

# Mercer County School District

## Code of Acceptable Behavior and Discipline



### Building Traditions through Excellence

**Mission:** To prepare students to excel in a global society by providing a rigorous education in academics, arts, and extracurricular opportunities

#### **Beliefs:**

Every student deserves a high-quality education in a safe learning environment.  
All students can be successful as contributing members of society.  
School, community, and family collaboration is essential for successful learning.  
Communication, creativity, and critical thinking are essential for future success.  
The district fosters a culture of unity to empower and inspire students and staff.

The Mercer County School Board may adopt changes to this Code throughout the year as necessary. The Mercer County School District Code of Acceptable Behavior and Discipline is available online on the District Website, [www.mercer.kyschools.us](http://www.mercer.kyschools.us). If you cannot access the District Website, please request a copy from your child's school. **IMPORTANT: Parents/Guardians and Students: Once you have read this Code of Acceptable Behavior and Discipline, which includes the District Transportation Services Policy, there are forms at the end of the document that must be completed, signed, and returned to your child's homeroom teacher. If you complete online registration, you will acknowledge that you have read this online.**

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## INTRODUCTION

**\* Health and safety processes and procedures may not be addressed explicitly in this Code but in the Mercer County Pandemic Plan. If the Mercer County Pandemic Plan is implemented, it will be posted to the district webpage: [www.mercer.kyschools.us](http://www.mercer.kyschools.us).**

**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, regulations, and case law. A complete copy of the Mercer County School Board Policy Manual is available online for inspection.

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

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

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

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

This Code applies to all students in the district while at school (in-person or online), on their way to and from school, while on the bus or other district vehicle, and while participating in school-sponsored trips and activities. Consequences in this Code may apply to students who are off school property if the incident is likely to substantially disrupt the educational process. The superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administering and implementing this Code within his/her school uniformly and fairly without partiality or discrimination. Each school/council must select and implement appropriate discipline and classroom management techniques to carry out this Code. School handbooks shall list the school's rules and disciplinary procedures.

Teachers and other instructional personnel administer Code standards in the classroom, halls, and other duty assignment locations.

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

### **STATEMENT OF NONDISCRIMINATION**

The Board of Education does not discriminate based on age, color, disability, parental status, marital status, race, national origin, religion, sex, genetic information, or veteran status in the programs, activities, and services it provides, as required by law. Individuals with questions about compliance with this requirement should contact the Mercer County School District Central Office. This Code is part of the Mercer County School Board policy on student behavior and discipline.

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

### **Appropriate Behavioral Education Plan:**

Mercer County Public Schools is committed to providing quality education for all students. Creating a community within our schools is essential where students' needs are met, expectations are understood, guidance is given, and a safe and orderly environment is maintained. This Code has been developed to help share our expectations with students and their families. Additionally, each school's Site-Based Decision-Making council has adopted school-specific Discipline, Classroom Management, and School Safety Policies. Each school principal and staff member implements these school council policies.

The Mercer County School District believes the greatest prevention tactic is to build relationships with parents and children from the beginning. The Mercer County School District has implemented Positive Behavioral Intervention Systems (PBIS) to include a trauma-informed approach. PBIS is the behavior component of a Multi-Tiered System of Support (MTSS) designed to achieve social and academic success for all students. The framework of MTSS utilizes high-quality, evidence-based instruction, intervention, and assessment practices to provide all students with the instruction and support to match their needs. Each school has a team that implements this process in their buildings.

### **MTSS tiers of interventions:**

- Tier 1 interventions refer to services all students receive in academic and social-emotional behavioral instruction.
- Tier 2 interventions are provided for students who need more student-specific instruction and support. These services may be provided in small groups in or out of the classroom. Tier 2 instruction and support aim to improve student performance and prevent negative learning and social development impacts.
- Tier 3 interventions provide intensive support matched to an individual student's specific needs. These services may be provided individually or in small groups. The purpose of Tier 3 instruction is to help students overcome significant barriers to learning the academic and/or behavior skills required for school success.

## **RIGHTS AND RESPONSIBILITIES:**

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

### **Specifically, students have the right to:**

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

### **Student expectations and rules:**

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

### **School-level Administrator Responsibilities:** (Not a complete list; for additional information, refer to the district website)

- Serve as chief administrator.
- Participate in, supervise, and coordinate the operation of the school.
- Provide general and specific supervision of the school program and school-assigned personnel.
- Formulate an effective system for board review and approval, as well as policies, directives, and procedures to promote and improve instructional programs.
- Provide and disseminate information needed to keep the Superintendent, the Mercer County Board of Education, the school staff, and the general public informed of progress and programs.
- Formulate and enforce rules of discipline. Involve students, staff, and the community in formulating and reviewing such rules and regulations.
- Provide an orientation program for new teachers and staff assigned to their building.
- Plan and implement safety programs and hold regular drills on fire, tornado, and other hazards as required by law.
- Provide a system for parents' notification concerning student discipline, health, or academic issues.
- Notify the Mercer County School Police Department when necessary to protect students and staff's safety, health, and welfare.
- Comply with the Individuals with Disabilities Education Act (IDEA), Section 504, and applicable Kentucky procedural safeguards for the discipline of students with disabilities.
- Make reasonable efforts to meet with parents/guardians and consider their input.

**Teacher Responsibilities** (Not a complete list)

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

**School Counselor Responsibilities:** (Not a complete list; for additional information, see district webpage)

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

**Parent/Guardian Responsibilities:**

- Stress the importance of education and learning to your child.
- Make sure your child attends school on time every day.
- Keep the school aware of custody changes involving your child and provide documentation.
- Provide resources to help your child complete classwork and homework.
- Being involved with school activities.
- Keep in touch with the school about your child’s progress.
- Communicate with school and district personnel civilly.
- Participate in parent/teacher conferences and other school-requested meetings regarding your child’s behavior or academic performance.
- Cooperate with the school if disciplinary action is necessary.
- Notify the school when your child has any conditions or situations (e.g., medical problems, family issues or social concerns) that could threaten the safety of your child, other children, or school personnel.
- Remain familiar with the Guide, the policies and regulations of the district, and school rules.

## Duty to Report

Board Policy 09.227 and 09.2211; KRS 620.030, KRS 158.154 and KRS 158.155

### Duty to Report Child Dependency, Neglect, or Abuse:

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused, or neglected, a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make a report (either oral, written, or electronic) to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030. After making the report, the employee shall immediately notify the Principal and School counselor of the suspected abuse.

Only agencies designated by law are authorized to investigate a report of alleged child abuse. Therefore, the District shall not investigate a claim before an employee reports it to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations to determine appropriate personnel action.

### Duty to Report Certain Acts to Law Enforcement/School Districts:

Any school employee who reasonably believes that a reportable violation occurred or who receives a report from a student or other person is required to immediately report the violation to law enforcement officials (district law enforcement, local law enforcement, or Kentucky State Police).

#### The following requires a report to law enforcement officials

- Assault resulting in serious physical injury
- A sexual offense
- Kidnapping
- Assault involving the use of a weapon
- Possession of a firearm in violation of the law
- Possession of a weapon or dangerous instrument (Including look-a-like)
- Possession of a controlled substance in violation of the law
- Damage to school property
- Threat or plan of violence that is intended to target a school or students or who knows that a firearm is present on school property in violation of KRS 527.070.

\*In addition to violations of this Code, students may also be charged with criminal offenses.

### KRS 158.156

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

### **Domestic/Dating Violence Reporting and Education:**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim before contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom they have had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child under KRS 620.030. This separate reporting requirement covers abuse, neglect, or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

## **REQUIRED STANDARDS**

**The Board expects employees, students, parents/guardians, and others associated with the schools to apply the following standards reasonably and fairly:**

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

**Supervision of student conduct ( KRS 161.180):** Each teacher and administrator in the public schools shall, in accordance with the rules, regulations, and bylaws of the Board of Education made and adopted pursuant to KRS 160.290 for the conduct of pupils, hold pupils to a strict account for their conduct on school premises on the way to and from school and school-sponsored trips, on school buses, and activities.

