



**Student Discipline Code  
Of Acceptable Behavior & Discipline  
2021-22 School Year**

Scott County Public Schools  
2168 Frankfort Pike  
Georgetown, Kentucky 40324

Approved by the Scott County Board of Education on 6/10/2021

[www.scott.kyschools.us](http://www.scott.kyschools.us)

# STUDENT DISCIPLINE CODE

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## Student Discipline Code Committee:

Brent Allen	Director of Pupil Personnel
Tammy Bisotti	School Psychologist
Eddie Clement	Asst. Principal, SCHS
Frank Howatt	Director of District-Wide Services
Ryan King	Asst. Principal, GCHS
Dr. Molly McComas	Director of Student Services
Sherri Beth Mullannix	Assistant Principal, SCMS
John Noll	Principal, ECS
Eric Quakenbush	Parent
Debra Reed	Director of Secondary Schools
Laura Rice	Principal, Phoenix Horizon
Jon Salyer	Asst. Principal Garth

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

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

The Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, genetic information, disability or other legally protected status in employment, educational programs or other school-sponsored activities. Our Title IX Coordinator is Frank Howatt. Our 504 Coordinator is Tammy Bisotti. The phone number is 502-863-3663 and the address is 2168 Frankfort Pike, Georgetown, KY 40324.

### ANNUAL NOTICE OF NON-DISCRIMINATION

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

This notification is to:

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

**Scott County Public Schools Public Notice of Non-Discrimination**

Students, their families, district employees and potential employees of the Scott County Public Schools are hereby notified that the Scott County Public Schools does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions other legally protected status in employment (including retention, promotion, demotion, transfer or dismissal), nor in educational programs or other school-sponsored activities (including admission to the District), as set forth in compliance with federal and state statutes and regulations, and provides equal access to its facilities to the Boy Scouts and other designated groups.

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

Inquiries concerning Scott County Public Schools' compliance with Title II, Title IV, or Title VI may be directed to:

Meocha Williams  
[meocha.williams@scott.kyschools.us](mailto:meocha.williams@scott.kyschools.us)  
Scott County Board of Education  
2168 Frankfort Road Georgetown KY 40324  
(502) 863-3663

Inquiries regarding Scott County Public Schools' compliance with the Americans with Disabilities Act or Section 504 of the Rehabilitation Act may be directed to:

Kim Hinton, 504 Coordinator  
[kimberly.hinton@scott.kyschools.us](mailto:kimberly.hinton@scott.kyschools.us)  
Scott County Board of Education  
2168 Frankfort Road Georgetown KY 40324  
(502) 863-3663

Inquiries regarding sexual harassment and Scott County Public Schools' compliance with Title IX may be directed either to the Assistant Secretary for Civil Rights at the United States Department of Education, or to:

Frank Howatt, Title IX Coordinator  
[frank.howatt@scott.kyschools.us](mailto:frank.howatt@scott.kyschools.us)  
Scott County Board of Education  
2168 Frankfort Road Georgetown KY 40324  
(502) 863-3663

The Scott County Public Schools offers the following career and technical education programs for all students regardless of race, color, national origin, age, religion, marital status, sex, genetic information, disability or other legally protected status, including those with limited English proficiency, sex or disability in grade 9-12: Agriculture, Business, Pre-Engineering, Bio Medical, Health Services, Media Arts, Pre-Law, Family Consumer Science. (This list of programs is not necessarily exhaustive.) Persons seeking further information concerning the vocational education offerings and specific pre-requisite criteria should contact:

Debra Reed, Director of Secondary Schools  
[debra.reed@scott.kyschools.us](mailto:debra.reed@scott.kyschools.us)  
Scott County Board of Education  
2168 Frankfort Road Georgetown KY 40324  
(502) 863-3663

To obtain this information in a language other than English, call (502) 863-3663 or use the translator feature built into your web browser.

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**Policy Statement**

The Scott County Board of Education requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school district and the laws of the community and state. It is the intent of the Scott County Board of Education to provide a positive school climate for all participants (students, teachers, parents/guardians) in the schooling process; therefore, the Board of Education believes that every student has the right to a relevant education without disruption and a corresponding responsibility not to deny this right to other students.

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

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



for this code in school, at school sponsored or related activities and on school buses.

In accordance with KRS 158.148, the board shall develop a student discipline code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees. The code shall establish standards of acceptable student behavior and discipline and may include district-wide standards of behavior for students who participate in extracurricular and co-curricular activities. The Student Discipline code also shall include a process addressing how students can report code violations to district personnel for appropriate action. Once reviewed and approved, the student discipline code shall be distributed to students and parents in the district, including those students who enroll during the school year. The board shall update the Student Discipline Code at least every two (2) years. As directed by the Kentucky Department of Education (KDE), the district shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident. Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

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

### **School Authority**

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

Each teacher and administrator shall hold students to a strict account for their conduct on school premises, on the way to and from school, and on school sponsored trips and activities. Any person who enters school property is under the authority of the school during such time as he/she remains on school property, and he/she shall abide by all rules and regulations asset by the State Board, or school officials. (*Legal Ref: KRS 161.180*), Each teacher is primarily responsible for monitoring the conduct of students assigned to his/her class, however, the teacher should also assume responsibility for correcting improper conduct on the part of students of any level in any situation around the school, if they are not under the direct supervision of another person at that time. The classroom teacher is expected to work out discipline problems as much as possible. If it becomes necessary, students in question should be referred to the principal's office. In addition to the superintendent, principals and

assistant principals are empowered to suspend students, but shall report any such action in writing immediately to the superintendent/designee and to the parent or guardian.

The principal shall oversee the department of students who ride on the school bus and who walk to and from the school. The discipline of students is the responsibility of the principal who will decide the appropriate level of discipline for each reported incident. Factors that the principal may consider are the seriousness of the incident, the student's age, and educational factors. The principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The principal shall notify the parents in cases where bus-riding privileges have been withheld. The superintendent or the superintendent's designee may withhold bus-riding privileges up to the remainder of the school year. The board has given the bus driver the responsibility of safely transporting students to and from school. The bus driver also has the authority to manage student behavior on the bus to maximize safe transportation.

### **Student and Parent Expectations**

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors at all times. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, use of lewd, profane or vulgar language or action, taunting, verbal or physical abuse of others, and/or other threatening inappropriate behavior.

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

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

#### **Student expectations:**

- to an appropriate public education which maintains high education standards and meets the needs of individual pupils.
- to notification of information pertaining to regulations and policies, which pertain to their public school experiences.
- to reasonable physical protection and safety of their personal property.
- to consultation with teachers, counselors, administrators, and other school personnel.
- to free student elections for organizations within the school or their counterparts within the state and nation.

