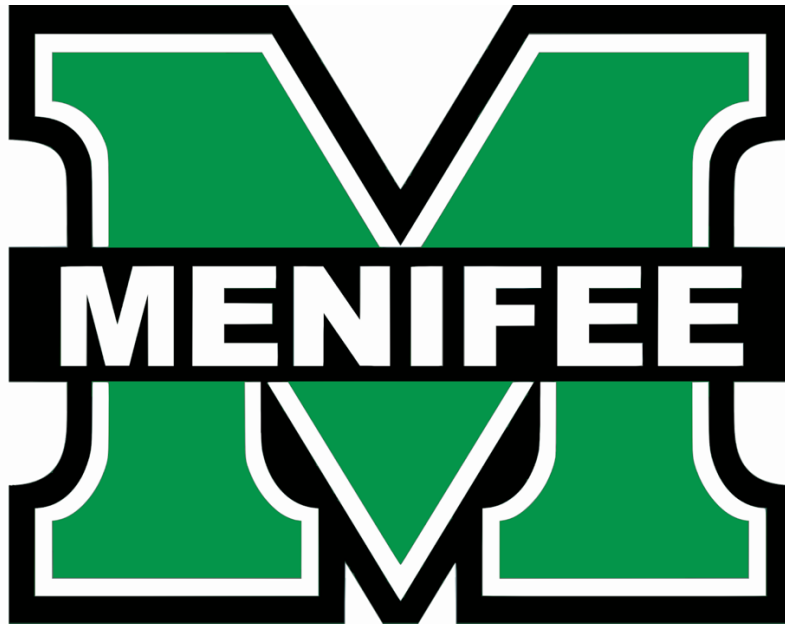


# MENIFEE COUNTY SCHOOLS



UNIFORM CODE

OF

STUDENT CONDUCT HANDBOOK

2019 – 2020

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## ***WE BELIEVE***

***We believe every student deserves a safe, supportive, and orderly learning environment.***

***We encourage appropriate behaviors by teaching, guiding, directing, and providing opportunities for new learning to occur.***

***We create opportunities for students to practice and succeed in making responsible and effective choices in order to reach their potential for career, college, and life readiness.***

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## ***Menifee County Schools Mission Statement***

***“Empowering Future Generations to be Productive and Successful in a Global Economy through:***

- ***Community Collaboration***
- ***Creative Thinking***
- ***Instructional Rigor and Relevance***

***In order to improve the quality of life for ALL.”***

## ***Menifee County Schools Vision***

***“We are MENIFEE: Where students transition on a pathway to success in academia, military or career.”***

Dear Parents and Students,

Welcome to another school year in Menifee County Schools! It is our hope that this handbook will not only provide information about our expectations for students but will also serve as a means of informing you of all the programs the Menifee County School District and our collaborative community agencies provide to our students and families. We want the handbook to be useful to you and hope you will refer to it throughout the year. If you have ideas for other issues we should address in our handbook, please don't hesitate to contact us with your input. This is **your** handbook!

After this handbook is distributed for the school year, changes to school board policy, including those affecting provisions of this handbook and code of conduct, may be necessary due to new or revised statutes and regulations and case law. We will keep the handbook current on the Menifee County School District web site which can be accessed at: [www.menifee.kyschools.us](http://www.menifee.kyschools.us). This handbook is not all inclusive of

policies approved by the Menifee County Board of Education and is not meant to be a contract between the Menifee County School District or Menifee County Board of Education and any student or parent. An official copy of the District's policy and procedure manual is available for inspection at the Office of the Superintendent. In addition, all school board policies and procedures are accessible on-line by any parent, community member, administrator or employee who has access to the internet at the same web address as above under School Policies at the left.

We truly appreciate your cooperation in helping us build a successful and respectful learning community in the Menifee County Schools.

***The Administrators, Teachers, and Support Personnel of the Menifee County School District***

## ***Important Phone Numbers for Parents & Students***

School District Office	606-768-8002
Menifee County Schools	
Botts Elementary	606-768-8052
Menifee Elementary K-8	606-768-8351
Menifee County High	606-768-8102

Menifee County Academy (Job Corp)  
 Menifee County Family Resource Center  
 Menifee County Youth Service Center

606-768-8190  
 606-768-8337/606-768-8338  
 606-768-8331/606-768-8199/606-768-8126

**Community Resource Agencies**

American Red Cross	606-768-3940	HUD	606-743-7028
Child Support	606-768-3946	Juvenile Diversion	859-498-0562
Christian Appalachian Project	606-789-3148	Kentucky State Police	1-800-222-5555
Christian Social Services	606-674-6906	Kentucky Youth Advocates	502-451-5889
Commonwealth Attorney	859-498-0911	Menifee County 4-H Extension Office	606-768-2524
Community Action Council	606-768-2369	Menifee County Adult Education (GED)	606-768-9741
Crime Watch	606-768-3144	Menifee County Ambulance Services	606-768-3200
Day Springs Food Pantry	606-768-2048	Menifee County Attorney	606-768-2606
DOVES (Spouse Abuse)	1-800-221-4361	Menifee County Court Clerk for EPO	606-768-2461
Drug Testing	606-498-8747	Menifee County Court Designated Worker	606-498-9150
Family Support	606-768-2118	Menifee County Fire Department	606-768-3405
First Steps	1-800-718-0378 606-674-3204	Menifee County Housing Associates	606-768-3672
Frontier Housing	606-768-6050	Menifee County Job Corp	606-768-2111
Gateway Advocacy	1-888-285-1655	Menifee County Public Library	606-768-2212
Gateway Health Department	606-768-2151	Menifee County Sheriff's Department	606-768-3875
Gateway Homeless Shelter	606-784-2668	Menifee County/Frenchburg Chamber of Commerce	606-768-9000
Good Shepherd	606-784-2858	Parenting Helpline	1-800-432-9251
HANDS Program	606-674-6396	Pathways	606-768-2131 1-800-562-8909
Hillcrest Home for Children	859-498-6574	Pre-Trial Services	859-498-3121
Hope Hill Home for Children	859-498-5230	Probation or Parole	606-784-6705
Hospital (Cardinal Hill Rehabilitation-Lexington)	859-254-5701	Project Worth	606-768-6387
Hospital (Central Baptist-Lexington)	859-260-6100	Rape Crisis Hotline	1-800-562-8909
Hospital (Clark County Regional-Winchester)	859-745-3500	Sister Kathleen (Assistance)	606-768-6050
Hospital (Good Samaritan-Lexington)	859-226-7000	Social Security Administration	859-294-5643
Hospital (Morgan County ARH-West Liberty)	606-743-3186	Social Services Hotline (Report Child/Adult Abuse)	1-888-351-8901
Hospital (St. Joseph-Lexington)	859-313-1000	Unemployment Office	606-784-7538/859-498-4418
Hospital (St. Joseph-Mt. Sterling)	859-497-5000	UNITE	1-606-889-0922
Hospital (University of Kentucky-Lexington)	859-323-6000	Upward Bound	606-783-5185
Hospital (St. Claire-Morehead)	606-783-6500	Walker House	606-784-2096

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*Individual school handbook supplements are reviewed by the Board of Education.*

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## **PURPOSE OF THE CODE OF CONDUCT**

The Menifee County Board of Education believes the purpose of the Code of Conduct is to maintain a wholesome learning environment in the schools. The Board believes each individual student behavior incident should be considered and extenuating circumstances should always be reviewed for the welfare of the student. The Code is intended to act as a guide to ensure students are treated fairly, but be flexible enough to address individual student behavior incidents. This flexibility will enhance the learning environment.

## **PHILOSOPHY**

To ensure that an environment conducive to effective learning is maintained in the Menifee County School system, it is necessary to establish a consistent and effective discipline code.

The Menifee County Board of Education recognizes its responsibility to prepare students for their role as adults in a democratic society. To accomplish this, there must be mutual respect and trust toward each other by students, parents, and school staff. The Code of Conduct is a means for accomplishing this objective.

Effective learning is not possible without an environment that is safe, respectful, and responsible. Establishing behavior expectations that are taught and reinforced by all school staff members creates such an environment.

The Menifee County Board of Education is entrusted with the responsibility of meeting the mandate to educate all children until graduation from high school or age twenty-one (21). The Board is committed to establishing an environment that is most conducive to fulfilling that obligation.

## **APPLICATION OF THE STUDENT CODE OF CONDUCT**

The Superintendent shall be responsible for the overall implementation and supervision of the Board's Uniform Code of Student Conduct. The Code of Conduct, as adopted, will be supported by school expectations, rules and regulations, and be primarily administered through the authority of principals of the Menifee County Schools with the support of the instructional staff of the schools. The teacher, principal, Superintendent, or designee, as applicable, shall apply the Code to each student without partiality or discrimination at the following times:

- 1) During the normal school day.
- 2) At any extra-curricular/co-curricular activity and at all times during school-sponsored trips.
- 3) During transportation provided by the school board to and from school. (Pursuant to KRS 161.180 and 158.150, this guideline may apply to students while in route to and from school, school bus stops, etc.)
- 4) On buildings and grounds owned or operated by the Menifee County Board of Education.

## **LOCAL DISCIPLINE CODE COMMITTEE**

Ashley Pelfrey, Director of Support Services

Beth Brown, Parent

Christina Back, Parent

Tonya Means, MES Principal

Lori Franklin, Community Education Coordinator

Lana Swartz, MCHS Principal

Melanie Golden, Youth Service Center

Dr. Joseph Harris, BES Principal

Jayden Cohelia, Student

Note: While the District appreciates and acknowledges the work of these individuals in creating and drafting this Handbook, the Local Discipline Code Committee was a drafting team only, and has no authority to offer

explanation or interpretation as to the provisions herein. Ultimate authority lies with the principal, school administrator, or superintendent that is administering the disciplinary measures and the Code. This Handbook and all District-wide policies are adopted and approved by the Board of Education.

### **ANNUAL ORIENTATION**

At the beginning of each school year, all students and teachers will be made aware of the guidelines on discipline. All students will receive a copy of current guidelines upon initial enrollment in Menifee County Schools and at the beginning of each school year thereafter. In order to help inform parents and the community, the Code will also be published on the District website at [www.menifee.kyschools.us](http://www.menifee.kyschools.us).

### **ABOUT THE CODE OF CONDUCT ANNUAL REVIEW**

Each year Menifee County Schools reviews the Code of Conduct. A committee of students, school representatives, parents, and administrators meet to consider recommendations and to make needed revisions. Each local school safety plan is reviewed in like manner. The revisions will be then reviewed by legal counsel, forwarded to the Superintendent and School Board for approval.

Questions concerning the Code of Conduct should be directed to:

Ashley Pelfrey  
Director of Support Services  
Menifee County Schools  
P.O. Box 110 / 202 Back Street  
Frenchburg, KY 40322  
606-768-8002  
[ashley.pelfrey@menifee.kyschools.us](mailto:ashley.pelfrey@menifee.kyschools.us)



## **PHILOSOPHY OF RIGHTS AND RESPONSIBILITIES**

The protection and safeguards of the United States Constitution and, more particularly, of the Bill of Rights apply to all students. Responsibility is inherent in all rights. No student or other person involved in the public schools can realize his rights unless (s)he also exercises the self-discipline and care to afford all others the same rights and does not allow his/her own actions to infringe upon the rights of others. In a social environment such as public schools, all participants (i.e. students, parents/guardians, teachers, administrators, and others in the educational process) have the right and responsibility to know the basic standards of conduct and behavior which are expected. The school environment is a community of individuals who live and interact based upon commonly shared rules, rights, responsibilities, expectations, and common sense.

### **STUDENTS**

#### ***A. Students in Menifee County Schools have the following rights, including but not limited to:***

1. An appropriate public education which maintains high educational standards and meets the needs of individual pupils.
2. Notification of information pertaining to regulations and policies which pertain to their public schooling experiences.
3. Enjoy safety from physical harm and freedom from verbal abuse and harassment.
4. Consultation with teachers, counselors, administrators, and other school personnel.
5. Free student elections for organizations within the school or their counterparts.
6. Membership and offices in student organizations within the school or within state or nationally associated student organizations.
7. Examine their own personal school records. Students under the age of eighteen (18) are required to obtain parental/guardian approval for this examination.
8. Involvement in school activities without being subject to any form of discrimination.
9. Be respected by teachers, administrators, school personnel and other students.
10. Presentation of complaints and grievances to proper school authorities and to receive timely replies from school officials regarding the disposition of their complaints and grievances.
11. Attend safe facilities and access quality instructional tools.

#### ***B. Students in Menifee County Schools have the following responsibilities, including but not limited to:***

1. Maintain acceptable conduct, practice self-control and avoid any form of disruptive behavior.
2. Display consideration for the rights and property of others.
3. Dress in a manner that is not a detriment to orderly operation of the school.
4. Maintain proper hygiene at all times or seek assistance from the Family Resource or Youth Service Center.
5. Abstain from the possession and/or use of illegal substances, including alcohol and tobacco/electronic cigarettes.
6. Abstain from the possession and/or use of weapons, dangerous instruments, and fireworks.
7. Abstain from physically attacking a school employee or classmate.
8. Refrain from violation of school regulations.
9. Be in attendance and avoid tardiness during scheduled classes.
10. Abstain from gambling, extortion, theft, and cheating.
11. Complete all homework and class work in accordance with the teachers' instruction.
12. Represent the truth at all times.

13. Refrain from harassment and/or verbal abuse of fellow students and/or school personnel.
14. Exhibit respect for other opinions and school authority by refraining from rudeness, inappropriate language, or acts of defiance.
15. Abstain from willful disobedience by complying with school regulations and/or school personnel.
16. Practice proper safety procedures while using the building facilities.
17. Refrain from leaving school grounds prior to dismissal for the day.
18. Report to school officials any activity of others that might result in harm to an individual.