- Students will be under the supervision of a qualified adult.
- Each teacher, bus driver, staff member, and administrator shall hold pupils to a strict account for their conduct on school premises(in person and while participating in online/virtual instruction), on the way to and from school, and on school-sponsored trips and activities, except that a non-faculty coach or non-faculty assistant may accompany students on athletic trips as provided in the statute.

### **Supervision Responsibility:**

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

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

*\*Before school opens each year, the Principal shall submit the plan to the Superintendent/designee for review and to the Board for approval.*

**ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY:**

Unless they are authorized visitors, only those students enrolled in the District and on the property for an official school purpose, such as receiving instruction or participating in a school-sponsored extracurricular activity, shall be permitted on the property during the school day. If a student placed on home/hospital instruction wishes to come onto the property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to the student's educational needs that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to achieve that purpose. This requirement is necessary to address students' supervision and safety concerns on the property during the school day.

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

## SCHOOL BUS EXPECTATIONS AND RULES

### (Transportation Service Policy) 09.2261

\*Students shall conform to transportation rules, board policies, and state and federal regulations. You can find more information in KRS 158.110, Board Policy 06.34 and 09.226, and the District Transportation Services Policy. Every district student and at least one parent or guardian must acknowledge in writing the receipt, comprehension, and agreement of adherence to the transportation safety policy within seven days of the student's first day of attendance each school year. Failure to submit the written acknowledgment may be grounds for revocation of transportation privileges.

#### Bus Expectations while waiting to board/depart from the bus:

- Be on time for the bus stop. The driver cannot wait.
- Do not play or stand in the roadway. Stand away from the road when the bus approaches.
- Never run alongside the bus when the bus is moving.
- Wait off the roadway until the bus stops, the driver opens the door, and signs to enter the bus.
- Do not push or shove when entering or exiting the bus.
- Keep all articles off the roadway and remain clear of traffic.
- Be respectful of personal property.

#### Crossing Roads (when required):

- Wait until the bus driver signals to cross the roadway.
- When crossing, do so approximately ten (10) feet in front of the bus so the driver can see the student.

#### Expectations on the bus:

- All school rules in the Code of Conduct apply when riding on the bus.
- Follow the directions of the bus driver or monitor at all times.
- Go directly to the assigned seat and share seats as the driver directs.
- Remain seated until the bus comes to a complete stop at your bus stop.
- Do not change from one seat to another while the bus is in motion unless directed by the driver.
- Keep all portions of your body and other items inside the bus.
- Avoid creating any unsafe conditions that could injure you or others.
- Speak and behave respectfully toward students and adults (no profanity or foul language).
- No fighting, threats, assault, abuse, harassment, or bullying on the bus.
- Do not create noise on the bus to the extent that it might distract the bus driver or interfere with the driver's ability to hear emergency vehicles or approaching trains.
- No eating, drinking, or chewing gum on the bus.
- Pick up after yourself, and do not litter inside or outside the bus.
- Do not cause any damage or deface any part of the school bus.
- Do not take pictures or videos of other students or the driver on the bus at any time.
- Do not smoke, vape, or bring the following prohibited items onto the bus:

Tobacco products (including vapes)	Weapons, explosives, or any dangerous articles
Drugs, drug paraphernalia, or alcohol	Any item or animal that might distract the driver, be ignited, or frighten others (e.g., balloons, lighters, firecrackers, noisemakers, etc.)

\*When bringing medication to the school nurse's office, please give it to the bus driver. The bus driver will give it to an adult at the school.

#### Exiting the bus:

You may leave the bus only at your designated bus stop unless prior written permission is obtained from your principal (or their designee) and provided to the bus driver.

Failure to follow these expectations can result in disciplinary consequences and removal from the bus.

\*The principal will discipline students fighting at the bus stop and/or on the way to and from school.

## PROHIBITED BEHAVIOR

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

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

### **STUDENT DISCIPLINARY PROCESSES (Board Policy Online 09.43)**

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

### **VIOLATIONS OF THE CODE OF ACCEPTABLE BEHAVIOR**

Below are some student behaviors considered violations of the Code of Acceptable Behavior. Students and parents should expect disciplinary consequences for any of these violations. These apply when students are at school, at school-sponsored events on and off-campus, on the bus, at the bus stop, and whether or not the school is in session when such activity occurs. In addition, students may face disciplinary consequences for violations that occur off-campus and/or online if the violation can be interpreted to threaten the ability of the district to maintain a safe, orderly, and disciplined educational atmosphere. In all situations, school administrators shall initiate an investigation and disciplinary action. In conducting such an investigation, the Principal or their representative shall cooperate with law enforcement authorities.

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

<b>Harassment: (Appendix 3)</b> <ul style="list-style-type: none"><li>● Harassment of, or discrimination against, other students based on race, color, national origin, age, religion, marital status, political beliefs, sex (including sexual orientation or gender identity), or disability</li><li>● Harassment/ Harassing Communications</li><li>● Stalking</li></ul>	<b>Bullying (Appendix 2)</b> <ul style="list-style-type: none"><li>● Bullying</li><li>● Hazing</li><li>● Menacing</li><li>● Taunting</li><li>● Intimidating</li><li>● Verbal or physical abuse of others</li><li>● Any threatening behavior</li><li>● Behaving in a manner disrespectful to others</li></ul>
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<p><b>Defiant/Disruptive Behavior</b></p> <ul style="list-style-type: none"><li>● Ignoring or breaking the rules and procedures established to maintain order</li><li>● Chronically Disruptive: KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive.”</li><li>● Refusal to cooperate with school staff</li><li>● Insubordination (disobedient or defiant behavior)</li><li>● Willful defiance (e.g., leaving school grounds, refusing to cooperate with school administrators during a discipline investigation, or refusing to cooperate during the Threat Assessment Process).</li><li>● Gestures or behavior considered inappropriate</li><li>● Use of lewd, profane, or vulgar language</li></ul>	<p><b>Sale of items</b> without prior approval of the Superintendent or Principal</p> <p><b>Dress/Apparel Code</b></p> <ul style="list-style-type: none"><li>● Wearing apparel, accessories, or hairstyles that disrupt the educational process</li></ul> <p><b>Property Damage</b></p> <ul style="list-style-type: none"><li>● Abuse of school or personal property, including intentional or careless damage or destruction/littering</li></ul> <p><b>Lying/Cheating</b></p> <ul style="list-style-type: none"><li>● Plagiarism / Copyright Infringement</li><li>● Theft of school property or personal property of employees or other students</li><li>● -Extortion of money or property</li><li>● Stealing</li></ul>
<p><b>Threats of Violence *Appendix 4 and 5</b></p> <ul style="list-style-type: none"><li>● Assaults/threats of violence</li><li>● Threatening the health or safety of staff or students</li><li>● Fighting and physical attacks</li><li>● Threats by verbal or written statements or gestures with intent to harm or demean others</li></ul>	<p><b>Abuse of Teacher: (KRS 161.190)</b></p> <ul style="list-style-type: none"><li>● Whenever a teacher or school administrator is functioning in his capacity as an employee of a Board of Education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with regular school activities or will nullify or undermine the good order and discipline of the school.</li></ul>