- to candidacy and to hold office in student organizations within the school or within state or national student organizations.
- to examination of their own personal school records. Further, students under the age of eighteen (18) are required to obtain parental-guardian approval for this examination.
- to challenge data. Students eighteen (18) or older or parents of children younger than 18 have the right to challenge the content of school records if they believe the records are inaccurate, misleading, or in any way violate the students' rights.
- to involvement in the school activities without being subject to any form of discrimination.
- to participation in school activities which require competition on an equal basis.
- to receive respect from other students and school personnel.
- to present complaints and grievances to proper school authorities and to receive replies from school officials regarding the disposition of their complaints and grievances within a reasonable amount of time.

#### **Parents/Guardians expectations:**

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

#### **Student and Parent Responsibilities**

##### **Students have the responsibility:**

- to maintain acceptable conduct at all times and to show respect for school authority by avoiding all acts of defiance.
- to display consideration for the rights and property of others. (see board policy 9.426)
- to dress in a manner that does not interfere with the educational process and to maintain proper hygiene at all times.
- to abstain from the possession and or use of illegal substances including alcohol and tobacco.
- to abstain from possession and or use of weapons, dangerous instruments, fireworks, and other incendiary devices.
- to abstain from physically attacking any person on buses, school activities and/or school grounds.
- to refrain from persistent violation of school regulations and to represent

the truth in all matters.

- to be in attendance at all scheduled classes.
- to abstain from gambling, extortion, theft, or any other unlawful activity.
- to complete all homework and classwork and to refrain from cheating on all academic and/or athletic activities.
- to avoid the use of verbal abuse with all persons.
- to refrain from the harassment of fellow students and/or school personnel.
- to exhibit respect for other opinions by refraining from rudeness or inappropriate language.
- to abstain from willful disobedience by open rebellion to school regulations and /or school personnel.
- to practice proper safety procedures while using the building facilities and to report any unsafe condition to school authorities.
- to demonstrate commitment to the educational process by taking advantage of every opportunity to further their education.
- to practice self-control in terms of voice and limbs and to abstain from any form of disruptive classroom behavior.
- to remain on school grounds while school is in session.
- to refrain from all acts of sexual harassment.
- to abstain from displays of affection at school.

**Parents/Guardians have the responsibility:**

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

**Title IX Sexual Harassment**

“Title IX Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);

- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity;
- 3) “Sexual assault,” “dating violence,” “domestic violence,” or “stalking.”

For purposes of this definition, “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person, without the consent of the second person, including instances where the second person is incapable of giving consent.

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. Stalking does not involve merely following another person or regularly observing another person’s actions, but includes behavior which conveys a threat of harm to the other person or which can be reasonably anticipated to cause the other person to fear harm. Items mentioned in this program may rise to the level of violation.

**The provisions on Title IX Sexual Harassment found in Board Policy 09.428111 and its related Administrative Procedures apply to the behavior addressed in this section. Those policies and procedures, including the process for reporting and responding to sexual harassment, can be accessed in their entirety online at <http://policy.ksba.org/Chapter.aspx?distid=121>.**

Behavior that may constitute sexual harassment should be reported and addressed under Board Policy 09.428111 and related Administrative Procedures; however, even if behavior is found not to constitute Title IX Sexual Harassment, it may violate other parts of this Code of Conduct.

### **Harassment and Discrimination**

Harassment/Discrimination is behavior—other than Title IX Sexual Harassment as defined above—that is based on race, color, national origin, age, religion, sex, genetic information, disability, or limitations related to pregnancy, childbirth, or

related medical conditions, and is sufficiently severe, pervasive, or objectively offensive enough to adversely affect a student's education or create a hostile or abusive educational environment. Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. The Scott County Board of Education has adopted policies where students are not denied equal education opportunities and do not suffer harassment. The Scott County Board of Education hereby declares its intention to fully comply with provisions of the Rehabilitation Act of 1973, as amended (commonly referred to as Section 504) and the Americans with Disability Act (ADA), as amended. In accordance with the before mentioned acts, no programs, policies or practices of this agency will discriminate on the basis of a disability. The provisions on harassment and discrimination found in Board Policy 09.42811 and its related Administrative Procedures (<http://policy.ksba.org/Chapter.aspx?distid=121>) apply to the behavior addressed in this section.

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

1. Derogatory nicknames, slurs, demeaning stories, jokes, or pictures relating to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
3. 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
4. Destroying or damaging an individual's property based on any of the protected categories.

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

1. The student or parent makes a complaint to a principal (or to the superintendent's designee if the principal is an alleged party to the harassment or discrimination). The complaint should be in writing; however, if the complaint is not in writing, it should be documented in writing by the principal (or superintendent's designee) who receives it. The complaint shall be forwarded to the principal or superintendent's designee.
2. The principal (or superintendent's designee) shall promptly investigate the allegation, may attempt to resolve the issues presented, shall keep the superintendent advised, and may take interim corrective measures if warranted.
3. District employees involved in the investigation of the complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violation.

Unless bound by legal privilege (e.g., certified guidance counselors who receive information in a confidential counseling setting), District employees must report complaints of harassment and discrimination to the appropriate principal (or to the superintendent's designee if the principal is an alleged party to the harassment or discrimination). Failure to report may result in consequences per Board Policy and related administrative procedures.

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

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

### **Conduct Definitions**

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

Behavior which constitutes either Title IX Sexual Harassment or other Harassment/Discrimination does not have to meet the definition of "Harassment" or "Harassing Communications" or any other specific conduct definition in order to be a violation of this Student Discipline Code. All student conduct directed at another student should be reviewed by school personnel to consider if there is evidence that the behavior was based on race, color, national origin, age, religion, sex or disability. If so, the behavior should be addressed as an instance of harassment/discrimination, or as an instance of sexual harassment, as the case may be.

### **Bullying and Cyber Bullying**

Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated: 1. that occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or 2. that disrupts the educational process. The definition of bullying shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or

federal constitution where the opinion expressed does not otherwise disrupt the educational process. In order to maintain and ensure an environment conducive to learning, and one that is safe and orderly, all students are expected to be respectful of fellow students, school staff, and all members of the school community. No form of bullying will be tolerated within the Scott County Public Schools. Bullying may involve an attempt to cause fear. Examples of behaviors that fall into this category include, but are not limited to the following: inappropriate and unwanted physical contact (including hitting, kicking, shoving and pushing); intimidating and threatening comments (oral, written or electronic); name calling or put-downs (selecting or using a nickname which is intended to embarrass or humiliate); manipulation or coercion of another student to do something the student does not want to do; setting someone up to be bullied or encouraging a student to engage in bullying; sharing or starting rumors or gossip; hurtful teasing or making fun of someone; hiding or destroying someone's belongings; or shunning or excluding someone from a group or activity in order to embarrass or humiliate the person. Bullying may rise to the level of law violation. *Cyber Bullying* involves the use of information and communication technologies includes, but not limited to, e-mail, cell phone, text messages, social networking (examples; instant messaging, personal web sites, blogs, online games and online personal polling web sites), to support deliberate, repeated, and hostile behavior by any individual or group, that is intended to harm others by communicating threats, by revealing private or embarrassing information, by conveying false information with can be reasonably anticipated to cause embarrassment, or to accomplish any of the purposes of bullying. This includes but is not limited to the use of any device which records audio, video or still images of another person for no legitimate purpose. Items mentioned in this paragraph may rise to the level of violation. Other forms of bullying addressed in Board Policy include hazing, menacing, harassment, harassing communications, and stalking, as addressed below in more detail.