### **PARENTS/GUARDIANS**

*We believe every parent/guardian is integral to his/her child's practice and success in making responsible and effective choices to reach his/her potential for career, college, and life readiness.*

***A. Parents/Guardians of students in Menifee County Schools have the rights, including but not limited to:***

1. Send their child to a school with a safe, positive educational climate, with well-trained enthusiastic staff, and a variety of family and community services.
2. Expect the school to maintain high academic standards.
3. Expect that classroom disruptions will be dealt with fairly, firmly, and quickly.
4. Review the student's academic progress and other pertinent information which may be contained in the student's personal records, with staff assistance and interpretation prior to the student attaining the age of 18.
5. Address a question concerning their child to the proper school authority and to receive a reply in a reasonable time period.
6. Attend school council meetings and actively participate in school support organizations.
7. Visit the instructional setting and interact constructively with their child's education.

***B. Parents/Guardians of students in Menifee County Schools have the following responsibilities, including but not limited to:***

1. Instill in their children the positive values of an education and see that the student attends school regularly and promptly.
2. Instill in their children a sense of responsibility and respect for self, peers, faculty, staff and school.
3. Become familiar with the educational policies of the Board of Education and the rules and regulations of the schools.
4. Monitor the academic, social, and emotional development of the student.
5. Support and assist with efforts of school personnel in providing activities promoting the total development and well-being of the student.
6. Be an active participant in the educational process and support the teacher and student in after school assignments.

### **TEACHERS AND STAFF**

*We believe each staff member must encourage appropriate behaviors by teaching, guiding, directing, and providing opportunities for new learning to occur. To the extent there is any conflict herein with Kentucky law or any applicable teacher and/or staff contract, the law and/or contract shall govern.*

***A. Teachers and Staff in Menifee County Schools have the following rights, including but not limited to:***

1. Participate in the decision making process as it affects student performance.
2. Be respected by students, parents and citizens.

3. Expect adequate facilities, supplies and materials for the educational program.
4. Participate in all public meetings pertaining to school program, policy and performance.
5. Expect students to behave and act according to acceptable standards and to perform academically to the best of their ability.
6. Enjoy safety from physical harm and freedom from verbal abuse and safety from harassment.
7. Take action necessary in emergencies to protect their own person or property.

***B. Teachers and Staff in Menifee County Schools have the following responsibilities, including but not limited to:***

1. Accept each child as a worthy human being capable of being a productive and contributing citizen.
2. Provide experiences for individual success in learning for every student regardless of ability level.
3. Work cooperatively with all others involved in the program.
4. Inform parents of all aspects of the school program, but more specifically of their child's performance and behavior.
5. Maintain all records required by the school, district, and KY Department of Education.
6. Carry out all policies, rules and regulations of the State Department of Education, State and Local Boards of Education and school councils.
7. Hold pupils to a strict accounting for their conduct.
8. Make an effort to improve the self-esteem of each student.
9. Prepare adequate lesson plans and unit outlines which encompass the full scope of the prescribed course of study.
10. Accept a share of responsibility for co-curricular activities and school related duties.
11. Exhibit professional behavior in action, dress and speech and to conduct herself/himself in such a manner at all times during employment to prevent the teaching profession from being brought into disrepute.
12. Take action necessary in emergencies to protect the persons or property of those in their care.
13. Respond to parent/guardian concerns in a timely manner.

**PRINCIPALS**

*We believe everyone deserves a safe, supportive, and orderly learning environment.*

***A. Principals in Menifee County Schools have the following rights, including but not limited to:***

1. The support of the students, parents, and teachers in carrying out the educational programs and policies established by the school system.
2. Provide input for the establishment of procedures and regulations that relate to the school.
3. Safety from physical harm and verbal abuse.
4. Take necessary action in emergencies to protect their own person or property, or the persons or property of those in their care.
5. Discipline, including suspension, any students whose conduct disrupts the educational process.
6. Administer the school environment to provide the proper learning atmosphere.
7. Respect and courtesy from parents and other members of the public.

***B. Principals in Menifee Co. Schools have the following responsibilities, including but not limited to:***

1. Create and foster an atmosphere of mutual respect, courtesy, and consideration among pupils, staff members, parents, and other members of the public.
2. Administer discipline fairly and equally, following the guidelines set forth herein, but in doing so, use their own best judgment.
3. Exhibit exemplary behavior in action, dress, and speech.
4. Implement and evaluate all aspects of the educational program to improve learning and comply with the laws and regulations of the state and nation and policies and procedures of the district.
5. Direct a program of dissemination of information explaining the ***Uniform Code of Student Conduct*** to the school community.

## **BEHAVIOR DEFINITIONS**

This list is a guide to explain some of the behavior violations that could possibly occur within the school setting. This list is not exhaustive and does not include all possible behavior infractions.

**1. Activating False Fire Alarm (KRS 519.040)**

Falsely alerting the fire department or school to a non-existent fire.

**2. Technology Violation**

Engaging in inappropriate or unauthorized use of cell phone, pager, music/video players, camera, computer, or other electronic device.

**3. Cheating/Plagiarism**

Submitting or attempting to submit any assignment which is not the student's original work.

**4. Unauthorized/Closed Area**

The student is in an area that is forbidden without permission from school officials.

**5. Damage to Property of Others/School/Vandalism**

Participating in an activity that results in destruction or disfigurement of school or another person's property.

**6. Disrespect to/Defiance of Staff**

Refusal to follow directions given by staff member, talking back to staff, and/or delivering socially rude interactions.

**7. Disrespectful/Inappropriate Language or Behavior**

Engaging in the use of inappropriate language or conduct that may include name calling or use of words or actions in an appropriate or sexually suggestive manner.

**8. Distribution of Drugs or Alcoholic Beverages**

The sale of, delivery of, or transfer of illegal, controlled, or dangerous substances, drugs, or alcoholic beverages described in the section discussing Drugs, Alcohol, and Other Prohibited Substances.

**9. Fighting**

Willingly engaging in physical contact for the purpose of inflicting harm on another person.

**10. Forgery of Notes, Excuses, or Reports**

The act of falsely using the name of another person, or falsifying documents or correspondence (such as excuses for absences).

**11. Harassment/Intimidation/Bullying**

Intentional acts directed against a student to ridicule, humiliate, or intimidate the student while on school grounds or at a school sponsored activity which are repeated against the same student over a period of time. Cyberbullying is bullying using one of the many forms of electronic media and/or technology.

**12. Inappropriate/Disruptive Behavior**

Conduct and/or behavior which is detrimental to the orderly educational procedure of the school. Examples such as scuffling and horseplay may lead to more serious conflicts; therefore it is not allowed in halls, classrooms, on campus, or on school buses.

**13. Inappropriate Display of Affection**

Engaging in inappropriate, consensual (as defined by the school), verbal and/or physical gestures or contact, of a sexual nature to another student.

**14. Inappropriate Dress**

The wearing of clothing that does not fit within the dress code guidelines practiced by the district and school should it be more restrictive.

### **15. Inappropriate Items**

Any item that a student may bring to school which is not conducive to the learning environment of the school. Examples may include, but are not limited to, sexually suggestive or explicit items, gang-related items or symbols, and/or drug or alcohol related items.

### **16. Lying**

Delivering a message that is untrue or leaving out important information so as to distort the facts.

### **17. Possession/Use of Drugs or Alcoholic Beverages**

The student is in possession of or using illegal, controlled, or dangerous substances, drugs, or alcoholic beverages described in the section discussing Drugs, Alcohol, and Other Prohibited Substances.

### **18. Possession or Use of Weapons**

Possessing knives with a blade longer than 3 inches or greater or non-folding knives of any size, guns (real or look alike), or other objects readily capable of causing bodily harm.

### **19. Profanity**

Using language or actions that includes swear words or obscenities.

### **20. School Bus Misbehavior**

Minor student misbehaviors that occur while on or loading or unloading the school bus.

### **21. Skipping**

Purposefully missing a day or portion of a school day when the student is supposed to be attending school or leaving the classroom or campus without permission.

### **22. Theft (KRS 514.040)**

The taking of property of others (students, teachers, visitors, etc.) without their consent, possession of stolen property, possession of another's property without the owner's permission, or selling of school property.

### **23. Possession/Use of Tobacco (KRS 438.311(3))**

The use or possession of tobacco or tobacco paraphernalia, alternative nicotine products, or vapor products (as defined by KRS 438.305) in any form by students.

### **24. Verbal Altercation**

Student engages in name calling, insulting, or other verbally abusive behavior toward another student.

### **25. Violation of the Computer Acceptable Use Policy**

Violation of the Computer Acceptable Use Policy adopted by the Board of Education may result in disciplinary action being taken.

## **DEFINITIONS OF DISCIPLINARY ACTION**

This section of the Code contains a description of possible disciplinary actions that may be used in administering the Code. The disciplinary measures outlined in this section may be applied singularly or in combination. This list is not all inclusive.

#### **1. After School Detention**

Consequence for referral results in student spending time after school with a school staff member.

#### **2. Alternative Program**

Consequence for referral results in student placed in an alternate setting separate from the general class schedule for a period time.

**3. Bus Suspension**

Consequence for referral results in student being temporarily or permanently dismissed from riding the school bus.

**4. Conference with Parent/Student**

Consequence for referral results in administrator meeting with parent and/or student.

**5. Counseling**

Consequence for referral results in student receiving counseling to address underlying issues for misbehavior.

**6. Court Referral**

Consequence for referral results in student being referred to the court designated worker or juvenile justice worker.

**7. Expulsion**

Consequence for student after board of education decision due to severe behavior/law violation. Student may be removed from the school setting for a period of time.

**8. In School Removal (In School Suspension)**

Consequence for referral results in student spending a period of time away from scheduled activities/classes during the school day.

**9. Referral to Law Enforcement**

Consequence results in a referral of the student to law enforcement officials for investigation of law violations.

**10. Restitution**

Consequence for referral results in apology and/or compensation for loss, damage, or injury.

**11. Parent Contact**

Consequence for referral results in parent communication by mail, phone, email, and/or person-to-person about the student behavior violation.

**12. Loss of Extra-Curricular/Social Event/Driving Privilege/Other Privilege**

Consequence for referral results in student being unable to participate in some type of privilege.

**13. Out of School Suspension**

Consequence for referral results in student not being allowed on campus for a 1-10 day period.

**14. School/Community Service**

Consequence for referral results in student being required to provide assistance to the school or a specific staff member.

**15. Saturday School**

Consequence for referral results in student being required to attend a Saturday session at school.

**16. Tobacco Education Program**

Consequence for referral results in student being required to attend Tobacco Cessation classes at the school.

## STUDENT CODE OF CONDUCT VIOLATIONS

This section of the Code contains the classifications and procedures that will be used by principals in administering the Code. Violations are separated into four classifications ranging from relatively minor misconduct in Class I to relatively extreme misconduct in Class IV.

### **REPORTING OF CODE VIOLATIONS (09.438 AP.1)**

Students wishing to report a violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action as defined by the code. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offense, or a report that may be required by law, including reports to law enforcement.

### **RETALIATION PROHIBITED**

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

### **LEVEL I MISCONDUCT**

Level I Misconduct on the part of the student is defined as minor infractions which impede classroom procedures or interfere with the orderly operation of the school. Level I misconduct can usually be handled by the classroom teacher, but sometimes may require the intervention of school administration. This list is not exhaustive.

#### Examples of Level I Misconduct

- Minor classroom disruption
- Non-defiant failure to do class work or assignments
- Failure to bring supplies to class
- Disrespectful language/behavior
- Tardiness
- Inappropriate display of affection
- \*Unauthorized use of Telecommunication Device on school property and/or during a school event

#### Possible Response Options

- Verbal Reprimand/Warning
- Teacher/Student Conference
- Teacher/Parent Contact
- Principal/Teacher/Parent Conference
- Counseling
- Work for Teacher/Penalty Work
- Confiscation of Telecommunication Device (see procedure on p.30)

### **LEVEL II MISCONDUCT**

Level II Misbehavior is conduct whose frequency or seriousness tends to disrupt the learning climate of the school and often results from the continuation of Level I Misbehaviors. These types of misbehaviors are serious enough to require action by a school administrator. This list is not exhaustive.

#### Examples of Level II Misconduct

- Repeated Level I Misbehaviors
- Skipping Class
- Inappropriate Behavior
- In a Closed/Unauthorized Area
- Horseplay
- Forgery
- Gambling
- Cheating/Plagiarism
- Failure to Serve After School Detention

#### Possible Response Options

- Parent Contact
- Principal/Student/Parent Conference
- In-School Suspension
- Out-of-School Suspension
- Counseling

### **LEVEL III MISCONDUCT**

Level III Misconduct refers to acts directed against another's person or property but whose consequences do not seriously endanger the health or safety of others in the school. These acts can usually be handled by the Principal and/or designee. This list is not exhaustive.

#### **Examples of Level III Misconduct**

- Repeated Level II Misbehaviors
- Damage to Property
- Theft
- Disrespect to Staff
- Skipping School/Leaving School Without Permission
- Threats to Others
- Vandalism of School Property

#### **Possible Response Options**

- Immediate Parent Contact
- Restitution
- In-School Suspension
- Counseling
- Out-of-School Suspension
- Alternative Program

### **LEVEL IV MISCONDUCT**

Level IV Misconduct is evidenced by acts that result in violence to self or to another's person or property or presents a direct threat to the safety of self or others in the school. A "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

Threatening or violent behavior shall include, but not be limited to:

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

These acts may be serious enough to be considered criminal and may require immediate administrative action. That action may entail immediate removal from school, the intervention of law enforcement authorities and action by the school board. School principal/designee shall immediately notify the Superintendent.