<p><b>Disrupting the Educational Process</b></p> <p>Disruptive behavior of the educational process shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. Students enrolled in virtual and online academy classes are subject to the exact discipline expectations, policies, and procedures of those attending school in person.</p> <p>Examples of conduct considered disruptive are as follows:</p> <ul style="list-style-type: none"><li>● Conduct that may damage public or private property, including the property of students or staff</li><li>● Conduct that materially or substantially interferes with another student’s access to educational opportunities or programs, including the ability to attend, participate in, and benefit from instructional and extracurricular activities.</li><li>● Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.</li><li>● Use of any items that disrupt the educational process, including, but not limited to, cell phones, cameras, laser lights, electronic instruments that transfer sound or pictures, etc.</li></ul>	<p><b>Alcohol, Drugs, and Other Prohibited Substances (09.423)</b></p> <p>No student shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, on the school bus, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:</p> <ul style="list-style-type: none"><li>● Alcoholic beverages, including look-alikes, taste-alikes, or smell-alikes;</li><li>● Controlled substances, prohibited drugs and substances, and drug paraphernalia; and</li><li>● 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.</li><li>● Use, possession, or transfer of alcohol or prohibited drugs</li><li>● Use or possession of banned tobacco products/vapes or any type of inhalant (including alternative tobacco products such as e-cigs.</li><li>● Prescription drugs for sale or distribution</li><li>● Prescription drugs obtained or possessed without authorization</li><li>● Prohibited substances, however, taken or used, including but not limited to inhaling, ingesting, and/or injecting.</li><li>● These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in <a href="#">KRS 217.900</a>, or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.</li></ul>
<p><b>Inappropriate use of Technology (including cell phones and Chromebooks)</b> (See board policy 09.4261 for more information)</p> <ul style="list-style-type: none"><li>● Includes but not limited to using technology/ cell phone without staff permission, violating other individuals' confidentiality or privacy rights (e.g., pictures, videos, audio recordings, etc.), using the device to cheat, harass, bully, share inappropriate images (SEXING), or disrupt the educational process.</li><li>● *Sharing inappropriate images (sexing) is a crime and will result in a referral to law enforcement as well as school discipline consequences)</li><li>● District Internet/Google Drives is monitored and should not be considered private.</li><li>● Inappropriate use of district technology equipment and violation of the Mercer County Schools’ Acceptable Use Policy include but are not limited to damaging /destroying technology.</li></ul> <p><b>*Please do not call your child’s cell phone in an emergency. The ringing of a cell phone can make your child a target and endanger the lives of other students and staff.</b></p> <p>*Students are responsible for keeping up with the devices they bring to school. The District shall not be responsible for the loss, theft, or destruction of devices on school property.</p> <p>*Students shall comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices.</p> <p><b>*Using cell phones to make false reports (Calling 911) or harassing phone calls is a criminal act that will be reported to local law enforcement.</b></p>	

**Weapons: Board Policy: 05.48**

Board policy and the law prohibit the carrying, bringing, using, exchanging, selling, or possessing any weapon or dangerous instrument (look-a-likes), including knives, in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity. This policy applies to students, staff members, and visitors to the school. Virtual classes are considered school functions; districts must report weapon violations that occur during class.

- Possession or use of a weapon (Includes pocket knives and other dangerous instruments)

**For Mercer County School's Code of Acceptable Behavior and Discipline, the term weapon includes any size knife. A knife of any size, including pocket knives, is considered a weapon and should NOT be brought to school.**

**Dangerous Instruments:**

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

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

**DEADLY WEAPONS** may include:

- \*A weapon of mass destruction
- \*Any weapon from which a shot, readily capable of producing death or other serious physical injuries, may be discharged
- \*Any knife other than an ordinary pocket knife or hunting knife
- \*Billy, nightstick, or club
- \* Blackjack or slapjack
- \*Nunchaku karate sticks
- \*Shuriken or Death Star
- \*Stun devices (e.g., a Taser)
- \*Artificial knuckles made from metal, plastic, or other similar hard material;

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

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

**DEADLY WEAPON; LOOK-ALIKE:**

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

- \*Any weapon of mass destruction
- \*Any weapon from which a shot, readily capable of producing death or other serious physical injuries, may be discharged ] including, but not limited to, a handgun (i.e., a pistol or revolver originally designed to be fired by the use of a single hand, or any other firearm originally designed to be fired by the use of a single hand), a rifle, a shotgun, or other firearms
- \*Components of these weapons (e.g., a stock, barrel, frame, or receiver).
- \*Certain accessories for these weapons (e.g., a muffler/silencer).
- \*Any item(s) that will, or which may be readily converted to, expel a projectile by the action of explosive or other propellants and which has any barrel with a bore of more than one-half inch in diameter.
- \*Any combination of parts designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled.
- \*Items are represented as weapons (e.g., a concealed object shaped like a gun or referred to as a gun, or any object such as a stick or finger concealed under clothing and being portrayed as a firearm).
- \*Commercial explosives (e.g., dynamite, blasting caps, or chemical oxidizing agents).
- \*Simulations or facsimiles of such weapons (e.g., toy guns).
- \*Knife, Billy, nightstick, or club, Blackjack or slapjack, Nunchaku karate sticks.

## **CONSEQUENCES FOR VIOLATIONS:**

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

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

- Loss of privileges
- Assigned seats
- Student Conference/ Parent Conference
- Detention
- Referral for counseling/mediation
- Verbal warning
- Other techniques established by the school handbook/council policy

**For repeated or more serious violations, below are examples of consequences administrators may use but are not limited to**

- Suspension (up to 10 days)
- In School Suspension
- Charges filed in court (Petition to juvenile court)
- Charges filed in court (Petition filed with the adult court)
- Verbal warning
- Teacher-student conference
- Notification of parents/ Parent conference
- Alternative Placement assignment
- Classroom isolation (removal of recess/lunch detention)
- Behavior contract
- Referral to police
- Referral to court-designated worker
- Refer to Board for Expulsion
- Discipline Committee Meeting or placement in Alternative Program
- Expulsion
- Removal

**\*The Board does not permit corporal punishment as a disciplinary technique.**

**\*SUSPENSION OF PRIMARY SCHOOL STUDENTS** shall be considered only in exceptional cases where the superintendent or designee determines that there are safety issues for the child or others.

**\*EXPULSION OF STUDENTS (See Board policy 09.435 for additional information)**

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

The Board shall require the expulsion from school for at least twelve (12) months for a student whom the Board determines:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District;
2. To have brought a weapon to a school under its jurisdiction per Board Policy 05.48.

**The Board may expel a student for over twelve (12) months.**

Behavior that may be determined to pose a threat shall include, but not be limited to:

- Physical assault
- Battery
- Abuse of others on or off school property (and the incident is likely to substantially disrupt the educational process)
- The threat of physical force
- Being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drugs or alcohol.
- Carrying, possessing, or transfer of weapons or dangerous instruments
- Any other behavior that may endanger the safety of others

The Superintendent shall present to the Board its approval options for providing or ensuring that educational services are provided to expelled students.

**Alternative Program:** In lieu of expelling a student or upon the expiration of a student's expulsion, the Superintendent or designee may place a student into an alternative program or setting if the Superintendent determines that placing the student in his or her regular school setting is likely to substantially disrupt the educational process or constitute a threat to the safety of other students or school staff. This program is for middle and high school students to meet student needs that cannot be addressed in a traditional classroom setting by assigning students to alternative classrooms, centers, or campuses designed to remediate academic performance, improve behavior, or provide an enhanced learning experience.

Following are consequence charts related to specific violations that school administrators follow. For consequences that do not have a chart, see Appendix 1.

**ALCOHOL, DRUGS, LOOK-ALIKES, SYNTHETIC, AND OTHER PROHIBITED SUBSTANCES  
(INCLUDING VAPOR PRODUCTS IF CONTAINED ILLEGAL SUBSTANCE )**

	POSSESSION/UNDER THE INFLUENCE	POSSESSION/TRANSFER
	*All items related to this policy brought on school grounds or during a school-related activity/trip will be confiscated and turned over to the police.	
1 <sup>st</sup> Offense	MINIMUM: 5 Days Suspension (Minimum-Elementary Student 1 Day Suspension) Shall notify Law Enforcement MAY recommend discipline committee hearing/placement, outside counseling services, and/ or expulsion hearing (Counseling services may be provided by outside agencies such as the Health Department or New Vista: On Young Mind's Substance Use and Mental Illness Counseling."	MINIMUM 10 Days Suspension Shall notify Law Enforcement Shall recommend discipline committee hearing/alternative placement, outside counseling services, and/or expulsion hearing
2 <sup>nd</sup> Offense	MINIMUM 7 Days Suspension Shall notify Law Enforcement MAY Recommend Discipline Committee/ Expulsion/ counseling referrals related to substance abuse	MINIMUM 10 Days Suspension Shall notify Law Enforcement Shall recommend Discipline Committee/ Expulsion
3 <sup>rd</sup> Offense	MINIMUM 10 Days Suspension Shall notify Law Enforcement SHALL Recommend Discipline Committee/ Expulsion/ counseling referral related to substance abuse.	MINIMUM 10 Days Suspension Shall notify Law Enforcement Shall recommend Discipline Committee/ Expulsion

1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and subsequent offense time calculations may be based on the current school calendar year. KRS 158.154 Duty to Report to Local Law Enforcement Agency. ELEMENTARY AGE STUDENTS—For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the child's age will be considered in determining the appropriate court charges and any recommendation for expulsion. In the case of an elementary student, charges may be brought against the parent. DISABLED STUDENTS—For this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered when determining the appropriate disciplinary consequences, including the length of the suspension and whether or not to recommend expulsion

**MERCER COUNTY SCHOOL DISTRICT BUS CONSEQUENCES**

Riding a school bus is a privilege based upon good behavior and the observance of the following rules and regulations. Any pupil who violates these rules or regulations will be reported to their school's principal or assistant principal.

