

MERCER COUNTY SCHOOLS'

Code of Acceptable Behavior and Discipline

The Mercer County Code of Acceptable Behavior and Discipline is available online on the district web page. If you do not have access to the district web page, or are unable to access the documents, please request a copy from your child's school.

www.mercer.kyschools.us

2009 - 2010

*The Mercer County School District provides equal
educational and employment opportunities.*

Mercer County Board of Education
371 East Lexington Street, Harrodsburg, KY 40330
(859) 733-7000

IMPORTANT

STUDENTS AND PARENTS

**Once you have read this Code of Acceptable
Behavior and Discipline, there are forms provided that must be completed,
signed, and returned to your child's homeroom teacher.**

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INTRODUCTION

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

The Mercer County Board of Education requires high standards of personal conduct from each student to promote respect for the rights of others and to accomplish the purposes of the schools. The Board also requires compliance with established standards and rules of the district and the laws of the community, state, and nation. The central purpose of the school system is to educate each student to the highest level possible. To support the success of the educational program, the Board directs employees to hold each student accountable to Code standards in a fair manner. Compliance with the standards is necessary to provide:

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

This Code applies to all students in the District while at school, on their way to and from school, while on the bus or other District vehicle, and while they are participating in school-sponsored trips and activities. The superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administration and implementation of this Code within his/her school in a uniform and fair manner without partiality or discrimination. Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook.

Teachers, and other instructional personnel, are responsible for administering Code standards in the classroom, halls, and other duty assignment locations.

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

DISTRICT MISSION

Mission Statement

The goal of the Mercer County Schools is to promote excellence in a positive academic, social and extra-curricular environment which emphasizes equity, diversity, safety and respect.

DISTRICT BELIEFS

- Providing challenging educational opportunities in a safe environment is the District's top priority.
- The Board and the schools will make program decisions on the basis of student needs.
- School success results in future success.
- Schools are responsible for creating an environment in which learners can and do succeed.
- The District will not tolerate incompetent performance, mediocre effort or harmful behavior by students or staff.
- Students, families, educators, and the community share the responsibility for student success and for providing safe schools to facilitate academic achievement.
- Teachers/school officials should involve parents at the earliest stage when a student shows signs of serious behavior problems.

STATEMENT OF NONDISCRIMINATION

The Board of Education does not discriminate on the basis of age, color, disability, parental status, marital status, race, national origin, religion, sex, or veteran status in the programs, activities and services it provides, as required by law.

Individuals who have questions concerning compliance with this requirement should contact the Board of Education's Central Office.

“You will find similar statements of the school system’s policy of non-discrimination in the following documents and policies:”

Examples:

- Other Board of Education policies
- The District's Safety Plan
- Student records information (FERPA)
- The Districts special education policy and procedures manual
- Kentucky Revised Statutes and Administrative Regulations
- Council policies
- School handbooks
- Athletic or Other Extracurricular Policies

This code is part of the Board's policy on student behavior and discipline.

CAUTION: *After this code is distributed for the school year, changes to Board policy, including those effecting provisions of this Code, may be necessary due to new/revised statutes and regulations and case law. A complete copy of the Mercer County Board Policy manual is available online for inspection.*

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

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

Specifically, students have the right to:

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

Students have the responsibility to:

- Comply with district, school and classroom rules and follow directions given by teachers and other school personnel.
- *Immediately* report student threats to harm others to a teacher, counselor or school administrator.
- Give their best effort to tasks assigned by their teacher, coach or other person who works with them.

REQUIRED STANDARDS

The Board expects employees, students, parents/ guardians and others associated with the schools to apply the following standards in a reasonable and fair manner:

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

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

PROHIBITED BEHAVIOR

Examples of prohibited behavior include, but are not limited to: Actions such as harassment of, or discrimination against, other students on the basis of race, color, national origin, age, religion, marital status, political beliefs, sex or disability. Insubordination, (disobedient or defiant behavior), sale of items without prior approval of the Superintendent or Principal, wearing apparel, accessories or hairstyles that disrupt the educational process or threaten health or safety.

Wearing Apparel, Accessories, or Hairstyles that Disrupt the Educational Process - Wallet chains, dog collars or look like collars, or any other type of chain or item, which hangs from clothing or body, are prohibited. Necklaces, or jewelry worn anywhere on the body, which look like dog chains are not permitted.

STUDENTS SHALL EXERCISE SELF-CONTROL

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

REQUIRED STANDARDS

- Examples of prohibited behavior include, but are not limited to:
- Fighting and physical attacks
- Possession or use of a weapon (Includes pocket knives and other dangerous instruments)
- Threats by verbal or written statements or gestures with intent to harm or demean others
- Use, possession, or trafficking of alcohol or prohibited drugs
- Use or possession of prohibited tobacco products
- Use of items that disrupt the educational process **including** cell phones, cameras, IPODS, MP3 players, laser lights, paging devices, electronic instruments that transfer sound or pictures, etc...
- Inappropriate use of district technology equipment or Mercer County Schools' Acceptable Use Policy **including** E-mail, blogs, online journals, etc...

School property belongs to the community and the state. It must be protected and preserved for educational and community use. Therefore, students shall respect school property and the property of others. Examples of prohibited behaviors include, but are not limited to:

- Theft of school property or personal property of employees or other students
- Abuse of school or personal property to include intentional or careless damage or destruction
- Extortion of money or property
- Prohibited use of electronic media and other District technological resources
- Littering

Students shall work cooperatively and productively with each other and with school personnel in a manner that is consistent with standards of respect and courtesy. Examples of prohibited behaviors that would detract from a safe and orderly learning environment include, but are not limited to:

- Making abusive and harassing statements regarding race, gender, disability, religion or nationality
- Use of profanity
- Lying
- Cheating
- Plagiarism / Copyright Infringement
- Ignoring or breaking rules and procedures established to maintain order
- Otherwise behaving in a manner disrespectful of others

