

Student Code of Conduct



Seth Southard
Superintendent

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Certification This is to certify that the Ohio County Schools Student Discipline Code was reviewed by legal counsel and was found to be in compliance with all applicable federal, state, and local laws, rules, and regulations.

Approval Date AUGUST 12, 1991

Revised AUGUST 1992

Revised AUGUST 1993

Revised AUGUST 1994

Revised AUGUST 1999

Revised AUGUST 2001

Revised AUGUST 2003

Revised AUGUST 2006

Revised AUGUST 2008

Revised AUGUST 2009

Revised JULY 2012

Revised JULY 2013

Revised JULY 2021

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Students, their parents, and employees of the Ohio County Board of Education, are hereby notified this school district does not discriminate on the basis of race, color, national origin, age, religion, gender, genetic information or disability in employment, educational programs, vocational programs or activities as set forth in Title IX, Title VI, Section 504, and ADA.

Any person having inquiries concerning the Ohio County Board of Education compliance with Title IX, Title VI, Section 504, and ADA is directed to contact Christy Nofsinger, Ohio County Board of Education, PO Box 70, 315 East Union Street, Hartford, KY 42347, (270) 298-3249, who has been designated to coordinate the district's efforts to comply with Title IX, Title VI, and Section 504.

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INTRODUCTION

Discipline is the key to a positive learning environment. The Ohio County School system works to provide safe and orderly schools where high expectations for behavior helps students become responsible. All students can learn. All students will be treated equally and fairly.

The Student Code of Conduct describes how Ohio County Schools expect students to behave and outlines the consequences for misbehaviors. It also explains the process staff will use to discipline students. Parents are an integral part of student discipline. They shall take responsibility for setting expectations for their children's behavior and supporting the school whenever a student is disciplined.

All students and parents/guardians are expected to read this book. Parents/guardians are encouraged to discuss this book with their children and help them understand their rights and responsibilities. If you have any questions please contact your local school Principal or D.P.P. (Director of Pupil Personnel) at the Ohio County Board of Education.

RATIONALE AND PHILOSOPHY

The Ohio County School System has a responsibility to provide an education for the children in its District. Under law, this right cannot be taken away without cause. Students have the responsibility to conduct themselves in a way that does not interfere with other students' rights to an education nor the school's ability to provide it. In an attempt to promote this environment, a Code of Conduct has been developed. This Code of Conduct outlines proper student behavior. Every student, parent/guardian and school staff member shall receive a copy of this Code of Conduct.

This Code of Conduct provides for consistent treatment for all pupils, fairness as required by constitutional due process and an atmosphere of open communication. It contains clearly understood rules and encourages behavior that will enable the pupils to develop to their fullest potential. Students will be responsible for following this code while at school, on their way to and from school, at related school sponsored activities and on school buses.

This document applies to all students in the Ohio County Schools. It is expected that sound, fair, and equitable judgment should be considered by pupils, teachers, principals, parents/guardians, and others in applying the principles of the Code of Conduct. Each school SBDM Council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code of Conduct and shall provide to the students/parents an approved council list of the school's rules and discipline procedures in the school's student handbook.

The Code of Conduct is the result of expressed concerns on the part of the community and provides for an annual review by the school community and the Board of Education to ensure an effective document which meets the needs of the total educational community.

CODE OF CONDUCT PROCESS

Development of Code

A committee of parents, students, teachers, administrators, and community members was appointed by the Superintendent to develop the Code of Conduct. In developing the code, the committee reviewed the Kentucky Department of Education guidelines, state and local laws and regulations, discipline codes from other districts and the existing student Code of Conduct and discipline policies. Individual committee members solicited input from their representative groups and presented this information at committee meetings. The local district student

discipline code was developed based on this information. After development, the code was submitted to the Kentucky School Board Association and the attorney for the local board to review.

Procedures for Annual Review

- A. The Student Discipline Code Committee will meet annually to review the code to determine if amendments and revisions are necessary.
- B. After the review, if no changes are necessary, the committee will report to the Board of Education and no further action will be needed.
- C. If revisions are necessary, recommendations for changes will be approved by the committee, reviewed by legal counsel, and submitted to the Board of Education for approval. The revised code will then be submitted to the State Department of Education.

Procedures for Annual Orientation to the Code of Conduct for Students, Parents, and Teachers

- A. Students- All students will receive a copy of the Code of Conduct following any major revisions of the code. Students entering middle school, high school, or students enrolling for the first time in our schools will receive a copy of the code. Each student will receive an orientation to the code at the beginning of each school year, or upon enrolling in Ohio County Schools. The orientation will be conducted by school administrators or teachers.
- B. Teachers- Each school administrator, at the beginning of each school year, will review and explain the discipline code to the staff at a faculty meeting.
- C. Parents- Parents should review the Code of Conduct received by their children. Questions may be directed to the child's teacher or school administrator. Parents may request an additional copy of the code if needed. Notices of minor changes will be sent home with students. Administrators will provide an opportunity for parents to review the code at a P.T.O. meeting near the beginning of school. Parents will be notified each year regarding the Code of Conduct and informed that copies are available upon request.

Due Process

Students in Ohio County Schools will receive due process by:

- A. receiving oral or written notice of the charges against them and how the Discipline Code was violated.
- B. being provided an explanation of the evidence, if the student denies the charges.
- C. being provided an opportunity to respond to the charges.

NOTE: This procedure will not be in effect in cases where the immediate suspension of a student is essential to protect persons, property, or the ongoing academic process. In such cases, the due process procedures shall follow the suspension as soon as practical, but no later than 3 school days after the suspension.

Appeal Procedures

Parents/guardians desiring to question actions taken by school personnel shall follow these procedures:

- A. If the problem is related to the classroom, the parent/guardian will contact the Principal to arrange a conference with the classroom teacher, as soon as possible, to discuss the problem.
- B. If this conference does not resolve the situation, the teacher and parent will arrange for a conference with the

Principal or his/her designee with a minimum of delay.

- C. If the problem is not related to the classroom, the parent will contact the Principal directly.
- D. If none of the above procedures results in a satisfactory solution to the problem, the parent shall state his/her complaint in writing and may request a conference with the Superintendent or his/her designee.
- E. During this conference, either party may have present any individuals having knowledge relative to factors involved. The other party shall be notified in advance of such persons who are to be present.
- F. The Superintendent or his/her designee will advise the parent in writing of the disposition within fourteen (14) days after the conference.
- G. If the parents/guardians are not satisfied with the decision of the Superintendent or his/her designee, the parents may appeal in writing to the Superintendent who will arrange a meeting with the Board of Education.

Allowances for Flexibility and Individual Review to Consider Extenuating Circumstances

The Ohio County Schools Discipline Code provides general guidelines for school personnel to deal with discipline problems. These general guidelines allow for flexibility and individual review. Extenuating circumstances will always be taken into account in dealing with student misconduct.

Where and When the Code Will Apply

Students are under the authority of the Principal, teachers, bus drivers or assigned designees at all times. Each student is responsible for following the Code of Conduct from the time they leave home to go to school until they return home or are properly released to their parents/guardians (KRS 161.180). This includes students attending any school function before or after school hours and on or off school property when under the supervision of school personnel and/or attending any school function. Any person who enters school property is under the authority of the school and shall abide by the rules and regulations set by the state, board, or school officials.

Personnel Authorized to Administer the Code of Conduct

The Ohio County Board of Education Discipline Code will be administered by personnel authorized by the board of education in accordance with board policy and Kentucky State Law related to student discipline and behavior.

Discipline problems which are of a common or minor nature are to be handled by the classroom teacher using informal, in-school measures. Discipline problems which the teacher deems to be of a serious nature must be referred to the Principal or Principal's designee. The administrator will investigate the problem and deal with it using the circumstance and the discipline code as guides for dealing with the problem.