\*All students riding on the school bus **WILL** have an assigned seat. Students must stay in the seat assigned by the driver.

Student's bus privileges shall be suspended **IMMEDIATELY** for

<ul style="list-style-type: none"> <li>● Use of combustible items, including but not limited to lighters and smoking</li> <li>● Laser Lights</li> <li>● Weapons</li> </ul>	<ul style="list-style-type: none"> <li>● Fighting</li> <li>● Vandalism</li> <li>● Violent or threatening behavior</li> </ul>
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Student's bus privileges **may be suspended** for the following behaviors:

<ul style="list-style-type: none"> <li>● Other incorrigible bad conduct that endangers the lives of the other students, preventing a safe ride to school</li> <li>● Assault or abuse of other students (Fighting)</li> <li>● Use or possession of alcohol, drugs, and tobacco products, including synthetic and vapor products.</li> <li>● Carrying or using weapons or dangerous instruments</li> </ul>	<ul style="list-style-type: none"> <li>● Willful disobedience or defiance of authority</li> <li>● Assault or abuse of school personnel</li> <li>● Use of profanity or vulgarity</li> <li>● Stealing</li> <li>● Destruction or defacing of school property or the personal property of students</li> <li>● Students who tamper with the emergency door or any emergency exits</li> </ul>
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**Bus Consequences for Other Misbehaviors**

	Bus Driver/Transportation Department may select from any/all consequences below:	School Administrators may select from any consequences below:
<ul style="list-style-type: none"> <li>● First Offense:</li> </ul>	<ul style="list-style-type: none"> <li>● Verbal or Written Warning</li> <li>● Parents/Guardians will be contacted and notified of the misbehavior.</li> <li>● Parent conference with driver and transportation director.</li> <li>● Bus seating change (which may be for one day or longer)</li> <li>● Potential referral to school administration</li> </ul>	<ul style="list-style-type: none"> <li>● Student Conference</li> <li>● Parent contact</li> <li>● Lunch detention/loss of recess or other privileges</li> <li>● 1-3 days of ISAP</li> <li>● After School detention</li> <li>● Bus suspension from 1 day to two weeks.</li> <li>● Assigned to ISAP bus route</li> <li>● Restitution. Restitution may be required before the student is allowed back on the bus.</li> <li>● Court charges</li> </ul>

<ul style="list-style-type: none"> <li>● Second Offense of behavior listed above:</li> </ul>	<ul style="list-style-type: none"> <li>● Parent/Guardian contacted and notified of the misbehavior.</li> <li>● Parent conference with driver and transportation director.</li> <li>● Bus seating change</li> <li>● Referral to the transportation department and school administration</li> <li>● The transportation department may assign students to another bus. (Not T 5 routes)</li> </ul>	<ul style="list-style-type: none"> <li>● Student Conference</li> <li>● Parent contact</li> <li>● Lunch detention/ loss of recess or other privileges</li> <li>● 3-5 days of ISAP</li> <li>● Bus Suspension from 1 week to 9 weeks.</li> <li>● Assigned to ISAP bus route.</li> <li>● If a student has an IEP, review this plan to see if alternative transportation is needed.</li> <li>● Restitution. Restitution may be required before the student is allowed back on the bus.</li> <li>● Court Charges</li> </ul>
<ul style="list-style-type: none"> <li>● Third or more offenses of behavior listed above:</li> </ul>	<ul style="list-style-type: none"> <li>● Parent/Guardian contacted and notified of the misbehavior.</li> <li>● Parent conference with driver and transportation director</li> <li>● Bus seating change</li> <li>● Referral to transportation and school administration.</li> <li>● The transportation department may assign students to another bus. (Not T5 routes)</li> </ul>	<ul style="list-style-type: none"> <li>● Student Conference</li> <li>● Parent contact</li> <li>● Permanent bus change may be assigned.</li> <li>● Riding privileges may be suspended for the remainder of the school year.</li> <li>● If a student has an IEP, review this plan to see if alternative transportation is needed.</li> <li>● Restitution may be required before the student is allowed back on the bus.</li> <li>● Court charges</li> </ul>

Vandalism: In instances of vandalism resulting in damage to the bus, restitution for damages must be made no later than the last day of the two weeks of suspension. Otherwise, suspension will be continued until payment has been made. The principal will notify the driver when the student is allowed back on the bus.

Bus Suspension: The amount of time suspended depends on the infraction & the number of previous substantiated bus referrals following the administration's investigation. Suspension ranges from a minimum of 1-day suspension to a maximum, resulting in a suspension for the remainder of the school year. Consequences are to be determined based on the severity of the infraction and the frequency of the administration's substantiated bus referrals.

## Discriminatory Language/Actions Consequence Range

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

<p>*All reports require an office discipline referral for documentation in Infinite Campus Behavior. This chart does not replace the school board policies referring to Harassment/Discrimination or Bullying but is guidance for disciplinary consequences.</p>	
	<p><b>USE OF INAPPROPRIATE AND/OR DISCRIMINATORY LANGUAGE OR ACTION</b></p>
1 <sup>st</sup> Offense	<p>*The administrator shall review the Harassment/Bullying policies and consequences with students and complete the Harassment/Bullying form to document if this conference has occurred.</p> <p>SHALL Include:</p> <ul style="list-style-type: none"> <li>● Parent Contact and Educational Redirection</li> </ul> <p>SHALL include at least one of the following consequences:</p> <ul style="list-style-type: none"> <li>● 3 day(s) In-School Suspension</li> <li>● Court Charges</li> <li>● 1-10 days of Suspension</li> <li>● Discipline Committee Meeting or Expulsion Hearing</li> </ul>
2 <sup>nd</sup> Offense	<p>SHALL:</p> <ul style="list-style-type: none"> <li>● Five days of Suspension and Educational Redirection</li> </ul> <p>MAY:</p> <ul style="list-style-type: none"> <li>● Court Charges</li> <li>● Alternative Placement/ Discipline Committee Meeting or Expulsion Hearing</li> </ul>
3 <sup>rd</sup> Offense	<p>SHALL:</p> <ul style="list-style-type: none"> <li>● 1-10 days of Suspension and Educational Redirection</li> </ul> <p>MAY:</p> <ul style="list-style-type: none"> <li>● Court Charges</li> <li>● Discipline Committee Meeting/ Alternative Placement/or Expulsion Hearing</li> </ul>

- **ELEMENTARY AGE STUDENTS**—For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered when determining the appropriate consequences or court charges and any recommendation for expulsion. **DISABLED STUDENTS**- For this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered as to the appropriate disciplinary consequences, including the length of a suspension and whether or not to recommend for expulsion or file court charges

### **Disrupting the Educational Consequences**

- Chronically disruptive students (removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school. No other basis for suspension shall be deemed necessary.
- At any time during the school year, for a student who has been removed from the classroom, the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.
- At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.
- When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to the following:
  - Another classroom in that school
  - An alternative program or setting may be provided virtually, as approved by the Superintendent.
- Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

### **FIREARMS/Deadly Weapons, Destructive Devices:**

Board policy: 09.435: The penalty for bringing a firearm, other deadly weapons, destructive device, or booby trap device to school or onto the school campus/property under the jurisdiction of the District shall be expulsion for at least a minimum of twelve (12) months. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee. Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

## Weapons

### Knives/Dangerous Instruments/Look-Alikes/Deadly Weapons (Board Policy: 05.48)

(Including Pocket Knives or Dangerous Instrument) For the Mercer County School District Code of Acceptable Behavior and Discipline, the term weapon includes any knife or dangerous instrument. A knife or dangerous instrument, including pocket knives, is considered a weapon and should NOT be brought to school. (KRS 158.154 Duty to Report to Local Law Enforcement Agency) \*This includes items deemed a look-alike.