#### **Examples of Level IV Misconduct**

- Repeated Level III Misbehavior
- Possession, Use, or Transfer of Weapons
- Crimes Against Persons
- Intimidation/Interference of Staff or Students
- Crimes Against Property
- Sexual Misbehaviors
- Possession, Use, or Distribution of Drugs, Alcohol, or Other Prohibited Substances

#### **Possible Response Options**

- Immediate Parent Contact
- Out-of-School Suspension
- Alternative Program
- Court Referral
- Referral to Law Enforcement
- Expulsion



### **Dress and Appearance – Policy 09.427**

Students are expected to arrive at school each day dressed in an appropriate manner. The administration of the school reserves the right to determine what is deemed appropriate and/or inappropriate dress for school. School dress codes vary from school to school as school policies focus on dress and appearance that is age appropriate for the students of the school. Parents and students should consult the policy for Dress and Appearance at the school which the student attends. The wearing of any item that materially or significantly disrupts the educational process or threatens the health or safety of other pupils or staff members is prohibited.

### **Corporal Punishment**

The Menifee County School District does not authorize corporal punishments in any of its schools.

### **Terroristic Threatening**

Terroristic threatening, defined as any verbal, written or electronic communication to do or cause life threatening harm to a student, teacher, administrator or any individual, including threatening to bring deadly weapon to school, will be treated as Level IV Misconduct and may result in immediate removal of the student from the school environment and notification of law enforcement officers in more potentially serious cases. Terroristic Threatening is a criminal offense under KRS Chapter 508.

### **Removal of Students**

School administrators, teachers or other school personnel may immediately separate threatening or violent students from their classmates 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:

- A. Verbal or written statements/gestures by students indicating intent to harm themselves, others or property.
- B. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

In many of these situations, restraint and seclusion protocols dictate that the other students in the classroom will be removed to a safe location away from the threatening or violent student(s).

Removal of students from a bus shall be made in compliance with 702 KAR 5:080. Students removed from the bus are expected to attend school on time every day, regardless of their means of transportation. Students who are suspended from riding the bus and who do not attend school during the time they are suspended will be counted as absent, unexcused.

When a situation calls for the seclusion of a student, the teacher or school staff member supervising the student shall complete and submit a form to document the removal and the causes as soon as practical. The principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

### **Discipline of Students with Disabilities**

Students who have disabilities under the Individual with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 shall be disciplined according to the current relevant federal and state statutes and regulations.

## **Use of Alcohol, Drugs and Other Prohibited Substances (Policy 09.423)**

### **DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

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

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

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

### **DEFINITIONS**

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

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

Prohibited substances include:

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

### **AUTHORIZED MEDICATION**

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

### **PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams/extracurricular activity and/or other school sponsored activities. Students with drug violations may be referred to the Board for an expulsion hearing. However, as an alternative to expulsion, parents may be offered the opportunity to place the student in the District's alternative education program, provided they and the student agree in writing that the student will undergo random drug testing while assigned to the program.

### **REPORTING**

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

### **PREVENTION PROGRAM**

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

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

## **EDUCATION PROGRAM**

Each semester, at least one (1) educational seminar on alcohol and drug abuse shall be conducted by the FRYSC unit in the school and/or the Drug Counselor or the Drug Testing Coordinator. These seminars shall be **accessible to all** County middle and high school students, but **mandatory** for all athletic and extracurricular team members, coaches, and sponsors; and for students who will be driving or parking on school property.

## **DRUG TESTING PROGRAM**

This policy applies to all students who choose to participate in any extracurricular activity, including athletes at the varsity and/or sub-varsity levels, and students who drive or park on school property.

At the start of the school year, all students who intend to participate in any of the above-named activities and their parents/guardians must read this policy and acknowledge, in writing, that they have read the policy, understand the policy and agree to be bound by the terms and conditions contained in the policy and procedures.

Random drug testing conducted by an independent testing laboratory for all extracurricular activity participants, athletes, and student drivers may be conducted during the school year.

All student participants and their parents/guardians must sign the "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form before the student shall be permitted to participate in any extracurricular activity, athletics or be authorized to drive or park on school property.

Testing shall be accomplished by the analysis of urine specimen obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered under the auspices of the Drug Testing Coordinator through an independent drug testing laboratory to ensure:

1. Randomness of the selection procedures;
2. Proper student identification;
3. Identification of each specimen with appropriate student participant;
4. Maintenance of the unadulterated integrity of the specimen;
5. Integrity of the collection and testing process; and
6. Protection of the confidentiality of the test results.

## **Notice to Participants**

Prior to participation in any team or extracurricular activity or issuing parking permits EACH year, the District shall provide all student choosing to participate with teams or extracurricular activities and/or choosing to drive or park on school property and their parent/guardian with a written copy of this policy and the accompanying "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form which must be completed prior to participation in any of the above mentioned activities.

### **Student Drug-Testing Procedures (Policy 09.423 AP.1)**

The specific testing process shall be on file at the testing laboratory selected by the Board. Student participants' urine specimen shall be tested for the following, which shall include, but may not be limited to:

1. Amphetamines;
2. Marijuana (THC);
3. Cocaine and its derivatives;
4. Opiates;
5. Phencyclidine (PDP);
6. Benzodiazepine;
7. Propoxyphene, and
8. Other abused, illegal, or controlled substances as determined by the Substance Abuse Prevention Committee.

## **Confidentiality**

The Drug Testing Coordinator (DTC), appointed by the Superintendent, shall develop a process to reasonably ensure the privacy of each student participant during the taking of samples. The Drug Testing Coordinator shall also develop a process to reasonably ensure the security of samples once they are obtained. The DTC shall arrange for laboratory services that are accurate and reliable. Appropriate measures shall be taken throughout the testing process and through the handling of all test results to protect the confidentiality of the student participant. Access to drug testing results shall be strictly limited to the student participant, the parent/guardian of said student, the School Drug Counselor, and the DTC. The head coach of the athletic team, the faculty sponsor of the extracurricular activity, or principal in charge of parking SHALL NOT know the specific results of any drug test. However, that individual shall be notified of a positive result only as it is necessary to implement the sanctions for the student's violations.

### **Substance Abuse Prevention Committee**

A Substance Abuse Prevention Committee composed of the middle school and high school principals/assistant principals, guidance counselors, Drug Testing Coordinator, and School Drug Counselor shall have the overall responsibility for evaluating the program as needed to implement the policy fairly and efficiently and shall review and evaluate the effectiveness of the drug testing policy on an annual basis. This evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. An annual report shall be presented to the school Board at its next regularly scheduled meeting following the end of the school year. **THE COMMITTEE SHALL NOT HAVE ACCESS TO ANY OF THE TEST RESULTS.** Its purpose is limited to procedures and evaluation of this policy.

These procedures apply to all students choosing to participate in any extracurricular activity, including students/players at the middle school and high school levels, and to students who drive or park on school property.

### **DRUG TESTING PROCEDURES**

1. Prior to trying out for or joining an extracurricular team or activity, including athletics, or prior to being authorized to drive or park on school property, the student participant or driver and his/her parent/guardian must read Policy 09.423 and must **ACKNOWLEDGE, IN WRITING, THAT THEY HAVE READ THE POLICY AND PROCEDURES, UNDERSTAND THE POLICY AND PROCEDURES, AND AGREE TO BE BOUND BY THE TERMS AND CONDITIONS CONTAINED IN THE POLICY AND PROCEDURES.** The student participant or driver and his/her parent/guardian must also sign the “Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing” form before the student will be permitted to try out for any athletic team, join an extracurricular activity at the middle- or high-school levels, or be authorized to drive or park on school property.
2. Prior to giving a urine specimen, each student participant or driver shall complete both a “Medical History Form” (which shall include disclosure of all prescription drugs currently taken) and a “Consent to Test and Chain of Custody Form.” The forms shall identify the student participant or driver only by a confidential number and shall be placed in a sealed package, which shall be forwarded to the testing laboratory with the urine specimen.
3. Testing shall be done at the following times: All student participants shall be subject to random testing at any time between the student’s selection to or membership in the extracurricular team or activity and the date of the last game of the season for the athletic team or the date of the last extracurricular meeting or activity of the school year. Student drivers shall be subject to random testing at any time of the school year or for however long they choose to drive and park on school property.
4. The collection of urine specimen for the random testing shall be conducted on the school campus.
5. The testing laboratory approved by the Board shall determine which student participants or drivers are to be tested by the random drawing of names from all student participants and drivers.
6. Collection procedures for urine specimen shall be developed, maintained, and administered by the testing laboratory in an effort to minimize any intrusion or embarrassment for each student, to ensure the proper identification of students and the student’s specimen, to minimize the likelihood of the adulteration of a urine specimen, and to maintain complete confidentiality of test results. To that end, the procedure will require:
  - a. The presence of a sponsor (coach or staff member) or the Principal/Assistant Principal immediately prior to the collection process to ensure proper student identification.
  - b. The presence of one (1) or more representatives of the testing laboratory when the specimen is taken.
  - c. The testing laboratory shall provide each student present for the collection process a receptacle for the collection of urine. The student shall be permitted absolute privacy during the collection process.
  - d. Immediately prior to entering the private bathroom facility utilized for the collection process, the student shall be required to leave all personal belongings (including jackets, purses, book bags, pocket contents, etc.) in the custody of the school representatives present for student identification.
  - e. Prior to entering the private bathroom facility utilized for the collection process, the testing laboratory shall treat water in the private bathroom facility with a coloring substance (frequently referred to by testing laboratories as “bluing the water”) to prevent a student from attempting to dilute or otherwise adulterate the urine specimen.
7. All scientific analyses of the collected specimen shall be conducted by the professional testing laboratory. Each specimen shall initially be tested by using a highly accurate immunoassay technique (EMIT). Initial positive results must be confirmed by gas chromatography/mass spectrometry (GC/MS). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive.

8. A portion of each urine specimen given by each student participant or driver shall be preserved by the testing laboratory for at least six (6) months.
9. Written confirmation of all test results shall be forwarded by the testing laboratory to the Drug Coordinator (DC)/Principal/Designee who shall provide the results (negative and positive) to the sponsor (coach, staff member, etc.), the student, and the parent/guardian of the student tested, if the student is under the age of 18. The testing laboratory shall not provide the test results verbally. All test results are confidential and shall be maintained in the Principal's office under the strictest security. The laboratory shall re-test if there is a positive first test as described in Number 7 of this section. If these two (2) tests are in conflict, the results shall be deemed negative.
10. In the event that a student participant's or driver's urine specimen produces a positive result, the Principal and sponsor shall meet with the student participant or driver and the student's parent/guardian, if the student is under the age of 18, to disclose and discuss the test results. At this meeting the student shall be advised of his/her procedural rights. If a student has given consent and refuses to participate in drug screening, the refusal shall be treated as a violation and a first offense.
11. Any student participant or driver who has tested positive or the student's parents/guardians, if the student is under the age of 18, may contest the test result by informing the Principal of their wish to have a hearing with the Principal within seventy-two (72) hours of receipt of notice of the positive test result. The student and parent/guardian shall be given the opportunity to present relevant evidence to defend the charge of violation of this policy prior to implementation of sanctions. The Principal may require written documentation (such as a doctor's statement) of information that the student feels may have affected the test results.  
Failure to present written documentation to support the student's defense of the case may result in the student being subject to the sanctions provided in this policy for a positive test result. Any further laboratory analysis shall be conducted with the student participant's or driver's remaining urine specimen preserved by the testing laboratory. Student's parents/guardians, if the student is under the age of 18, may request another drug-test, at their own expense. A final decision of the Principal shall come within five (5) days of receiving notice to contest the test results.
12. The final determination of the student participant's or driver's eligibility shall be made at the school level by the Principal. One (1) year after the student turns 18 years or older or one (1) year after the student's graduation, whichever is later, all records in regard to this policy concerning each student participant or driver shall be destroyed, and at no time shall these results or records be placed in the student's academic file or be voluntarily turned over to any law-enforcement agency, or used for any purpose other than those stated herein.

**Controlled Prohibited Substances - Violation Referral Form**

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>ZIP Code</i>	
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	
Name of Parent/Legal Guardian _____			

**VIOLATION(S) (i.e., offense, date, and time)**

\_\_\_\_\_  
\_\_\_\_\_

Chemical evaluated     Chemical not evaluated

**ACTION TAKEN**

- Family contacted                      Date \_\_\_\_\_
- Student Assistance Counselor contacted    Date \_\_\_\_\_
- Law enforcement contacted              Date \_\_\_\_\_
- Detention (days) \_\_\_\_\_               before school     after school     Saturdays
- Suspension (days) \_\_\_\_\_               in school               out of school     student activities
- Expulsion    Term of expulsion \_\_\_\_\_
- Placement in alternate setting              Date \_\_\_\_\_
- Parent Conference                      Date \_\_\_\_\_              Outcome \_\_\_\_\_
- Other, specify \_\_\_\_\_

**RECOMMENDATIONS**

- Counseling               in school                       out-of-school
- Referral of student/family to Family Resource/Youth Service Center
- Referral to outside agency    Name of Agency \_\_\_\_\_
- Other, explain \_\_\_\_\_

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

Signature of Parent/Guardian \_\_\_\_\_ Date \_\_\_\_\_

Signature of Superintendent/designee \_\_\_\_\_ Date \_\_\_\_\_

Violation/Referral Form Mailed Return Receipt Requested                      Date \_\_\_\_\_

## **Weapons (Policy 05.48)**

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

### **WEAPONS PROHIBITED**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

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

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under Policy 09.435. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

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

Exceptions:

- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in [KRS 527.070](#).
- Law enforcement officials, including peace officers and police as provided in [KRS 527.070](#) and [KRS 527.020](#), are authorized to bring weapons onto school property in performance of their duties.

### **FEDERAL REQUIREMENTS REGARDING STUDENTS**

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

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

Although students are subject to disciplinary action for violating any restriction in this policy, the twelve (12) month expulsion penalty mandated by the Federal Gun-Free Schools Act does not apply to a firearm lawfully stored in a locked vehicle on school property.<sup>1</sup>

### **STATE POSTING REQUIREMENTS**

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

**UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.<sup>1</sup>**

The above criminal penalty shall not apply to those persons listed in [KRS 527.070](#) (3).