PHILOSOPHY OF RIGHTS

The protection and safeguards of the United States Constitution and, more particularly, the Bill of Rights, apply to all students. These rights can be exercised in school if they do not interfere with the rights of others or the school's responsibility to provide safe and orderly schools. In a social situation such as the public schools - students, parents/ guardians, teachers, administrators, and other participants in the educational process, have the right and responsibility to know the basic standards of conduct and behaviors which are expected.

STUDENTS, STAFF AND PARENT RIGHTS/RESPONSIBILITIES

A. STUDENTS

1. Students have the right to and opportunity for:

- a. a meaningful public education, the maintenance of high educational standards, and a system of public education which meets the needs of the individual students.
- b. reasonable and timely notice of all rules, regulations, policies, and penalties to which they may be subject.
- c. physical safety and protection of their personal property.
- d. consultation with teachers, counselors, administrators, and other school personnel.
- e. free election of their peers in student organizations in which all students have the right to seek and hold office.
- f. examination of their personal school records by themselves, their parents/guardians or their authorized representatives.
- g. involvement in school activities without being subject to discrimination on any basis. (Where participation in activities is on a competitive basis, each student has the right to an opportunity to compete on an equal basis.)
- h. respect from others.
- i. presentation of complaints or grievances to school authorities and receipt of authoritative replies from school officials regarding their disposition.

2. Each student shall:

- a. be responsible for their own conduct and practice self control.
- b. be on time and prepared for school and classes.
- c. be at school everyday unless absence is excused.
- d. bring notes from parents or physician for excused absences.
- e. follow the school/district dress code and exhibit neatness with cleanliness of personal attire and hygiene.
- f. properly sign in or out of school.
- g. understand and obey the bus, school and classroom rules and follow the Code of Conduct.
- h. complete all assigned work on time.
- i. work to excel academically.
- j. respect the rights and property of students, staff and school property.
- k. behave in a safe and respectful manner.
- l. be respectful to others, avoiding all profanity, insults, threats/intimidation, fighting, disturbances, disruptions and harassment.
- m. ask for help with problems from teachers or school staff.

- n. practice good citizenship by being helpful and honest.
- o. refrain from possessing, using, or transferring any tobacco products, alcoholic beverages or illegal substances.
- p. refrain from gambling, extortion, theft or any other unlawful activity.

B. TEACHERS

1. Teachers have the right to:

- a. expect students to follow the Code of Conduct.
- b. the support of co-workers and administrators.
- c. work in an educational environment with a minimum of disruptions.
- d. expect all assigned work to be completed and turned in as directed.
- e. safety from physical harm and freedom from verbal abuse.
- f. provide input and aide in the formulation of policies that relate to their relationships with students and personnel.
- g. in emergencies, take actions necessary to protect their own person or property or the persons or property of those in their care.

2. Teachers have the responsibility to:

- a. exhibit exemplary behavior in action, dress, and speech.
- b. exhibit an attitude of respect for all students.
- c. create a classroom environment where students can ask for help, feel safe and respected.
- d. keep accurate and detailed records of grades, attendance and behavior.
- e. present the materials and provide experiences to students.
- f. inform students, parent/guardians of students' achievement, progress, and/or problems.
- g. plan a flexible curriculum that will meet the needs of all students.
- h. evaluate students' assignments and return them as soon as possible.
- i. administer such discipline as is necessary to maintain order and decorum without discrimination on any basis.
- j. reward exemplary behavior or work of students.
- k. recommend for retention in a class any child who fails to meet the basic standards in a class.
- l. follow rules and regulations of the board of education and/or school administration.

C. PARENTS/GUARDIANS

1. Parents/Guardians have the right to:

- a. enroll students in the Ohio County School District where they shall attend classes regularly within a safe environment.
- b. expect the school to maintain high academic standards.
- c. send their child to school with an environment where learning is valued.

- d. expect classroom disruptions to be dealt with fairly, firmly, and quickly.
- e. review the child's academic progress and other pertinent information which may be contained in the student's personal records as permitted by law.
- f. address grievances concerning their child and receive a prompt reply for any alleged grievance.

2. Parents/Guardians have the responsibility to:

- a. instill in their children the values of an education.
- b. instill in their children a sense of responsibility and respect for others.
- c. assure their children are dressed appropriately, follow the school's dress code, and practice good hygiene.
- d. help children understand that disruptions in the school are detrimental to the educational program for all students.
- e. send their children to school on time every day.
- f. send notes to school for excused absences.
- g. become familiar with the educational programs and the procedures.
- h. review the Code of Conduct and school rules with their children.
- i. support the school's discipline measures and assist the school with discipline when needed.
- j. keep the school up to date on telephone numbers, address changes, medical problems and situations that may effect their children's academic or social performance.
- k. make sure their children have current immunizations and required medical examinations.
- l. pay required fees and fines.

D. PRINCIPALS

1. Principals have the right to:

- a. expect staff members to comply with policies and directions of the Principal.
- b. suspend any student whose conduct disrupts the education process.
- c. expect respect from students, parents/guardians, and staff members.

2. Principals have the responsibility to:

- a. help create and foster an atmosphere of mutual respect and consideration among students and staff members.
- b. administer discipline fairly and equally, following the guidelines set forth herein, but also using his/her judgment.
- c. exhibit exemplary behavior in action, dress and speech.
- d. direct the development of a process that explains the Code of Conduct to the school community.

DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT

LEVELS OF MISCONDUCT

- I. Minor misbehavior on the part of the student which interferes with orderly classroom procedures or orderly operation of the school.

These misbehaviors can usually be handled by an individual staff member but sometime require the intervention of other support personnel.

- II. Frequent or serious misbehavior that tends to disrupt the learning climate of the school.

These infractions, which usually result from the continuation of LEVEL I misbehaviors, require the intervention of personnel on the administrative level because the execution of LEVEL I has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.

- III. Acts directed against persons or property whose consequences do not seriously endanger the health or safety of others in the school.

These acts might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interest of all students.

- IV. Acts which result in violence to another person or property which pose a direct threat to the safety of others in the school.

These acts are clearly serious and may require administrative action which result in the immediate removal of the student from school.

EXAMPLES

Minor classroom disturbance
Classroom tardiness
Minor Disrespect
Dress code
Failure to complete assignments or carry out directions
Cheating on assignments and/or exams

Continuation of unmodified LEVEL I
School tardiness
Truancy
Improper check-out
Using forged notes or excuses
Disruptive classroom behavior
Skipping class/school
Reckless driving
Physical contact
Insubordination
Possession or use of tobacco products
Leaving school grounds without permission
Inappropriate language or gestures
Failure to identify oneself
Possession of cell phones or pagers
Gang related activities or apparel

Fighting
Vandalism (minor)
Gang related activities or apparel
Stealing
Threats to Others

Abusive and/or threatening language
Harassment

Unmodified LEVEL 1, 11, 111 misconducts
Extortion
Bomb threat
Assault/battery
Possession/use/transfer of dangerous weapons or instruments
Vandalism
Theft/possession/sale of stolen property
Possession/use/furnishing/selling/of unauthorized substances
Gang related activities or apparel
Sexual Harassment/Abuse/ or Sexual activities
Arson
Activating false alarm
Threats to other students and/or staff

STAFF DISCIPLINARY RESPONSE

There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.

Repeated misbehavior requires a conference with parent/guardian, and/or counselor, and/or administrator. A proper and accurate record of the offenses and disciplinary action is maintained by the staff member and/or appropriate administrator.

The student is referred to the administrator for appropriate disciplinary action.

The administrator meets with the student and/or teacher and takes the most appropriate action.

The teacher is informed of the administrator's action.

A proper and accurate record of the offense and the disciplinary action is maintained by the administrator.