CONSEQUENCES OF VIOLATIONS

VIOLATION OF STANDARD*	MINIMAL	EXCESSIVE
<u>ELECTRONIC INSTRUMENTS</u> <u>TELECOMMUNICATION DEVICES</u>	<u>STUDENT CONFERENCE</u> <u>PARENT INVOLVEMENT</u>	<u>DETENTION, ALTERNATIVE</u> <u>PLACEMENT, ITEM BEING KEPT FOR THE REMAINDER OF SCHOOL</u> <u>YEAR, SUSPENSION COURT INVOLVEMENT</u>
<u>DISTRICT TECHNOLOGY</u> <u>RESOURCES / DISTRICT</u> <u>ACCEPTABLE USE POLICY</u>	<u>STUDENT CONFERENCE</u> <u>PARENT INVOLVEMENT</u>	<u>DETENTION, REMOVAL OF STUDENT TECHNOLOGY RIGHTS,</u> <u>SUSPENSION, REPORT TO LAW ENFORCEMENT</u>
TARDINESS(TO/FROM SCHOOL)	STUDENT CONFERENCE PARENT INVOLVEMENT	DETENTION, ALTERNATIVE PLACEMENT,COURT INVOLVEMENT
UNEXCUSED ABSENCES UNEXCUSED TARDIES	PARENT INVOLVEMENT	COURT INVOLVEMENT AUDIT CLASS/CLASSWORK
DEFIANCE OF AUTHORITY DISRUPTION OF A SCHOOL DAY	STUDENT CONFERENCE PARENT INVOLVEMENT	SUSPENSION, ALTERNATIVE PLACEMENT, COURT INVOLVEMENT
DISORDERLY CONDUCT	STUDENT CONFERENCE PARENT INVOLVEMENT	SUSPENSION, COURT INVOLVEMENT
DRESS CODE	STUDENT CONFERENCE PARENT INVOLVEMENT	SUSPENSION
VERBAL ABUSE	STUDENT CONFERENCE PARENT INVOLVEMENT	SUSPENSION, ALTERNATIVE PLACEMENT, COURT INVOLVEMENT
FORGERY	PARENT INVOLVEMENT	SUSPENSION
FORGERY OF DOCTOR'S NOTE Or MEDICAL NOTE	PARENT INVOLVEMENT/ COURT INVOLVEMENT	COURT INVOLVEMENT
THEFT	PARENT INVOLVEMENT	COURT INVOLVEMENT SUSPENSION/EXPULSION
<i>HARRASSMENT & HARRASSING</i> <i>COMMUNICATIONS</i>	PARENT INVOLVEMENT	SUSPENSION/ EXPULSION/ COURT INVOLVEMENT
OFF LIMITS AREAS UNSUPERVISED AREAS	STUDENT CONFERENCE PARENT INVOLVEMENT	SUSPENSION
POSSESSION OR USE OF TOBACCO PRODUCTS	ALTERATIVE CLASSROOM PARENT INVOLVEMENT	SUSPENSION, AWARENESS CLASSES, ALT. PLACEMENT, COURT INVOLVEMENT
DESTRUCTION/DAMAGE OF PROPERTY	PARENT INVOLVEMENT CLEAN/REPAIR/REPLACE	COURT INVOLVEMENT, SUSPENSION, EXPULSION
FIGHTING	PARENT INVOLVEMENT SUSPENSION	EXPULSION COURT INVOLVEMENT
ALCOHOL **	SUSPENSION COURT INVOLVEMENT	EXPULSION
PHYSICAL ASSAULT**	SUSPENSION COURT INVOLVEMENT	EXPULSION
ARSON**	SUSPENSION COURT INVOLVEMENT	EXPULSION
DRUGS**	SUSPENSION COURT INVOLVEMENT	EXPULSION
WEAPON/ DANGEROUS INSTRUMENT (Any knives of any size including pocket knives) **	SUSPENSION MAY DEEM COURT INVOLVEMENT	EXPULSION
WEAPONS**	SUSPENSION/ COURT INVOLVEMENT	EXPULSION
EXTORTION/ROBBERY**	SUSPENSION & COURT	EXPULSION
EXPLOSIVE DEVICES**	SUSPENSION & COURT	EXPULSION

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

++MUST BE REPORTED TO LAW ENFORCEMENT

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

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

CONSEQUENCES OF VIOLATIONS *(Continued)*

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

- Loss of privileges
- Detention
- Referral for counseling/mediation
- Verbal warning
- Other techniques established by school handbook/council policy

For repeated or more serious violations, administrators may also use these options:

- Suspension (up to 10 days)
 - In School Suspension
- Charges filed in court (Petition to juvenile court)
 - Charges filed in court (Petition filed with adult court)
- Verbal warning
- Teacher-student conference
- Notification of parents
- Alternative assignment
- Classroom isolation
- Behavior contract
- Referral to police
- Referral to court-designated worker
- Expulsion

DISRUPTING THE EDUCATIONAL PROCESS

Behavior which is disruptive of the educational process shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. Samples of disruptive behavior by students as follows: Conduct which may damage public or private property, including the property of students or staff; 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 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.

SUPERVISION OF PUPILS' CONDUCT KRS 161.180 Each teacher and administrator in the public schools shall in accordance with the rules, regulations, and bylaws of the board of education made and adopted pursuant to KRS 160.290 for the conducts of pupils, hold pupils to a strict account for their conduct on school premises on the way to and from school and on school sponsored trips and activities.

ABUSE OF A TEACHER PROHIBITED KRS 161.190 Whenever a teacher or school administrator is functioning in his capacity as an employee of a board of education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school

USE OF TELECOMMUNICATION OR ELECTRONIC DEVICES

Use of telecommunication and or electronic devices that disrupt the educational process will be considered prohibited behavior. Use of items, such as cell phones, MP3 Players, Cameras, IPODS, laser lights, paging devices and electronic devices, etc...are prohibited. Student handbooks may address this more specifically. Members of a volunteer fire fighting or emergency medical organization will report to building principal.

CELL PHONES / ELECTRONIC DEVICES NOT TO BE OPERATED DURING THE REGULAR SCHOOL DAY

Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day. When students violate this prohibition, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.

USE OF TELECOMMUNICATION OR ELECTRONIC DEVICES cont.

1. 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.
2. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

SEARCH AND SEIZURE

Students have the right to be secure from unreasonable searches of their person and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating this Code or a school rule or the law. Also, school authorities may conduct general inspections of jointly held property on a regular basis. All searches will be conducted in accordance with Board policy. Students cannot expect to have complete privacy in their use of school property assigned for their use, such as desks and lockers.

SEARCH AND SEIZURE - RANDOM METAL DETECTOR SWEEPS

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

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

TRAINED DOGS

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

OFF CAMPUS CONDUCT

All disciplinary action normally available with regard to a student for violation of school rules or other clear misconduct on-campus shall be available for any activity away from campus, whether or not school is in session when such activity occurs, if such off-campus activity may be reasonably interpreted to threaten the ability of the district to maintain a safe, orderly, and disciplined educational atmosphere.

When it is brought to the attention of the district that a student has engaged in such conduct off-campus, the Superintendent or designee, or principal of the school which the student attends shall conduct such investigation as necessary and proper under the circumstances and may initiate disciplinary action, up to and including suspension or expulsion, in the same fashion as if the action had occurred on campus. In conducting such investigation, the principal or his/her representative may cooperate with law enforcement authorities.

PHYSICAL RESTRAINT/CORPORAL PUNISHMENT

Employees are authorized by law to physically restrain students as necessary for the following reasons: to protect themselves, students, or others from physical injury; to get possession of a weapon or other dangerous object; or to protect property from serious harm.

The Board does not permit use of corporal punishment as a disciplinary technique.

KRS 158.150 Suspension or expulsion of pupils

Willful Disobedience or Defiance of the authority of teacher or administrator

Use of profanity or vulgarity,

Assault or battery or abuse of other students

Threat of force or violence

Use of or possession of alcohol or drugs

Stealing or destruction or defacing of school property or personal property of students

Carrying or use of weapons or dangerous instruments

Other incorrigible bad conduct on school property, as well as off school property at school-sponsored activities

Assault or battery or abuse of school personnel: stealing or willfully or wantonly destroying or damaging the personal property of school personnel, on school property, off school property, or at school sponsored activities constitutes cause for suspension or expulsion from school

KRS 158.154 Duty to Report Certain Acts to Local Law Enforcement Agency

When principals have reasonable belief that certain violations have taken place, they are required by law to immediately report them to law enforcement officials. Violations on school property or at a school-sponsored function requiring a report to law enforcement officials include:

- Assault resulting in serious physical injury;
- A sexual offense;
- Kidnapping;
- Assault involving the use of a weapon;
- Possession of a firearm in violation of the law;
- Possession of a weapon or dangerous instrument (Including look a likes)
- Possession of a controlled substance in violation of the law
- Damage to school property.
- In addition to violations of this Code, students may also be charged with criminal violations.