### **STATE REPORTING REQUIREMENTS**

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

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;\*
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material;
9. laser pointers or other high energy light sources.

\*The Board, however, prohibits students from bringing a knife of any kind or size, including a pocket knife and/or hunting knife, onto school property, including, but not limited to, vehicles and buildings, or to school sponsored activities.

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.

Violation by visitors shall be reported to a law enforcement agency. Under KRS Chapter 158, “principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon”. Violation of this policy by students shall further require that the principal immediately make a report to the Superintendent, who shall implement steps leading to an expulsion hearing. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

#### **ENFORCEMENT**

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

#### **Parent/Principal Notification Requirement to Receiving School (KRS 610.345)**

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 for homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs. The sworn statement or affirmation shall be sent to the receiving school within five (5) working days of the time when the student requests enrollment in the new school.

#### **Disrupting the Educational Process (Policy 09.426)**

Behavior that materially or substantially disrupts the educational process, whether on school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending pupil or pupils to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may damage public or private property, including the property of students or staff;
3. Illegal activity;



4. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
5. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

#### **OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

#### **Bullying/Hazing (Policy 09.422)**

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

#### **Actions Not Tolerated**

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

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

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

#### **Bullying Defined**

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

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 education process.

#### **Reports**

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

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

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

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

In certain cases, employees must do the following:

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

### **Other Claims**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

## **Harassment/Discrimination (Policy 09.42811)**

### **DEFINITION**

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

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

### **PROHIBITION**

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

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

### **DISCIPLINARY ACTION**

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

### **GUIDELINES**

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

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

The Superintendent shall provide for the following:

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

2. A process to identify and implement, within five (5) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
  - such other measures as determined by the Superintendent/designee.Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.
4. Age appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

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

#### **NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

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

#### **PROHIBITED CONDUCT**

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

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

#### **CONFIDENTIALITY**

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

#### **APPEAL**

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

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

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

#### **RETALIATION PROHIBITED**

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

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

#### **FALSE COMPLAINTS**

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

#### **OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

### **Access to Electronic Media**

(Acceptable Use Policy)

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

#### **SAFETY PROCEDURES AND GUIDELINES**

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines 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.

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

Internet safety measures, which shall apply to all District-owned devices with Internet access or personal devices that are permitted to access the District's network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors' access to materials harmful to them.

A technology protection measure may be disabled by the Board's designee during use by an adult to enable access for bona fide research or other lawful purpose.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate its initial Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District's code of acceptable behavior and discipline including appropriate orientation for staff and students.

## **PERMISSION/AGREEMENT FORM**

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources.

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

## **EMPLOYEE USE**

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own password.

Employees are encouraged to use electronic mail and other District technology resources to promote student learning and communication with the home and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities.

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

District employees and activity sponsors may set up blogs and other social networking accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.

Networking, communication and other options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for District employees and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Superintendent/designee.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
  - a. Monitoring and managing the site to promote safe and acceptable use; and
  - b. Observing confidentiality restrictions concerning release of student information under state and federal law.

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

## **COMMUNITY USE**

On recommendation of the Superintendent/designee, the Board shall determine when and which computer equipment, software, and information access systems will be available to the community.

Upon request to the Principal/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

## **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 computing and telecommunications technologies.

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

## **RESPONSIBILITY FOR DAMAGES**

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

## **RESPONDING TO CONCERNS**

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.

## **AUDIT OF USE**

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

## **RETENTION OF RECORDS FOR E-RATE PARTICIPANTS**

Following initial adoption, this policy and documentation of implementation shall be retained for at least ten (10) years after the last day of service in a particular funding year.

## **Telecommunication Devices (Policy 09.4261)**

## **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<sup>1</sup> and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
  - a. Poses a threat to academic integrity, such as cheating,
  - b. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity

does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;

- 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. Schools shall develop policies which govern specific times and places during the instructional day that students may use telecommunications devices. Please consult your school for those policies.
3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device and it may only be returned to the student's parent/guardian.
4. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Conduct.
7. Schools that adopt policies governing the use of telecommunications devices must at least meet the minimum guidelines as set in the Code of Conduct Handbook.
  - Unauthorized Telecommunication Use
  - 1<sup>st</sup> Offense: Warning; confiscated and returned to student at the end of the school day.
  - 2<sup>nd</sup> Offense: Confiscated and parent/guardian must pick up at the end of the school day.
  - 3<sup>rd</sup> Offense: Confiscated and parent/guardian must pick up; Privilege suspended for the remainder of the school year.
  - 4<sup>th</sup> +Offense: Confiscated and parent/guardian must pick up; 2 days of In-School Removal (ISS).

<sup>1</sup>KRS 158.165 "Personal telecommunications device" refers to any device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including, but not limited to, a paging device and a cellular telephone.

### **Tobacco (Policy 09.4232)**

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) in any building and on any property owned, operated, or leased by the Board. This will apply to indoor and outdoor facilities, stadium/athletic fields, inside Board-owned vehicles, on the way to and from school, and during school-sponsored trips and activities. Activities occurring before, during and after school hours, on weekends and during vacation periods are included in the prohibition. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

## **SCHOOL BUS BEHAVIOR EXPECTATIONS**

Students are expected to observe the following rules for safety and courtesy on the bus.

<b>AT THE BUS STOP</b>	<b>WHEN THE BUS ARRIVES</b>
<ul style="list-style-type: none"> <li>• Exercise safe pedestrian practices while on the way to the waiting area for the bus stop.</li> <li>• Arrive at the waiting area at least five minutes prior. The driver does not have to wait for your arrival.</li> <li>• Wait in a quiet and orderly manner.</li> <li>• Where same side service is provided, you should not cross the roadway for any reason.</li> <li>• Please remain at the designated school bus stop on the same side of the road where you live.</li> <li>• Be aware, cautious, and respectful of traffic.</li> <li>• Wait in a safe place, clear of traffic, and away from where the bus actually stops.</li> <li>• Respect the property of others.</li> </ul>	<ul style="list-style-type: none"> <li>• Make sure the bus comes to a complete stop. Never approach the bus while it is moving.</li> <li>• Check traffic from all directions.</li> <li>• When safe to board, do so promptly.</li> <li>• When boarding, be aware of and avoid the “danger zone,” the ten foot area immediately surrounding the stopped school bus.</li> <li>• Be sure that you can see the bus driver’s eyes when in the vicinity of the school bus.</li> <li>• If crossing a street, cross promptly after checking that all traffic in all directions has stopped and the bus driver has motioned for you to cross the road.</li> <li>• Cross in front of the bus only.</li> <li>• Upon entering the bus proceed directly to an available or assigned seat.</li> </ul>
<b>ON THE BUS</b>	<b>EXITING THE BUS</b>
<ul style="list-style-type: none"> <li>• Follow instructions of bus personnel.</li> <li>• Be respectful of all people, including all bus personnel.</li> <li>• Use language appropriate for the school setting.</li> <li>• Keep the bus neat and clean.</li> <li>• Do not eat or drink.</li> <li>• Talk quietly and politely.</li> <li>• Sit in and stay in your assigned seat, if one has been assigned by bus or school site personnel.</li> <li>• Carry-on items are limited to those that can be held in your lap (including musical instruments).</li> <li>• No hazardous materials, nuisance items, or animals are permitted on the bus.</li> <li>• Be respectful of the rights and safety of others.</li> <li>• Do not extend head, arms, or objects out of bus windows.</li> <li>• Cell phone usage is a privilege granted OR revoked by each bus driver.</li> <li>• Musical components such as iPods are to be used with headphones or earbuds only.</li> <li>• Never tamper with the emergency doors, fire extinguishers, or other equipment on the bus.</li> <li>• School rules also apply to the school bus. For example, use or possession of tobacco, alcohol, and other drugs is not allowed.</li> <li>• Remain seated until the bus comes to a complete stop.</li> </ul>	<ul style="list-style-type: none"> <li>• Exit the bus at the bus stop area in an orderly manner.</li> <li>• Exit at your assigned bus stop only unless you have a school approved student bus note that authorizes a temporary change.</li> <li>• Check traffic from all directions.</li> <li>• When safe to exit, do so promptly.</li> <li>• Be aware of and avoid the “danger zone,” the ten foot area immediately surrounding the stopped school bus.</li> <li>• Be sure that you can see the bus driver’s eyes while in the vicinity of the school bus.</li> <li>• If crossing a street, cross promptly after checking that all traffic in all directions has stopped and the bus driver has motioned for you to cross the road.</li> <li>• Cross in front of the bus only.</li> <li>• Exercise safe pedestrian practices while on the way from the bus stop to your home.</li> </ul>



## **BUS BEHAVIOR EXPECTATIONS & SAFETY REQUIREMENTS FOR ALL STUDENTS**

Riding the school bus is a privilege. 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/guardians in cases where bus-riding privileges have been withheld. The Superintendent or designee may withhold bus-riding privileges up to the remainder of the school year. For students with disabilities, relevant federal and state regulations shall apply.

### **CODE OF CONDUCT FOR SCHOOL BUS RIDERS**

The examples listed below are merely a guide, is not exhaustive, and certainly does not cover every possible infraction that may occur on the school bus. The principal of the student's school has the discretion to punish misbehaviors not listed according to level where he/she deems the misbehavior most closely falls. The principal may also use responses at the school level as well.

#### **LEVEL I BUS MISCONDUCT**

Level I Misconduct involves minor inappropriate conduct or disruptions on the school bus.

##### Examples of Level I Misbehavior

- Eating or Drinking on the Bus
- Littering
- Failure to Sit in Assigned Seat
- Getting on or off the Bus Incorrectly

##### Level I Responses

- Conference with Student/Parent
- Contact/Warning
- Loss of Bus Privileges at Least 1 Day
- Loss of Bus Privileges at Least 3 Days

#### **LEVEL II BUS MISCONDUCT**

Level II Misconduct is defined as any failure to follow directions related to student safety and order on the school bus.

##### Examples of Level II Misbehavior

- Unnecessary Noise
- Refusing to Obey the Bus Driver
- Making Inappropriate Gestures to People Outside the School Bus
- Failure to Remain in Seat
- Other Behaviors Relating to Safety

##### Level II Responses

- Loss of Bus Privileges at Least 3 days
- Loss of Bus Privileges at Least 6 days
- Loss of Bus Privileges at Least 10 days
- Restitution

#### **LEVEL III BUS MISCONDUCT**

Level III Misconduct addresses violations of procedures on the school bus that address personal safety of the student or other students on the school bus or the bus being damaged.

##### Examples of Level III Misbehavior

- Unjustified Activation of an Emergency System on the School Bus (Including Windows and Doors)
- Fighting
- Tripping/Pushing
- Use of Tobacco or Vapor Products
- Throwing Objects In or Outside the Bus

##### Level III Responses

- Loss of Bus Privileges at Least 10 days.
- Loss of Bus Privileges at Least 20 days.
- Loss of Bus Privileges at Least 30 days.
- Loss of Bus Privileges for Remainder of the School Year
- Restitution

## **LEVEL IV BUS MISCONDUCT**

Level IV Misbehavior addresses severe violations that affect the safety of all passengers and driver on the school bus.

### Examples of Level IV Misbehavior

- Weapons
- Drugs, Alcohol, or Other Controlled
- Violent Acts that Prevent the Bus Driver from Safely Driving the Bus
- Repeated Level III Offenses

### Level IV Responses

- Driver Immediately Notifies Transportation Director and Dispatch for Law Enforcement
- Restitution
- Loss of Bus Privileges for 1 Calendar Year

## **SEARCH AND SEIZURE**

Pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by the Principal only when there is a reasonable suspicion to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law. Search of a pupil's person shall be conducted only with the express authority and supervision of the Principal. Search of a pupil's person shall be conducted in the presence of a certified person of the same sex as the student being searched. When a pat-down search of a pupil's person is conducted, the certified person conducting the search shall be the same sex as the pupil; and a certified school employee of the same sex as the pupil shall be present during the search. All searches will be conducted under the supervision of the Principal.

No search of a pupil shall be conducted in the presence of other students. No strip searches (see following definition) of students shall be permitted. Strip search is defined as requiring a student to remove or rearrange clothing to reveal a part of the body that would normally be covered or to cause exposure of undergarments that were previously covered to allow for a visual inspection. The required removal of shoes, socks, or a hat, the removal or arrangement of outerwear (such as coats or jackets) or requiring a student to roll up sleeves does not constitute a strip search.

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

Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security will be seized by school officials. Items which may be used to disrupt or interfere with the educational process may be removed from the pupil's possession by a staff member. Such items may be returned to the pupil's parents by the staff member or through the Principal's office.

When reasonable suspicion exists that the contents within a student's automobile pose a threat to student health, safety or welfare and that vehicle is on school property, the student will be required to provide access to the vehicle. Students who fail to cooperate with school authorities shall be subject to disciplinary action.

## **DISCIPLINE AND DUE PROCESS – (Policies 9.431 and 9.434)**

State and Federal guidelines are adhered to regarding discipline procedures. Records are kept regarding incidents which require disciplinary action of a more serious nature including student transfer, suspension and expulsion. Students will be afforded the right to due process whenever applicable. This means they will be given the opportunity to give their version of the incident when they are involved in any altercation.

### **Right to Due Process**

Before being punished at the school level with suspension for violation of school regulations, a pupil shall have the right of the following due process procedures.<sup>1</sup>

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

### **Students with Disabilities**

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.

### **Who May Suspend**

In accordance with [KRS 158.150](#), the Principal or assistant Principal may suspend a pupil up to a maximum of five (5) days per incident.

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

### **Length of Suspension**

A pupil may not be suspended for more than a total of ten (10) days per incident.