A conference is held with parents/guardians.

The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences.

The administration meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action.

A proper and accurate record of offenses and disciplinary actions is maintained by the administrator.

The administrator verifies the offense, confers with the staff involved and meets with student.

The student is immediately removed from the school environment. Parents are notified.

School officials may contact law enforcement agency and assist in prosecuting offender.

A complete and accurate report is submitted to the Superintendent. If requested, student is given a due process hearing before the Board.

RESPONSE OPTIONS

- Verbal reprimand/Probation
- In-school Intervention Programs
 - Counseling by teacher
 - Student Assistance Programs
 - Behavioral contract
 - Refer to school counselor
- Time-out
- Parent notification or conference
- Short-term In-School Alternative Program (ISAP)

- Parent notification or conference
- Probation and/or Contracts
- In-school Intervention Programs
 - Refer to school counselor
 - Student Assistance Programs
 - Peer Counseling
 - Other educational skill building programs
- Intermediate In-school Alternative Program (ISAP)
- Referral to school-based therapy or to an outside agency
- Out-of-school suspension (1 -3 days)
- If needed - other charges may be filed against the student

- Parent Conference
- Probation and/or Contracts
- In-school Intervention Programs
 - Refer to school counselor
 - Student Assistance Programs
 - Support groups and/or skill development programs
- Petition signed in Juvenile Court
- Long term In-School Alternative Program (ISAP)
- Out-of school suspension (up to 10 days)
- May be referred to Render Education ALP/Day Treatment

- Parent conference
- Counseling
- Student Assistance Program
- Petition signed in Juvenile Court
- Suspension
- Alternative to suspension programs (Render Center)
 - Referred to Alternative Learning Program
 - Court referred to Day Treatment
- Expulsion
- Other Board action which results in appropriate placement
- Reported to Law Enforcement Authorities

DISCIPLINE PROCEDURES

P-6
Elementary

BEHAVIOR VIOLATIONS

ACTIONS

	In-School Discipline Measures/Counseling	Parent/Guardian Notification/Conference	Probation (Requires written contract)	Short to Long Term In-School Alternative	Out of School Suspension 1-5 Days	Alternative Learning Programs	Alternative Learning Programs (6th grade only)	Petition signed in Juvenile Court	Suspension 6-10 Days (Requires Supt. Approval)	Expulsion	Reported to Law Enforcement
Failure to sign in or out of school	*	*	*								
Failure to follow directions	*	*	*								
Unexcused tardiness (class/homeroom)	*	*	*								
Failure to have proper materials for class	*	*	*								
Improper dress	*	*	*								
Forgery	*	*	*	*							
Deliberate classroom disruption	*	*	*	*							
Failure to turn in work, take exams, or participate in classroom activities	*	*	*		*						
Profanity/Vulgarity	*	*	*	*	*						
Physical contact/public display of affection	*	*	*								
Gambling	*	*	*	*							
Stealing	*	*	*	*							
Leaving school grounds without permission	*	*	*	*							*
Vandalism (less than \$100.00)	*	*	*	*							
Gang related activities/threats	*	*	*	*	*			*	*		*
Non-attendance of class/school	*	*	*	*				*			
Use/possession of tobacco products	*	*	*	*	*						
Fighting	*	*	*	*							
Harassment	*	*	*	*							
Use/possession of fireworks				*	*			*			
Insubordination/threats				*	*			*			
Repeated violations of discipline code				*	*			*			
Activating fire alarms				*	*			*			
Vandalism (more than \$100.00)				*	*			*			
Repetition of short-term suspensions								*	*		
Assault on school personnel/threat								*	*	*	*
Use/possession of drugs/alcohol								*	*	*	*
Sale of drugs/alcohol								*	*	*	*
Assault/sexual abuse								*	*	*	*
Arson								*	*	*	*
Extortion/robbery								*	*	*	*
Possession of weapons								*	*	*	*
Bomb threats				*	*			*	*	*	*

The above disciplinary actions may be administered singularly or in combination without regard to the order listed. Consideration shall be given to the severity of the offense and the number of occurrences. School personnel, with justification, may omit

*Alternate School Placement may include, but not limited to, ALP, Day Treatment and other placement options.

DISCIPLINE PROCEDURES

7-8
Middle School

BEHAVIOR VIOLATIONS

ACTIONS	ACTIONS									
	In-School Discipline Measures/Counseling	Parent/Guardian Notification/Conference	Probation (Requires written contract)	Short to Long Term In-School Alternative Programs	Out of School Suspension 1-5 Days	Alternative Learning Programs	Petition signed in Juvenile Court	Suspension 6-10 Days (Requires Supt. Approval)	Expulsion	Reported to Law Enforcement
Failure to sign in or out of school	*	*	*	*						
Failure to follow directions	*	*	*	*						
Unexcused tardiness (class/homeroom)	*	*	*	*						
Failure to have proper materials for class	*	*	*	*						
Improper dress	*	*	*	*	*					
Forgery	*	*	*	*						
Deliberate classroom disruption	*	*	*	*	*					
Failure to turn in work, take exams, or participate in classroom activities	*	*	*	*						
Profanity/Vulgarity	*	*	*	*	*					
Physical contact/public display of affection	*	*	*	*						
Gambling	*	*	*	*						
Stealing	*	*	*	*	*					
Leaving school grounds without permission	*	*	*	*						*
Vandalism (less than \$100.00)	*	*	*	*						
Gang related activities/threats	*	*	*	*	*	*	*	*		*
Non-attendance of class/school	*	*	*	*			*			
Use/possession of tobacco products				*	*					
Fighting				*	*	*	*	*	*	*
Harassment				*	*	*	*	*	*	*
Use/possession of fireworks				*	*	*	*	*	*	*
Insubordination/threats				*	*	*	*			
Repeated violations of discipline code				*	*	*	*	*	*	
Activating fire alarms				*	*	*	*	*	*	*
Vandalism (more than \$100.00)				*	*	*	*	*	*	*
Repetition of short-term suspensions							*	*	*	
Assault on school personnel/threats						*	*	*	*	*
Use/possession of drugs/alcohol						*	*	*	*	*
Sale of drugs/alcohol						*	*	*	*	*
Assault/sexual abuse						*	*	*	*	*
Arson						*	*	*	*	*
Extortion/robbery							*	*	*	*
Possession of weapons							*	*	*	*
Bomb threats							*	*	*	*

The above disciplinary actions may be administered singularly or in combination without regard to the order listed. Consideration shall be given to the severity of the offense and the number of occurrences. School personnel, with justification, may ini

*Alternate School Placement may include, but not limited to, ALP, Day Treatment and other placement options.