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

#### Notification of law enforcement

1<sup>st</sup> and 2<sup>nd</sup> and subsequent offense time calculations may be based on the current school calendar year. For purposes of the Mercer County School District Code of Acceptable Behavior and Discipline, the term “**weapon**” shall include **pocket knives & hunting knives, box cutters, or other dangerous instruments that can cause injury or death.** DEADLY WEAPON- (Board policy 05.48) Consequence becomes much more severe if it is determined to be a DEADLY WEAPON and the nature of the incident. ELEMENTARY AGE STUDENTS—For purposes of this Code of Acceptable Behavior and Discipline, Board policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child will be considered when determining the appropriate consequences or court charges and any recommendation for expulsion. In the case of an elementary student, charges may be brought against the parent. If a student accidentally brings any of the items mentioned above to school and immediately upon realizing that the item is there, the student will inform an administrator of its presence, and the administrator will be able to determine that the item was brought on school grounds accidentally; this information will be taken into consideration regarding consequences. DISABLED STUDENTS- For this Code of Acceptable Behavior and Discipline and Board Policy, the status of the student as an individual with a disability will be considered as to the appropriate disciplinary consequences, including the length of the suspension and whether or not to recommend for expulsion or file court charges

## Tobacco/ Alternative Nicotine Products/Vapor Product

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, and during school-sponsored trips and activities.

\*If it is determined that the substance inhaled through the Vapor product is an illegal drug, drug look-alike, or other prohibited substance, the administration will refer to Alcohol, Drugs, Look-Alikes, Synthetic, and Other Prohibited Substances (including vapor products).

*Any tobacco/alternative nicotine/vapor or other related item brought on school grounds or during a school-related activity/trip will be confiscated and turned over to the police.	
<b>1<sup>st</sup> Offense</b>	<ul style="list-style-type: none"> <li>● The school counselor or other school-based mental health provider shall provide the parent/guardian and the student with evidence-based, age-appropriate nicotine cessation information, including, but not limited to, materials, programs, and referrals to treatment.</li> <li>● AND one hour of after-school detention</li> </ul>
<b>2<sup>nd</sup> Offense</b>	<ul style="list-style-type: none"> <li>● The school counselor or other school-based mental health provider shall provide the parent/guardian and the student with evidence-based, age-appropriate nicotine cessation information, including, but not limited to, materials, programs, and referrals to treatment,</li> <li>● AND assign the student to tobacco cessation classes provided by the Mercer Co. Health Department. School administrators and the Mercer Co. Health Department will determine when these classes will occur (e.g., lunch, AA period, WIN time, etc.)</li> </ul> <p>*K-5-student will be assigned ISAP; the principal has discretion on assigning Health Dept. classes</p>
<b>3<sup>rd</sup> Offense</b>	<ul style="list-style-type: none"> <li>● Students will be assigned to a more in-depth Tobacco Cessation course with the Health Department that will meet after school. This course meets for approximately ten sessions. Students who do not attend these sessions will be assigned to ISAP, and the session classes will be conducted there.</li> </ul> <p>*K-5: Students will be assigned to the In-Depth Tobacco Cessation class, and parents can attend sessions.</p>
<b>4th Offense</b>	<ul style="list-style-type: none"> <li>● Three hours of after-school detention, 1 Friday school, or out-of-school suspension.</li> <li>● Referred again to the Tobacco Cessation</li> <li>● May refer to law enforcement</li> </ul>
<b>5th Offense</b>	<ul style="list-style-type: none"> <li>● 1-3 days of Friday School or 1-3 days of Out-of-school suspension.</li> <li>● Referred again to the Tobacco Cessation</li> <li>● Shall refer to law enforcement.</li> </ul>

Tobacco Consequences Chart information continued 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and subsequent offense time calculations may be based on the current school calendar year. In the case of an elementary student, charges may be brought against the parent.

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

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

## How to Report Code Violations:

### Methods to Report Violations of the Code of Conduct (Including Harassment/Bullying):

- Anonymously through the S.T.O.P. bullying hotline to eliminate the potential for retaliation. These tips are emailed directly to school administrators and the Safe Schools coordinator.
- In-person, by email, or by a written statement to the School building administrator, Safe Schools Coordinator, or Superintendent. If an incident is reported to a teacher, the teacher will share that information with school administrators so they can investigate the report. Following the administrator's investigation, bullying/ harassing behaviors will be addressed with all students involved. \*Additionally, if sexual discrimination or harassment is alleged, reports may be made directly to the District Title IX Coordinator.

Any school personnel may submit an Office Discipline Referral to the school-level administrator or, in certain circumstances, the Safe Schools Coordinator or Title IX Coordinator.

The District has provided the S.T.O.P Safety Tip line so that students may report issues anonymously and avoid retaliation. This "TIPLINE" is not for immediate response. If you need immediate assistance, dial 911.

#### How does it work?

\*Click logo on your district's webpage: [www.mercer.kyschools.us](http://www.mercer.kyschools.us)

\*Choose whether you want to submit a tip about 1) bullying, 2) violence or 3) other risky behaviors (i.e. alcohol, drugs, self-harm, sexual abuse or theft, etc...)

\*Fill-in the check boxes and explain

\*Click submit



### Student Due Process Rights:

#### Procedures for Identifying, Documenting, and Reporting Violations

#### RIGHT TO DUE PROCESS

Once a code violation has been received, the school administrator (or, in certain cases, the district administrator) will investigate. During the investigation, the administrator will attempt to maintain student confidentiality to avoid the potential for retaliation. Employees and other students shall not retaliate against a student because he/she reports a violation of the Code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent or Designee shall take measures to protect students from such retaliation.

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

- During the investigation, students and parents will be informed of the definition of retaliation.

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

### **RETALIATION PROHIBITED**

**REPORTING:** Students who believe they are the victims of “retaliation” to report incidents immediately. Students and parents of students may report a violation as outlined below:

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

The administrator will interview students and staff to determine if there is reasonable evidence of the code violation. The student accused of violating the Code will be interviewed and allowed to present information to the administrator for consideration before a determination is made. If the administrator determines that this Code has been violated, the administrator will issue school consequences. Documentation of the violation and resulting administrative action will be indicated on the office discipline referral form, sent home to families with the student, and entered into the Kentucky Student Information Systems database (Infinite Campus). The referral is available upon request to the appropriate teachers, administrators, counselors, the student, or the parent according to the provisions of FERPA.

The principal or his/her designee administers disciplinary action for students. For some Code violations, charts have been developed to help administrators determine an appropriate school consequence. For other violations, see Appendix 1 for potential consequences.

## **ATTENDANCE:**

Pupils are required to have regular and punctual attendance. Absences and tardies shall be recorded in compliance with the requirements of 702 KAR 7:125. Students who do not attend the sessions will be considered absent. Online Academy students have the same parent notes and other excused absence notes as students attending school in person.

