

**PARENT/GUARDIAN/CUSTODIAN VERIFICATION FORM**

**ELLIOTT COUNTY SCHOOLS  
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE,  
STUDENT GUIDE, AND  
ATTENDANCE POLICIES**

**VERIFYING RECEIPT**

**\*\*This form should be returned to the student's homeroom teacher.\*\***

**I have received and read the Code of Acceptable Behavior and Discipline, Student Guide, and Attendance Policies of the Elliott County School System.**

\_\_\_\_\_  
**Student's Printed Name**

\_\_\_\_\_  
**Student's Signature (required for grades 7-12)** **Date**

\_\_\_\_\_  
**Parent/Guardian/Custodian Printed Name**

\_\_\_\_\_  
**Parent/Guardian/Custodian Signature** **Date**



# **ELLIOTT COUNTY BOARD OF EDUCATION**

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## **M E M O R A N D U M**

**TO:** Parents/Guardians

**FROM:** Debbie Stephens, Superintendent

**SUBJECT:** Code of Conduct – Student Guide

**DATE:** July 16, 2019

This Code of Acceptable Behavior and Discipline—Student Guide was officially reviewed and updated by the Elliott County Board of Education at a regular meeting of the Board held July 16, 2019. Please read and become familiar with this document.

If you have questions or need further clarification concerning this Code of Acceptable Behavior and Discipline—Student Guide, please contact your child's principal or this office.

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# **CODE OF ACCEPTABLE BEHAVIOR & DISCIPLINE—STUDENT GUIDE**

## **ELLIOTT COUNTY SCHOOLS**

As Adopted  
July 12, 1993

**Revised:** August 9, 1996; September 12, 1997; August 13, 1999; August 12, 2000; July 13, 2001; August 9, 2002; July 11, 2003; July 16, 2004; July 8, 2005; July 14, 2006; July 13, 2007; July 11, 2008; July 10, 2009; July 16, 2010; July 15, 2011; July 20, 2012; July 15, 2013; July 14, 2014; July 20, 2015; July 21, 2016; July 18, 2017; July 18, 2018; July 16, 2019

### **DEVELOPMENT AND REVIEW**

The Code of Conduct—Student Guide for the Elliott County Schools was developed and revised by a committee after a careful review of applicable federal and state laws, Kentucky Administrative Regulations, and Conduct Codes—Student Guides currently being used throughout the country. This will be reviewed annually after the close of each school year and any necessary or desirable changes will be implemented prior to the opening of the next school year.

### **ORIENTATION**

Orientation of the public and school community shall be done at the beginning of each school year or upon initial entrance into the system. On-going activities shall be utilized in order to keep appropriate parties appraised and informed.

Students will receive specific oral instructions upon entering school each year. Students will be provided a copy of the “Code of Acceptable Behavior and Discipline—Student Guide” as either a separate document or incorporated into a student handbook. Copies will also be available for distribution or review in the superintendent’s office, school principal or counselor’s office, as well as the school library.

Parents will receive a copy of the Student Guide by one of the methods described above. In addition, appropriate administrators and teachers will be available for organizations that would like a presentation, clarification or explanation.

Initial introduction of the Student Guide to teachers will be at Opening Day each school year. All teachers will receive a written copy as well as explanatory instructions and an opportunity for asking questions. The school principal/administrator will provide on-going information as needed or requested.

## **STATEMENT OF NON-DISCRIMINATION**

As required by federal law, the District does not discriminate on the basis of race, color, national origin, sex, genetic information, disability, or age in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Notice of the name, work address, and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

## **STATEMENT OF PHILOSOPHY**

It is the intention of the Elliott County Board of Education to provide a safe environment where learning can take place without unnecessary confusion, disruption or misunderstanding; a place where children can enjoy positive interactions with their peers as they develop knowledge, skills and experiences, providing a successful transition into adulthood. In order to bring about these goals, students, teachers and parents/guardians/custodians must have a clear understanding of the rules of conduct necessary in our educational society. It is expected that this Code of Acceptable Behavior & Discipline—Student Guide will provide all interested parties with the guidelines established for that purpose. When these guidelines are uniformly followed and enforced with attention to possible extenuating circumstances, the quality of the educational program and product cannot but help be improved. Consistent enforcement of the Code of Conduct—Student Guide and school rules should be utilized at all times.