NOTE: Under some circumstances Kentucky Law provides that teachers have an independent reporting requirement which would require teachers to immediately report certain activities, such as suspected child abuse, to law enforcement officials and this duty imposed upon teachers can not be discharged simply by their reporting the suspected activity to the Principal of a school.

NOTE: For the purpose of Mercer County School’s Code of Acceptable Behavior and Discipline, the term weapon includes a knife of any size. A knife of any size is considered a weapon, including pocket knives and are **NOT** to be brought to school. (KRS 158.154 Duty to Report to Local Law Enforcement Agency)

WEAPONS

Students are *never* allowed to bring a weapon to school. The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons. Both Board policy and the law prohibit the carrying, bringing, using, or possessing of any weapon or dangerous instrument, including knives, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity. Reference Board Policy 05.48 This policy applies to students, staff members, and visitors to the school. **NOTE:** Job Duties which may require staff to carry a pocket knife or other tools may include: maintenance, mechanic, custodial, transportation, shop, agriculture, or technology.

Except for authorized law enforcement officials, the Board specifically prohibits the carrying of weapons on school property. When a student violates the prohibition on weapons, the Principal shall immediately make a report to the Superintendent, or Superintendent Designee, who shall determine if charges for expulsion are to be brought before the Board. Unless the Board chooses to consider charges on a case-by-case basis, the penalty for students bringing a firearm or other weapon, destructive device, or booby trap devices to school or onto the school campus/property under jurisdiction of the District shall be **expulsion for a minimum of twelve (12) months**. (The Gun-Free Schools Act of 1994 and KRS 158.150) District employees must also report to law enforcement officials if they know or have reasonable cause to believe that conduct has occurred that constitutes the carrying, possession, or use of a weapon on the school premises, on a school bus, or at a school sponsored or sanctioned event.

For purposes of this Code of Acceptable Behavior and Discipline, the term Weapons” shall also include any type of firearm or explosive device and shall also include any items, which are designed to look similar to a firearm or explosive device. Weapons include brass knuckles, or any instrument that can cause injury or death. Weapons also include knives, including pocket knives & hunting knives, box cutter, or other dangerous instrument that can cause injury or death.

KNIVES Including Pocket Knives or Dangerous Instrument

NOTE: For the purpose of Mercer County School’s Code of Acceptable Behavior and Discipline, the term weapon includes any knife. A knife is considered a weapon, including pocket knives and are **NOT** to be brought to school. (KRS 158.154 Duty to Report to Local Law Enforcement Agency)

	POSSESSION	POSSESSION/ Exhibiting KNIFE	POSSESSION/ THREATENING	POSSESSION/ USE & Assault
1 st Offense	MINIMUM 1 Day Suspension (Minimum Elementary Student 1 day- In School Suspension) Notify Law Enforcement May File Court Charges	MINIMUM 1-2 Day Suspension (Minimum for Elementary Student 2 days- In School Suspension) Court Charges	MINIMUM 5-10 Days Suspension (Minimum Elementary Student 3-5 days - In School Suspension) Court Charges	MINIMUM 7-10 Days Suspension (Minimum Elementary Student 5-7 -days Suspension) Court Charges
1 st Offense May Also Include	May Recommend Expulsion	May Recommend Expulsion	May Recommend Expulsion	May Recommend Expulsion
2 nd Offense	MINIMUM 3-5 Day Suspension Court Charges	MINIMUM 5-10 Day Suspension Court Charges	MINIMUM 7-10 Day Suspension Court Charges	MINIMUM 10 Day Suspension Court Charges
2 nd Offense May Also Include	May Recommend Expulsion	May Recommend Expulsion	Recommend Expulsion	Recommend Expulsion
3 rd Offense	MINIMUM 5-10 Day Suspension Court Charges May Recommend Expulsion	MINIMUM 7-10 Day Suspension Court Charges May Recommend Expulsion	MINIMUM 10 Day Suspension Court Charges Recommend Expulsion	MINIMUM 10 Day Suspension Court Charges Recommend Expulsion
4 th Offense	MINIMUM 10 Day Suspension Court Charges Recommend Expulsion	MINIMUM 10 Day Suspension Court Charges Recommend Expulsion	MINIMUM 10 Day Suspension Court Charges Recommend Expulsion	MINIMUM 10 Day Suspension Court Charges Recommend Expulsion

For purposes of Mercer County Code of Acceptable Behavior and Discipline the term “weapon” shall include knives, including pocket knives & hunting knives, box cutters, or other dangerous instrument that can cause injury or death.

HUNTING KNIVES ARE CONSIDERED DEADLY WEAPONS (Board Policy 05.48)

Consequence may be become much more severe if it is determined to be a DEADLY WEAPON, and the nature of the incident.

ELEMENTARY AGE STUDENTS- For purposes of this Code of Acceptable Behavior and Discipline, Board Policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child (elementary) will be considered as to the appropriate court charges and any recommendation for expulsion. (In the case of an elementary student, charges may be brought against the parent.)

Alcohol, Drugs, and Other Prohibited Substances

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, including look alike, taste alike or smell alike;
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.

Alcohol, Drugs, and Other Prohibited Substances cont.

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 or possessed without authorization, and
2. All prohibited 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 and prohibited volatile substances as defined in KRS 217.900 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 may constitute reason for suspension or expulsion.

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.

NOTE: See student handbook on procedure for prescription medication & appropriate procedures with school nurse office

ALCOHOL, DRUGS, AND OTHER PROHIBITED SUBSTANCES

	POSSESSION	UNDER THE INFLUENCE	POSSESSION/ TRAFFICKING
1 st Offense	<p>MINIMUM 3 Days Suspension</p> <p>(Minimum-Elementary Student 1 Day In-School Suspension)</p> <p>Court Charges</p> <p>May Recommend Expulsion</p>	<p>MINIMUM 3-5 Days Suspension</p> <p>(Minimum-Elementary Student 1 Day Suspension)</p> <p>Court Charges</p> <p>May Recommend Expulsion</p>	<p>MINIMUM 5-10 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>
2 nd Offense	<p>MINIMUM 3-5 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>	<p>MINIMUM 5-10 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>	<p>MINIMUM 7-10 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>
3 rd Offense	<p>MINIMUM 5-10 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>	<p>MINIMUM 7-10 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>	<p>MINIMUM 10 Days Suspension</p> <p>Court Charges</p> <p>Recommend Expulsion</p>

KRS 158.154 Duty to Report to Local Law Enforcement Agency- ALCOHOL, DRUGS, AND OTHER PROHIBITED SUBSTANCES

NOTE: CHEMICAL AND/OR ALCOHOL ABUSE COUNSELING COMPONENT MAY ALSO BE REQUIRED

ELEMENTARY AGE STUDENTS- For purposes of this Code of Acceptable Behavior and Discipline, Board Policy, and/or as determined by school investigation, the court system, local law enforcement, and other appropriate agencies, the age of the child (elementary) will be considered as to the appropriate court charges and any recommendation for expulsion. (In the case of an elementary student, charges may be brought against the parent.)