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

### **GOOD ATTENDANCE IS THE KEY TO STUDENT SUCCESS IN SCHOOL**

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

*One key aspect of obtaining a good education is good attendance in school.*

#### **Research has shown students who attend school regularly demonstrate:**

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

#### **Research has shown that high rates of absenteeism result in:**

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

#### **HOW PARENTS ENCOURAGE, PROMOTE, & ENSURE REGULAR SCHOOL ATTENDANCE**

- Make attendance and academics a priority.
- Make medical and other appointments during non-school hours whenever possible. Take advantage of the District's Nurse Practitioner. She can see your child at school and, if necessary, call in a prescription to your pharmacy.
- Schedule family vacations during school breaks so students are not missing important lessons. If this is not possible, contact the school to see if this may qualify as an Educational Enhancement Opportunity (EHO).
- Communicate with school staff. Let the school know in advance if your child is going to be absent or if you have concerns about your child's attendance or school performance.
- Develop a routine where children have their homework done, classroom material together, and their bags packed the night before.
- Set reasonable bedtimes. On average, school-aged children need about nine hours of sleep to be healthy and alert. As they move into their teen years, children's brains begin to signal them to stay up later and to sleep in later the next day. Despite what nature tells them, reinforce reasonable bedtimes for your children and encourage them to get up and ready on their own.
- High School Age- High school attendance prevents school failure and reduces dropout rates. It also demonstrates to potential employers that your child is reliable.

**95-100% Attendance Goal for all Students:**  
**A student should have no more than 7 or 8 total absences for the year.**  
**Kindergarten through 12<sup>th</sup> Grade**

### **Good School Attendance Student Success in the Classroom**

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

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

### Checking in and Checking Out of School

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

### ATTENDANCE- KENTUCKY COMPULSORY ATTENDANCE LAW

The State of Kentucky requires the Mercer County School System to enforce compulsory attendance (KRS 159.150).

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

### HABITUAL TRUANCY CHARGES FILED ON PARENTS

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

### HABITUAL TRUANCY- CHARGES FILED ON STUDENTS

In addition to the above, middle school and high school students who are habitual truants will have charges filed against them individually. These students and their parents must meet with the Court Designated Worker (CDW), who will refer them to juvenile court. Students who are 18 years old will have Truancy charges filed against them in District Court.

### HABITUAL TRUANCY- ADDITIONAL CHARGES FILED ON PARENTS

A second charge of educational neglect or unlawful transaction with a minor may be filed against their parents/guardians for habitual truants.

**PARENT PORTAL**: We encourage all parents to sign up for the parent portal and communicate regularly with their child's school.

# Mercer County Truancy Prevention Forms

This form is required ONLY after ten (10) medically excused absences or tardies or for reoccurring appointments. This form must be completed and turned in on the student's return to school. There is a 5-day grace period to submit the documentation, but after five (5) days, it will be counted as unexcused. **PARENTS/(STUDENTS): PLEASE TAKE THE STUDENT'S ATTENDANCE PROFILE TO THE DOCTOR WITH YOU SO IT MAY ASSIST THE PHYSICIAN IN DETERMINING HOW MUCH THE ILLNESS & RELATED ABSENCES ARE IMPACTING THE CHILD'S REGULAR ATTENDANCE IN SCHOOL**

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

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

\_\_\_\_\_  
**Parent Signature**

\_\_\_\_\_  
**Date**

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

**1. Date of Appointment:** \_\_\_\_\_ **Time of Appointment In:** \_\_\_\_\_ **Time Out:** \_\_\_\_\_

**2. Is this student regularly seen in your office?**  Yes  No

**3. Reason for Appointment (check only one):**

Routine/Reoccurring Visit  Follow-up Visit  Orthodontic  Dental  Vision  Emergency  Tests

**4. Was it medically necessary for this student to be absent the entire day of the appointment?**  Yes  No

**5. If no, would the student have to miss all day due to office location, etc.?**  Yes  No

**6. Date student may return to school:** \_\_\_\_\_

**7. Did the student /parent bring the student's attendance profile for you to review?**  Yes  No

*If so, please initial the attendance profile form.*

**8. Will the student have recurring follow-up appointments in your office (ex, weekly counseling visits, monthly orthodontist visits, etc.)?**  Yes  No

**9. If yes, how frequently and when?** \_\_\_\_\_

*\*Parents: Please schedule recurring appointments after school hours, if possible.*

**Health Care Provider Name** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

\_\_\_\_\_  
**Health Care Provider Signature:**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Principal Review & Signature**

\_\_\_\_\_  
**Date**

## **RANDOM DRUG TESTING PROGRAM**

The Mercer County Board of Education has approved a Random Drug Testing Policy for both students (in-person and virtual) along with all staff (certified & classified). This policy is intended to support the comprehensive educational policies and programs of the District in educating students, parents/guardians, as well as staff about the dangers inherent in the unlawful use of drugs. This policy is further intended to provide encouragement to middle and high school students who voluntarily choose to participate on athletic teams, in extracurricular activities, and/or to drive or park on school property to avoid such use and to strive to benefit from effective rehabilitation when such use has occurred. All policies and procedures can be viewed on the [mercerc.kyschools.us](https://www.mercer.kyschools.us) website: <https://www.mercer.kyschools.us/random-drug-testing>. If you need a hard copy of the form, please contact the Mercer County Drug Testing Coordinator or the Director of Pupil Personnel.

## **SEARCH AND SEIZURE**

Students have the right to be secure from unreasonable searches of their persons and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating this Code, a school rule, or the law. Also, school authorities may conduct general inspections of jointly-held property regularly. All searches will be conducted according to Board policy. Students cannot expect complete privacy when using school property assigned for their use, such as desks, lockers, Internet, or Google Drive.

### **Search and Seizure- Random Metal Detector Sweeps**

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

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

### **Trained Dogs**

Subject to the following conditions, the Superintendent or designee may authorize using trained dogs to locate contraband (prohibited items) on school grounds. The dogs shall be certified as never having been trained as attack dogs. The Superintendent or designee shall be present. Searches involving dogs shall be conducted only when students are in classrooms or other designated safe areas; no student shall be near the site being searched. All dogs shall be on a leash and not be allowed to come near any student.

## MOTOR VEHICLE

### Conditions for Use

- With parental request, students under 18 and conditions prescribed by the school principal, high school pupils may be permitted to drive motor vehicles onto the school grounds. Vehicles shall be parked in designated areas on the school campus and are only to be visited or moved during the school day if the Principal gives permission.
- Privilege may be revoked.
- Driving on the school grounds is a privilege that may be revoked if conditions are violated.

### Substance Abuse Violations

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

### NO PASS/ NO DRIVE: Driver's License Revocation

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

### Academic and Attendance Deficiencies

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

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

## GRIEVANCES

### Board Policy 09.4281

Students and parents wishing to express an educational concern or grievance shall observe the following order of appeal:

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

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

### Access to Electronic Media:

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

To access this document, go to the Mercer County website:

<https://www.mercer.kyschools.us/district/departments/technology>.

## **Infinite Campus Parent/Student Portal**

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

- Personal Demographics
- Attendance
- View/Print Student Schedule
- Gradebook and Assignments
- Transcripts
- Online Registration

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

### **Use of the Parent Portal**

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

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

### **Technical Issues with the Parent Portal**

Mercer County Schools is not liable for any issues related to your personal computer and reserves the right to refuse technical assistance directly related to it. Technical issues should be directed to the [Director of Pupil Personnel office](#).

### **Class Schedule/Assignments**

Class schedule will not be provided until the Annual Online Registration has been completed. Class assignments and scores can be viewed once teachers have posted them in the Infinite Campus grade book.

## **CODE DEVELOPMENT**

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

The Code shall establish acceptable student behavior and discipline standards, including District-wide standards for students participating in extracurricular and co-curricular activities. The Code also shall include a process for students to report Code violations to District personnel for appropriate action.

### **DISTRIBUTION**

Once reviewed and approved, the student discipline Code shall be available to students and parents in the District, including those who enroll during the school year. The Code is available online to all students and employees of the district and to parents of students, including those who enroll after the beginning of the school year. Any parent, student, or staff unable to access the Code online may request a hard copy from their school. On request, the Principal shall provide help for non-English speaking, blind, deaf, or non-reading students and parents to access the information in this Code.