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.

### **Prior Due Process Required**

A pupil shall not be suspended until due process procedures have been provided as described in [KRS 158.150](#) (09.431)<sup>1</sup>, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

### **Imminent Danger**

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

### **Written Report Required**

The Principal or assistant Principal shall report any suspension in writing<sup>1</sup> immediately to the Superintendent and to the parent of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

### **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.

### **Suspension of Exceptional Children as Defined in KRS 157.200 (KRS 158.150)**

(a) Suspension for an exceptional child shall be considered a change of educational placement if:

1. The child is removed for more than ten (10) consecutive days during a school year; or
2. The child is subjected to a series of removals that constitute a pattern because the removals accumulate to more than ten (10) school days during a school year and because of other factors, such as the length of each removal, the total amount of time the child is removed, and the proximity of removals to one another.

(b) The admissions and release committee shall meet to review the placement and make a recommendation for continued placement or a change in placement and determine whether regular suspension or expulsion procedures apply. Additional evaluations shall be completed, if necessary.

(c) If the admissions and release committee determines that an exceptional child's behavior is related to his disability, the child shall not be suspended any further or expelled unless the current placement could result in injury to the child, other children, or the educational personnel, in which case an appropriate alternative placement shall be provided that will provide for the child's educational needs and will provide a safe learning and teaching environment for all. If the admissions and release committee determines that the behavior is not related to the disability, the local educational agency may pursue its regular suspension or expulsion procedure for the child, if the behavior so warrants. However educational services shall not be terminated during a period of expulsion and during a suspension after a student is suspended for more than a total of ten (10) days during a school year. A district may seek temporary injunctive relief through the courts if the parent and the other members of the admissions and release committee cannot agree upon a placement and the current placement will likely result in injury to the student or others.

Suspension of Primary School Students (KRS 158.150):

“Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.”

Make-Up Work for Periods of Suspension (Policy 09.123)

Student shall be allowed to make up assignment made before they were suspended. Assignments made during the suspension may be made up at the school's discretion.

Expulsion and the Continuation of Educational Services:

Expulsion is the long-term removal of a student from school as a disciplinary measure and requires action by the Board of Education. Kentucky statute states, “A Board of Education that has expelled a student from the student's regular school setting shall provide or assure that 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.” 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.

Suspension and Expulsion as Related to the Continuation of Extracurricular School Activities:

Students suspended or expelled from school shall not be permitted to participate in any extracurricular or school sponsored activities during the period of suspension or expulsion. Students who are expelled and are being served in an alternative program due to a drug violation shall not be permitted to participate in or attend any extracurricular or school-sponsored activity. Suspensions cannot exceed 10 school days for a single incident.

**Grievances (Policy 09.4281)**

**GENERAL**

Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

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

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within

its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel.

## **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 a grievance, and a process for the orderly review and appeal of each individual grievance.

## **EXCEPTIONS**

Harassment/Discrimination allegations shall be governed by Policy 09.42811.

Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

**Procedure 09.4281 AP.2 "Grievance Initiation Form (Students)"** is available online at the district website and paper copies are available at the district Board of Education Office as well as each school center. Any student who feels s/he is experiencing retaliation due to the report of a violation should complete the form and return the completed form to the appropriate personnel.

### **DISTRICT OFFICE HOURS**

The Menifee County Board of Education central office is currently open from 8:00AM -4:00PM. Central Office administrators and support staff can be reached at: (606) 768-8002.

### **ADMISSION TO SCHOOL**

#### **Residency Defined (Policy 09.12):**

Residency is defined as pupils whose parent or guardian resides in the District and has custody of the student, or pupils who are legal residents of the school District, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools. All other pupils shall be classified as nonresidents for school purposes. Nonresident pupils may be admitted to the District's schools in accordance with Board policy and upon approval of the Superintendent.

#### **School Service Area:**

Service areas have been established based upon the size of the facility for our two kindergarten through fifth grade school centers. In order to prevent overcrowding, parents must obtain permission from the Board of Education utilizing the district "Application for Change in School Assignment" form (School board procedure 09.11 AP.22) to send a child to a school other than the school designated to serve the family based upon their residence.

#### **Incoming Transfer Students:**

A student transfer may be placed temporarily (ten days maximum placement) without records. Within a ten (10) day period after initial enrollment, a valid birth certificate, Kentucky immunization certificate, a completed school physical form, and a complete copy of school records must be on file. Extensions may be granted by the principal if an extenuating circumstance arises (i.e. ward of the court).

#### **Entrance Requirements** (Procedure 09.121 AP.1)

- ***Proof of Age and Identity*** - A birth certificate or other reliable proof of the student's identity and age. If a birth certificate is not presented, an affidavit of the inability to produce a copy of the birth certificate must be given.

***Proof of Immunization*** - Evidence of immunization by means of a doctor's certificate or a certificate from the Public Health Service. The immunization certificate form required by 704 KAR 4:020 shall be on file within two (2) weeks of a student's enrollment in school.

- ***Preventative Health Care and Vision Examinations*** - Within one (1) year prior to initial admission to school, each student entering kindergarten shall undergo a preventative health care examination, which shall be documented on the state-required form. A preventative health care examination may also be required for students entering pre-school.

Also upon enrollment, each student entering the first year of public school, public pre-school or Head Start must undergo a vision examination as required by applicable statute and regulation and provide the school with the required form by January 1 of the first year of enrollment. Evidence of a dental screening or examination shall be required to be submitted by January 1 of the first year that a five- and six-year-old student is enrolled in the District.

Principals are to report to the Director of Pupil Personnel the names of those children who do not present acceptable evidence of age and required immunizations and examinations. Except for vision examination forms, which are due by January 1 of the first

year of enrollment, failure to provide the remaining required documentation within thirty (30) calendar days after enrollment may constitute reason for legal action.

### **Primary/Entrance Age**

A child who becomes five (5) on or before August 1 may enter the primary school and may advance through the primary program without regard to age in accordance with KRS 158.031. A child, who becomes six (6) by August 1, shall attend public schools unless s/he qualifies for an exemption as provided by KRS 159.030. The District shall establish guidelines to determine a student's level of academic and social skills when that student is being considered for advancement through the primary program. A student, who is at least five (5) years of age, but less than six (6) years of age on or before August 1, may be enrolled in the second level of the primary program in keeping with the process set out in Kentucky Administrative Regulation. Parents/guardians may petition the Board to allow their child to enter school earlier than permitted under statutory age requirements. On receipt of a petition, the District shall conduct an evaluation process to help determine a student's readiness to engage in and benefit from early entry to school.

### **DISTRICT AND SCHOOL WEB SITES AND FACEBOOK**

The Menifee County School District now has a district web site that can be accessed at [www.menifee.kyschools.us](http://www.menifee.kyschools.us). This site will have useful information such as the school calendar, district and school news, comprehensive improvement plans, information about the various district and school programs, school and district policies, access to the Infinite Campus student and parent portals and much, much more. Information will also be shared on Facebook, so "like" us on Facebook in order to be informed about your child's school activities.

### **ACCESS TO ELECTRONIC MEDIA**

The Menifee County Board of Education supports reasonable access to various information formats for students, staff, and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

District guidelines have been established which address ethical use of electronic media (such as the Internet). Students who violate these District rules governing the use of technology shall not be granted further use of the equipment, software, or information access systems. Generally speaking, behavior including, but not limited to, the following is not permitted:

- Sending or displaying offensive messages or pictures
- Using obscene language
- Harassing, insulting, or attacking others
- Damaging computer systems or computer networks
- Violating copyright laws
- Using another user's password
- Trespassing in another user's folder, work, or files
- Intentionally wasting limited resources
- Using the network for commercial purposes

A written parental request is required prior to a student being granted independent access to electronic media involving District technological resources. The form for consent is in the Appendix of this handbook and must be returned to your child's school where it shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

### **EXTRA-CURRICULAR ACTIVITIES**

The Menifee County School Board of Education fully supports student organizations, clubs, and social, physical, and recreational activities. Through participation in co-curricular and extracurricular activities, students receive an opportunity for growth in areas beyond the scope of the academic classroom. In schools operating under School Based Decision Making (SBDM), the council shall determine selection of extracurricular activities, as well as academic qualifications, attendance requirements, evaluation procedures and supervision for these programs. The individual school's handbook supplement will describe extra-curricular activities available at your child's school.

### **NON-CURRICULUM RELATED STUDENT GROUPS**

Non-curriculum related student groups may be provided meeting space on application to and approval by the Principal. Space shall only be provided during non-instructional time either before the beginning or after the conclusion of the school day.

All meetings of non-curriculum related student groups shall be voluntary. No meeting shall be sponsored by the District or any of its employees. All such meetings shall be student initiated, directed, conducted, and controlled. Non-school personnel may not regularly

attend such meetings nor attempt to direct, control, or conduct the same. Agents or employees of the District may attend religion related meetings only in a non-participatory capacity.

Permission to use school facilities may be denied where reasonable cause exists to believe the meeting will materially and substantially interfere with the orderly conduct of the educational activities of the school or pose a danger to the health, safety, or welfare of the students in attendance or to school property.

Students are under the full jurisdiction of school officials at evening events held either on campus or at any other site at which a Menifee County School is a participant and are held accountable for any type of misconduct during a school event or activity regardless of the site where the infraction occurs. All students, grades 7-12, who plan to participate in extra-curricular activities must, along with their parent/guardian, sign the “Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing” form before they can become a member of an extracurricular activity. These students must also attend at least one educational seminar on alcohol and drug abuse each semester.

**School Athletic Programs and Eligibility** (Policies 09.31, 09.313)

All interscholastic athletic and sport activity competitions shall be in compliance with the constitution, bylaws, and competition rules of the Kentucky High School Athletic Association (KHSAA). Menifee County High School and the Superintendent of Menifee County Schools annually submit a written certification of compliance with 20 USC Section 1681 (Title IX). The policy adopted by the school council relating to evaluation of the athletic program shall address program equity for both male and female athletics and sport activities.

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association requirements. Based on KHSAA criteria, the school Principal shall be responsible for determining the eligibility of students participating in the athletic program. Additional information pertaining to school sports and student participation is included in the handbook supplement for each respective school.

**All students, grades 7-12, who plan to participate in varsity and sub-varsity sports must, along with their parent/guardian, sign the “Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing” form before they can participate in athletic activities . These students must also attend at least one educational seminar on alcohol and drug abuse each semester.**

**Student Organizations and Clubs**

School groups’ affiliation with state and national organizations must be approved by the Menifee County Board of Education. All school-sponsored student organizations shall be under the direction of a faculty advisor. Organizations such as honor club, athletic clubs or other groups where membership is determined by scholarship, special curricular-related interests, or other such qualifications may restrict membership to pupils who qualify according to the bylaws of the organization if approved by the Principal.

**Participation in Extracurricular Activity Denied to Students Disciplined for Drug/Alcohol Offenses and/or Students who are Suspended or Expelled-Students Grades 7-12 who have a positive drug screening**

Students who are suspended or expelled from a Menifee County School District school shall not participate in any extracurricular activity during the time of suspension or expulsion. Students who are placed in an alternative school program due to a violation of the district Drug and Alcohol Policy (09.423) are not permitted to participate in any extracurricular activity at their regular school site (see policy on pages 16-20).

**STUDENT ASSESSMENT**

**Statewide Assessment:**

Kentucky’s accountability system is aligned to Every Student Succeeds Act (ESSA). Kentucky Performance Rating for Educational Progress (K-PREP) tests are given statewide to measure how well students are learning the required material. Assessments are given to students beginning in 3<sup>rd</sup> grade. K-PREP includes tests in reading, math, science, social studies and writing, with some content areas being assessed yearly and others only periodically throughout a child’s education. High school students are assessed primarily through the ACT. In addition to classroom teacher assessments, our students in grades K-8 are assessed using iReady, CERT for Freshman, ACT Mastery Prep in grades 10-12, and Case 21 assessment in grades K-12. This data is available to parents/guardians. You can find more information about many of the assessments by visiting the Kentucky Department of Education Web site at [www.education.ky.gov](http://www.education.ky.gov).

## **ATTENDANCE REQUIREMENTS**

### **Compulsory Attendance**

All children in the district who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.

### **Exemptions from Compulsory Attendance**

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school,
2. A pupil who is enrolled in a private or parochial school,
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school,
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study,
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children, or
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children.

### **Physician's Statement Required**

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.

### **Exceptions to Presence at School**

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional, or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.
3. Students may participate in co-curricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when co-curricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.

## **ATTENDANCE AND TRUANCY – (Policy 09.123)**

### **Attendance Philosophy**

The Menifee County School District administration and faculty places the upmost importance upon regular student attendance, *beginning with the kindergarten program* and extending through the student's graduation from high school. Each time a student misses school, he/she loses knowledge that can never again be fully obtained by any other means.

Kentucky law (KRS 159.990) states that attendance in a public school is compulsory for students between the ages of six (6) and eighteen (18) unless he/she has graduated from high school, is enrolled in regular attendance in a private, parochial, or church regular day school or has a physical or mental condition which prevents or renders inadvisable attendance of school or application to study. Students participating in a school or state approved field trip shall be considered present.

### **Truancy (KRS 159.150):**

Pupils are required to report to the school which they attend *regularly and punctually*. Any student who has attained the age of six (6), but has not reached his/her eighteenth (18<sup>th</sup>) 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 (21<sup>st</sup>) birthday, who has been absent from school without valid excuse for



three (3) or more days, and/or tardy without valid excuse 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 purpose 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. Truants shall be reported to the Director of Pupil Personnel who will take appropriate actions which shall include referral to the judicial system.