DISCIPLINE PROCEDURES

9-12
High School

BEHAVIOR VIOLATIONS

ACTIONS

	In-School or After School Discipline Measures/Counseling	Parent/Guardian Notification/Conference	Probation (Requires written contract)	Short to Long term in-School Alternative Programs	Out of School Suspension 1-5 Days	Alternative Learning Programs	Petition signed in Juvenile Court	Suspension 6-10 Days (Requires Supt. Approval)	Expulsion	Reported to Law Enforcement
Failure to sign in or out of school	*	*	*	*						
Failure to follow directions	*	*	*	*	*					
Unexcused tardiness (class/homeroom)	*	*	*	*						
Failure to have proper materials for class	*	*	*	*						
Improper dress	*	*	*	*	*					
Forgery	*	*	*	*	*					
Deliberate classroom disruption	*	*	*	*	*					
Failure to turn in work, take exams, or participate in classroom activities	*	*	*	*	*					
Profanity/Vulgarity				*	*					
Physical contact/public display of affection	*	*	*	*	*					
Gambling	*	*	*	*	*					
Stealing	*	*	*	*	*					
Leaving school grounds without permission	*	*	*	*	*					*
Vandalism (less than \$100.00)	*	*	*	*	*					
Gang related activities/threats	*	*	*	*	*	*	*	*		*
Non-attendance of class/school	*	*	*	*	*	*	*			
Use/possession of tobacco products				*	*	*				
Fighting				*	*	*	*	*	*	*
Harassment				*	*	*	*	*	*	*
Use/possession of fireworks				*	*	*	*	*	*	*
Insubordination/threats				*	*	*	*			
Repeated violations of discipline code				*	*	*	*	*	*	*
Activating fire alarms				*	*	*	*	*	*	*
Vandalism (more than \$100.00)				*	*	*	*	*	*	*
Repetition of short-term suspensions							*	*	*	*
Assault on school personnel/threat						*	*	*	*	*
Use/possession of drugs/alcohol						*	*	*	*	*
Sale of drugs/alcohol						*	*	*	*	*
Assault/sexual abuse						*	*	*	*	*
Arson						*	*	*	*	*
Extortion/robbery							*	*	*	*
Possession of weapons							*	*	*	*
Bomb threats							*	*	*	*

The above disciplinary actions may be administered singularly or in combination without regard to the order listed. Consideration shall be given to the severity of the offense and the number of occurrences. School personnel, with justification, may ini

*Alternate School Placement may include, but not limited to, ALP, Day Treatment and other placement options.

DISCIPLINE PROCEDURES

Individual School Discipline Measures

The student discipline code does not replace or remove routine classroom discipline from the teachers of Ohio County Schools. Teachers will still have at their disposal the following disciplinary measures to correct inappropriate behaviors:

- (1) Verbal reprimand
- (2) Counseling
- (3) Loss of privileges
- (4) Parent notification
- (5) Parent conference
- (6) Detention or classroom isolation
- (7) Behavior modification or Behavior Management Systems
- (8) Probation
- (9) Contracts

Note: The *above* disciplinary measures may also be applied singularly or in combination upon referral to the office. Consequences given to each student may differ for similar incidents based on the Principal's investigation.

Parent/Guardian Notification or Conference

In order to maintain good communication between parents and the school, certain acts of misbehavior require that the parents be notified. Other more serious acts of misbehavior will require a parent conference with school officials.

Probation

A probation period may be established for students when a school Principal determines that it would better benefit the student to remain in the classroom than an out-of-school suspension. A conference will be held with the student, the student's parent/guardian, a counselor, and the teacher involved to develop a behavioral contract that enables the student to remain in class. The contract becomes effective when signed by the student, parent/guardian, and the Principal or his/her designee.

Contract

A contract form will be drafted in terms easily understood by the student. The contract will state the names and titles of the persons entering into the contract; the expected or required behavior of the student; and the consequences for violation of the required behavior.

NOTE: A breach of contract may result in an alternative to the contract, such as an In-School Alternative Program (ISAP), placement in the Alternative Learning Program, or suspension.

In-School Alternative Program

This program is designed as an alternative to out-of-school suspension. Students are removed from the classroom and provided an in-school alternative education for short periods of time (usually from three (3) to ten (10) days). The students receive close supervision and structured study in a restricted environment which prevents them from falling behind their classmates.

NOTE: Upon recommendation of the Principal, students may be placed long term in the In-School Alternative Program in lieu of expulsion.

Alternative Learning Programs

The Alternative Learning Program (ALP) and Day Treatment is housed at the Render Education Center. The program is designed as an option to expulsion for middle and high school students. Students are referred to the ALP/Day Treatment from their home school Principals and/or the court system. Students receive close supervision, smaller classroom size, and a structured study environment. Each student also receives skill development programs to address the behavior that placed them in these programs. Students who have been expelled from any middle or high school will be transitioned through the Render Center prior to returning to regular school. Students that transfer to Ohio County from another county and are transferring from an alternative school setting must enroll at the Render Education Center.

Suspended from Bus

A student may be suspended from the school bus for the following reasons:

1. Disobeying or being rude to the driver bus.
2. Sticking head or hands out of window
3. Throwing objects out of window
4. Smoking on the bus
5. Scuffling or fighting on the bus
6. Using obscene/vulgar language or gestures
7. Littering on the bus
8. Eating or drinking on the bus
9. Bringing prohibited items on the bus
10. Obstructing the aisle
11. Moving around while bus is in motion
12. Occupying more space in a seat than needed
13. Vandalizing to bus.
14. Improper conduct while at a bus stop
15. Improper boarding and leaving a bus
16. Tardy to bus
17. Riding a bus other than the one assigned
18. Arguing
19. Other reasons as deemed necessary

Suspension

Suspension means denying attendance to all subjects or classes, or any type of activity conducted by or on behalf of all Ohio County Schools for the stated period of time. The Principal or assistant Principals may suspend for up to five (5) days or, with the Superintendent's approval, up to ten (10) days.

In cases in which a student is recommended for expulsion, the Superintendent may suspend a student until the next regularly scheduled school board meeting. Students placed on home suspension will be allowed to complete work due during the suspension in order to keep up with classmates. However, credit will not be given. (See make up work p.24) Each day a student is suspended will be considered an unexcused absence.

In the event a student is suspended, a conference with the student, school Principal or assistant Principal shall be conducted as follows:

1. An oral and written notice of the rule which has been violated, including the specific act committed, shall be provided the student
2. An explanation of the evidence and/or witnesses, if any that support the charges will be provided to the student. An exception to this would be in cases where it is believed that giving particular witnesses' names may subject the witnesses to harassment.
3. The student shall be provided the opportunity to present his/her explanation and rebut the evidence.
4. An oral and written explanation of the consequences, which shall include the dates and duration of the suspension which may be imposed, shall be provided to the student.

5. In the event the student is denied attendance, the parents or guardians of the student shall, as soon as reasonably possible, be notified by letter, certified letter, signed receipt, or personal message of reason for the student's suspension and the duration of the suspension.

NOTE: This procedure will not be in effect in cases where the immediate suspension of a student is essential to protect persons, property, or the on going academic process. In such cases, the due process procedures shall follow the suspension as soon as practical, but no later than three (3) school days after the suspension.

6. In the event that a student is suspended pending a psychological evaluation, the student is suspended for a specific amount of time (discretion of principal). After completion of the suspension time the parent must produce the psychological evaluation. The psychological evaluation will be at the parent/guardian expense and this assessment must be done by a certified mental health agency to determine the level of danger.

Expulsion

Expulsion means denying attendance to all subjects or classes or any type of activity conducted by or on behalf of the Ohio County Schools, for a period of time not to exceed the current school year.

An expulsion also may include a denial of admission to, or entry upon, real or personal property owned, leased, rented, or controlled by the Ohio County Board of Education.

A pupil shall not be expelled from school until at least the following due process procedures have been provided:

1. The pupil shall be given written notice of the charge or charges against him/her which constitute cause for the expulsion and the names of witnesses who will be called to testify against his/her.
2. The pupil shall be advised in writing of his/her right to, counsel, confront and cross-examine his/her accusers and/or present witnesses on his/her behalf.
3. The pupil, parent, or guardian shall be given an opportunity for an impartial hearing before the Board. Notice of the hearing shall be given five (5) days before it is held.
4. The pupil, parent, or guardian shall be given written notification of the Board's decision.

NOTE: The Principal may substitute an alternative program placement instead of expulsion. This may include programs such as a long term In-School Alternative Program or Render Education Center. The family must agree to seek an evaluation of the student's deviant behavior or alcohol/drug use from a certified mental health agency or a licensed chemical dependency counselor acceptable to the school district. This evaluation shall be at the parent's/guardian's expense. As recommended by the evaluation, the student must agree to complete all treatment.