HAZING, BULLYING, LEWD LANGUAGE

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.

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, written 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 of federal constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process. However, students who violate this policy shall be subject to appropriate disciplinary action.

SUSPENSION, EXPULSION & DUE PROCESS

KRS 158.150 DUE PROCESS

For certain violations, administrators, such as the Superintendent and Principal, may remove (suspend) a student from school for up to ten (10) days per incident. Unless immediate suspension is necessary to protect persons or property or to avoid disruption of the educational process, students shall not be suspended until they have been given due process (required by law). Due process must be given before educational benefits are taken away and shall include:

1. Oral or written notice of the charge(s) against them,
2. An explanation of the evidence, if the student denies the charge(s).
3. An opportunity to present their own version of the facts concerning the charge(s). A report of the suspension shall be made in writing to the Superintendent and to the parent of the student being suspended.

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.

KRS 158.150 SUSPENSION OR EXPULSION OF PUPILS

Following legally required due process; the Board may expel any pupil from the regular school setting for misconduct as defined by law for periods longer than ten (10) days. In cases of expulsion, provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program. Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board.

Motor Vehicle Use

CONDITIONS FOR USE

With parental request (students under 18) and under conditions prescribed by the school Principal,¹ high school pupils may be permitted to drive motor vehicles onto the school grounds. Vehicles shall be parked in designated areas on the school campus and are not to be visited or moved during the school day unless permission is given by the Principal.

PRIVILEGE MAY BE REVOKED

Driving on the school grounds is a privilege which may be revoked if conditions are violated²

SUBSTANCE ABUSE VIOLATIONS

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

NO PASS/ NO DRIVE Driver's License Revocation

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.¹

ACADEMIC AND ATTENDANCE DEFICIENCIES

Academic and attendance deficiencies for students 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 66% of their 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.
3. Unexcused absences shall be reported at the end of each term.

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.

ATTENDANCE

KENTUCKY DEPARTMENT OF EDUCATION COMPULSORY ATTENDANCE LAW

Mercer County School System is required to enforce the compulsory attendance law (KRS 159.150) as required by the State of Kentucky.

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

- **Absences & Written Documentation-** Always provide written documentation for any absence
- **6 Written Parent Notes for the Year** Mercer County School District allows a total of six (6) written “parent notes” for the year. Once a student has six written parent notes, all subsequent absences will require a medical statement.
- **Doctor’s Notes /Medical Notes- Limit 20 for the Year-** Doctor’s notes/Medical Notes are limited to 20 for the year. In special circumstances, or as deemed necessary by a chronic health situation, additional days may be granted to the 20 note limit for doctor/medical excuses with medical documentation and principal/designee approval. (Note: The 20 note limit for doctor/medical notes does not apply to IEP’s or 504’s where medical documentation regarding the chronic health issues has been provided and approved and is on file at the school)
- **Early Release Wednesday & After School Appointments-** Parents, staff, & students are encouraged to make doctor/dental/optometrist/orthodontist appointments after school or on the afternoons of early release Wednesdays, unless it is related to an immediate health need.
- **Home/Hospital-** If a student is going to be out for 5 days or more, due to a surgery, medical procedure, accident, serious illness, or medical related long term absence, they are eligible to complete a home/hospital application for service request for home/hospital instruction.
- **Checking In Students-** Parents must come in the building and sign the student in and provide written documentation for reason for the absence
- **Checking Out Students-** Parents must come in the building to check out students, sign the log, and provide written documentation for the reason for the check out.
- **Checking Out Students-** If someone other than the parent will be checking out a child, a written note authorizing one of the individuals on their check-out list must be received in the office the morning of the check-out, with a number to reach the guardian to verify the check-out. In case of an emergency or extenuating circumstance, contact the principal and authorization for the check-out may be granted through the office of the principal.
- **Written Documentation-** Every time your child is tardy, checks-out early, or is absent, you must send a note on the day of the student’s return to school. There is a 5 day grace period to submit the documentation, but after 5 days, it will be counted as unexcused.
- **Student Drivers-** Student drivers must have a written note from the parent on the morning of the check-out. A parent/guardian phone number where you can be reached must be included in the note.
- **EHO (Enhanced Educational Opportunity)** This application form (09.123 AP.2) must be completed and returned to your school principal at least five (5) days prior to the absence. The principal then deems if it is educationally relevant and determines approval. A student may be approved for up to ten (10) days of absence per year for this purpose. This type of absence can not occur during the school’s CATS Testing or District-wide assessments, unless there are extenuating circumstances approved by the Principal

HABITUAL TRUANCY CHARGES FILED ON PARENTS

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

HABITUAL TRUANCY- CHARGES FILED ON STUDENTS

In addition to the above, middle school and high school students who are habitual truants will have charges filed on them individually. These students and their parents will be required to meet with the Court Designated Worker (CDW) who will refer the students on to juvenile court. The law has been expanded to cover students who are 18 years old.

HABITUAL TRUANCY- ADDITIONAL CHARGES FILED ON PARENTS

For habitual truants in elementary school, a second charge of educational neglect or unlawful transaction with a minor may be filed on their parents/guardians, who will be required to appear in juvenile court.

MERCER COUNTY SCHOOL DISTRICT BUS CONSEQUENCES

2009-2010 School Year

The **PRIVILEGE** of any pupil to ride a school bus is conditioned upon their good behavior and observance of the following rules and regulations. Any pupil who violates any of these rules or regulations will be reported to the principal/ assistant principal of the school which the pupil attends for necessary corrective action. Any Pupil who persists in violating any of the rules as outlined in the District Regulations for Pupils riding the school bus shall be reported to the principal/ asst. principal of the school which they attend for disciplinary action.

In accordance with KRS 158.150 student's bus privileges shall be suspended IMMEDIATELY for:

- Smoking
- Fighting
- Vandalism
- Laser Lights

GRADES PRESCHOOL – 5th

Kindergarten - 5th grade students are subject to suspension from bus privileges. Disciplinary Action for bus infractions are at the discretion of the Principal/Asst. Principal

GRADES 6th -12th

- Smoking on the Bus
First Offense: Riding privileges are automatically suspended for two weeks
- Fighting with Intent to harm
First Offense: Automatic Suspension for Two Weeks
Second Offense: Student shall be subject to permanent suspension
- Vandalism (Damaging bus, such as cutting seats, breaking window, etc...)
Automatic suspension of bus privileges for two weeks. Restitution for damages must be made not later than the last day of the two week period of suspension or suspension will be continue until payment has been made. Principal will notify the driver when student is allowed back on the bus.