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

## Appendix 1: Consequences for Violation of Standard

VIOLATION OF STANDARD	RESOLUTION RANGE AND OPTIONS										
	ASSUMES VIOLATION OF CODE OF CONDUCT, RULES, AND/OR POLICIES HAVE OCCURRED, and due process has been followed. Information in this chart is not intended to be a complete summation of board policies or local, state, or federal laws. Mercer County staff retain the discretion to consider the totality of the circumstances as they make disciplinary decisions and assign consequences.										
	Student Conference/ Interventions May include Threat Assessment	Educational Class or Intervention (EX: Tobacco Cessation/ Truancy Diversion)	Reimbursement Clean or repair damage	Parent Involvement	Detention (After-School or Friday/ Saturday School	Removal of Student's Access to use	Item confiscated	Suspension (In-school and/ or Out-of-School)	Alternative Placement	Refer to Law Enforce- ment or Court Involvement	Removal/ Expulsion/ Discipline Committee
Inappropriate use of ELECTRONIC instruments/ TELECOMMUNICATION DEVICES or AUP violation (Sexting/Bullying using technology)	✓			✓	✓	✓	✓	✓	✓	✓	✓
TARDINESS to class )	✓			✓	✓						
UNEXCUSED ABSENCES/ UNEXCUSED TARDIES	✓	✓		✓				✓	✓	✓	
DEFIANCE OF AUTHORITY/ DISRUPTION OF A SCHOOL DAY	✓			✓	✓			✓	✓	✓	✓
DISORDERLY CONDUCT				✓	✓			✓	✓	✓	✓
DRESS CODE	✓			✓				✓			
VERBAL ABUSE	✓			✓				✓	✓	✓	✓
FORGERY	✓			✓	✓			✓		✓	
FORGERY OF DOCTOR'S NOTE or MEDICAL NOTE	✓			✓						✓	
THEFT			✓	✓				✓	✓	✓	✓
BULLYING/ HARASSMENT HARASSING COMMUNICATIONS	✓	✓		✓	✓			✓	✓	✓	✓
IN OFF-LIMITS AREAS or UNSUPERVISED AREAS	✓			✓	✓	✓		✓			
POSSESSION OR USE OF TOBACCO PRODUCTS and/or alternative types of Tobacco products, including E-cigarettes or vaporizers	✓	✓		✓	✓		✓		✓	✓	
DESTRUCTION/DAMAGE TO PROPERTY	✓		✓	✓				✓	✓	✓	✓
FIGHTING		✓		✓	✓			✓	✓	✓	✓
ALCOHOL **		✓		✓				✓	✓	✓	✓
PHYSICAL ASSAULT**				✓				✓	✓	✓	✓
ARSON**				✓				✓	✓	✓	✓
DRUGS** (Including synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.		✓		✓			✓	✓	✓	✓	✓
WEAPON/ DANGEROUS INSTRUMENT (Any knives of any size, including pocket knives) **	✓			✓			✓	✓	✓	✓	✓
EXTORTION/ROBBERY**				✓				✓	✓	✓	✓
EXPLOSIVE DEVICES**				✓				✓	✓	✓	✓
THREAT				✓				✓	✓	✓	✓
<b>Chronic Disruption</b>	✓			✓	✓			✓	✓	✓	✓

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

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

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

## **Appendix 2: FAQ: Bullying**

This document is intended to guide schools and districts regarding [KRS 158.148](#), which created a formal definition of bullying.

### **When do you begin an investigation for bullying?**

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

### **What does “real or perceived power imbalance” mean?**

According to Dr. Dan Olweus, who created the internationally-recognized Olweus Bullying Prevention Program, bullying happens to someone who “has difficulty defending himself or herself.” The person may have difficulty defending himself/herself verbally, physically, or socially for various reasons.

The following scenario is not all-inclusive of what “real or perceived power imbalance” means, but it may help to provide an example of what this could look like in school. Marsha has been telling her friends not to let Tia sit with them at lunch for weeks. She has also posted mean things about Tia on social media, which all of her friend groups have seen. Tia has been avoiding her family at home, and her grades have dropped. Both girls are the same age, approximately the same height and weight, and have historically been friends. However, because Marsha has begun repeatedly excluding Tia and verbally abusing her on social media, Tia does not feel comfortable standing up for herself due to the risk of further bullying and embarrassment. While it can be difficult to see, a perceived power imbalance between Marsha and Tia can be very powerful and devastating.

### **What does “potential to be repeated” mean?**

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

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

### **What does “disrupts the education process” mean?**

Behavior that disrupts the educational process includes but is not limited to

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

### **What is the difference between bullying and peer conflict?**

As previously noted in the definition of bullying, bullying is repeated, intended to cause harm, and involves a power imbalance. A peer conflict does not include all of these three criteria. Typically, a peer conflict does not involve a power imbalance. For example, John and Benjamin get into a fistfight over a girl for the third time this school year. The fights have been repeated, and both boys have acted aggressively. However, both

are also approximately the same size, equally popular and in the same class. Therefore, there is no power imbalance. This is a peer conflict and does not need to be treated as bullying.

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

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

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

Students in public schools frequently engage in an expressive nature of conduct, including discussion and debate regarding various personal opinions and beliefs. For example, students may engage in debate regarding religious or political views. Such conduct, absent disruption to the education process (see above), is NOT bullying, as outlined in [KRS 158.148](#), even if one student seems to dominate the conversation. In fact, such conduct may be protected by students’ First Amendment rights to free speech. However, if a student’s conduct is unwanted, upsets the education process, involves a real or perceived power imbalance, and is repeated or has the potential to be repeated, it meets the definition of bullying.

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

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

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

### **Appendix 3: Bullying/Hazing/Harassment (09:422)**

Per KRS 158.148, "bullying" is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

- That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event
- That disrupts the education process.

This definition shall not be interpreted to prohibit the civil exchange of opinions, debates, or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

#### **Hazing Defined (Board Policy: 09.422 for additional information)**

Per KRS 508.150, "hazing" is defined as a direct action that substantially endangers the physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization, including but not limited to actions which coerce or force a minor student to:

- a) Violate federal or state criminal law;
- b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance that subjects the minor or student to a risk of mental harm or physical injury;
- c) Endure brutality of a physical nature, including whipping, beating, paddling, branding, or exposure to the elements;
- d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances that would cause a reasonable person to suffer substantial mental distress;
- e) Endure brutality of a sexual nature; or
- f) Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or student.

**(KRS 525.070)** A person is guilty of harassment when, with intent to intimidate, harass, annoy, or alarm another person, they:

- Strike, shove, kick, or otherwise subject a student to physical contact
- Attempt or threaten to strike, shove, kick, or otherwise subject the person to physical contact
- In a public place, use offensively coarse utterances, gestures, displays, or abusive language to any person present
- Follow a person in or about a public place or places
- Engage in the course of conduct or repeatedly commit acts which alarm or seriously annoy such other person and which serve no legitimate purpose
- Be enrolled as a student in a local school district and while on school premises, on school-sponsored transportation, or at a school-sponsored event:
  - Damage or commit theft of the property of another student
  - Substantially disrupt the operation of the school
  - Create a hostile environment using gestures, written communications, oral statements, or physical acts that a reasonable person should know would cause another student to fear physical harm, intimidation, humiliation, or embarrassment.

#### **Harassing Communications: KRS 525.080**

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

- Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication in a manner that causes annoyance or alarm and serves no purpose of legitimate communication
- Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication

- Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

**Reporting:** A student or parent report of an incident within the school, at a school activity, on the school bus, or at any sponsored school function will be investigated, and action will be taken.

### **Additional Information on Harassment/Discrimination**

Board Policy: 09.42811

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

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

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

- Any nicknames, slurs, stories, jokes, written materials, or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
- Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
- Instances involving sexual violence;
- Causing a student to believe that he or she must submit to unwelcome sexual conduct 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;
- Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
- 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
- Destroying or damaging an individual's property based on any of the protected categories.