Reporting to Law Enforcement

Acts which are interpreted by school officials as violations of federal, state, and local law shall be reported to the local law enforcement agency.

Petition Signed in Juvenile Court

A juvenile petition may be signed on any student who is truant, found to be beyond control of the school, or when any Kentucky Revised Statute is violated.

ZERO TOLERANCE

The Ohio County School District requires that schools be safe from all forms of violence and free from all forms of drugs. The district will follow the guidelines in the Gun-Free Schools Act of 1994, The Safe and Drug-Free Schools and Communities Act of 1994, and the Drug-Free Workplace Act of 1988, as well as, the current regulations set forth by House Bill 330. To ensure safe schools, the Ohio County School District will take actions necessary to discover drugs and weapons in schools. A search of school lockers, parking lots, and all other school property may be conducted by school officials and the police department, including the canine team. The searches may be random and unannounced. The schools will also exercise the right to search a student and their belongings.

SEARCH AND SEIZURE

Students have the right to freedom of unreasonable search and seizure. School officials have the right, under the law, to search students or their property whenever there is a reasonable suspicion that they have something that violates school rules or endangers others. Students may be searched to maintain the ongoing educational process, maintain order, and/or protect people and property. Searches may include the student, his/her locker, desk, automobile, or personal belongings. In an effort to keep schools drug-free and weapon-free, the police, including the canine team, may conduct random and unannounced searches of general school areas, including lockers and parking lots. Metal detectors may be used to screen students.

ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

No pupil shall possess, use, be under the influence of, sell, or transfer alcoholic beverages, controlled drug substances, substances which "look like" controlled substances or drug paraphernalia, while on or about school property, at any school activity location, en route to or from school or a school sponsored activity. This includes sporting events, conventions, club sponsored activities, field trips or other school sponsored activities. [Board Policy 09.4231 and 09.4233]

LOOK-ALIKE WEAPONS AND DRUGS

Any toy or model weapon that looks enough like an authentic weapon to be reasonably mistaken for one will be considered a look-alike weapon. Any student who represents a look-alike weapon to a staff member or another student as a real weapon and/or uses it to intimidate, threaten, or harass someone will be treated the same as if he/she used a real weapon according to state and federal laws.

Any substance that can be reasonably mistaken for a controlled substance is considered a look-alike drug. This includes nonalcoholic beer and wine. Any student who uses, distributes, or represents a look-alike drug as authentic will be treated the same as if it were authentic, according to state and federal laws.

DEADLY WEAPONS

Any student found to knowingly be in possession or transfer of a deadly weapon, as defined in the Criminal Code of Kentucky, or determined to have brought a deadly weapon to school, will be assigned to an alternative school or expelled for a period of one calendar year. The Board of Education has the power to modify the alternative placement or the expulsion requirement on a case-by-case basis. Expulsion requirements for exceptional students shall be modified on a case-by-case basis in order to comply with the Individuals with Disabilities Education Act (IDEA).

Reference Ohio County Schools board policy at www.ohio.kyschools.us

THREATS OF VIOLENCE

The Ohio County School system has zero tolerance for threats of violence. Upon hearing of a threat, the incident will be investigated by the building Principal with the assistance of Central Office Staff. Based upon the decision of the investigating team, a student found making a physical threat to another student, staff person, or school property will be suspended for ten (10) school days. In addition, one or a combination of the following consequences will be applied: psychological/psychiatric evaluation at the family's cost, criminal charges filed, placement in an Alternative Learning Program setting, or expulsion. Other consequences deemed appropriate may also apply.

YOUTH GANGS

Gang activity will not be tolerated on school grounds or at any school activity. Students will not wear/display explicit gang symbols. Violations may result in suspension or other appropriate action.

BIAS RELATED APPAREL, SIGNS, AND SYMBOLS

No student shall wear or display any bias related apparel, signs, or symbols which reasonably appear to offend, victimize, or intimidate another based on race, color, religion, gender, or national origin and/or which disrupts or interferes with the educational setting/process. This act also includes the wearing of gang clothing, paraphernalia and/or the use of gang signs and signals.

CELL PHONES/ELECTRONIC DEVICES

Cell phones are permitted for safety/emergency reasons only. NO pornographic displays of any type will be allowed.

CRIMINAL VIOLATIONS

If violations of the Code of Conduct also violate local, state, or federal ordinances/statutes/laws, criminal charges may be filed against the student. When a student violates a law, school administrators will notify the appropriate law enforcement officials. Prosecution and adjudication of criminal violations shall occur separately from the administration of school procedures.

CORPORAL PUNISHMENT

The use of corporal punishment is prohibited in Ohio County Schools. Corporal punishment is defined as the deliberate infliction of physical pain by any means upon the whole or any part of a student's body as a penalty or punishment for student misbehavior.

HARASSMENT/DISCRIMINATION (Board Policy 09.42811)

DEFINITION

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, persuasive, 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 (bullying/hazing).

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 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 of 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, and explanation shall be included in the report.
3. 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
4. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

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

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;
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. Destroy 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 she/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 she/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.

***All Ohio County Board of Education employees are trained annually concerning sexual harassment.**

TRANSPORTATION

Student conduct on school buses, as a part of the school environment, follows all the requirements and provisions as outlined in the code. Disciplinary action that removes a student's privileges to ride a school bus must be a result of behavior serious enough to warrant suspension from riding the bus, suspension from school and including ISAP.

The bus driver/monitor shall be responsible for the orderly conduct of the students. While on the bus, the students are under the authority of and directly responsible to the driver.

Any violation of the bus rules and regulations or the Code of Conduct may result in the suspension of the bus riding privileges, suspension from school or ISAP. Severe bus violations could result in suspension of bus riding privileges **AND** suspension from school and ISAP. Upon recommendation from the Principal to the Superintendent, violations may result in expulsion from school. Parents and students will be informed of the rules and regulations of the Pupil Transportation Department. At the beginning of each school year, parents of students in grades K-6 will be provided a copy of the bus rules and regulations that they are to review and sign. Students in grades 7-12 will be provided a copy of the rules to review and sign. These signed copies shall be placed on file.

When misbehaviors occur on a bus, the Principal may give consideration as to the age and maturity of the student, the seriousness of the offense and the length of time between offenses before suspending a student from the bus.

If a student does not respond to a driver's attempt to correct misbehaviors, the driver shall report the incident to the Principal and the following procedures shall be implemented for routine problems:

- A. **First Referral:** A conference will be held with the student, followed by a notification to parents that a second referral will result in a three (3) day bus suspension.
- B. **Second Referral:** A conference will be held with the student to notify him/her of a three (3) day bus suspension, followed by a letter through the U.S. mail or a phone call to the parent/guardian notifying them of the suspension. A copy of the referral form will be attached to the notice of suspension.
- C. **Third Referral:** A conference with the student and parent/guardian along with the bus driver will be held. Elementary/middle school students will receive a five (5) day suspension. High school students will receive a ten (10) day suspension of bus riding privileges. The parent/guardian will receive written notification of the suspension. A copy of the referral form will be attached to the notice of suspension.
- D. **Fourth Referral:** A conference with the student and parent/guardian along with the bus driver will be held. Elementary/middle school students will receive a ten (10) day suspension of bus riding privileges. High school students will be suspended from bus riding privileges for the remainder of the school year. Notification of the suspension will be sent to the Director of Transportation and a copy of the suspension notification will be sent to the parent/guardian. A copy of the referral form will be attached to the notice of suspension.
- E. **Fifth Referral:** A conference with the student and parent/guardian along with the bus driver will be held. Elementary and middle school students will be suspended from bus riding privileges for the remainder of the school year. Notification of suspension will be sent to the Director of Transportation and a copy of the suspension notification will be sent to the parent/guardian. A copy of the referral form will be attached to the notice of suspension.