### **STUDENTS SHOULD EXPECT THE OPPORTUNITY FOR:**

- A. A system of public education that meets the needs of the individual student.
- 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 the students have the right to seek and hold office.
- F. Involvement in school activities without being subject to discrimination.
- G. Respect from other students and school personnel.
- H. Presentation of complaints of grievances to school authorities and receipt of replies from school officials regarding such matters.
- I. Academic grades based on academic performance.
- J. Examination of personal school records by their parents/guardians or authorized representatives. This right transfers to the student at age 18. In addition, students/guardians/custodians may seek correction of student record information deemed inaccurate.

- K. Students, parents and/or guardians to file grievances as provided in general board policies

**PARENTS/GUARDIANS HAVE THE RESPONSIBILITY:**

- A. To instill in their children the values of an education.
- B. To instill in their children a sense of responsibility.
- C. To help children understand that disruptions in the school are detrimental to the educational program of all students.
- D. To become familiar with the educational program and procedures.
- E. To inform children about the disciplinary procedures of the school and emphasize the importance of following rules.
- F. To see that children attend school regularly and promptly.
- G. To determine the facts of any situation before passing judgment.
- H. To recognize that school personnel must concern themselves with education.
- I. To support the good efforts of the school personnel.
- J. To demonstrate respect for the teachers, administrators, and school personnel at school and all school related activities.

**TEACHERS HAVE THE RESPONSIBILITY TO:**

- A. Present subject matter and experiences to students and to inform students and parents/guardians/custodians of achievement and/or problems.
- B. Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
- C. Assist in the administration of such discipline as necessary to maintain order throughout the school without discrimination.
- D. Evaluate students' assignments and return them within a reasonable time frame.
- E. Exhibit exemplary behavior or work of students/Reward exemplary behavior or work of students.
- F. Exhibit neatness and cleanliness of personal dress and hygiene.
- G. Maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students.
- H. Recommend for retention in a class any student who fails to meet the basic standards.
- I. Maintain necessary records of student's progress and attendance as accurately as possible.
- J. Follow and enforce rules and regulations of the Board of Education and/or school administration.
- K. Care for the equipment and physical facilities of the school.

**TEACHERS HAVE THE RIGHT TO:**

- A. The support of co-workers, administrators and parents.
- B. Work in an educational environment with a minimum of disruptions.
- C. Expect all assignments, including homework, to be completed.

- D. Remove any student from class, whose behavior significantly disrupts a positive learning environment, for no more than one class period during which time the student will be in the office or other designated area.
- E. Safety from physical harm and freedom from verbal abuse.
- F. Provide input to aid in the formulation of policies that relate to their relationship with students and school personnel.
- G. Take action necessary to protect their own person and property or that of persons in their care.
- H. Be involved with parents/guardians/custodians on student behavior counseling, as well as with the principal and/or counselor.

**PRINCIPALS/ADMINISTRATORS HAVE THE RIGHT TO:**

- A. The support of students, parents/guardians/custodians, and teachers in carrying out the educational programs and policies established by the school system.
- B. Provide input for the establishment of procedures and regulations that relate to the school.
- C. Safety from physical harm and verbal abuse.
- D. Take necessary action in emergencies to protect their own person or property or the persons or property of those in their care.
- E. Impose discipline action for any student whose conduct is in violation of this code of acceptable behavior and discipline.
- F. Utilize the Alternative Program for discipline cases as an alternative to suspension.
- G. Administer the school environment to provide the proper learning atmosphere.
- H. Utilize In-School Suspension Program (ISS) for discipline cases as an alternative to suspension.
- I. Utilize Saturday School for discipline cases as an alternative to suspension.

**PRINCIPALS/ADMINISTRATORS HAVE THE RESPONSIBILITY TO:**

- A. Create and foster an atmosphere of mutual respect and consideration among pupils and staff members.
- B. Administer discipline fairly and equally, following the guidelines set forth herein, but in doing so use his/her own best judgment.
- C. Exhibit exemplary behavior in action, dress, and speech.
- D. Implement and evaluate all aspects of the educational program to improve learning and comply with policies, regulations, procedures, and laws of the district, state and federal government.
- E. Direct a program of dissemination of information explaining the Code of Conduct to the school community.

**SUPERVISION OF STUDENTS**

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 non-faculty coach or non-faculty assistant may accompany students on athletic trips as provided in statute. Students shall not be excused to leave the school grounds for lunch.

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

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extra-curricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on 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 (09.221).