### **Investigation of Bullying:**

Bullying incidents that occur at school, on school –sponsored transportation, or at school sponsored events or disrupts the educational process, *see* 09.426, shall be investigated by the school principal/designee and resulting information reported to the superintendent/designee. Students should report all bullying incidents to school personnel. Unless a legal privilege requires otherwise (e.g., certified guidance counselors who receive information in a confidential counseling setting), school personnel who observe or gain information to cause them to believe bullying has occurred shall report it to the principal/designee without undue delay. The school principal/designee shall interview the victim, potential witnesses, and offender, upon receiving the report of bullying. For each report of bullying, the school principal/designee shall take steps to document the report and measures reasonably intended to protect the victim from retaliation related to a bullying report, such as separation of the bully or bullies and the victim when possible, take applicable disciplinary action, refer students for education or counseling services, advise staff as needed of the report of bullying and results of investigation, or other appropriate measures.



**Hazing:**

Hazing involves behavior used as a way of initiating new members into a group. It usually consists of some ritualistic test involving the new member being required to perform a task or series of tasks which are intended to be demeaning, degrading, harmful or embarrassing to the new member or which require the new member to engage in conduct toward others which is demeaning, degrading, harmful or embarrassing. Hazing can include the force or coerced consumption of drugs or alcohol or the forced or coerced performance of lewd or suggestive acts. Items mentioned in this paragraph may rise to the level of violation.

**Menacing:**

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

**Harassment:**

Harassment involves behavior—other than Title IX Sexual Harassment or other Harassment/Discrimination based on a protective class as defined above—with the intent to intimidate, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors: striking, shoving, kicking or other physical contact with another person; the attempt to strike, shove, kick or engage in other physical contact toward another person; using an offensively coarse utterance, gesture, display toward another person; addressing abusive language toward another person; following a person in or about a public place; engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy another person which serves no legitimate purpose; or damaging or committing theft of the property of another student; substantially disrupting the operation of the school; or creating a hostile school environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation or embarrassment. Items mentioned in this paragraph may rise to the level of violation. Behavior that constitutes either Title IX Sexual Harassment or Harassment/Discrimination based on a protected class as defined in the sections above should be reported and addressed under those policies.

**Harassing Communications:**

Harassing Communication involves the intent to intimidate, annoy or alarm another person. This intent is accompanied by one or more of the following behaviors: communicating with a person, anonymously or otherwise, by telephone, social

media, mail or any other form of electronic or written communication in a manner which causes annoyance, alarm and serves no purpose of legitimate communication, or communicating with or about another student, anonymously or otherwise, by telephone, the Internet, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know, would cause the other student to suffer fear of physical harm, intimidation, humiliation or embarrassment and which serves no purpose. Items mentioned in this paragraph may rise to the level of violation.

### **Duty to Report (KRS 158.156)**

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the local police, sheriff, state police and principal of the school attended by the victim. When a student is involved in an incident reportable under this section the principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student. The principal shall file with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report a written report containing: (a) The names and addresses of the student and his or her parents, legal guardians, or other persons exercising custodial control or supervision; (b) The student's age; (c) The nature and extent of the violation; (d) The name and address of the student allegedly responsible for the violation; and (e) Any other information that the principal making the report believes may be helpful in the furtherance of the purpose of this section.

### **Care of School and Personal Property**

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

Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school sponsored activities shall be subject to suspension or expulsion from school. Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal

property of students shall be subject to disciplinary action. Parents shall be liable for property damage caused by their minor children. *Related Policy: 09.438*

### **Tobacco, Nicotine, and Vapor Products**

Tobacco, alternative nicotine, or vapor products shall not be either used or possessed at any time while in or on any District property. Students shall not possess, sell, give away, share, smoke, or use tobacco, alternative nicotine, or vapor products at school, on a school bus, (or any other vehicle that is owned, operated, leased, or contracted for use by the Board), on school grounds, or at any school-related activity. Nor shall any student possess, smoke, or use tobacco, alternative nicotine, or vapor products at any school sponsored or endorsed activity while said student is a participant in or attendant of such activity. Nor shall any student possess smoking paraphernalia such as lighters, matches or cigarette papers on school property, or at any school-related activity. *Related Policy: 09.4232*

### **Student Medication**

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

### **Self-Administration**

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

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

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

### **Authorized Medication**

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

## **Drugs/Controlled Substances**

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

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

### **Drugs Defined**

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

### **Drug Penalty**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school sponsored activities. Students may be immediately suspended under this policy for up to ten (10) days and may result in expulsion. District Alternative School Program placement may be assigned.

### **Reporting Drugs**

Employees of the district shall promptly make a report to local police, sheriff or state police, and the principal, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession or sale of controlled substances on the school property or within one thousand (1,000) feet of school property, on a school bus, or at a school-sponsored or sanctioned event.

### **First Offense for Drugs**

For possession, use, distribution and/or sale, or being under the influence of alcoholic beverages, narcotics, drugs, synthetics, controlled substances or look-alike and/or possession of drug paraphernalia, the student will receive an immediate suspension up to ten (10) days (all ten (10) suspension days shall be served consecutively) with consideration for expulsion. Parents and appropriate law enforcement will be immediately notified when violation of laws governing use, possession or sale of alcohol or other controlled substances has occurred.

The recommendation for expulsion may be waived to a suspension, by the Superintendent/Designee, if:

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

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

**Second Offense:** A second offense of the policy will result in immediate suspension and recommendation for expulsion. District Alternative School Program placement may be assigned.

**Sale or Transmission:** For sale or transmission of alcoholic beverages, narcotics, drugs, controlled substances, synthetics, or look-alikes, the student will receive an immediate suspension and recommendation for expulsion. District Alternative School Program placement may be assigned.

**Caffeine Pills/Over the Counter Stimulants:** For the use of, possession of, or transmission of caffeine pills or other over-the-counter stimulants, the student will receive an immediate suspension of up to 10 days. The student will be recommended to meet with a counselor depending on circumstances may refer the student to a qualified chemical dependency counselor. All suspension days shall be served consecutively, on days when school is in session.