LOSS OF DRIVER'S LICENSE

KRS 159.051 states that when a student age 16 or 17 drops out of school or fails to pass at least five (5) subjects, he/she shall be denied their driver's license or have it revoked at the end of the current semester. Students who are deficient in attendance shall be reported to the Transportation Cabinet for license revocation immediately following their ninth (9th) unexcused absence.

It should be remembered that absences due to suspension or failure to turn in a note shall be unexcused. A student who has his/her license revoked under the provisions of House Bill 43 may reapply for a driver's license as early as the end of the regular semester during which he/she enrolls and successfully completes the educational and attendance requirements.

The student has the right to a hearing before the District Court to show cause why his/her driver's license should be reinstated. In order for the student to have his/her license reinstated, the Court shall be satisfied that the license is needed to meet family obligations or family economic consideration which, if unsatisfied, would create an undue hardship or that the student is the only licensed driver in the household or the student is not considered a

dropout or academically deficient.

SPECIAL EDUCATION STUDENTS

Any student, including special education students who create a dangerous or disruptive situation may be suspended from school. The due process procedures are applicable according to the discipline code.

The behavior of exceptional children should be considered in the Individual Education Plan (IEP) by the Admissions and Release Committee (ARC). Behavioral interventions, treatment, and consequences should be considered as an integral part of the IEP. Should these interventions prove unsuccessful, as evidenced by the behavior of the student, the issue should be brought to the appropriate ARC to analyze the behavior and make revisions in the IEP which might result in more appropriate behavior.

- (1) Students with disabilities may be suspended or temporarily placed in an alternative setting. Suspensions are not to exceed ten school days total in one school year without the special education change of placement procedures being required.
- (2) A student with disabilities who has a weapon or drug offense may be considered for immediate placement in an Interim Alternative Education Setting (IAES) for up to forty-five days. Parents are to be notified of IEP/ARC meetings to discuss the change of placement recommendation for IAES and of the need to conduct a manifestation determination meeting to decide if the student's conduct is or is not a manifestation related to the student's disability. The manifestation meeting is only required when a student is subjected to a disciplinary change of placement. The Director of Special Education is to be notified of recommendations and ARC meetings. The Manifestation Determination Form shall be completed by IEP/ARC and a copy forwarded to the Director of Special Education.
- (3) If the student's conduct is a manifestation of the student's disability, the school district may initiate a change in placement, but not expel or suspend long term.
- (4) If a student's conduct is not a manifestation of the student's disability, the school district may implement relevant disciplinary procedures to a student with disabilities in the same manner as they are applicable to students without disabilities. However, the district must provide continued services. The IEP/ARC will make the determination regarding the extent to which services are necessary to meet the student's educational needs.
- (5) If the student is being placed in an interim alternative educational setting for up to 45 days because of certain weapon or drug offenses or because a hearing officer has determined that there is a substantial likelihood of injury to the student or others if the student remains in his or her current placement, the services to be provided to the student are determined by the IEP/ARC according to the criteria in the following item (6).
- (6) The interim alternative educational setting must be selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the child to meet the goals set out in that IEP and include services and modifications to address the behavior.

NOTE: All suspensions, including suspensions of students with disabilities, are to be reported monthly on the District Suspension Report Form. The Director of Special Education shall be notified immediately of all suspensions of special education students on the incident report for children and youth with disabilities.

STUDENT RECORDS

In accordance with the Family Education Rights and Privacy Act, parents shall have the right to inspect and review all education records relating to their child by making a request to the principal of each school or other designated official. This right shall be passed on to the student at age 18.

The written procedures regarding education records include the following: (a) types and location of these records; (b) procedures for parents to review records; (c) procedures for the amendment of or a hearing concerning records believed to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the child; and

(d) procedures for the disclosure and destruction of records. Copies of these policies and procedures may be obtained upon request from the office of the Principal or the Superintendent.

In accordance with federal regulations concerning the release or transfer of educational records requested by a school in which a student seeks to enroll, parents may request copies of the records transferred and an opportunity for a hearing.

Parents shall have the right to file complaints to the Family Education Rights and Privacy Act concerning any alleged failures of the district to comply with this act.

Parents of a child who has graduated or otherwise left the district and who was formerly enrolled in a program for exceptional children may request the destruction of any personally identifiable information in the education record of their child that was collected, maintained or used for the identification, evaluation or placement of the exceptional child. Such requests should be addressed in writing to the Director of Pupil Personnel.

DRESS AND APPEARANCE

The wearing of any item that materially or significantly disrupts the educational process or threatens the health or safety of other students or staff members is prohibited. If a school/council chooses to develop a dress code, it shall be consistent with Board standards set out in the District's Code of Acceptable Behavior and Discipline, which shall include, but not be limited to, the following standards of dress:

1. A clean and neat appearance is required for all students.
2. All students shall wear shoes.
3. No hats or headdresses may be worn in school unless they are worn for religious reasons.
4. Prohibited are the see-through, peek-a-boo or nude looks. No student may wear as an external garment any of the following:
 - a. swimwear;
 - b. sleepwear;
 - c. tank tops;
 - d. halter tops;
 - e. garments which expose the bare midriff or back;
 - f. torn articles of clothing;
 - g. transparent clothing without appropriate undergarments; or clothing with holes above the knee.
5. Shorts cannot be more than three (3) inches above the knee. Those of a shorter length which are worn in physical education classes or athletic events may be acceptable while students engage in such activities.
6. Sunglasses shall not be worn inside the school building without a medical excuse; a doctor's note must be presented beforehand.
7. Skirts and culottes cannot be more than three (3) inches above the knee.
8. Jewelry and other forms of ornamentation may be worn as long as they do not make distracting noises, espouse violence, promote vulgarity or endorse illegal activities.
9. No visible body piercing other than the ears.
10. Clothing designed to fit at the waist shall be worn at normal waist level (no sagging or exposing undergarments).
11. Biking apparel shall not be worn.

Repeated violations of the personal appearance code may result in suspension from school and referral of the students to the Board.

ATTENDANCE

Ohio County Schools Attendance Philosophy

The progress of a student at school depends on punctuality and regularity of attendance. The district believes that attendance is a student/parent/guardian responsibility. Regular attendance in class is necessary if students are to receive adequate guidance through their class work and benefit from the discussions. All students are expected to be on time and attend class every day that school is in session. The intent of this attendance procedure for Ohio County Schools is to provide a structure within which students can gain maximum benefit from the instructional program, even when the student must be absent from school.

The TDP is composed of two phases:

Precomplaint Phase. If a student is truant, meaning the student has been absent or tardy three or more times without a valid excuse, the student and his or her parents/guardian/custodian must meet the TDP team and attend an educational workshop. This is considered the Precomplaint Phase.

Complaint Phase. The second phase is the Complaint Phase and begins once a student is reported truant two or more times. At that point the student is considered habitually truant and the CDW fills out a complaint on the student. The student and his or her parent/guardian/custodian must meet with the TDP team and attend an educational workshop. During this phase, the student and his/her parent/guardian/custodian must attend weekly sessions with the TDP review team, and comply with the recommendations and requirements set forth by the team. The Complaint Phase includes 10 sessions.

Note to Parents

It is very important to exercise "good planning" in regard to daily attendance. As the past has indicated, the flu season usually affects many of our students. A child with the flu will usually be out of school for 3 to 5 days. Good planning means having outstanding attendance for the non-flu season so that when sickness occurs, a student will have the expected number of days that most students will be out of school due to illness. A minimal number of absences are allowed, therefore, it is important that students not miss school unnecessarily.

KRS on Attendance

KRS 59.010

Except as provided in KRS 159.030, each parent, guardian, or other person residing in the state and having custody or charge of a child who has entered Primary School or any child between the ages of six (6) and sixteen (16) shall send the child to a regular public day school for the full term that the public school of the district in which the child resides is in session, or to the public school that the board of education makes provisions for the child to attend.