#### **Excused Absences**

An excused absence or tardiness is one for which work may be made up, such as:

1. Illness of the pupil.
  - a) A physician's statement will be required after five (5) absences.
  - b) A pupil with a chronic illness which may cause him/her to miss school may present a doctor's statement giving the nature of the illness and indicating that the pupil may need to miss school due to the illness for a maximum of ten (10) doctor excused days per school year. Should a student require more than ten (10) doctor excused days, the parent/guardian may apply for special consideration by completing the Chronic Illness/Ongoing Treatment Verification Form and submitting it to the child's school.
  - c) Pupils who are unable to follow the schedule or to comply with school rules because of illness or disability should contact the Principal or counselor.
2. Death in the family. Absences for this reason should be limited to three (3) days unless additional days are approved by the Principal.
3. Medical and dental appointments verified by an appointment card or a statement from the doctor or dentist that the student has received treatment.
4. School-sponsored trips. 4-H trips will be excused in accordance with [KRS 159.035](#).
5. Religious holidays and practices.
6. Severe illness of a member of the pupil's household.
7. Drivers and permit tests. Pupils will be excused for only that part of the day during which they are taking the tests. They should present a note from the circuit clerk's office.
8. Court appearances verified by a note from the circuit clerk's office stating that the pupil was required to appear in court or a copy of the summons.
9. Documented military leave.
10. One (1) day prior to departure of parent/guardian called to active military duty.
11. One (1) day upon the return of parent/guardian from active military duty.
12. 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.
13. Other valid reasons or special situations approved by the Principal, including trips qualifying as educational enhancement opportunities.

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

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

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

If possible, requests for excuses under this category should be made prior to the date of absence. 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.

#### **Verification of Absences**

A student can use a **maximum of five (5) hand written notes**, for a total of five (5) days during a school year. These notes need to identify the date(s) and reason the student was absent or tardy and be signed by the guardian. Parent/guardian notes and doctor excuses **must be turned in within five (5) days after returning to school from an absence**. All days missed will be deemed unexcused if student does not turn in an approved excuse within five (5) days of returning to school, even if they have a doctor's excuse.

#### **CORRECTIVE ACTION PLAN**

Students who have permission to drive to school, who participate in extracurricular activities (sports and clubs), and who attend school sponsored field trips must abide by the following attendance policy in order to participate and retain their privileges for these activities. If student accumulates:

- Three (3) unexcused absences in one nine (9) week period=loss of privileges for the next nine (9) week period;
- Four (4) unexcused tardies in one nine (9) week period=loss of privileges for the next nine (9) week period;

- The accumulation of nine (9) unexcused absences for nine (9) tardies, or a combination of the two, will result in loss of privileges for the remainder of the school year.

**Other Important Attendance Notes:**

- In addition, 702 KAR 7:125 states that students who participate in an off-site high school class or block may be counted in attendance.
- Students participating as a part of a school sponsored interscholastic athletic team who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA that occurs on a regularly scheduled school day shall be counted and recorded present at school on the date or dates of the completion, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.

**Home-Hospital Instruction (“Homebound”)**

The Menifee County Board of Education operates a program for home instruction and /or hospital instruction for students of school age. Students are considered for home/hospital instruction when there is an expectation of an inability to attend regular school for more than five (5) consecutive school days due to such conditions as surgery, illness, and medical complications to pregnancy, post-partum recovery from childbirth, or fractures.

Home instruction shall not be used as a substitute for a more appropriate educational placement for a student. To apply for home/hospital instruction, contact either the school where your child is enrolled or the Director of Pupil Personnel at the Menifee County Board of Education and request an application. School officials will describe the procedure utilized in determining home/hospital eligibility.

**DRIVER’S LICENSE REVOCATION-(KRS 159.051)**

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. Any/ALL excuses not submitted to the school within five (5) school days upon return to school shall be deemed unexcused as related to the No Pass/No Drive Law. The high school principal and/or designee shall be responsible for reporting those students who are in violation of the No Pass/No Drive statute on the online reporting database.

**ACADEMIC AND ATTENDANCE DEFICIENCIES**

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 follows:

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 for the preceding semester. Suspensions shall be considered unexcused absences.

**REINSTATEMENT OF DRIVING PRIVILEGE**

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

**SCHOOL ATTENDANCE AREAS**

**Assigned Zones**

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.<sup>1</sup>

**If Families Move**

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the school year in the school in which s/he was last enrolled (at no cost or service by the Board). The pupil must enroll the following year in the school in the attendance zone of his/her legal residence.

**Exceptions to Assignment**

Exceptions (specified below) to school assignments may be approved by the Board at the written request of a parent or guardian when the exception will not result in overcrowding of a grade or school and will not become an additional cost to the Board:

1. Parent or guardian is employed in the school the student will be attending;
2. Parent or guardian may request a change of attendance area due to the need for before or after school child-care;
3. Other extenuating or special circumstances.

Any request for change in school assignment must be based upon physical, psychological, or educational reasons. Family hardship may also be considered in changing school assignment.

### **Requests for Transfer**

Requests for transfer to another District school must be submitted annually by May 15 to the Director of Pupil Personnel. Forms may be obtained at the Central Office. Requests made after the May 15 deadline will be considered.

Changes in school assignment will be subject to availability of space. Consideration will be given on a “first-come” basis. However, priority will be given to those students who were granted a change in school assignment for the requested school the previous year and to children of District employees.

If at any time enrollment of a school (grade) exceeds state cap sizes, students may be required to return to the school in their area of residence. Selection of students will be based on the date the original request was received.

Once a change in school assignment has been granted, requests to return to the school in the area of residence must be submitted to the Director of Pupil Personnel and may be granted subject to the availability of space.

In compliance with and as set forth by the No Child Left Behind act, the District shall allow students to transfer to another District school if:

1. Another school option exists;
2. The assigned school is identified for school improvement under federal guidelines (priority for transfer will be given to the lowest achieving children from low-income families);\*
3. The assigned school is designated by the state as being “persistently dangerous”; or
4. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.<sup>2</sup>

\*Because the Kentucky request to the U. S. Dept. of Education for flexibility was granted, reason #2 above is waived through the 2018-2019 school year.

### **Transportation**

Parents will be responsible for providing transportation for students attending schools outside their attendance area.

## **WITHDRAWALS FROM SCHOOL**

Before a student may withdraw from school after the student’s eighteenth (18) birthday, under KRS 159.010, the student must confer with the Principal/designee.

## **SCHOOL BOARD MEETINGS**

School Board meetings for the upcoming calendar year are scheduled at the January board meeting. These are posted on the district web site and many of these meetings are held at the school site and feature student showcasing. To view the calendar of school board meetings go to: [www.menifee.ky.schools.us](http://www.menifee.ky.schools.us) and choose “Board of Education”.

## **POLICE OFFICERS IN THE SCHOOLS**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e. serving of subpoenas, juvenile petitions or warrants, or taking students into custody).

### **Crimes off School Property**

When police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

- Parents/guardians shall be notified by school officials as soon as possible.
- The student shall be informed by the police of his/her legal rights.
- Parental notification/permission shall not be required if the student is an alleged victim of abuse by the parents.
- The Principal or his/her designee shall be present during interviews or investigations conducted by law enforcement officials.

### **Crimes on School Property**

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s). During investigation procedures of students by police, the Principal or designee shall be present.

## **TRAINED DOGS**

The Board of Education has authorized **the use of a trained dog by designated members of any federal, state, or local law enforcement upon the request of the Superintendent, Safety Director and/or Principals.** Lockers, gym bags, cars, personal property and persons are subject to search if reasonable suspicion exists that contraband (a prohibited item) is on school property in violation of the law.

1. **The Principal or the Principal's designee shall be present.**

2. Searches involving dogs shall be conducted only when students are in classrooms or other designated safe area; no student shall be in the vicinity of the site being searched.
3. All dogs shall be on a leash and will not be allowed to come in close proximity to any student.

### **ALTERNATIVE EDUCATIONAL PROGRAM**

Alternative programs exist to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative programs that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience.

The purpose of the Board's Alternative Education Program is to provide:

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Core Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the regular school assignment, when possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student.

Alternative education placements may be utilized for students in all grade levels. Placement may be voluntary or involuntary, and the program is offered on the Menifee K-12 school campus. Students in the alternative program are governed by the Principal of the grade level of the student. Refer to policy/procedure 09.4341/09.4341AP.21 for placement criteria.

### **SCHOOL TRANSPORTATION**

Pupils shall be eligible to be transported to and from school if they reside more than one mile, by the nearest traveled road or street, from the school to which they are assigned. If traffic or other safety conditions make walking to school extremely dangerous, pupils shall be eligible for transportation without regard to the distance to their school.

Students are required to walk to certain centralized bus stops on public roads where traffic hazards would not make it feasible to stop buses in front of their homes. Students who live close together shall be required to assemble themselves at a certain point to be picked up by the bus.

#### **Persons Not Eligible to Ride District Transportation**

Persons not of school age, employees of the Board, parents of students, and persons not associated with the schools shall not be permitted to ride school buses during the scheduled transporting of students without written authorization of the Superintendent or designee.

### **CHILD ABUSE AND NEGLECT REPORTING REQUIREMENT**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Families and Children or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030. This may occur by calling Centralized Intake at 1-888-351-8901. Non-emergency reports of child abuse/neglect may be made online at <https://prd.chfs.ky.gov/ReportAbuse/home.aspx>.

Reporting suspected neglect or abuse to an employee's supervisor or another employee does NOT relieve the employee of the legal obligation to make a report to these appropriate authorities. The individual who knows or has reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected **has the legal responsibility to report it immediately**. Usually, this is accomplished by contacting Centralized Intake and providing the necessary information that may be requested about the suspected abuse. If however, there is a possibility of eminent danger to the child, a staff member should contact the State Police or 911 Dispatch. After making a report of suspected abuse or neglect to either Centralized Intake or the local law enforcement agency, **the employee shall notify the Principal, who then shall also promptly make a report to the proper authorities for investigation**. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee who shall also promptly report.

The individual making an oral report should make a personal record of the report, including the date and time of report and name of the individual to whom the report was made. In addition, the individual shall make a written report to the Superintendent as required by administrative procedure.

### **CONTAGIOUS DISEASES**

A parent, legal guardian, or other person or agency responsible for a student shall notify the student's Principal if the student has any medical condition which is defined by the Cabinet for Human Resources as threatening the safety of the student or others in the school. The notification shall be given as soon as the medical condition becomes known and upon each subsequent enrollment by the student in

any Menifee County School. The Principal or designee shall notify the student's teachers in writing of the nature of the medical condition. If any student is known or suspected to have or be infected with a communicable disease or condition for which a reasonable probability for transmission exists in a school setting, the Superintendent may order the student excluded from the school. In the case of lice or bedbugs, the district has developed "control procedures" and these will be followed for each individual case. For information on this, please contact the District Health Coordinator at (606)768-8002.

### **NONDISCRIMINATION**

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

The Menifee County School District offers the following career and technical education programs for all students regardless of race, color, national origin, including those with limited English proficiency, sex or disability in grades 9-12.

- Agriculture Education
- Business & Marketing
- Health Science
- Education & Training

Persons seeking further information concerning the career and technical education offerings and specific pre-requisite criteria should contact:

Jodi Blackburn  
202 Back Street

Frenchburg, KY 40322  
(606) 768-8002

[jodi.blackburn@menifee.kyschools.us](mailto:jodi.blackburn@menifee.kyschools.us)

Inquiries regarding nondiscrimination policies should be directed to:

Tim Spencer, Superintendent  
202 Back Street

Frenchburg, KY  
(606) 768-8002

[tim.spencer@menifee.kyschools.us](mailto:tim.spencer@menifee.kyschools.us)

### **SECTION 504 OF THE REHABILITATION ACT OF 1973**

A student with a disability under Section 504, a general education law, is defined as one who:

- have either (1) a current physical or mental impairment or (2) an episodic or in – remission impairment which, when active, substantially limits some major life activity, causing the student's ability to access the school environment or a school activity (curricular or extra-curricular) to be substantially limited

Section 504 is a *civil rights law* and requires school districts to provide educational programs to students with disabilities as adequately as the needs of students with disabilities are met. A student who is found to have a disability under Section 504 is generally served by the employees and resources of the general education program. To refer a student suspected of having a disability under Section 504, contact your school's principal or Section 504 Coordinator at the Menifee County Board of Education.

### **STUDENT PARTICIPATION IN RELIGIOUS ACTIVITIES**

The Menifee County School District shall observe the rights of students to voluntarily engage in religious activities or express religious viewpoints while at school, as established by the United States Constitution and law provided they do not:

- Infringe on the rights of the school to maintain order and discipline, prevent disruption of the educational process and determine education curriculum;
- Harass other persons or coerce other persons to participate in the activity; or
- Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be directed to the Principal, who shall investigate and take appropriate action according to school district policy and procedure.

### **STUDENT SURVEYS**

No student shall be required to submit, without prior written consent of the student's parent or guardian, to a survey, analysis, or evaluation administered as part of any school program or curriculum that receives funds from the United States Department of Education

when the instrument would reveal information concerning: Political affiliations, mental and psychological problems potentially embarrassing to the student or his/her family, sex behavior and attitudes, illegal, anti-social, self-incriminating and demeaning behavior, critical appraisals of other individuals with whom respondents have close family relationships, legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers, or income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). (20 U.S.C. 1232h)

### **EMERGENCY MEDICAL TREATMENT**

First aid shall be provided all pupils in case of an accident or sudden illness until the services of a health care professional becomes available. A first-aid area with appropriate equipment, supplies, and provisions for the child to recline is designated in all schools. At least two (2) adult employees in each school (with at least one available at all times) have completed and been certified in a standard first aid course that includes CPR. Parents' telephone numbers or a number at which parents can be reached and name of the family physician must be on file at each school for all pupils. Parents will be notified in the event of an accident.

### **STUDENT WELFARE AND WELLNESS**

The Menifee County School District is committed to providing school environments that promote and protect student health, well-being and ability to learn by supporting healthy eating and physical activity. All students will have opportunities, support, and encouragement to be physically active on a regular basis as provided by school council policy. Specific information related to nutritional requirements and wellness shall be available on the district web site and updated as appropriate by the District Food Service Director.