<b>Discipline Event and Resolution Levels</b>			
<b>Due process shall be given at each level.</b>			
<b>LEVEL 1</b>	<b>LEVEL 2</b>	<b>LEVEL 3</b>	<b>LEVEL 4</b>
<p><b>Description:</b> Behaviors which impede orderly classroom procedures, or interferes with the orderly operation of the school.</p> <p><b>Procedures:</b> Teacher/staff intervention and redirection. Event and resolution are maintained by teacher either formally or informally.</p>	<p><b>Description:</b> More frequent or severe behaviors which impede orderly classroom procedures or interferes with the orderly operation of the school.</p> <p><b>Procedures:</b> Administrator investigates behavior event and interviews necessary participants. Parent conference may be held. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.</p>	<p><b>Description:</b> Behaviors that are directed against persons or property, but do not seriously endanger the health or safety of others.</p> <p><b>Procedures:</b> Administrator investigates behavior event, interviewing all necessary participants. Parents are contacted. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.</p>	<p><b>Description:</b> Behaviors which result in violence to another's person or property, or which pose a direct threat to the health or safety of others.</p> <p><b>Procedures:</b> Administrator investigates behavior event, interviewing all necessary participants. Parents are notified. Administrators may call Law Enforcement and assist in prosecution. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.</p>
<b>(LEVEL 1) BEHAVIOR EVENT EXAMPLES</b>	<b>(LEVEL 2) BEHAVIOR EVENT EXAMPLES (and continued Level 1 behaviors)</b>	<b>(LEVEL 3) BEHAVIOR EVENT EXAMPLES (and continued Level 1 and Level 2 behaviors)</b>	<b>(LEVEL 4) BEHAVIOR EVENT EXAMPLES (and continued Level 1, 2, and 3 behaviors)</b>

Tardy to class Dress code violation Failure to complete assignments Disruptive behavior Failure to follow staff instructions Electronics/Cell phone infraction Inappropriate displays of affection Verbal harassment	Bus disturbance Bullying Cyberbullying Harassment Hazing Menacing Harassing communication Stalking	*Fighting (1 <sup>st</sup> offense) Vandalism (< \$100) Stealing, Theft (< \$100) Profanity or Vulgarity Inappropriate sexual behavior Cheating Failure to serve assigned ISS **Assault-Felony	*Fighting (2 <sup>nd</sup> offense and over) **Assault-Felony Assault-Misdemeanor **Terroristic Threatening (Bomb Threat, Arson, False Alarms) **Vandalism (> \$100) **Stealing, Theft (>\$100)
	Cheating Disruptive behavior Failure to follow staff instructions Electronics/Cell phone infractions Gambling Inappropriate behavior Leaving campus Signing parent/staff note or excuse Skipping school Truancy (4 <sup>th</sup> school tardy or 4 <sup>th</sup> unexcused absence) Tobacco—possession or use	Assault-Misdemeanor Violation of Computer Access (AUP)	**Arson **Weapons possession/use/transfer **Fraud or falsely reporting an incident **Drug distribution (Includes alcohol, controlled substances, inhalants, prescriptions.) **Drug Possession/Use (Includes alcohol, controlled substances, inhalants, nonprescription, look-alike drugs) **Distribution, possession, and/or use of intoxicating substances, including but not limited to, synthetic marijuana, bath salts, or any simulated controlled substance
<b>BEHAVIOR RESOLUTION OPTIONS</b>	<b>BEHAVIOR RESOLUTION OPTIONS (by an administrator)</b>	<b>BEHAVIOR RESOLUTION OPTIONS (by an administrator)</b>	<b>BEHAVIOR RESOLUTION OPTIONS (by an administrator)</b>
Verbal redirection Privileges withheld Special seating Behavior charting Conference with student Team conference with student Parent contract/conference In School Suspension (ISS)	Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer counseling Detention hall Driving privileges revoked Extended ISS Restricted activity Behavior contract	Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer counseling Detention hall Driving privileges revoked Extended ISS Restricted activity Behavior contract Restitution Out of school suspension Alternative placement Referral to Law Enforcement Expulsion	Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer counseling Detention hall Driving privileges revoked Extended ISS Restricted activity Behavior contract Restitution Out of school suspension Alternative placement Referral to Law Enforcement Expulsion

\*A physical struggle, contact, or quarrel where no participant is identified as a victim.

\*\*These behavior events require reports to Law Enforcement.

## **BULLYING**

Bullying includes behavior commonly understood as bullying, as well as cyberbullying, hazing, menacing, harassing communications, stalking, and other abusive behavior toward students or staff members. All types of bullying behaviors are strictly prohibited because every student and staff member deserves a safe environment in which to work and learn. This School District is committed to dealing with bullying behaviors in our schools to create a safe environment.