Definition of Truancy

KRS 59.150

Any child who has been absent from school without valid excuse for three (3) or more days, or tardy on three (3) or more days, is a truant. Any child who has been reported as a truant two (2) or more times is a habitual truant.

Truancy Diversion Program

WHY?

The purpose of the Truancy Diversion Program (TDP) is to identify students who are at risk of being referred to Family Court for truancy charges. These are students who have missed the allotted number of days and who are at risk of court involvement. This program is designated to help students, with the assistance of their families, develop good attendance habits which enhance their potential for success in school.

WHO?

The Court Designated Worker (CDW) Program of the Administrative Office of the Courts facilitates the Truancy Diversion Program with the assistance of the TDP Review Team. The Review Team consists of school personnel and the Director of Pupil Personnel (DPP).

WHEN?

The TDP meetings will be held weekly/bi-weekly on a designated day and time at the participating school and will last for approximately one hour, depending on site needs.

WHAT?

During the weekly/bi-weekly TDP meetings, the Review Team will review the student's school attendance, behavior reports and grades. The team will identify any problem areas and develop a detailed plan of action for the family. The team will also offer support, incentives and affirmation for participating.

KRS on Primary School

KRS 58.030

"Any child who is five (5) years of age, or who may become five (5) years of age by October 1, may enter a public school Primary Program." Students under six (6) years of age who have attended first year Primary for two months shall be subject to compulsory attendance laws.

Attendance Clarification and Requirements

A. Definition of an absence

An absence is defined as missing all or any part of the school day, including all scheduled activities. Tardiness is treated the same as an absence according to KRS 159.150.

B. Valid reasons a student may miss school:

1. Illness of a student;
2. Death or severe illness in the student's immediate family;
3. Participation in school-related activities approved by the Principal; and
4. Other valid reasons considered to be beyond control of the student or parent such as the following:
 - a. Verified doctor or dentist appointment
 - b. Orders of the court
 - c. Transportation (failure of the bus to run)
 - d. Driver's License test (1/2 day excused)
 - e. Pre-arranged absence

C. Unexcused absences

Absences from class which may not be excused are:

- a. Truancy
- b. Indifference of parents/guardians
- c. Working
- d. Transportation (missed bus)
- e. Distance
- f. Suspension
- g. Baby sitting
- h. Overslept
- i. Out of town
- j. Juvenile detention – jail
- k. No reason given

D. Procedure to obtain an excused absence

When a student must be absent from school, it is the responsibility of the parent/guardian to send a written note to school explaining the reason for the student's absence. The note should be sent on the day the student returns to school. If after two (2) school days, the parent fails to furnish a written note, the absence will be marked unexcused.

E. Make-up work

Students having excused absences with acceptable documentation shall be allowed to make up work. It is the responsibility of the student and/or parent/guardian to contact the teacher concerning make-up work. For each day the student has an excused absence, he/she will receive two days to complete make-up work. Additional time may be given for extenuating circumstances at the discretion of the teacher. Students having unexcused absences or suspensions will be allowed to complete work in order to keep up with classmates. However, credit will not be given. Any project or homework assigned before a suspension occurs will be accepted for credit. However, any material due during the suspension will be the responsibility of the student or parent/guardian to turn in at the school office by the due date. Long term projects assigned during the suspension, but not due until a date after the suspension ends will be accepted.

F. Home/Hospital Instruction

A student whose physical or mental condition prevents, or renders inadvisable, attendance at school, for a period of more than 5 consecutive days, may be eligible to receive home/hospital instruction. The student's condition must be verified by a medical statement signed by a physician.

G. Pre-arranged absence

An absence may be pre-arranged. When parents know in advance their children will miss school, arrangements must be made in advance through the Principal or designee. The note must show that the activity or event requires participation of the student on regularly scheduled school time. A note explaining the request for absences from the parent/guardian is required. This note should be given to the Principal or designee for approval. A pre-arranged absence form will be given to the student by the Principal or designee. The student will present it to each of the teachers for their signatures and assignments for the duration of the absences. After the form is completed, it should be returned to the office of the Principal or designee. All planned absences shall be arranged at least five (5) days in advance barring unforeseen circumstances or emergencies.

H. Tardiness

Tardiness is defined as arriving late in the morning or leaving early in the afternoon.

I. Limits on absences

Limits on absences listed in this policy shall be for the duration of the school year.

ELEMENTARY ATTENDANCE POLICY K-6) **MIDDLE SCHOOL ATTENDANCE POLICY (7-8)**

Illness of Student

Notes from home will be accepted for illness up to six (6) days. After six (6) days absence, verified by parent's statements, the parent/guardian will be required to furnish the school with a doctor's statement verifying the student's illness, funeral note or order of courts note.

Notification of Parent

Parents are notified on the 2nd unexcused absence, 4th unexcused absence and the 6th unexcused absence. The Director of Pupil Personnel shall be notified as deemed appropriate.

Appeals Committee

Parents/guardians shall have the right to appeal the Principal's decision to the school based Attendance Committee. This committee will be composed of the Principal, Teacher, and Homeroom Teacher of the student involved. The committee's function is to review individual cases in order to determine if there are extenuating circumstances that would cause a student to be absent. The committee will determine if the absences are excused or unexcused. Parents/guardians also have the right to appeal the decision of the school based committee to the Administrative Attendance Committee, consisting of the Director of Pupil Personnel and two (2) other staff members designated by the Superintendent.

Retention (20 day limit)

After twenty (20) absences (excused or unexcused), the student's attendance will become a factor for retention.

SECONDARY ATTENDANCE POLICY GRADES (9-12)

Illness of Student

Notes from home will be accepted for illnesses up to six (6) days. After six (6) days absence, verified by parent's statements, the parent/guardian will be required to furnish the school with a doctor's statement verifying the student's illness, funeral note or order of the courts note.

Notification of Parent

Parents are notified on the 2nd unexcused absence, 4th unexcused absence and the 6th unexcused absence. The Director of Pupil Personnel shall be notified as deemed appropriate.

Appeals Committee

Parents/guardians shall have the right to appeal the Principal's decision to the school based attendance committee. The school based attendance committee shall be composed of Principal, counselor, and teacher. The committee's function is to review individual cases in order to determine if there are extenuating circumstances that would cause a student to be absent. The committee will determine if the absences are excused or unexcused.

Parents/guardians also have the right to appeal the decision of the school based committee to the Administrative Attendance Committee, consisting of the Director of Pupil Personnel and two (2) other staff members designated by the Superintendent.

Students of Non-compulsory School Age (see 16 or older)

When a student who is past compulsory school age accumulates absences to the point it has a serious impact on the student's academic performance, the student will be subject to removal from school.

KRS 159.010. An unmarried child between the ages of sixteen (16) and eighteen (18), who wishes to terminate his/her education prior to graduating from high school, shall do so only after a conference with the Principal or his designee. The Principal shall request a conference with the parent/guardian. Written notification of withdrawal must be received from the parent/guardian. The parent/guardian and child shall be required to attend a one hour counseling session. During the session, the parent/guardian and student shall view a media presentation prepared by the Department of Education,

which shows economic statistics and other information on potential problems of non-graduates.

RESPONSIBILITIES UNDER THIS ATTENDANCE POLICY

A. Responsibilities of students/parents

1. Students should be on time and in attendance each day that school is in session.
2. Parents shall provide the school a written note explaining the reason for the student's absence.
3. Parents should contact the Principal if their child has an extreme or difficult medical problem that might create excessive absenteeism.
4. Students/parents should contact teachers concerning make-up work.