In accordance with KRS 158.150 students' bus privileges (for all age students) shall be suspended from the bus IMMEDIATELY for:

- Other incorrigible bad conduct that endangers the lives of the other students preventing a safe ride to school
- Willful disobedience or defiance of authority
- Assault or abuse of school personnel
- Use of profanity or vulgarity
- Assault or abuse of other students (Fighting)
- Use or possession of alcohol or drugs (Including tobacco products)
- Stealing
- Destruction or defacing of school property or the personal property of students
- Carrying or use of weapons or dangerous
- Students who tamper with the emergency door or any emergency exits

CELL PHONES

Use of cell phones to make false reports (Calling 911) or making harassing phone calls is a criminal action and will be reported to Local Law Enforcement.

For Other Bus Conduct Infractions, any of the following actions may occur but are not limited to:

- Verbal or Written Warning
- Assign Seat
- Bus Driver May Contact Parent or Parent may Contact Bus Driver
- Principal/Assistant Principal Conference w/Student
- Principal/Assistant Principal Contact w/ Parent
- Detention or Alternative Classroom
- Loss of Recess or Privileges/ Lunch Detention
- Bus Suspension (Amount of Time depends on Infraction & Previous Bus Behaviors)
3 day 5 day 2 weeks Semester Remainder of Year
- **All major infractions are subject to Bus Suspension & Consequences in the School Setting (i.e., AC, Suspension From School, Criminal Charges)**

STUDENT RECORDS

Records containing student information shall be made available to the parent of the student, guardian, or eligible student on written request. Eligible students include those 18 years of age or older or those enrolled in a post-secondary school program. For information concerning access or corrections to student records, contact the Principal or the Superintendent at the Central Office address and telephone number listed on the front cover. An opt out form may be requested in writing from the school office for activities requiring parental consent. (9.14AP112)

RIGHT TO INSPECT STUDENT SURVEYS

The parent or guardian of a child enrolled in the District shall be entitled to inspect those materials that will be used in connection with any survey, analysis, or evaluation as part of any school program or curriculum.

EMERGENCY MANAGEMENT SCHOOL PLANS

Each school will develop a safe school plan. The principal will review this plan with the staff each year. The plan shall address state requirements, board policies and situations specific to each school. Examples of items (but not limited to) in a school plan are:

1. Fire drills
2. Severe weather drills
3. Earthquake drills
4. Intruder Lockdowns
5. Chemical Lockdowns
6. Tornado Drills
7. Reverse Evacuation
8. Evacuate & Relocate
9. Bomb Threat

GRIEVANCES Board Policy 09.4281

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

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

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

CODE DEVELOPMENT

A district committee representing schools, parents, city officials, and central office staff update this code. There were no major policy changes made to the code during the spring 2009 review by the District Committee. There are minor upcoming changes to the Access to Electronic Media for the 09-10 school year. The Attorney for the Board of Education had reviewed this code in its entirety on June 16, 2008. The Board of Education adopted it for the 2009-2010 School year during the June 2009 board meeting.

Copies of this code are available online to all students and employees of the district and to parents of students, including those who enroll after the beginning of the school year. For any parent, student, or staff who are unable to access the code online, they may request a hard copy from their school. The Superintendent has directed that the Code be posted in each school, with the Principal being responsible for seeing that guidance counselors and other personnel discuss its contents with students in a timely and age-appropriate manner. In addition, each school will reference the Code in the school's handbook(s). On request, the Principal shall provide help for non-English speaking, blind, deaf or non-reading students and parents so that they can have access to the information contained in this Code.

A minimum of every two years, (Board Policy 09.428) the District Committee will review the District Code of Acceptable Behavior and Discipline. We welcome suggestions as to how to improve this document.

Individuals may send written comments to the administrators at their child's school or Betty Sims, Safe Schools Coordinator, who will forward them to the Code Committee. Information should be submitted by April 15, 2010.

DISTRICT/SCHOOL PERSONNEL

Superintendent.....	733-7000	Ext. 1111
Safe School Coordinator	733-7000	Ext. 1125
Public Relations Director.....	733-7000	Ext. 1205
Special Programs Director.....	733-7000	Ext. 1124
Title IX Coordinator.....	733-7000	Ext. 1103
Principal, Mercer County Senior.....	733- 7160	Ext. 8106
Principal, 9 th Grade Academy.....	733-7100	Ext. 6425
Principal, King Middle.....	733-7060	Ext. 3405
Principal, 5 th Grade Academy.....	733-7080	Ext. 6440
Principal, Harlow Elementary.....	733-7020	Ext. 4433
Principal Mercer Elementary.....	733-7040	Ext. 2408
Harrodsburg Day Treatment	733-7120	Ext. 1301
Mercer County School Technology Center.....	733-7200	Ext. 1501
Mercer County Athletic Complex.....	733-7180	Ext. 8500

FAMILY RESOURCE & YOUTH SERVICES CENTERS

Family Resource Center Mercer Elementary	733-7040	Ext. 2138
Youth Service Center King Middle	733-7060	Ext. 3400
Youth Services Center Mercer Senior High School & Day Treatment.....	733-7160	Ext. 8170
Youth Services Center 9 th Grade Academy.....	733-7100	Ext. 6201
Family Resource Center 5 th Grade Academy	733-7080	Ext. 6202
Family Resource Center Harlow Elementary & Preschool.....	733-7020	Ext. 4111

OTHER COMMUNITY RESOURCES

Mercer County Adult Learning Center	734-4195
Comprehensive Care Center	734-5486
Haggin Hospital	734-5441
Mercer County Health Department.....	734-4522
Cabinet for Families and Children	734-5448
Cabinet for Families & Children HOTLINE	(859) 245-5258
Court Designated Worker	734-0036
Harrodsburg Police Department.....	734-3311
Mercer County Sheriff	734-4221

STUDENTS 09.438 Board Policy Amendment 7-08-08

Student Discipline Code Development

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

The code shall establish standards of acceptable student behavior and discipline and may include District-wide standards of behavior for students who participate in extracurricular and co-curricular activities.

The code also shall include a process addressing how students can report code violations to District personnel for appropriate action.

DISTRIBUTION

Once reviewed and approved, the student discipline code shall be distributed to students and parents in the District, including those students who enroll during the school year.

REVIEW The Board shall update the student discipline code at least every two (2) years.

REPORTING OF DATA

As directed by the Kentucky Department of Education (KDE), the District shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident.

Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

References: KRS 158.444; KRS 158.148; KRS 158.153; KRS 158.165; KRS 160.295; KRS 525.070, KRS 525.080; 704 KAR 7:050, *Student Discipline Guidelines*, Kentucky Department of Education

HARASSMENT

For the purposes of the Mercer County Code of Acceptable Behavior and Discipline, KRS 525.070 and KRS 525.080 will be taken very seriously. A report by a student or parent or an incident within the school, at a school activity, on the school bus, or at any sponsored school function will be investigated and action taken. Harassing behaviors will be addressed with each incident. On continued harassing behaviors, the school will work with local court officials to determine if there is an evidenced pattern of behavior that has become harassment. A harassing behavior or single incident may not always result in a harassment charge. However, some harassing behaviors may immediately be determined to be harassment, due to the nature of the incident, and upon consult with local court officials, charges may be filed.

