may be short term to permanent.

Additional disciplinary action may be determined at the building level in line with existing practice regarding inappropriate language or behavior for students.

Additional disciplinary action may be determined at the building level and/or district level for any system violations and/or Acceptable Use violations by staff members, such as giving out passwords, trying to access closed areas, lack of supervision of students accessing the network and/or Internet, etc.

*\*\*\*When applicable, law enforcement agencies will be notified and individual violators will face possible criminal charges, as well as possible expulsion for students and possible termination of employment for staff members.\*\*\**

The Gallatin County School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. Use of the information obtained via the Internet or E-Mail is at the user's own risk. The Gallatin County School District specifically denies any responsibility for the accuracy or quality of information obtained through its connections.

# Procedures for Development/Review/Orientation of Code of Acceptable Behavior and Discipline

**DEVELOPMENT**—A committee composed of school personnel developed this document which was then reviewed by legal counsel, presented in public meetings and adopted by the Local Board of Education.

**REVIEW**—This Code of Acceptable Behavior and Discipline shall be reviewed/revised on an annual basis within three weeks following the end of a school year by the Code of Acceptable Behavior and Discipline Committee. Individuals may send written comments to Roxann Booth, 75 Boardwalk, Warsaw, KY. who will share them with the Code Committee. Information should be submitted by April 15 of each year.

**ORIENTATION**—The Code of Conduct is available on the district website, [www.gallatin.kyschools.us](http://www.gallatin.kyschools.us) Each school will be responsible for presenting and discussing the entire Code of Conduct to every student.

In cases of conflict between the provisions of the Code and the Rights and Responsibilities and previously adopted policies of the Board of Education, this Code shall govern.

Kentucky Law (KRS 160.290) provides, “Each Board of Education shall have general control and management of the Public Schools in its district...” And “each Board shall exercise generally all powers in the administration prescribed by law of its public school system. Each Board shall make and adopt and may amend or repeal rules, regulations, and by-laws for its meetings and proceedings for the government, regulation and management of the Public Schools and school property of the district, for the transaction of its business, and for the qualification and duties of employees and conduct of pupils...”

In this document students will be considered the same as pupils as those terms are used in the Kentucky Revised Statutes, and in Board of Education Policies.

This Code is part of the Board’s policy on student behavior and discipline. Caution: After this Code is distributed for the school year, changes to Board policy, including those affecting provisions of this Code, may be necessary due to new/revised statutes and regulations of law.

Parents and students must sign the “Acknowledgement of Receipt of Code of Acceptable Behavior and Discipline and Acceptable Use of Electronic Resources” form and return it to the child’s school. A parent may also fax or email the signed form to the student’s school. The form is found on page 44 of this document.

A complete copy of the policy manual is available for inspection at the Central Office, each school, and at [www.gallatin.kyschools.us](http://www.gallatin.kyschools.us)

This plan was reviewed by the members of the Gallatin County Board of Education and was approved at the regular monthly on \_\_\_\_\_. Parents/Guardians will verify that they have read the entire Code of Conduct document through online registration.