### **MEDICATION ADMINISTRATION**

**Student Self-Medication:** A student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and health care practitioner files a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.<sup>2</sup>

In accordance with [KRS 158.836](#), students with a documented life-threatening allergy or designated staff shall be permitted to carry an epinephrine auto-injector in all school environments. The auto-injector shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.<sup>3</sup>

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

Students shall not share any prescription or over-the counter medication with another student. Each year, 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.

**All Other Medications:** Medication should be given at home when possible. Unless otherwise approved, students are to be supervised by a qualified individual with training in first aid when taking medication. The person supervising the administration of medication must keep a written record and entered into the student's record in the student information system (Infinite Campus).

**Prescription Medications:** Parents/guardians and health care providers shall complete the required forms before any person administers prescription medication to a student or before a student self-medicates. The form shall include the following information: student's name, physician's name, name of health care provider, address, and phone number, type of medicine, dosage, time of day for dosage, reason medication is to be administered, possible reactions or side effects of medicine, release from liability, and parent/guardian's telephone numbers at home and work, as well as an emergency contact and numbers, as appropriate.

Prescription medications shall be administered only as prescribed on the physician/health care provider's written authorization. Prescription medications shall be sent to school in monthly increments unless otherwise approved by the Principal or designee. Parents/guardians shall have the ultimate responsibility to provide the school with an adequate supply of medication to enable the orders to be followed.

All prescription medication, original or refill, should be sent to school in a pharmacy labeled container which includes the student's name, date, medication, dosage, strength, and directions for use including frequency, duration, and mode of administration, prescriber's name, and pharmacy name, address, and phone number. Labels that have been altered in any way will not be accepted. Per KRS 218A.210, "A person to whom or for whose use any controlled substance has been presented, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

Changes in the dosage and/or times of administration must be received in the form of a written order from the physician/health care provider OR a new prescription bottle from the pharmacy indicating the change and a note from the student's parent/guardian.

**EPI Pen Auto injectors will follow protocol of the Gateway District Health Department Core Clinical Service Guide protocol which is reviewed and signed by the health department physician.**

### **Non-Prescription Medications**

Non-prescription (over-the-counter) medications may be given on an individual basis as provided by the parent or legal guardian when a completed authorization to give medication form is on file.

\*School Health Units will follow protocols established through and by the Gateway District Health Department for School Health in administering Prescription Medications and/or Over the Counter Medications which is reviewed and signed annually by the local health department physician.

### **Medication Refusal:**

If a child refuses to take medication or is uncooperative during medication administration, the parent/guardian will be contacted and medication administration may be omitted. If necessary, a conference may be scheduled with the parent/guardian to resolve the conflict. A form permitting school staff to dispense medication is included in the student's packet at the beginning of the school year.

### **Health and Medical Screening**

The Menifee County School District systematically screens students to identify health or other barriers impacting student learning and makes referrals to appropriate support agencies for assistance. Screening procedures are performed as follows:

- Vision screenings are performed on students in kindergarten, 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> grades, in addition to referrals.
- Hearing screenings are given to students in kindergarten through grade 3, in addition to referrals.
- Physical exams can be completed for students entering kindergarten and grade 6.
- Height and weight checks are performed for students in kindergarten through grade 6 and grade 9, as well.

All concerns found during these screenings shall be reported to the parents and recorded on the school health record.

## **HIGHLY QUALIFIED TEACHER NOTIFICATION**

Parents may request that the Menifee County School District provide information regarding the professional qualifications of their child's classroom teachers. In complying with such requests, the District shall provide information designated by federal law.

Schools receiving Title I funds shall notify parents when their child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who is not "highly qualified," as defined by state and federal regulation. Inquiries pertaining to teacher qualifications and notifications under this section of the handbook should be made to the Superintendent or District Title I Director at the Menifee County Board of Education.

## **NURSE SERVICES**

All Menifee County School students have access to nursing services which are provided by the Menifee County Board of Education and trained by the Gateway District Health Department at both of the school campuses. These services are provided for all Menifee County students.

## **RELEASE OF STUDENTS**

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the Principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian. With preschool children, a parent, or person listed by a parent on the Yellow Emergency Care Card, must bring the preschool child to the bus and be available to get the child off the bus.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

If the student is to be picked up early, the custodial parent/guardian or designee shall report to the Principal's office and sign for the student's release.

The Board shall release the student or information concerning the student to a parent, guardian, or individual acting as a parent of a student in the absence of a parent or guardian unless the school has been provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary. Release of the student or information concerning the student to a single parent or a divorced/separated parent will be accomplished according to the following procedures:

- Unless the school has been informed and given evidence of state law or court order concerning the status of the student:
- Both parents shall have equal access to any information concerning the students.
- Both parents shall have the right to release of the student under their care.

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant. In such case, the student's parent shall be notified at the earliest opportunity. In addition, the Board authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

### **EMERGENCY CLOSINGS**

#### **Inclement Weather**

The Superintendent of the Menifee County School District may close school when and if he/she determines that weather conditions are too hazardous for safe operation of the buses or schools. On days where weather conditions warrant, the Superintendent may also wish to operate district schools on a delayed schedule. The information on school closings will be announced using the School Messenger call system, district website, all Lexington area television stations, and the school district phone number (606-768-8888). **Students are asked NOT to call the radio stations.**

In the event that school must be dismissed after students have arrived for the day due to hazardous weather conditions, the district will announce the early dismissal using the above procedures as well. Since the School Messenger notification system uses information from the student information system (Infinite Campus), it is very important that parents ensure that current phone numbers are on file at the school.

### **SAFETY PROCEDURES AND DRILLS**

All Menifee County Schools have procedures in place for protecting the safety of students in emergency situations such as a fire, tornado, nuclear attack and a bomb threat. As well, Principals conduct tornado, fire, lock-down, and bomb threat drills to ensure students are familiar with building evacuation procedures.

### **EXTENDED SCHOOL /SUPPLEMENTAL EDUCATIONAL SERVICES**

A plan is developed by the Superintendent/Designee and is implemented to diagnose and address student academic deficiencies, consistent with federal and state regulations. In accordance with applicable federal and state laws, the Menifee County School District provides extended school services and supplemental educational services. For more information contact the District Extended School Services Coordinator, Catherine Hacker at (606)768-8002.

### **YOUTH AND FAMILY RESOURCE CENTERS**

Each Menifee County School is served by a Youth or Family Resource Center. These centers are actively involved in assisting families with referrals to health, social services, and other community agencies. Other important programs and projects include employment counseling, job shadowing, parent interest groups, health fairs, and strong home visitation programs. For more information contact the Family Resource Director, Jessica Hale at (606) 768-8338 or (606)768-8059 or the Youth Services Director, Melanie Golden at (606)768-8331.

### **FIELD TRIPS**

Field trips shall be related to the course of study and have educational value. Except for students who have been suspended or expelled, no student shall be prohibited from participating in any instructional trip that takes place during the instructional school day. The teacher shall secure written permission from each student's parent(s) or guardian and numbers of faculty and administrative staff shall accompany students on all school-sponsored trips. Health conditions of students participating on field trips will be addressed according to the individual health plan requirements for each student.

### **FOOD SERVICE PROGRAM**



The Food Service Program is operated in compliance with all federal, state and local laws and regulations. Menifee County School District has decided to implement the Community Eligibility Provision that provides free meals to all students at no cost; however, a child's eligibility for free and reduced priced meals must still be determined. Therefore, it is of utmost importance these Household Income Forms be returned as soon as possible. Household Income Forms are included in the student packets at the beginning of each school year. The information found on these applications is considered confidential and is treated as such by all school appointed officials. In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or disability. If alleging discrimination in the delivery of benefits in the District's school nutrition program, please contact the superintendent or his designee. Each Menifee County School provides both a breakfast and lunch program. The menus for each week are posted several days in advance on the school web pages.

### **FUND-RAISING ACTIVITIES**

All school-wide fund-raising activities, including the proposed use of the funds, must be approved by the Board of Education. All other fund-raising activities, including the proposed use of the funds, shall be approved by the Principal or designee. All funds raised for a specific purpose shall be used for that purpose.

No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity. Students choosing not to participate in a fund-raiser shall not be excluded from benefitting from the fund-raiser or otherwise penalized in any way.

No student will be required to participate in door-to-door sales but students who opt to participate in door-to-door sales must do so under the following guidelines:

1. Students shall be permitted to participate only when mature enough to benefit safely from the experience;
2. To promote their safety and well-being, students shall be instructed to use specific sales strategies, which shall be provided in writing.
3. Community members and businesses shall not be overburdened by continual appeals.

School personnel shall not collect money from students for any non-school sponsored activity.

### **GIFTED AND TALENTED**

Identified gifted and talented students shall be provided with a student services plan and served in a manner that expands and extends the student's learning beyond the standard curriculum, provides flexible curricular and extracurricular experiences commensurate with the students' interests, needs and abilities, and helps the student to attain, to a high degree, the goals established by statute and the Board of Education. Each school shall adjust its curriculum to meet the needs of gifted and talented students.

### **GRADING POLICY**

Teachers shall maintain detailed, systematic records of the achievement of each student. Grade reports shall be issued at nine (9) week intervals for students enrolled in any Menifee County School District school. Reports of student progress may be sent to parent's mid-way through the grading period.

Grade reports may indicate student behavior and shall include the number of student absences but a student's grade shall not be lowered as a disciplinary action. Parent/teacher conferences shall be scheduled when requested by the parent or teacher.

#### **Grading Scale**

The following uniform grading scale has been adopted for use in primary through grade twelve (12):

Each primary teacher shall provide parents with a comprehensive report that is based on samples of children's work and that includes a descriptive, narrative evaluation of all aspects of the child's progress.

Menifee County students shall receive progress reports based on the following scale:

90 – 100	A
80 – 89	B
70 – 79	C
60 – 69	D
50 – 59	F

#### **Incomplete Grade**

An "I" (Incomplete) grade must be changed to a passing or failing grade within 2 weeks.

### **Grade Point Average**

A student's grade point average is calculated upon completion of a course and receipt of the final grade for the course. For each A that a student receives, it would be four (4) points, a B would earn three (3) points, a C would receive (two) 2 points, and a D would earn one (1) point. The points are then multiplied by the amount of credit that each class is worth, usually one; however, a few classes are only worth one-half credit. Finally, the total is divided by the number of classes that the student has taken.

## **GRADUATION REQUIREMENTS**

**2018-2019**

### **DIPLOMA PROGRAMS**

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Expectations, the Board has authorized the diploma programs for Menifee County Schools which meets or exceeds minimum requirements established by the Kentucky Board of Education, including demonstrated performance-based competency in technology.

The **General Diploma** requires completion of twenty-six (26) credits:

- 4 Language Arts
- 4 Mathematics (High School Math I, Pre-Algebra, Algebra I, Honors Algebra, Algebra II, Geometry)
- 3 Science (Integrated Science I, Biology I, Honors Biology, Physical Science)
- 3 Social Studies (World Civilizations, Government and Civics, U.S. History)
- 1 Art and Humanities
- ½ Health and Practical Living
- ½ Physical Education
- 10 Electives

### **PERFORMANCE-BASED CREDIT**

In addition to Carnegie units, students may earn credit toward high school graduation through the District's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for the developing and amending the system shall address the following:

1. Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning;  
Performance-based credit may be earned while the student is still "in school," but the instructional setting will look different from a traditional "seat time" environment.
2. Performance descriptors and their linkages to State content standards and academic expectations;  
At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.
3. Assessments and the extent to which state-mandated assessments will be used;
4. An objective grading and reporting process; and
5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's individual learning plan. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.

Students shall complete an individual learning plan which focuses emphasis on career exploration and related postsecondary education and training needs and shall have a total of at least twenty-six (26) credits for high school graduation for the 2017-2018 school year. The total required credits for other years are shown in the table below.

Students that do not meet the college readiness benchmarks for English and language arts and/or mathematics shall take a transitional course or intervention before exiting high school (Compass).

### **Senior Class Rank:**

**The following are the criteria, guidelines, and processes used to rank and identify academic awards:**

- The students in the senior class will be ranked according to their final GPA at the end of their senior year calculated to the hundredth point.
- Transfer students will be subject to the same guidelines as other students when being ranked academically as long as he/she has been enrolled at Menifee County High School for the entirety of their junior and senior years.

### **Classification Requirements**

The following minimum requirements must be met in order to attain the classification indicated:

	2019	2020	2021	2022
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Sophomore	6 credits	6 credits	6 credits	6 credits
Junior	12 credits	12 credits	12 credits	12 credits
Senior	18 credits	18 credits	18 credits	18 credits
Graduate	24 credits	24 credits	24 credits	24 credits

**Students with Disabilities** For students with disabilities, a local Board of Education may substitute a functional, integrated, applied, interdisciplinary or higher level course for a required course if the alternative course provides rigorous content and addresses the same components of 703 KAR 4:060. When an ARC committee determines that a student with disabilities is eligible, as determined by the statute, for an alternative program, an Individual Education Program (IEP) shall be implemented leading toward completion of high school. Consistent with the District’s graduation practices for all students, an alternative high school diploma shall be awarded to students with disabilities in compliance with applicable legal requirements. In addition, former students may submit to the Superintendent a request that the District provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation from the District.

**Other Provisions**

The Board may award a diploma to a student posthumously indication graduation with the class with which the student was expected to graduate. Beginning with the 2014-2015 school year, students who complete an early high school graduation program and meet all applicable legal requirements shall be awarded an Early Graduation Scholarship Certificate. Students planning to complete an early graduation program shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known.