RS 525.070 HARASSMENT reads as follows:

- (1) A person is guilty of harassment when with intent to intimidate, harass, annoy, or alarm another person he or she:
- (a) Strikes, shoves, kicks, or otherwise subjects him to physical contact; or
 - (b) Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact; or
 - (c) In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present; or
 - (d) Follows a person in or about a public place or places; or
 - (e) Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or
 - (f) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:
 - 1. Damages or commits a theft of the property of another student;
 - 2. Substantially disrupts the operation of the school; or
 - 3. Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.
- (2) (a) Except as provided in paragraph (b) of this subsection, harassment is a violation.
(b) Harassment, as defined in paragraph (a) of subsection (1) of this section, is a Class B misdemeanor.

KRS 525.080 HARASSING COMMUNICATIONS

- (1) A person is guilty of harassing communications when with intent to intimidate, harass, annoy, or alarm another person he or she:
- (a) Communicates with a person, anonymously or otherwise, ***by telephone, telegraph, mail or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;[or]***
 - (b) Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or
 - (c) Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, ***the Internet***, telegraph, mail, or ***any other form of electronic or written communication*** in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.
- (2) Harassing communications is a Class B misdemeanor.

STUDENTS 09.2211 Board Policy Amended 07-08-2008

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i Carrying, possession, or use of a deadly weapon; or
 - ii Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

KRS 158.156

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

RETALIATION PROHIBITED

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

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

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

STUDENTS 09.2211

(Continued)

Employee Reports of Criminal Activity

KRS 620.030 *Addition to p. 9 (2nd paragraph NOTE: under some circumstances)*

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

REFERENCES:

KRS 158.154
KRS 158.155
KRS 158.156
KRS 525.070, KRS 525:080
KRS 527.070, KRS 527.080
KRS 620.030

STUDENTS 09.221

Supervision of Students Current Board Policy

Students will be under the supervision of a qualified adult.

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school sponsored trips and activities, except that a nonfaculty coach or nonfaculty assistant may accompany students on athletic trips as provided in statute.

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 extracurricular 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 school property if the purpose relates 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. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

STUDENTS 09.221 AP.1 Current Board Policy

Supervision of Students

Responsibility

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

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

Prior to the opening of school each year, the Principal shall submit the plan to the Superintendent/designee for review and to the Board for its approval.

REFERENCES:

KRS 161.180
KRS 161.185
702 KAR 5:030

REPORTING ON CODE VIOLATIONS

REPORTING ON CODE VIOLATIONS

Students wishing to report a violation for the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action. 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 he/she 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.

REPORTING BULLYING/ HAZING

Students who believe they are the victims of bullying/hazing need to report incidents immediately.

Students and/or parents of students, may report a violation for bullying or hazing from any of the options outlined below:

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

STUDENTS 09.42811

Harassment/Discrimination

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 have been a victim of an act of harassment/discrimination or who have observed incidents involving other students that they believe to be an act of 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. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/ discrimination.

Employees who observe prohibited behaviors or with whom students share a complaint shall notify the Principal or their immediate supervisor, 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 submission of the original written complaint. 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 three (3) 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.
 1. 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.
1. When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

NOTIFICATION

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.)

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;

STUDENTS 09.42811

(Continued)

Harassment/Discrimination

PROHIBITED CONDUCT (CONTINUED)

3. 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;
4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
5. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
6. 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 an employee, immediate supervisor, Principal, and/or Superintendent 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 files a written 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.

Student Directory Information Notification

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

Date

Dear Parent/Eligible Student,

This letter informs you of your right to direct the District to withhold release of student directory information for

Student's Name

School

Grade/Graduation Year

Following is a list of items that the District considers student directory information. If you wish information to be withheld, please choose one (1) of the two (2) options below. Choose Option 1 if the District may not release any item of directory information; Option 2, if the District may release only selected items of information. Then check those items that may be released.

If we receive no response within thirty (30) days of the date of this letter, all student directory information will be subject to release without your consent. If you return this signed form on time, we will withhold the directory information consistent with your written directions, unless disclosure is otherwise required or permitted by law.

Student Directory Information Listing

Third Parties, Including Institutions of Higher Education & Potential Employers

Choose one of the Options below:

- Option 1:** The District **MAY NOT RELEASE ANY** information listed below.
- Option 2:** The District **MAY RELEASE ONLY** the information checked below.

If you choose Option 2, check the item(s) of information listed below that the District may release.

- | | |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Student's name | <input type="checkbox"/> Student's weight and height (if a member of an athletic team) |
| <input type="checkbox"/> Student's address | <input type="checkbox"/> Student's dates of attendance |
| <input type="checkbox"/> Student's telephone number | <input type="checkbox"/> Degrees and awards the student has received |
| <input type="checkbox"/> Student's date and place of birth | <input type="checkbox"/> Most recent educational institution attended by the student |
| <input type="checkbox"/> Student's major field of study | <input type="checkbox"/> Grade level |
| <input type="checkbox"/> Information about the student's participation in officially recognized activities and sports | |

Parent/Eligible Student's Signature

Date

NEW STUDENTS ONLY

NEW STUDENTS: COMPLETE, SIGN, & RETURN TO YOUR HOMEROOM TEACHER

Military Opt-Out Form

We are required to disclose a student's name, address, and telephone listing at the request of Armed Forces recruiters, unless a parent or high school student, regardless of age, requests that this information *not* be disclosed.

Date

Dear Parent/Eligible Student,

This letter informs you of your right to direct the District to withhold release to military recruiters of the information described below for:

Student's Name *School* *Grade/Graduation Year*

If you wish information described below to be withheld, please choose one (1) of the two (2) options. Choose Option 1 if the District may not release any item; Option 2, if the District may release only selected items of information. Then check those items that may be released.

If we receive no response within thirty (30) days of the date of this letter, the information below will be subject to release without your consent. If you return this signed form on time, we will withhold the information consistent with your written directions, unless disclosure is otherwise required or permitted by law.

Armed Forces Recruiters
<i>Choose one of the Options below:</i>
<input type="checkbox"/> Option 1: The District MAY NOT RELEASE ANY information listed below.
<input type="checkbox"/> Option 2: The District MAY RELEASE ONLY the information checked below.
<i>If you choose Option 2, check the item(s) of information listed below that the District may release.</i>
<input type="checkbox"/> Student's name
<input type="checkbox"/> Student's address
<input type="checkbox"/> Student's telephone number (if listed)

Parent/Eligible Student 18or over/Student's Signature

Date

NEW STUDENTS ONLY

NEW STUDENTS: COMPLETE, SIGN, & RETURN TO YOUR HOMEROOM TEACHER

CURRICULUM AND INSTRUCTION 08.2323

Access to Electronic Media

(Acceptable Use Policy)

NOTE: Access to Electronic Media may have policy changes for the 09-10 school year- Please review policy on line.

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.

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.

Internet safety measures 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 minor’s access to materials harmful to them.

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

Access to Electronic Media

NOTE: Access to Electronic Media may have policy changes for the 09-10 school year- Please review policy on line.