### **Awareness Program**

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

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

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

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

**Pupils:** Any pupil who threatens, assaults, batters or physically or verbally abuses another pupil, or pupils, shall be subject to appropriate disciplinary action up to and including suspension or expulsion. District Alternative School Program placement may be assigned.

Students may also be subject to prosecution or juvenile justice interventions for assaults, threats, or other abusive conduct. In cases of terroristic threatening, second degree (see law violation definition in this Code), potential penalties for that Class D felony include a term of imprisonment of not less than one (1) year nor more than five (5) years and a fine of not less than one thousand dollars (\$1,000) and not greater than ten thousand (\$10,000) dollars as provided in KRS 532.060 and KRS 532.030, respectively. In addition, a court in a juvenile case dealing with charges based on bomb threats or other criminal threats that disrupt school operations may order the child or his parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060). See also the possible consequences set out in the Discipline Chart for this Code.

**School Personnel:** Any pupil who threatens, assaults, batters or physically or verbally abuses any school personnel shall be subject to appropriate disciplinary action up to and including suspension or expulsion from school and/or legal action. Whenever a teacher or school administrator is functioning in his capacity as an employee of a board of education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school.

### **Removal of Students Due to Assault and Threats of Violence**

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

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.

2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

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

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

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

The person knows or has reasonable cause to believe that conduct has occurred which constitutes:

- A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
  - carrying, possession, or use of a deadly weapon; or
  - use, possession, or sale of controlled substances; or
- Any felony offense under the laws of this Commonwealth; and
- the conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

### **Notification Requirements**

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

*Related Policy: 03.123, 03.223, 06.34*

### **Risk Assessment Process**

The Scott County Public Schools has developed a Risk Assessment Process. Any student who threatens to harm himself/herself or others; either in writing, verbally or by possession of a weapon or other means of inflicting harm, will be evaluated as soon as possible by mental health specialists approved by the school counselor or principal/designee. An appropriate plan of action will be formulated that may include recommendations for treatment and possible disciplinary actions. The student may be prohibited from returning to school until the assessment process is complete, but will be provided educational services.

### **Restraint and Seclusion**

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

[704 KAR 7:160](#), [KRS 503.050](#), [KRS 503.070](#), [KRS 503.080](#), [KRS 503.110](#) *Related Policy: 09.2212*

### **Weapons**

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

#### **Weapons Prohibited**

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

#### **Posting Regarding Weapons**

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



## **Reporting Weapons**

Refer to Board Policy 05.48 for coverage of deadly weapons and reporting to law enforcement agency. Employees of the district shall promptly make a report to local police, sheriff or state police, and the principal, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on school premises or within one thousand (1,000) feet of school premises, on a bus, or at a school sponsored or sanctioned event. KRS 158.155 (4) mandates the principal, based on reasonable belief, shall report the possession of a firearm to the appropriate law enforcement agency. Employees who receive information from a student or other person regarding conduct required to be reported, shall report the conduct in the same manner as stated above.

## **Enforcement of the Policy Regarding Weapons**

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

## **Penalties Regarding Weapons**

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

## **Search and Seizure**

### **Reasonable Suspicion Regarding Search and Seizure**

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

### **Authorized Personnel Regarding Search and Seizure**

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

### **Witness/Personal Searches Regarding Search and Seizure**

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students. These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety. No strip searches of students shall

be permitted. Strip search will be defined as: requiring a student to remove any article of clothing, or requiring a student to lift or lower an article of clothing, thereby causing the exposure of undergarments to allow for a visual inspection. The required removal of shoes, socks or a hat or the removal or arrangement of outerwear does not constitute a strip search. Students, who fail to cooperate with school authorities when requested, shall be subject to disciplinary action.

### **Regular Inspection Regarding Search and Seizure**

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

### **Illegal Items**

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

### **Disposition of Items**

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

*Related Policies: 09.2323, 09.4261*

### **Access to Electronic Media (*Acceptable Use Policy*)**

The board supports the right of students, employees and community members to have reasonable access to various information formats and believes it is incumbent upon students, employees, and community members to utilize this privilege in an appropriate and responsible manner.

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

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

#### **Educational Suitability of Electronic Media**

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

#### **Network Reliability of Electronic Media**

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

#### **Safety of Electronic Media**

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

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

#### **Unacceptable Use of Electronic Media**

Guidelines for unacceptable use shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying

programs or data. Unacceptable use of technology includes, but is not limited to, the following;

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

### **Access Privileges to Electronic Materials**

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

### **Network Privileges for Students**

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

### **Student Contracts**

A contract, signed by the student, shall be required prior to the school granting that student access to the network, internet and/or email. The signature of a parent or guardian is also required for students under the age of eighteen (18) and will indicate the degree of access granted to the student. This document shall be kept

on file by the principal or School Technology Coordinator (STC) as a legal, binding document and shall continue to be in effect throughout the student's attendance in the building in which their grade level is housed (i.e. K-5, 6-8 and 9-12), unless modified by the parent/guardian. These signatures indicate understanding and agreement with the specified acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations.

### **Logins and Passwords**

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

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

### **Right to Privacy**

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

### **Disregard of Rules**

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

### **Responsibility for Damages**

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

### **Disciplinary Action**

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

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

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

rights:

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

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

## **Telecommunication Devices**

### **Possession and Use**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law, and other related electronic devices (e.g. cell phones, music players, iPad, iPod, tablets, laptops) , provided they observe the following conditions:

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

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.
2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned off and operated only before and after the instructional day.
3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, the principal/designee, may confiscate the device, which shall be returned only to the student's parent/guardian.
4. Students are responsible for keeping up with devices they bring to school. The district shall not be responsible for loss, theft, or destruction of devices brought onto school property.

5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication and other related electronic devices (e.g. cell phones, music players, iPad, iPod, tablets, laptops) in a manner that would violate the district's Acceptable Use policy or procedures or its Student Discipline Code.

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

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

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

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

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

*Related Policies: 08.221, 09.123*

### **Discipline Procedures and Processes**

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

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

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

### **Disciplinary Procedures**

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

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

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

### **Parent/Guardian Conference**

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

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



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

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

### **Right to Due Process**

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

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

In cases involving clear and present danger to the safety of persons and property, a student may be suspended before an informal hearing is held. In these cases an informal hearing shall be held as soon as possible, not to exceed three (3) days.

*Related Policies: 09.43, 09.433, 09.434*

## **Disciplinary Consequences**

### **Students with Disabilities**

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

In cases involving sanctions other than suspension or expulsion, students with disabilities are generally subject to discipline as any other student unless the individualized program devised for the child provides otherwise. The development or modification of a behavioral intervention plan (BIP) should be considered by the 504 or Admission and Release Committee (ARC). In cases of serious disciplinary action involving students with disabilities, suspension and expulsion may be disciplinary options insofar as consistent with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. section 1400, et seq. or Section 504 of the Rehabilitation Act of 1973, and corresponding state law and regulations. See particularly KRS 158.150 and 20 U.S.C. section 1415. In addition, children

identified with disabilities may be subject to placement in interim alternative educational settings in the case of disciplinary infractions involving weapons or drugs or having inflicted serious bodily injury upon another person while at school or school function insofar as consistent with the foregoing statutory provisions and corresponding regulations. *Related Policies: 09.43, 09.431, 09.435*

### **Behavior Contracts**

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

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

### **Suspension and Expulsion**

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

“Each teacher and administrator in the public schools shall in accordance with the rules, regulations and bylaws of the board of education, hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities”.