### **Bullying:**

Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated: 1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or 2. That disrupts the education process. This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

Bullying encompasses a continuum of behavior. Examples of behaviors that fall into this category include, but are not limited to: inappropriate and unwanted physical contact (including hitting, kicking, shoving, and pushing); intimidating and threatening comments (oral, written, or electronic); name calling or put-downs (selecting or using a nickname which is intended to embarrass or humiliate); manipulation or coercion of another student to do something the student does not want to do; setting someone up to be bullied or encouraging a student to engage in bullying; sharing or starting rumors or gossip; hurtful teasing or making fun of someone; hiding or destroying someone's belongings; or shunning or excluding someone from a group or activity in order to embarrass or humiliate the person.

### **Cyberbullying:**

Cyberbullying involves the use of information and communication technologies such as e-mail, text messages, instant messaging, personal Websites, blogs, online games, and online personal polling Web sites to support deliberate, repeated, and hostile behavior by any individual or group, that is intended to harm others by communicating threats, by revealing private or embarrassing information, by conveying false information which can be reasonably anticipated to cause embarrassment, or to accomplish any of the purposes of bullying. This can include the use of any device which records audio, video, or still images of another person for no legitimate purpose, or the use of audio, video, or still images of another person for purposes prohibited by the Code of Acceptable Behavior and Discipline.

### **Hazing:**

Hazing involves behavior used as a way of initiating new members into a group. It usually consists of some ritualistic test involving the new member being required to perform a task or a series of tasks which are intended to be demeaning, degrading, harmful, or

embarrassing to the new member or which require the new member to engage in conduct toward others which is demeaning, degrading, harmful, or embarrassing. Hazing can include the forced or coerced consumption of drugs or alcohol or the forced or coerced performance of lewd or suggestive acts.

Menacing:

Menacing involves actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury. Menacing is exemplified by the raising and drawing back of a hand or fist in order to make the other individual believe they are about to be slapped or punched, or the swinging or jabbing of a hand toward someone to cause them to flinch, duck, or raise their hands in anticipation of being struck.

Harassment:

Harassment involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

1. striking, shoving, kicking, or other physical contact with another person;
2. the attempt to strike, shove, kick, or engage in other physical contact toward another person;
3. using an offensively coarse utterance, gesture, or display toward another person;
4. addressing abusive language toward another person;
5. following a person in or about a public place or places;
6. engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy another person which serves no legitimate purpose; or
7. damaging or committing theft of the property of another student; substantially disrupting the operation of the school; or creating a hostile school environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.

Harassing Communications:

Harassing Communication involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

1. communicating 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;
2. making a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or
3. communicating with or about another student, anonymously or otherwise, by telephone, the Internet, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

Stalking:

Stalking involves intentional conduct which is directed at a specific person or persons; which seriously alarms, annoys, intimidates, or harasses the person or persons; which serves no legitimate purpose, and which would cause a reasonable person to suffer substantial mental distress. Stalking does not involve merely following another person or regularly observing another person's actions, but includes behavior which conveys a threat of harm to the other person or which can be reasonably anticipated to cause the other person to fear harm.

Conduct fitting the above definitions and other similar definitions which injures, degrades or disgraces the victim, disrupts the educational process and/or interferes with other students' opportunities to obtain an education, will be subject to disciplinary action. Students should generally maintain a "hands-off" policy with regard to other persons' bodies and possessions, and no student should engage in behavior toward someone else which they would not want directed toward themselves. For the remainder of this section, all of these behaviors will be generally referenced as "bullying."

Students who witness these behaviors or who are subject to these behaviors are encouraged to report the behavior to a teacher or other staff member. Efforts will be made, if possible, to protect the confidentiality of anyone making a report. Retaliation against a student who has made a report of bullying will be treated as a violation of this section as well.

"Harassment" and "Harassing Communications" under the category of "Bullying" are separate from the definition of "Harassment/Discrimination" which involves behavior based on race, color, national origin, age, religion, sex, or disability. However, a report of a violation of this section will be evaluated by school personnel to determine whether it should be treated as a report of harassment/discrimination, which would require an investigation under the "Harassment/Discrimination" section of this code of Acceptable Behavior and Discipline.

### **SATURDAY SCHOOL**

Saturday School provides a constructive and meaningful alternative to suspension. It is important in modifying student behavior that the student remains in school as much as possible. By requiring students to correct misbehavior on their own time rather than taking time away from school, Saturday School will serve as a deterrent. Saturday School offers students a provisional educational program that allows them to make up work missed due to excessive absences.