(Acceptable Use Policy) 08.2323 (Continued)

EMPLOYEE USE

Employees are encouraged to use school technology, including e-mail and the Internet to:

1. Continue their professional education;
2. Improve their technology skills;
3. Improve the delivery of curriculum related material to the classroom;
4. Share educational ideas with colleagues;
5. Communicate with others to better understand global issues and world culture; and/or
6. Improve public relations between the school and the outside community at large.

Employees may not use the school technology system or any of its components to:

1. Engage in illegal activities;
2. Promote non-school related business;
3. Seek to attain personal financial gain;
4. Provide for personal entertainment not related to education;
5. Promote for profit organizations; and
6. Promote non-profit organizations whose goals are contrary to those of the Board, the District's schools, or the community at large.

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 shall not install software on any school equipment unless the school owns a license for that software or unless they personally have a license for that software and have that license on file with the School Technology Coordinator or the District Technology Coordinator.

WEB PAGES

All teachers involved in the creation of school-related web pages shall follow the guidelines set forth in procedure 08.2323 AP.1. All policies from the District's technology AUP shall apply to the creation of any school-related and/or posted website.

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.

Access to Electronic Media (Acceptable Use Policy)

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.

Access to Electronic Media

NOTE: Access to Electronic Media may have policy changes for the 09-10 school year- Please review policy on line.

(Acceptable Use Policy) & 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.

CURRICULUM AND INSTRUCTION 08.2323 AP.1

Acceptable Use Procedures

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

RULES AND REGULATIONS

Following is a list, which is not intended to be all inclusive of activities that are not permitted:

1. Sending or displaying offensive messages or pictures
2. Using obscene language
3. Entering chat rooms except under the supervision of a teacher for a planned instructional activity
4. Harassing, insulting or attacking others
5. Damaging computers, school/District websites, computer systems, or computer networks, including the intentional uploading of a computer virus or the creation of a virus
6. Violating copyright laws
7. Using other users passwords or allowing someone else to use your password
8. Trespassing in other users accounts, files, directories or work and harming or destroying data of another user
9. Modifying system files used in the operation of the computer, the network or software installed on them
10. Intentionally wasting limited resources this includes, but is not limited to, time, memory space, and paper)
11. Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com
12. Employing the network for commercial purposes or financial purposes
13. Posting personal information of students and/or staff on any server without a signed Media/Web Page Release Form (09.14 AP.251)
14. Activities deemed to be a security risk to the network
15. Vandalism/Defacement of the physical equipment
16. Installation of any unauthorized software obtained from any source
17. Bringing software from home and using it on the school system (Except software that may be written by the student as part of a District programming class)
18. Creation and/or posting of Internet material without the supervision of a staff member

CURRICULUM AND INSTRUCTION 08.2323 AP.1

NOTE: Access to Electronic Media may have policy changes for the 09-10 school year- Please review policy on line.

Access to Electronic Media

Acceptable Use Procedures

RULES AND REGULATIONS (CONTINUED)

19. Revealing personal information including, but not limited to, home addresses, phone number, credit card information, bank account number(s) or any other financial information. Your personal signature on any e-mail must use the school address only.
20. Printing any material accessed from the Internet without permission of the staff person supervising your internet activity
21. Students in Primary through Fourth grade (P-4 may not visit any Internet site that has not been bookmarked for them by a staff member. They are allowed links to other sites only under the specific instruction of a staff member
- 22 Accessing the Internet without staff permission
- 23 Accessing inappropriate sites
- 24 Using any e-mail software (i.e., Hotmail, yahoo, rocket, etc.) that is not school provided Exchange.

If the user violates any of these provisions, District administrators may suspend his/her account subject to review by the Principal/designee. Disciplinary action could result in suspension from school and/or a notation on the student's permanent record card and future telecommunication access denied. The observing staff member who notes the infraction will complete a Discipline Report. All terminations and disciplinary actions shall be subject to a due process hearing as outline in District Board policy. School Technology Coordinators shall be notified of action(s) taken regarding the offending student.

Access to technology is a privilege, not a right. Therefore, based upon the acceptable use guidelines outlined by the District, the school administrators will deem what is appropriate use and may close an account at any time. The appeals process will follow accepted District guidelines.

Employees are encouraged to use school technology, including e-mail and the Internet to:

- Continue their professional education;
- Improve their technology skills;
- Improve the delivery of curriculum-related materials to the classroom;
- Share educational ideas with colleagues;
- Communicate with others to better understand global issues and world culture; and/or
- Improve public relations between the school and the outside community at large.

Staff members are responsible for:

- Setting and conveying standards that should be followed when using media and information services;
- Following generally acceptable rules for public behavior and communications;

CURRICULUM AND INSTRUCTION 08.2323 AP.1

NOTE: Access to Electronic Media may have policy changes for the 09-10 school year- Please review policy on line.

Access to Electronic Media

Staff Acceptable Use Procedures

Staff members are responsible for: (continued)

- Supervising Internet activity on the workstation assigned as their staff workstation;
- Supervising on the Internet students to whom they have provided access to an Internet browser;
- Visiting all web sties that are to be used in class presentation within 32 hours prior to their display in class; and/or
- Completing a discipline report and submitting it to the school administration for any student who is involved in inappropriate activities on a school network.

Employees are prohibited from using the school technology system or any web site authorized by the school as well as any of its components to:

- Engage in illegal activities;
- Promote non-school related business;
- Seek to attain personal financial gain (use of public property for personal financial gain is a felony and is subject to prosecution);
- Provide for personal entertainment not related to education;
- Promote for-profit organizations;
- Promote non-profit organizations whose goals are contrary to those of the Board, the District's schools or the community at large;
- Engage in political lobbying
- Disclose personal staff and/or student information including, but not limited to, names or lists without prior signed permission from the individual and his/her legal guardian. (A Media/Web page Release Form/09.14 AP.251 must be completed.)
- Transmit any material in violation of U.S. or state regulations including copyrighted, threatening, or obscene material
- Use the Internet or e-mail in a classroom presentation that is not part of a planned curriculum activity

Requirements:

Employees must be Internet certified and E-mail certified by the District Director of Technology/Chief Information Officer to attain access to these network utilities.

Employees shall have an acceptable password on file with District Director of Technology/Chief Information Officer.

Passwords must meet the following requirements:

Outlined in policy changes beginning in 09-10 school year

Information and examples can be found in the Password Practices Guide located in the Technology Public Folders.

CURRICULUM AND INSTRUCTION 08.2323 AP.1

Access to Electronic Media NOTE: Access to Electronic Media may have policy changes for the 09-10 school year- Please review policy on line.

Staff Acceptable Use Procedures (Continued)

The District uses Internet filtering software to monitor student and staff Internet activity. The Network Account Administrator is responsible for monitoring the Internet activity reports. Monitoring will be at the discretion of the Network Account Administrator and will be done on a random basis.

The Network Account Administration is responsible for:

- Monitoring Internet activity reports*;
- Reporting any Acceptable use Policy (AUP) and related procedure violations to the appropriate building Principal;
- Blocking inappropriate sites when found; and/or
- If network integrity is threatened, removing user rights as directed by the building Principal or District Technology when a violation has occurred.