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

## Suspension

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

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

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

## Expulsion

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

The board may modify the expulsion requirement for students on a case-by-case basis. A board that has expelled a student from the student's regular school setting shall provide or assure that the educational services are provided to the student in an appropriate alternative program or setting, unless the board has made a determination, on the record, supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed into a state-funded agency program. Other intervention services as indicated for each student may be provided by the board or by agreement with the appropriate state or community agency. A state agency that provides the service shall be responsible for the cost. In determining whether a student has brought a weapon to school, a local board of education shall use the definition of 'unlawful possession of a weapon on school property' stated in KRS 527.070".

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

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

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

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

Should the student and the parent/guardian desire, they may be accompanied and represented by legal counsel. If this is desired, they must notify the Superintendent

of this intention so that the Board attorney may also be present.

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

### **Expulsion Procedures**

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

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

Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board.<sup>1</sup> The special education and disciplinary records of IDEA eligible students shall be part of the information during the expulsion hearing.

The Board's decision shall be final.<sup>1</sup>

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

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

### **Expelled/Convicted Students**

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

## **District Alternative Education Placement**

A pupil may be considered for alternative placement at the District's Alternative Education Program due to specific violations of the Student Code of Conduct. Qualification for placement is determined by a standing Intake Committee which will review the infraction(s) and consider the appropriateness of placement into an alternative setting program. The placement time-period will be based on program guidelines and may be from twenty days to one year in length.

### **Transportation**

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

#### **Bus Rules:**

1. Observe same conduct as in the classroom.
2. Be courteous, use no profane language.
3. Do not eat or drink on the bus.
4. Keep the bus clean.
5. Cooperate with the driver.
6. Do not smoke.
7. Do not be destructive.
8. Stay in your seat.
9. Keep head, hands, and feet inside the bus.
10. Bus driver is authorized to assign seats.

#### **Pupil's Responsibilities**

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

#### **Pupils to Wait at Assigned Stop**

Pupils shall wait at their assigned bus stop off the roadway prior to the bus arriving and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.

#### **Crossing on Driver's Signal**

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

**Crossing in Driver's Vision**

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

**Seating**

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

**Seated Until Complete Stop**

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

**Body Not to Protrude from Window**

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

**Changing Seats**

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

**Pupil Noise**

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

**Additional Transportation Information**

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

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

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

The principal will take reasonable steps to enforce Student Discipline Code and/or Site Base Council policy in addition to the Bus Rider Policy and Rules when a student commits a criminal offense. If a criminal offense occurs, all school employees shall, without unreasonable delay, cause an oral or written report to be made to the local police, sheriff, state police and principal of the school.

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

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

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

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

### **Violations of Acceptable Behavior (Definitions)**

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

1. **Abuse of Teacher (Law Violation)** – Speech or conduct toward a teacher or administrator (when they are functioning in their capacity of an employee) that will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school. (KRS 161.190)
2. **Acceptable Use Policy Violation** – See Acceptable Use Policy.
3. **Arson (Law Violation)** – Starting or attempting to start a fire on school property.



4. **Assault, 1<sup>st</sup> Degree (School Personnel and Students) (Law Violation)** – Intentionally causing serious physical injury to another person by means of a deadly weapon or a dangerous instrument; or under circumstances manifesting extreme indifference to the value of human life, wantonly engaging in conduct which creates a grave risk of death to another and thereby causes serious physical injury to another person.
5. **Assault, 2<sup>nd</sup> Degree (School Personnel and Students) (Law Violation)** – Intentionally causing serious injury to another person; or, intentionally causing physical injury to another person by means of a deadly weapon or a dangerous instrument; or, wantonly causing serious physical injury to another person by means of a deadly weapon or a dangerous instrument.
6. **Assault, 3<sup>rd</sup> Degree (School Personnel and Students) (Law Violation)** – Recklessly, with a deadly weapon or dangerous instrument, or intentionally causing or attempting to cause physical injury to any school employee, volunteer, or peace officer.
7. **Assault, 4<sup>th</sup> Degree (School Personnel and Students) (Law Violation)** – Intentionally or wantonly causing physical injury to another person; or, with recklessness, causing physical injury to another person by means of a deadly weapon or dangerous instrument.
8. **Attendance-Failure to sign in and out of school** – Leaving school or school function without appropriately informing school personnel.
9. **Attendance -Skipping Class** – Failure to attend any scheduled class or assigned school activity without valid excuse.
10. **Attendance -Skipping School** - Failure to attend school on regularly scheduled day without permission from parent or school.
11. **Attendance -Tardiness, Unexcused** - Tardiness to school or any class without a valid excuse. (Refer to individual school policy on tardiness).
12. **Attendance - Truancy** - Absence or tardiness from school for three (3) or more days, without valid excuse. Any child who has been reported as truant two (2) or more times is a habitual truant. (See District Policy).
13. **Attendance-Unauthorized Departure from Campus** - Leaving school campus at which they are enrolled without the principal's/designee's permission. Students who are in areas without permission or off limits.
14. **Bullying/Cyber Bullying**– See conduct definition (bullying/cyberbullying) in student conduct code (beginning on page 8)
15. **Burglary** – Unlawfully entering or remaining in a building or area of school property with the intent to commit a crime.
16. **Bus Rules Violation** - Any behavior that may create a safety problem on a bus or violate the Student Discipline Code.
17. **Cheating** – Copying or plagiarizing the work of others and submitting it as your own. This can include obtaining unauthorized and undocumented material from the internet, the use of cell phones for transmitting test items or answers, or other secured information; obtaining material or work from a teacher or another student in a dishonest or unauthorized way.
18. **Dangerous Instruments (carrying or use)**- Using any foreign object as a weapon toward others with the intent of causing bodily harm or injury; throwing a foreign object toward another person that is heavy, sharp, or otherwise perceived to be harmful and/or with such velocity and force that