B. Responsibilities of the School Principal

1. Principals should identify potential attendance problems as early in the year as possible and provide individual counseling.
2. Principals should involve school system personnel, such as the Director of Pupil Personnel and guidance counselors, to assist the problem student as soon as possible.
3. Principals should notify the parent as soon as possible of potential problems with their child's attendance.
4. Principals should monitor student attendance by contacting the parent about absent students
5. Principals should notify the Director of Pupil Personnel when a student has been absent from school for three (3) days unexcused.

C. Responsibilities of the Teacher/Principal

1. The teacher/Principal should keep accurate records of student attendance
2. The teacher/Principal should keep on file the absence notes of students assigned to their homeroom or under their attendance supervision for the school year.
3. The teacher/Principal should permit students to make-up, without credit, work missed during an unexcused absence.
4. The teacher/Principal should administer make-up tests which should be significantly different from the original before or after school, when practical, so as not to detract from the regular classroom routine.
5. The teacher should notify the Principal of any attendance related problems of students.

D. Responsibilities of the Director of Pupil Personnel (DPP) and Attendance Specialist

1. The DPP/Attendance Specialist will monitor the attendance procedures of each school to see that the attendance policy is being implemented in a uniform manner and revised as needed.
2. The DPP will serve as the school system's liaison and legal representative with the

juvenile court and the Department of Human Resources in attendance matters and file any legal documents necessary for court action against students and/or parents.

3. The DPP/Attendance Specialist will visit the home of students who have been identified with serious attendance problems.

AMENDMENTS

CODE OF CONDUCT REVISED July, 2021

RESTRAINT AND SECLUSION

The Ohio County School District is committed to providing a safe, secure learning environment for all students. On February 1, 2013, 707 KAR 7:106 Use of Physical Restraint and/or Seclusion in Public Schools was enacted by the Kentucky State Legislature. The Ohio County Board of Education adopted Board Policy 09.2212 in order to be in compliance with this new regulation. If you would like a copy of this board policy, please contact Tony Minton or Christy Nofsinger at the Ohio County Board of Education at 270-298-3249 or visit our website at www.ohio.kyschools.us.

INTEGRATED PEST MANAGEMENT

The Ohio County Board of Education has implemented a program of Integrated Pest Management (IPM) in order to control pests in a way that minimizes economic, health, and environmental risks. All individuals applying pesticides will be properly certified in keeping with applicable legal requirements. If you wish to be notified 24 hours in advance of a planned pesticide application or as soon as possible when an emergency application is necessary, please register at the front office of the school.

December 9, 2020

ASBESTOS UPDATE

Ohio County Schools are committed to maintaining a safe and healthy learning environment for all employees and students in our schools. In keeping with this commitment, the Ohio County Schools employed Summit Environmental Services to conduct independent inspections and compile Management Plans for our schools according to state and federal regulations to determine the extent of asbestos-containing materials and the safety potential for such materials. The inspection revealed all facilities are asbestos free. The complete inspection report and operations and maintenance plan are available in the Administration Office at each school.

In the meantime, employees have been given specific instructions on how to avoid these materials and how to minimize any threat that might occur if asbestos-containing material is discovered in the future. We ask the cooperation of all parents and teachers in directing school children to assist us in maintaining a safe school environment. Thank you for your cooperation and we assure you that we will keep you informed of the progress of our asbestos control program.

**Billy Young
LEA Designee**

Attention: Parents/Guardians and Students

Effective with the 2019-2020 school year, [KRS 158.1559](#) mandates school principals provide written notice of [KRS 508.078](#), [532.060](#) and [534.030](#) to all students, parents and guardians of students within 10 days of the first instructional day of each school year. These three statutes are attached for easy access and dissemination and involve Terroristic Threatening in the Second Degree, which was redefined by Senate Bill 1 (2019), and associated penalties.

508.078 Terroristic threatening in the second degree.

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

(a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur;

(b) Makes false statements by any means, including by electronic communication, for the purpose of:

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

(c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or

(d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.

(2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.

(3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.

(4) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.

(5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 5, sec. 20, effective March 11, 2019.; and ch. 96, sec. 1, effective June 27, 2019. -- Amended 2019 Ky. Acts ch. 96, sec. 1, effective June 27, 2019 -- Created 2001 Ky. Acts ch. 113, sec. 2, effective June 21, 2001.

Legislative Research Commission Note (6/27/2019). This statute was amended by 2019 Ky. Acts chs. 5 and 96, which do not appear to be in conflict and have been codified together.

532.060 Sentence of imprisonment for felony -- Postincarceration supervision.

(1) A sentence of imprisonment for a felony shall be an indeterminate sentence, the maximum of which shall be fixed within the limits provided by subsection (2), and subject to modification by the trial judge pursuant to KRS 532.070.

(2) Unless otherwise provided by law, the authorized maximum terms of imprisonment for felonies are:

- (a) For a Class A felony, not less than twenty (20) years nor more than fifty (50) years, or life imprisonment;
- (b) For a Class B felony, not less than ten (10) years nor more than twenty (20) years;
- (c) For a Class C felony, not less than five (5) years nor more than ten (10) years; and
- (d) For a Class D felony, not less than one (1) year nor more than five (5) years.

(3) For any felony specified in KRS Chapter 510, KRS 530.020, 530.064(1)(a), or 531.310, the sentence shall include an additional five (5) year period of postincarceration supervision which shall be added to the maximum sentence rendered for the offense. During this period of postincarceration supervision, if a defendant violates the provisions of postincarceration supervision, the defendant may be reincarcerated for:

(a) The remaining period of his initial sentence, if any is remaining; and

(b) The entire period of postincarceration supervision, or if the initial sentence has been served, for the remaining period of postincarceration supervision.

(4) In addition to the penalties provided in this section, for any person subject to a period of postincarceration supervision pursuant to KRS 532.400 his or her sentence shall include an additional one (1) year period of postincarceration supervision

following release from incarceration upon expiration of sentence if the offender is not otherwise subject to another form of postincarceration supervision. During this period of postincarceration supervision, if an offender violates the provisions of supervision, the offender may be reincarcerated for the remaining period of his or her postincarceration supervision.

(5) The actual time of release within the maximum established by subsection (1), or as modified pursuant to KRS 532.070, shall be determined under procedures established elsewhere by law.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 2, sec. 38, effective June 8, 2011. -- Amended 2006 Ky. Acts ch. 182, sec. 65, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 606, sec. 70, effective July 15, 1998. -- Created 1974 Ky. Acts ch. 406, sec. 278, effective January 1, 1975.

534.030 Fines for felonies.

(1) Except as otherwise provided for an offense defined outside this code, a person who has been convicted of any felony shall, in addition to any other punishment imposed upon him, be sentenced to pay a fine in an amount not less than one thousand dollars (\$1,000) and not greater than ten thousand dollars (\$10,000) or double his gain from commission of the offense, whichever is the greater.

(2) In determining the amount and method of paying a fine for commission of a felony, the court shall consider, among others, the following factors:

(a) The defendant's ability to pay the amount of the fine;

(b) The hardship likely to be imposed on the defendant's dependents by the amount of the fine and the time and method of paying it;

(c) The impact the amount of the fine will have on the defendant's ability to make reparation or restitution to the victim; and

(d) The amount of the defendant's gain, if any, derived from the commission of the offense.

(3) When a defendant is convicted of two (2) or more felonies committed through a single act and is sentenced to fines pursuant to subsection (1), the aggregate amount of the fines shall not exceed ten thousand dollars (\$10,000) or double the amount of the defendant's gain from commission of the offenses, whichever is the greater.

(4) Fines required by this section shall not be imposed upon any person determined by the court to be indigent pursuant to KRS Chapter 31.

(5) This section shall not apply to a corporation.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 403, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 497, sec. 6, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 101, sec. 7, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 406, sec. 292, effective January 1, 1975.