The Building Principal is responsible for:

- Taking appropriate action with the violator of the AUP and related procedures;
- Notifying Network Account Administrator to disable/enable violator's account; and/or
- Notifying classroom teacher of the violation that occurred in his/her classroom.
- **Internet activity reports are kept for thirty (30) days.**

WEBPAGES

All teachers involved in the creation of school-related web pages shall be responsible for assuring that:

- Information is kept current,
- All entries, uploads, links, pages, etc. relate to education,
- Athletic pages are kept separate from teacher's classroom web pages,
- Students are not permitted access to the admin portion of the site,
- Student photo permission to publish is checked BEFORE placing a student's photo on the webpage,
- "Student Information Directory Notification" is checked before publishing a student's name. This information is located in each school office, and
- Links to the teacher's site should be added to the schools websites. See the School Webmaster.

No student blogging shall be allowed at MCES, Harlow, 5th Grade Academy, KMS, 9th Grade Academy, or DT/LC. Student blogging may be allowed at MCSH with completed appropriate form and Principal approval.

Review/Revised:2/5/08

Electronic Access/User Agreement Form

Local Network/Student Use

**NEW POLICY & AGREEMENT FORM AVAILABLE
THROUGH DISTRICT TECHNOLOGY OFFICE**

Electronic Access/User Agreement Form

Local Network/Staff Use

**NEW POLICY & AGREEMENT FORM AVAILABLE
THROUGH DISTRICT TECHNOLOGY OFFICE**

Electronic Access/User Agreement Form

Local Network/Community Use

**NEW POLICY & AGREEMENT FORM AVAILABLE
THROUGH DISTRICT TECHNOLOGY OFFICE**

PERSONNEL 03.262

- CLASSIFIED PERSONNEL -

Harassment/Discrimination

DEFINITION

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex or disability of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

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

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment.

GUIDELINES

Employees who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving students or other employees that they believe to be an act of 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. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

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) working days of submission of the original written complaint. 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.

(Continued)

Harassment/Discrimination

GUIDELINES (CONTINUED)

2. A process to identify and implement, within three (3) working 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 staff, which may include, but not be limited to the following:
 - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
 - postings in the same location as are documents that must be posted according to state/federal law; 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.

4. Annual training explaining prohibited behaviors 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.

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. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
5. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
6. Destroying or damaging an individual's property based on any of the protected categories.

PERSONNEL

03.262

(Continued)

Harassment/Discrimination

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

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 supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by an employee, immediate supervisor, Principal, and/or Superintendent 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 files a written 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.

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, 03.212, 03.2325 and/or 09.422.

REFERENCES:

- 42 USC 2000e, Civil Rights Act of 1964, Title VII
- 29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII
- 20 U.S.C. 1681, Education Amendments of 1972, Title IX
- 34 C.F.R. 106.1-106.71, U. S. Department of Education Office for Civil Rights Regulations Implementing Title IX
- [KRS 161.164](#)

RELATED POLICIES:

03.212, 03.2325, 03.26, 09.422, 09.42811

Adopted/Amended: 07/06/2004
Order #: XI

PERSONNEL

03.162

- CERTIFIED PERSONNEL -

Harassment/Discrimination

DEFINITION

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex or disability of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

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

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

GUIDELINES

Employees who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving students or other employees that they believe to be an act of 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. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

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) working days of submission of the original written complaint. 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.

PERSONNEL

03.162

(Continued)

Harassment/Discrimination

GUIDELINES (CONTINUED)

2. A process to identify and implement, within three (3) working 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 staff, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
 - postings in the same location as are documents that must be posted according to state/federal law; 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.

4. Annual training explaining prohibited behaviors 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.

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. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
5. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
6. Destroying or damaging an individual's property based on any of the protected categories.

PERSONNEL

03.162

(Continued)

Harassment/Discrimination

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

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 supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by a teacher, immediate supervisor, Principal, and/or Superintendent 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 files a written 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.

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, 03.113, 03.1325 and/or 09.422.

REFERENCES:

- 42 USC 2000e, Civil Rights Act of 1964, Title VII
 - 29 C.F.R. 1604, 11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII
 - 20 U.S.C. 1681, Education Amendments of 1972, Title IX
 - 34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX
- [KRS 161.164](#)

RELATED POLICIES:

03.113, 03.1325, 03.16, 09.422, 09.42811

Adopted/Amended: 07/06/2004

Order #: XI

MERCER COUNTY STUDENTS & PARENTS

CONFIRMATION OF THAT YOU HAVE READ CODE OF ACCEPTABLE BEHAVIOR & DISCIPLINE

(Please sign and return to the student’s homeroom teacher.)

I have a copy available & have read:

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

I have also read the following documents:

- Student Directory Information Notification (New Students need to complete, sign, and return)
- Military Opt Out Form (New Students need to complete, sign, and return)
- Student Harassment/Discrimination Policy
- Electronic Access/User Agreement Form (New students need to complete, sign, and return)
- Electronic Access/User Agreement Form (New staff need to complete, sign,& return)
- Attendance Policy
- Bus Behavior & Consequences (Additional Bus Forms from Transportation must be reviewed, signed & returned.)
- Acceptable User Policy (New forms for 09-10 school year – District Technology Office)
Students, please return a signed/completed copy to your child’s school)

I have read the code of acceptable behavior and discipline, attendance policy, harassment/discrimination policy, bus behavior and consequences, acceptable user policy, and agree to abide by their content.

Parent or Guardian’s Signature

Date

Student’s Signature

Date

School Name

Grade

ALL PARENTS & STUDENTS

MUST SIGN AND RETURN TO YOUR CHILD’S HOMEROOM TEACHER BY

AUGUST 10, 2009

**OR WITHIN ONE WEEK OF ENROLMENT
IN
MERCER COUNTY SCHOOL DISTRICT**

MERCER COUNTY STAFF

CONFIRMATION OF RECEIPT OF CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

(Please sign and return to your Principal or Immediate Supervisor.)

I have available a copy and have read:

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

I have also have a copy available & have read documents included in the Acceptable Behavior and Discipline handbook:

- Student Directory Information Notification (New Students need to complete, sign, and return)
- Military Opt Out Form (New Students need to complete, sign, and return)
- Student Harassment/Discrimination Policy
- Staff Harassment/Discrimination Policy-Certified/Classified (This policy online)
- Electronic Access/User Agreement Form (New forms for 09-10 school year – District Technology Office)
- Attendance Policy
- Bus Behavior & Consequences (Additional Bus Forms from Transportation must be reviewed, signed & returned by students.)
- Acceptable User Policy (New students, please return a signed/completed copy to your child’s school)

I have read the code of acceptable behavior and discipline, attendance policy, harassment/discrimination policy, bus behavior and consequences, acceptable user policy, and agree to abide by their content.

Staff Member Signature

Date

School Name or District Assignment

ALL STAFF

MERCER COUNTY SCHOOL DISTRICT

**MUST SIGN AND RETURN TO YOUR PRINCIPAL or IMMEDIATE SUPERVISOR
OR WITHIN ONE WEEK OF OPENING DAY**