- is probable of causing harm or injury.
19. **Destruction of Property** – Intentionally or wantonly defacing, destroying or damaging any property of which the person has no authority.
  20. **Disorderly Conduct (Law Violation)** - Violent or threatening behavior, noise or behavior that creates interference to the learning environment by an act that serves no legitimate purpose.
  21. **Display of Sexual Behavior, Inappropriate** – Exhibiting intimate physical contact, such as kissing or caressing, in school or at any school related activity, on-site or off-site. However, non-consensual sexual contact should be addressed through the District’s policies and procedures on Title IX Sexual Harassment.
  22. **Disrespectful Behavior** – Any behavior which interferes with the learning process or is otherwise inappropriate in a school setting.
  23. **Disrupting the Educational Process** - Behavior that materially or substantially disrupts the educational process, whether on school property or at school-sponsored events and activities, or on school transportation.
  24. **Disruptive Behavior**– Causing an interruption in a class or school activity, including transportation. The disruption may include sustained loud talk, yelling, screaming, making noise with materials, horseplay or roughhousing, and/or sustained out-of-seat behavior.
  25. **Dress Code Violation** –Failure to follow school defined dress code requirements. Each Principal and SBDM Council at each school may develop specific guidelines for student dress.
  26. **Drug Paraphernalia, Possession or Use of (Law Violation)** – Being in the possession of articles that are meant to be used for, intended to be used for or be construed to be used for drugs, alcohol or other intoxicating substances.
  27. **Drugs, alcohol, narcotics, synthetics, controlled substances or look-alike items, Distribution of (Law Violation)** – the sale or distribution of drugs, alcohol or other intoxicating substances.
  28. **Drugs, alcohol, narcotics, synthetics, controlled substances or look-alike items, substances or other intoxicating substances, Possession/Use/Under the influence of (Law Violation)** - A student exhibiting noticeable behaviors, physical appearance, or odors consistent with use of alcohol, drugs, or other intoxicating substances. *Use of medications prescribed or ordered by a physician or dentist (Policy 09.2241) shall not be considered a violation of this policy.*
  29. **Failure to Attend Detention** – Failure to report to or be present in an assigned classroom/area during the time a student is assigned to serve detention.
  30. **Failure to Follow Staff Instructions** – Refusing to comply with reasonable requests by school personnel or refusal to obey classroom and school rules, in a manner more severe than disrespect. The defiance may be verbal, symbolic, or physical; confronting with resistance or challenging the authority of school officials; failing to comply with a reasonable request by school officials constitutes insubordination or unwillingness to submit to the authority of school officials.

31. **False Fire Alarm (Law Violation)** – Falsely alerting the fire department or school to a non-existent fire.
32. **Fighting** – Using aggressive physical actions toward another student, involving serious physical contact where some injury may occur (i.e., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.) where no participant is identified as a victim.
33. **Forgery (Law Violation)** - Falsely making, completing, or altering a written instrument (e.g., checks, transcripts, official identification, currency).
34. **Fraud** – Obtaining money or property by false pretenses.
35. **Gambling** – Staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device which is based upon an element of chance; with an agreement or understanding that someone will receive something of value in the event of a certain outcome, on school property or at a school-sponsored event. This does not include school-sanctioned activities of chance.
36. **Gang Activity, Promoting** - displaying signs, signals or gestures indicative of affiliation or advertisement of an organized gang, group or organization which advocates disruption or violence or has a history of group violence or disruption.
37. **Harassing Communications**- See conduct definition. in student conduct code.
38. **Harassment/Discrimination** – Behavior directed toward another student—other than Title IX Sexual Harassment—that is based on that student's race, color, national origin, age, religion, sex, or disability, which adversely affects that student's education or which creates a hostile or abusive educational environment. This behavior can take a broad range of forms with varying degrees of severity. Any behavior falling under this definition should be reviewed to determine to which other violation definition it is most similar (examples: assault, bullying, disruptive behavior, profanity, threat, verbal altercation, etc.) and staff should apply the Behavior and Consequences Chart for that category of discipline, in addition to taking any reporting and remedial steps which may be required by the Board's Harassment/Discrimination Policies and Procedures. Harassing or discriminatory behavior not falling under another violation definition may still be subject to disciplinary action up to and including suspension or expulsion. See conduct definition.
39. **Hazing**-See conduct definitions in student conduct code.
40. **Indecent Exposure** – Intentionally exposing one's genitals under circumstances in which he or she knows, or should know that the conduct is likely to cause affront or alarm to another person on school grounds or at a school function.
41. **Law Violation**-any violation of law that occurs at school
42. **Loitering** -Being on school grounds or in the school without authority or permission of school personnel. This would include students on shortened programs or students remaining after the school activities have ended.

43. **Menacing (Law Violation)**- actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury.
44. **Non-Compliance with Classroom/School Rules** - Failure to complete assignments, including state-mandated assessment tests, and to follow other school or classroom regulations.
45. **Other** – Student actions that do not fit in any other area of the Student Discipline Code and may violate state or federal law.
46. **Out of Area** - student in location other than assigned.
47. **Physical Altercation/ Aggression, Minor** – An argument or dispute that involves force or physical aggression.
48. **Pornographic/Obscene Material** – Possessing or accessing any material, whether written, printed or electronic, depicting nudity or depicts/describes sexual conduct and, when taken as a whole, lacks serious literary, artistic or other value.
49. **Profanity or Vulgarity** - The use of words or gestures generally considered socially unacceptable, including swearing, taunting, name-calling, or the use of words in a lewd, profane, or vulgar way.
50. **Robbery** – The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force.
51. **Safety Violation** – An act of abuse or action which might injure or cause injury to oneself or others.
52. **Sexual Harassment (Title IX)** – See the Title IX Sexual Harassment Section of this Code for definitions and the policies and procedures referenced in that section regarding reporting and addressing such behavior.
53. **Signing Parent/Staff Note** – Writing the unauthorized signature of a parent or staff person on a note or form and submitting it as a legitimate signature.
54. **Telecommunications Devices, Unauthorized Use of** - A student using or activating (turning on) a telecommunication device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.
55. **Terroristic Threatening (Law Violation)** - A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally: (a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function (a threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur); or (b) Makes false statements by any means, including electronic communication, for the purpose of causing evacuation of a school building, school property, or school sanctioned activity, cancellation of school classes or school