**Notification:** District personnel shall attempt to notify parents of student victims and students who have been accused of harassment/discrimination within twenty-four (24) hours of receiving a serious allegation. Additional notice is required by law in circumstances involving suspected child abuse.

#### **Consequences:**

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

## **Appendix 4**

### **Assault and Threats of Violence**

#### **09.425**

A “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods. Any student who threatens, physically assaults, batters, or abuses another student shall be subject to appropriate disciplinary action, including suspension or expulsion. Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

Any student who threatens, physically assaults, batters, or physically or verbally abuses a teacher or other educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action, up to and including expulsion from school and/or legal action.

#### **Notifications**

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law, including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws. Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function shall be notified in writing of the student's history by the Principal or designee before the assignment or contact.

A “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

#### **TERRORISTIC THREAT:**

1. Intentionally making false statements about placing a weapon of mass destruction on the real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education, a school bus or other vehicle owned, operated, or leased by a school, or the real property or any building public or private that is the site of an official school-sanctioned function, or the real property or any building owned or leased by a government agency [KRS 508.075(1)(a)];
2. Intentionally and without lawful authority, placing a counterfeit weapon of mass destruction at any location or on any object specified in KRS 508.078(1)(a)
3. Intentionally, with respect to a school function, threatening to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function [KRS 508.078(1)(a)];
4. Intentionally making false statements about placing a weapon of mass destruction at any location other than one specified in KRS 508.075 ;
5. Intentionally, without lawful authority, placing a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075;
6. Threatening to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person or
7. Intentionally making false statements to cause the evacuation of a building, place of assembly, or facility of public transportation

#### **508.078 Terroristic threatening in the second degree.** Class C felony

A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, they intentionally:

1. With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threaten to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of

postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school for a violation of this section to occur;

2. Make false statements by any means, including by electronic communication, for the purposes of
  - a. Causing evacuation of a school building, school property, or school-sanctioned activity;
  - b. Causing cancellation of school classes or school-sanctioned activities; or
  - c. Creating fear of serious bodily harm among students, parents, or school personnel;
3. Make false statements that they have placed a weapon of mass destruction at any location other than one specified in KRS 508.075 or, without lawful authority, placed a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.

\* NOTE: A threat directed at a person or persons or the school does not need to identify a specific person or persons or school for a violation of this section to occur [KRS 508.078(1)(a)].

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

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

**KRS: 158.150:** Any pupil who threatens, physically assaults, batters, or abuses an educational professional or other students at a school or school function under the board's jurisdiction shall be subject to appropriate disciplinary action and potential expulsion for at least 12 months.

Any pupil who threatens, physically assaults, batters, or abuses an educational professional or other student OFF school property and the incident is likely to disrupt the educational process substantially shall be subject to appropriate disciplinary action and potential expulsion for at least 12 months.

#### **REMOVAL OF STUDENTS**

School administrators, teachers, or other school personnel may immediately remove or cause to remove threatening or violent students from a classroom setting or the District's transportation system, pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others, or property
2. Physical attack by students to intentionally inflict harm to themselves, others, or property

Students will be removed from the bus in compliance with [702 KAR 005:080](#).

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student from the room due to threats of violence, they shall notify the administration immediately and preferably in person. The person making the referral needs to verify that the administrator (or designee) has received the report. The personnel shall then submit a discipline referral form to document the removal and its causes. The Principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

## Appendix 5

### Notice for all Parents and Guardians Regarding Terrorist Threats and their Consequences

Dear Parent/Guardian,

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

#### **Terroristic Threatening in the second degree is defined in state law (KRS 508.078)**

(1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, they intentionally:

Make false statements by any means, including by electronic communication, for the purpose of:

1. Causing evacuation of a school building, school property, or school-sanctioned activity;
2. Causing cancellation of school classes or school-sanctioned activity; or
3. Creating fear of serious bodily harm among students, parents, or school personnel

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

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

Together, we can prevent this unnecessary, dangerous, and disruptive crime from victimizing our schools. I appreciate your partnership in keeping our schools the safest place for your children to learn and grow. If you have any questions or concerns, please contact me at your convenience at 859-733-7000

Sincerely,

Jason Booher, Superintendent  
Mercer Co. Schools

**DISTRICT/SCHOOL PERSONNEL**

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

**FAMILY RESOURCE & YOUTH SERVICES CENTERS**

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

**OTHER COMMUNITY RESOURCES**

Mercer County Adult Learning Center .....	734-4195
Comprehensive Care Center	734-5486
Haggin Hospital	734-5441
Mercer County Health Department	734-4522
Cabinet for Families and Children	734-5448
Court Designated Worker	734-0036
Mercer County Sheriff	734-4221

\*This form is now completed during ONLINE REGISTRATION.

**Student Directory Information Notification**

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

Parent/Eligible Student,

At times, potential employers and institutions of higher education request that we provide them with demographic information for students. This letter informs you of your right to direct the District to withhold the release of student directory information for your child. Please return this form to your child's school secretary if you wish to withhold information. Be advised that parents cannot prevent the school from using directory information on District-issued ID cards or badges.

If you return this form, we will withhold the directory information consistent with your written directions unless disclosure is otherwise required or permitted by law. Once there has been an opt-out of directory information disclosure, the District will continue to honor that opt-out until the parent or the eligible student rescinds it, even after the student is no longer in attendance.

<i>Student Directory Information Listing</i>	
<b>Third Parties, Limited to Institutions of Higher Education &amp; Potential Employers</b>	
_____	The District <b>MAY NOT RELEASE ANY</b> directory information for my child.

\_\_\_\_\_  
*Parent/Eligible Student's Signature*

\_\_\_\_\_  
*Date*



to submit written acknowledgment by a student and a parent or guardian may be grounds for revocation of a student's transportation privileges until the acknowledgment is properly received.

I acknowledge receipt and comprehension of the Transportation Service Policy (09.2261, page 10) provided by the District and agree to adhere to it.

Child's School Name: \_\_\_\_\_ Date: \_\_\_\_\_

Student Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(PRINT)

Parent/Guardian Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(PRINT)

Student Name: \_\_\_\_\_  
(Last Name) (First Name)

### **Mercer County School District Code of Acceptable Behavior and Discipline**

The Mercer County Code of Acceptable Behavior & Discipline is available online on the district web page. Consent is collected electronically through the online registration application process. If you cannot access the district web page or these documents, please request a copy from your child's school. [www.mercer.kyschools.us](http://www.mercer.kyschools.us)

**MERCER COUNTY STUDENTS & PARENTS**

CONFIRMATION OF THAT YOU HAVE READ THE CODE OF ACCEPTABLE BEHAVIOR & DISCIPLINE  
**(Complete this form ONLY if you have not registered using the Online Application Process)**

**I have read:**

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

**I have also read the following documents:**

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

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

\_\_\_\_\_   
A parent or Guardian's Signature

\_\_\_\_\_   
Date

\_\_\_\_\_   
Student's Signature

\_\_\_\_\_   
Date

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

\_\_\_\_\_   
Grade

**ALL PARENTS & STUDENTS**

**MUST COMPLETE ONLINE REGISTRATION AND ELECTRONICALLY SIGN OR COMPLETE THIS FORM AND RETURN IT TO YOUR CHILD'S HOMEROOM TEACHER WITHIN ONE WEEK OF ENROLMENT IN MERCER COUNTY SCHOOL DISTRICT**

**MERCER COUNTY STAFF**

**CONFIRMATION OF RECEIPT OF CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE  
(Please sign and return to your Principal or Immediate Supervisor.)**

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

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

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

- Drug & Alcohol Policy and Random Drug Testing Policy
- Harassment/Discrimination Policy
- Electronic Access/User Agreement Form (New staff)
- Attendance Policy
- Acceptable Use Policy (All staff need to read the Acceptable Use Policy due to amendments and staff use of telecommunication device policy)
- Staff Hand Book- Online

The following board policies are available to me online, and I have read the documents listed below:

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

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

\_\_\_\_\_  
Staff Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
School Name or District Assignment

\_\_\_\_\_

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