**MENIFEE COUNTY VOCATIONAL STUDENTS**

Career and technical classes are provided through agreements with Morgan County and Montgomery County Area Technology Centers. Menifee County High School students who have sufficient credit hours to be classified as Juniors are eligible to participate in programs at one of the two Area Technology Centers which include: Health Science, Auto Technology I or II, Carpentry, Welding, Computer Aided Drafting, Auto Body, and Information Technology.

**VOLUNTEERS**

Parents or interested persons who wish to become volunteers in our school district must:

- Contact the principal at the school where you would like to volunteer.
- Complete a criminal records background check in the central office. \*There is a nominal charge to complete the check.
- Parent/Teacher Liaisons can be contacted at each school site for additional information.

**GUIDANCE COUNSELORS AND SCHOOL PSYCHOLOGISTS**

The guidance program in all the Menifee County Schools attempts to provide a systematic program of services for students to be more successful and constructive. The Menifee County School District employs certified Guidance Counselors and one certified School Psychologist to serve the Menifee County School District.

**MENTAL HEALTH PROFESSIONAL COUNSELING**

Pathways Counseling Services provides counseling services through a contract at each school site through referral process that requires parental consent.

**SPECIAL EDUCATION AND RELATED SERVICES**

The Menifee County Board of Education provides services to identify, locate, and evaluate children and youth with suspected disabilities from age three (3) to twenty-one (21). Questions concerning these services should be directed to the Director of Special Education at the Menifee County Board of Education, Dawn Hardeman at (606)768-8002. If you know of a student between the age of three (3) and twenty-one (21) who is suspected of having a disability and who is not receiving appropriate services, please contact the Director of Special Education.

## **SCHOOL PICTURES**

All Menifee County Schools will provide an opportunity for each student to have a setting for school pictures. Students will deal directly with the company. The company will provide each student a proof to examine and package to select in a range of prices.

## **HOMEWORK/STUDY TIME EXPECTATIONS**

Each school shall develop a homework policy and the school handbook shall contain the individual school's homework policy and study time expectations.

## **PATRIOTISM/PLEDGE OF ALLEGIANCE**

Each student shall be afforded the opportunity to begin each school day with the Pledge of Allegiance to the Flag of the United States. No student shall be required to participate in the Pledge, nor against the student's or the parents' wishes.

## **PROMOTION AND RETENTION ISSUES**

### **Promotion/Retention**

Each school shall determine criteria for student progress through the school's program. The criteria, which is stated in each schools' handbook supplement and SBDM policies, shall reflect mastery of state-required capacities and be aligned with the Kentucky Performance Rating for Educational Progress (K-PREP).

A student may advance through the primary program without regard to age if the District determines that s/he has acquired the academic and social skills taught in kindergarten and that advancement would be in his/her best educational interest. Successful completion of the primary program, as determined by methods set out in Kentucky Administrative Regulations, shall be a prerequisite for a child's entrance into the fourth grade.

No student may be retained without prior consultation with the parents and approval of the Principal.

### **Transfers**

Any promotions or credits earned in attendance in any approved public school are valid in any other public school. In case a pupil transfers from the school of one district to the school of another district, s/he may *not* be assigned to a lower grade or course *until* the pupil has demonstrated that s/he is not suited for the work in the grade or course to which s/he has been promoted. Pupils who transfer from a non-accredited school may be required to take tests from the previous grade to determine grade placement or course credit.

### **The Primary Program**

*Continuous progress:* Students progress through the primary school program at their own rate without comparison to the rate of others or consideration of the number of years in school. Council or school policy shall determine assignment of primary school students to classes and programs within the school. Promotion from the primary program shall be in compliance with applicable administrative regulations and shall be based on established exit criteria. A school team, which includes the parent of an identified child, will consider and recommend the appropriate early or delayed exit for any student in the primary program. Such review will take place at least thirty (30) days before such decision takes effect.

NOTE: Per 704 KAR 3:440, retention and promotion within the primary school program are not compatible with continuous progress.

## **NOTIFICATION OF FERPA RIGHTS**

The Menifee County School District observes strict federal and state regulations for safeguarding the confidentiality of student educational records. The district person responsible for confidentiality is the Director of Pupil Personnel.

The Family Educational 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 written request 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 inspect and review logs documenting disclosures of the student's education records.*

Except for disclosure to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to the parent or eligible student, FERPA regulations require the District to record the disclosure.

3. *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.

4. *The right to provide written consent prior to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.*

Exceptions that permit disclosure without consent include:

- a. 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 volunteer, or an outside person or company with whom the District has contracted to perform a special task (such as, but not limited to, an attorney, auditor, medical consultant, therapist, testing company, etc.); 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 to the District.
  - b. Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.
  - c. Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.
  - d. Disclosure to state and local educational authorities and accrediting organizations, subject to requirements of FERPA regulations.
5. *The right to notify the District in writing to withhold information the Board has designated as directory information as listed in the annual directory information notice the District provides to parents/eligible students.*

To exercise this right, parents/eligible students shall notify the District by the deadline designated by the District.

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

Unless the parent or secondary school 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.

7. *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 Avenue, SW, Washington, DC 20202-4605.

### **THE PROTECTION OF PUPIL RIGHTS AMENDMENT**

The protection of pupil rights (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:

- **Consent before minor students are required to submit to a survey, analysis, or evaluation** that concerns one (1) or more of the following protected areas ("protected information survey") of the survey is funded in whole or in part by a program of the U.S. Department of Education:
  1. Political affiliations or beliefs of the student or student's parent;
  2. Mental or psychological problems of the student or student's family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships such as lawyers, physicians, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or the student's parents; or
  8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- **Receive notice and an opportunity to opt a student out of:**
  1. Any other protected information survey, regardless of funding;
  2. 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
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. NOTE: If the parent/eligible student has indicated no directory information is to be provided to third parties or if the marketing activity involves provision of social security numbers, consent form 09.14 AP.122 should be used.
- **Inspect, upon request and before administration or use:**
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. 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 *District Uniform Code of Student Conduct Handbook* or other avenue 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. A new or supplemental notice shall be given as necessary to provide the opportunity to consent or opt out under the standards set forth above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave., SW  
Washington, D.C. 20202-4605**

### **CAMERAS AS SURVEILLANCE DEVICES**

The Menifee County School district shall continue to utilize cameras on school buses in order to monitor for safety purposes. In addition, cameras will also be used in some hallways in Menifee County schools. Only school personnel shall have access to video surveillance records for review of student conduct and behavior unless the parents have signed a release form or unless other students can be obscured if the tape is shown to persons other than school personnel, due to confidentiality concerns.

### **SCHOOL-BASED DECISION MAKING (SBDM)**

#### **School Based Decision Making Schools**

All Menifee County district schools operate under the guidance of a School-Based Decision Making Council. Such councils are designed by law to give parents, teachers, and Principals substantial control over how the school operates. The SBDM Council consists of the Principal (chairperson), two parents and three teachers elected by their peers. The council establishes policies on such issues as curriculum, instructional practices, schedules for the school's staff, uses of school space, discipline, classroom management, extra-curricular programs, materials, support services, and staffing. Council meeting times are stated in the individual student handbook supplements. All council meetings are open to the public and parents are urged to attend.

### **INSTRUCTIONAL RESOURCES**

Textbooks and/or instructional materials shall be made available to all students. Students or parents shall compensate the District for instructional resources that are lost, damaged, or destroyed while in the student's possession. No book or other publication of a sectarian, infidel, or immoral character or one that reflects on any religious denomination shall be used or distributed in any school.

### **REVIEW OF INSTRUCTIONAL MATERIALS**

The review of instructional materials, including text books, supplementary materials, and library books, on the basis of citizen concerns will be conducted in response to a properly filed written request under procedures developed by the Superintendent

### **TITLE I PROGRAM**

Title I programs offer financial assistance to school districts for serving high poverty schools and students who are educationally deprived. The intent of the program is to assist all students in achieving the same expected educational standards. Eligible schools identify specific needs and develop a program which is coordinated with the regular instructional program.

The Title I program in the Menifee County School District currently serves six school-wide programs and one private school. The grade range is K-8 and most of the Title I money is used to hire instructional personnel and buy instructional materials. The remaining funds are used for administrative personnel, parent liaisons, aiding the homeless program, and to possibly fund summer school for K-8. Needs addressed by Title I are math, reading, science, social studies, writing, arts and humanities, and parent involvement.

### **TITLE I PARENT INVOLVEMENT POLICY**

This policy and the plan to implement it have been developed jointly and in agreement with, and will be distributed to, parents of students participating in the Title I program. Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

#### **School Policy**

A copy of each school's parent involvement policy shall be kept on file in the Central Office and at each Preschool-8<sup>th</sup> grade school center. The school's policy shall include a school-parent-student compact developed in keeping with legal requirements. Each school has their own Parent Involvement Policy which you can find in the school supplement.

### **VISITATION/VISITORS POLICY**

While parents, professionals and others who have legitimate interests in visiting Menifee County Schools are welcome and encouraged to visit, all visitors must report immediately to the Principal's office upon entering the school and identify themselves as well as their purposes for visiting. All visitors will then be issued a visitor's badge/label which must be worn while on school premises.

### **STUDENT ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY**

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extra-curricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on the school property if the purpose related to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose.

### **VEHICLE USE**

#### **High School Vehicle Use**

With parental request (students under 18) and under conditions prescribed by the school Principal, high school pupils may be permitted to drive motor vehicles onto the school grounds. Driving on the school grounds is a privilege which may be revoked if conditions are violated.

- Students who plan to drive or park on school grounds are to acknowledge in writing that they agree to be bound by the terms and conditions specified in the students "Use of Alcohol, Drugs, and Other Controlled Substances" drug testing program.
- All automobiles parked on school grounds must be registered with the school and must display the current decal. All students must present a valid driver license and proof of insurance coverage to receive a decal.
- Parking is strictly limited to the student parking area. Faculty parking is marked accordingly.
- The school is not responsible for the automobile or its contents.
- There will be no loitering in the parking lot or visitation of same without the permission of the Principal or the Principal's designee.
- Speeding, or any form of reckless driving, will not be tolerated.
- Without written parental permission, student drivers are not to take anyone with them when leaving school grounds.
- Students are to park their vehicles when they first arrive at school and not move them or leave without the permission of the Principal or the Principal's designee until the normal school day has ended.
- Parking regulations are strictly enforced. It is considered a privilege to park on school grounds. Suspension of driving privileges and/or suspension from school may occur when violations of these regulations occur. Serious violations of this policy may cause loss of driving privileges.

### **KENTUCKY EDUCATIONAL EXCELLENCE SCHOLARSHIP (KEES)**

The 1998 General Assembly provided Kentucky high school students a great opportunity to make their education pay with the **Kentucky Educational Excellence Scholarship (KEES)**. **KEES** is administered by the **Kentucky Higher Education Assistance Authority (KHEAA)**. Students who try to get the most from high school by studying hard and making good grades (2.5 GPA or higher) can earn scholarships for college or technical school. The better students do in high school, the more they will earn toward college scholarships.

**You do not have to apply for a KEES award. It is sent automatically to the postsecondary school the student will attend after that school informs KHEAA that the student is attending classes.**

To learn more about KEES, ask your MCHS Guidance Counselor or visit: <http://www.kheaa.com/keeshome.html>

### **KENTUCKY'S AFFORDABLE PREPAID TUITION (KAPT)**

KAPT lets families cap college inflation rates by offering the cost of tomorrow's tuition at today's lower prices. Parents, grandparents, or other account-holders can pre-pay tuition in one lump sum or in manageable monthly payments over many years until the student begins school. Once an account is paid in full, KAPT guarantees payment of full tuition and mandatory fees at any public college or university in Kentucky.

Benefits can also be used at private Kentucky colleges and universities, as well as colleges and universities nationwide. Benefits can be transferred among siblings, cousins, and other eligible family members with no penalties. KAPT investment earnings are exempt from state and federal income taxes. Excess funds can be used tax-free towards other qualified higher education expenses such as room, board, and books. **Kentucky's Affordable Prepaid Tuition**, KHEAAPO Box 798 • Frankfort, KY 40602-0798, 1-888-919-KAPT (toll-free) [www.getKAPT.com](http://www.getKAPT.com)

### **ROBINSON SCHOLARS PROGRAM**

The Robinson Scholars Program serves first generation college-bound and college students who have demonstrated the potential to succeed but who might encounter economic, cultural, or institutional impediments to their completion of four-year college degrees. The Program's mission is to provide these students with support services and scholarship resources that empower them to complete a baccalaureate degree at the University of Kentucky and thereby increase the educational capital of their communities. In recognition of the potential obstacles facing these students, the program identifies Scholars in the ninth grade. For information contact your school Guidance Counselor or visit: <http://www.uky.edu/RobinsonScholars>

### **VOTING INSTRUCTION INFORMATION FOR 12<sup>TH</sup> GRADERS**

HB 192 requires all secondary schools to provide twelfth (12<sup>th</sup>) graders with voting information. The Kentucky Department of Education has provided the following link in order for twelfth graders to obtain information on how to register to vote, how to use a ballot and how to use a regular ballot:

<http://www.education.ky.gov/KDE/Instructional+Resources/High+School/Social+Studies/Voting+and+Elections.htm>

### **ASBESTOS MANAGEMENT PLAN FOR MENIFEE COUNTY SCHOOLS**

Menifee County Schools are committed to a safe and healthy work/learning environment. In keeping with this commitment, all Menifee County school buildings have been inspected for asbestos materials according to the AHERA Regulation (Asbestos Hazard Emergency Response Act) promulgated by the United States Environmental Protection Agency. This inspection was completed by a state certified inspector and accredited laboratory. All accessible building materials containing asbestos according to the AHERA Regulation should be shown on the inspection/management plan located at the Menifee County Board of Education, Menifee County High School and Menifee County Elementary School. This file is open for your inspection at any time. If you have any questions, please call Asbestos Coordinator Lori Franklin at 768-8011.