- sanctioned activity, or creating fear of serious bodily harm among students, parents, or school personnel; or (c) makes false statements that he/she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or (d) without lawful authority (such as part of an official training exercise) places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.. Behavior covered by this definition includes but is not limited to communications threatening the use of bombs/explosives, chemical, biological, or nuclear devices. A person is not guilty of an offense under this definition if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point, and identifies the person from whom the threat was communicated, if known.
56. **Theft, Stealing or Possession of Stolen Property** - Taking or possessing property belonging to the school or another person.
  57. **Threat or Intimidation** - The act of threatening force or violence, scaring, or insulting another person.
  58. **Tobacco Products, Alternative Nicotine Product or Vapor Product (e.g. e-cigarettes), Possession/Use of** - The possession or use of any tobacco products(**Alternative Nicotine Product or Vapor Product**)by students. See also the more detailed section in this Code on tobacco, nicotine, and vapor products.
  59. **Trespassing** – Knowingly entering or remaining unlawfully in a dwelling, a building or in or upon premises.
  60. **Vandalism** – Intentional destruction or defacing of public or personal property, including computer hardware or software.
  61. **Verbal Altercation** - Students who engage in comments which are disruptive toward others.
  62. **Violating Security Procedures** - Compromising district and/or school security procedures or putting others at risk. This may include but is not limited to trespassing, failure to follow lock down or other safety drill procedures, opening of exterior doors other than single monitored entrance, tampering with security cameras, telephone and/or fire alarm system, remaining on school grounds after posted hours without prior permission from school officials, and intentionally reporting false tips to administrators, teachers, or other sources.
  63. **Violation of Suspension Regulations** - Suspended students may not be on school property, property under the supervision of school personnel, buses, or attend school activities without permission of school administrators. Students violating suspension conditions are subject to prosecution for criminal trespass. In addition, further administrative action may be taken under 18 of this Section, “Defiance of Authority.” (See KRS 508.060)
  64. **Wanton Endangerment (Law Violation)** - Engaging in conduct that creates a substantial danger of injury to another person.
  65. **Weapon (other than firearms), Possession of (Law Violation)**  
Possession of any weapon/instrument or look-alike toy that may be capable of producing physical injury other than those described in “Possession of a

Deadly Weapon” section.

- 66. **Weapon (Deadly), Possession of (Law Violation)** – The possession of any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged; any knife, billy club, nightstick, or club; blackjack or slapjack; nunchaku karate sticks; shuriken or death star; or artificial knuckles made from metal, plastic, or other similar hard material.

**Behavior & Consequence Chart for Discipline**

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

Disciplinary measures may increase in severity and may be administered progressively by moving from left to right on the chart. However, if the principal deems necessary, he or she may impose a more severe action.

Repeated and unmodified behavior violations may result in any disciplinary action listed on the Behavior/ Consequence Chart for Violations up to and including expulsion.

<b>Discipline Chart for Schools</b>	Teacher/ Driver Imposed Disc.	Conference	Detention	In School Discipline Assignment	Saturday School Assignment	Short Term School/Bus Suspension (1-5 days)	Long Term School/Bus Suspension (6-10 days)	Dist. Alt. Setting Expulsion or Bus Susp. for Rest of the Year	Law Enforcement
Abuse of Teacher (KRS 161.190)						x	x	x	x
Acceptable Use Policy Violation	x	x	x	x					
Arson						x	x	x	x
Assault 1 <sup>st</sup> Degree							x	x	x
Assault 2 <sup>nd</sup> Degree						x	x	x	x
Assault 3 <sup>rd</sup> Degree						x	x	x	x
Assault 4 <sup>th</sup> degree						x	x	x	x
Attendance: Failure to Sign In and Out of School		x	x		x				

<b>Discipline Chart for Schools</b>	Teacher/ Driver Imposed Disc.	Conference	Detention	In School Discipline Assignment	Saturday School Assignment	Short Term School/Bus Suspension (1-5 days)	Long Term School/Bus Suspension (6-10 days)	Dist. Alt. Setting Expulsion or Bus Susp. for Rest of the Year	Law Enforcement
Attendance: Skipping Class	x	x	x	x	x	x			
Attendance: Skipping School	x	x	x	x	x	x			
Attendance: Tardiness, Unexcused	x	x	x	x	x				
Attendance Unauthorized Departure from School			x	x	x	x			
Bullying /Cyberbullying	x	x	x	x	x	x	x	x	x
Burglary						x	x	x	x
Bus Rules Violation :	x	x	x	x	x	x	x	x	x
Cheating	x	x	x	x	x				
Dangerous Instruments, Fireworks, or Ammunition, Possession of				x		x	x	x	x
Destruction of Property	x	x	x	x	x	x	x	x	x
Disorderly Conduct (law violation)						x	x	x	x
Display of Sexual Behavior, Inappropriate	x	x	x	x	x				
Disrespectful Behavior	x	x	x	x	x	x			
Disrupting the Educational Process						x	x	x	x
Disruptive Behavior	x	x	x	x	x				
Dress Code Violation	x	x	x	x	x				
Drug Paraphernalia, Possession or use of						x	x	x	x
Drugs, alcohol, narcotics, synthetic, controlled substances or look-alike Items, Distribution of						x	x	x	x

<b>Discipline Chart for Schools</b>	Teacher/ Driver Imposed Disc.	Conference	Detention	In School Discipline Assignment	Saturday School Assignment	Short Term School/Bus Suspension (1-5 days)	Long Term School/Bus Suspension (6-10 days)	Dist. Alt. Setting Expulsion or Bus Susp. for Rest of the Year	Law Enforcement
Drugs, alcohol, narcotics, synthetic, controlled substances or look-alike substances, or other intoxicating substances, Possession/Use/Under influence						x	x	x	x
Failure to Attend Detention		x	x	x	x	x			
Failure to Follow Staff Instructions	x	x	x	x	x	x	x	x	x
False Fire Alarm						x	x	x	x
Fighting						x	x	x	x
Forgery	x	x	x	x	x				
Fraud	x	x	x	x	x	x	x	x	x
Gambling		x		x	x				
Gang Activity, Promoting		x				x	x	x	x
Harassing Communications	x	x	x	x	x	x	x	x	x
Harassment/ Discrimination based on a protected class (other than Title IX Sexual Harassment)	x	x	x	x	x	x	x	x	x
Hazing	x	x	x	x	x	x	x	x	x
Indecent Exposure		x	x	x	x	x	x	x	x
Law Violation						x	x	x	x
Loitering		x	x	x	x	x			x
Menacing	x	x	x	x	x	x	x	x	x
Non-Compliance with Classroom/ School Rules	x	x	x	x	x				
Other	x	x	x	x	x	x	x	x	x
Out of Area	x	x	x	x	x	x			
Physical Altercation/ Aggression, Minor	x	x	x	x	x	x			
Pornographic/ Obscene Material	x	x	x	x	x	x	x	x	x
Profanity or Vulgarity	x	x	x	x	x	x			
Robbery				x	x	x	x	x	x



<b>Discipline Chart for Schools</b>	Teacher/ Driver Imposed Disc.	Conference	Detention	In School Discipline Assignment	Saturday School Assignment	Short Term School/Bus Suspension (1-5 days)	Long Term School/Bus Suspension (6-10 days)	Dist. Alt. Setting Expulsion or Bus Susp. for Rest of the Year	Law Enforcement
Safety Violation	x	x	x	x	x	x	x	x	x
Sexual Harassment (Title IX)		x				x	x	x	x
Signing Parent/Staff Note	x	x	x	x	x	x			
Telecommunication Devices, Unauthorized Use of	x	x	x	x	x	x			
Terroristic Threatening in the Second Degree						x	x	x	x
Theft, Stealing or Possession of Stolen Property						x	x	x	x
Threat or Intimidation	x	x		x	x	x	x	x	x
Tobacco, Alternative Nicotine & Vapor Products or Possession/Use		x	x	x	x	x	x	x	
Trespassing		x	x	x	x	x	x		
Vandalism	x	x	x	x	x	x	x	x	x
Verbal Altercation	x	x	x	x	x	x	x		
Violating Security Procedures	x	x	x	x	x	x	x	x	x
Violation of Suspension Regulations		x		x	x	x	x	x	x
Wanton Endangerment		x				x	x	x	x
Weapon (Other than Firearms) Possession of				x		x	x	x	x
Weapon (Deadly), Possession of						x	x	x	X

## Attendance Policy

### Attendance Goal Statement

The Scott County Board of Education views the matter of student attendance as one of its primary concerns. Accordingly, the Board encourages the active cooperation of teachers, students, parents, and administrators in maintaining a high level of student attendance at all Scott County Public Schools.

Students are expected to attend the school in which they are enrolled, regularly and punctually, in order to benefit maximally from the instructional program and to develop habits of punctuality, self-discipline, and responsibility. Recording of absences and tardies shall be made in compliance with the requirements of [702 KAR 007:125](#).<sup>1</sup>

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

### Truancy Defined

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

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

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

### Excused Absences

A student shall be permitted a total of six (6) excused absences per year upon presenting a parental note to the school Principal or designee for the following reasons:

(Doctor's excuses do not count toward the six (6) days of excused absences.)

Excuses from the doctor shall specify the date of the student's absence. Doctor's notes that indicate that the student was not seen by a physician will not be accepted. After the tenth (10) physician's note, the parent/guardian will be asked to have a Medical Excuse Form completed by the physician,

1. Death or severe illness in the pupil's immediate family. The number of days excused for a death will be determined by the circumstances involved and will be kept to the minimum necessary as determined by the Principal or designee.
2. Illness of the pupil. Medical and dental appointments will be excused only for the time required to complete the appointment, unless specified by the doctor.
3. Religious holidays and practices.
4. Court appearance when the student's presence is required by subpoena or citation.
5. Driver's permit/license test, which will be excused for a portion of the day.
6. One (1) day for attendance at the Kentucky State Fair.
7. Documented military leave.
8. One (1) day prior to departure of parent/guardian called to active military duty.
9. One (1) day upon the return of parent/guardian from active military duty.
10. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave.
11. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces; or
12. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

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

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

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

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

### **Excused Tardies**

Every school will accept six (6) excuses for tardies to/from school for reasons outlined above for excused absences and noted and signed by a parent/guardian and submitted to the school. Reasons listed by parent on the sign-in/sign-out record at the school will constitute a note. A student who is absent from school for less than 35% of the day is considered to be tardy.

### **Notes Required**

All notes of excuse shall be turned in to the appropriate person at the school within five (5) school days for the student's return to school if the student is K-8 and within ten (10) days if the student is in grade 9-12. If a note is not received within the appropriate number of days after returning to school, the absence or tardy will be considered unexcused. The sign-in/sign out book at each school will constitute a parent excuse note. The Principal/designee shall determine whether the absence is excused. Notes shall include phone numbers to assist attendance personnel in verifying information.

### **Attendance Committee**

The Central Office Attendance Committee shall consist of the Director of Pupil Personnel (DPP) and two (2) parents to be appointed by the Superintendent. Their primary function shall be to hear appeals.

### **Arranging Absences from School**

The regular school calendar allows students to be off during the summer months as well as holidays, fall break, spring break, Christmas break, and teacher professional days. Students should not be absent from school for avoidable, non-educational experience. Should a student have the opportunity to participate in an exceptional educational experience during school time, an Educational Opportunity Enhancement Form (EHO) should be completed and submitted to the Principal at least ten (10) days prior to absence.

### **Make-up Work**

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

### **Unexcused Absences**

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

### **Suspensions**

Students suspended are allowed to do the following:

1. Take major tests, such as final examinations or unit tests, upon returning from a suspension; and

2. Hand in major projects or term papers assigned before the period of suspension but due during the time the suspension occurred.

**REFERENCES:**

<sup>1</sup>[702 KAR 007:125](#)  
[KRS 36.396](#), [KRS 38.470](#), [KRS 40.366](#)  
[KRS 158.070](#), [KRS 158.183](#), [KRS 158.293](#), [KRS 158.294](#)  
[KRS 159.035](#), [KRS 159.140](#), [KRS 159.150](#), [KRS 159.180](#)  
[OAG 76-566](#), [OAG 79-68](#), [OAG 79-539](#), [OAG 91-79](#), [OAG 96-28](#)

**RELATED POLICIES:**

09.111, 09.122, 09.4281  
 09.126 (re requirements/exceptions for students from military families)

### **Grievance Procedure**

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

**General**

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

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

**Grievance Procedures**

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

**Exceptions**

Title IX Sexual Harassment allegations shall be governed by Policy 09.428111, and allegation of other Harassment/Discrimination based on a protected class shall be governed by Policy 09.42811. This includes related Administrative Procedures. Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program. *Related Policies: 07.1, 08.13451, 09.42811, 09.428111, 10.2*

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

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

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

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

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

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

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

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

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

A school official has a legitimate educational interest if the official needs to

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

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

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

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

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

“Directory Information” is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released to news media, athletic organizations, scholarship or college entrance committees, or official organizations whose need for data is connected with student help activities.

“Directory Information” shall be the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. The parent, guardian, or eligible student currently enrolled, may request all or part of the directory information be withheld. The request must be in writing to the principal of the child's school within 30 calendar days after notification has been distributed. The written request must specifically state what information may not be classified as directory information. Each parent and eligible student may obtain a copy of School Board Policy 09.14 concerning student records. School board policies and procedures may be examined in the principal's office of each school.

### **PPRA Rights Notification**

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

1. Consent before students are required to submit to a survey that concerns one (1) or more of the following protected areas (“protected information

survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:

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

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

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

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



### **Suicide Prevention Notification**

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

References SB 65, KRS 158.070, KRS 161.011, HB 51, KRS 156.09

## Scott County Public Schools' Student Discipline Code

*PLEASE READ CAREFULLY AND SIGN*

We have received and read the Scott County Public Schools Student Discipline Code. Any questions either one of us had were presented to a teacher and/or administrator for clarification or additional information.

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

Homeroom Teacher's Name \_\_\_\_\_

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

Student Signature and Date:

\_\_\_\_\_  
*(If the student is eighteen (18) years of age, the signature of the parent/guardian/custodian is not required).*

Printed Parent Name: \_\_\_\_\_

Parent Signature and Date:

\_\_\_\_\_

***Please remove this form from the booklet and return to your child's teacher.***