Parents/guardians/custodians will be notified when a child has been assigned Saturday School. Saturday School will meet in the designated school with assigned teacher(s). No lunch facilities are available. Students are responsible for bringing lunches. They will not be permitted to leave the campus.

Saturday School is from 9:00 am to 1:00 pm. The principal will have the option of assigning more than one day depending on the severity of the offense. Pupils who are tardy to Saturday School will be assigned additional time in Saturday School. There will be a morning and afternoon break permitted by the teacher in charge. Pupils are not permitted

to talk without permission from the teacher. No drinks or snacks are permitted in the room at any time.

All makeup work that is completed while in Saturday School will be counted toward a grade. Students will be responsible for bringing assignments to be completed due to school/class absence or tardiness. Failure to do assigned work or cooperate with the teachers may result in additional time in Saturday School. Additional skills will be part of the Saturday School curriculum such as basic skills in reading and math, study skills and behavior management skills. Parents/guardians/custodians are strongly encouraged to attend the last hour of each Saturday their child is in attendance, as family involvement/social skills will be addressed. Student refusal to attend Saturday School will be viewed as insubordination and will result in further disciplinary action.

Transportation to Saturday School is the responsibility of the student and his/her parent/guardian. Students will not be permitted to use the telephone except in an emergency. Families should have transportation plans in place.

Valid reasons for absence from Saturday School include: 1) family death or emergency, and 2) medical emergency or illness verified by a health care professional.

All school rules apply while in Saturday School.

Saturday School does not do away with suspension as a viable alternative for discipline. Gross violations may still necessitate suspension. Pupils who are issued several Saturday School days without correction of the problem may be considered beyond control and eligible for suspension or expulsion from school.

The following characteristics/criteria will be used in determining whether a student is a candidate for Saturday School:

- Students at risk of academic failure as measured by formal and informal data.
- Students who engage in continued acts of disruptive behavior or drug-related problems as measured by school records or court reports.
- Placement by the court system.
- Students who have chronic truancy problems as measured by attendance reports and other data provided by the district's Director of Pupil Personnel.

It is of utmost importance that the goal of this program be in the forefront at all times – increasing student achievement and self-esteem and decreasing the factors that lead to dropping out of school.

### **SUSPENSION**

All students have specific rights related to due process when they encounter a suspension or expulsion procedure. A pupil shall not be suspended until after at least the following due process procedures have been provided:

1. The pupil has been given oral or written notice of the charge or charges against him/her that constitutes cause for suspension.
2. The pupil has been given an explanation of the evidence of the charge or charges if the pupil denies them.
3. The pupil has been given the opportunity to present his/her own version of the facts relating to the charge or charges.

These due process procedures shall precede any suspension unless immediate suspension is essential to protect persons or property to avoid disruption of the on-going academic process. In such cases, the due process procedures outlined above shall follow the suspension as soon as practical, but no later than three (3) school days after the suspension.

### **EXPULSION**

The Elliott County Board of Education has the right to expel any student whose misconduct falls into the appropriate category as shown in this code. Before expulsion, the parent/guardian/custodian and child have a right to a hearing before the Board of Education. The decision of the Board shall be final. As a result of the violation, the principal may recommend expulsion of the student to the superintendent who, in turn may schedule a hearing. Prior to the scheduling of the hearing the pupil will be given a written notice of the charge(s) which constitute cause for expulsion, be advised of the right and opportunity to present witnesses on his/her behalf: and be advised of the opportunity for a hearing before the Board. The Superintendent shall present to the Board for its approval options for providing educational services to expelled students.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others; the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drugs or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others (09.435).

### **EXPELLED/CONVICTED STUDENTS**

The parent/guardian/custodian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five working days of official notification that a student has requested enrollment in the new school.

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

### **IN SCHOOL SUSPENSION (ISS)**

ISS provides a beneficial and meaningful alternative to suspension. It is important in modifying student behavior that the student remains in school as much as possible. ISS is a temporary isolation of a student from one or more classes while under supervision. It may be imposed by the principal or designee for violation of school rules or policies where the infraction does not necessarily warrant another form of discipline. Students under the Individuals with Disabilities Education Act (IDEA) P.L. 105-17 must be placed in ISS consistent with forgoing statutory provisions and any and all applicable statutes.

### **STUDENT SEARCHES**

School officials have the right to search students or their property, if a reasonable suspicion exists that the search may reveal evidence the student has violated a school rule, Board policy, or the law. The purpose of searching students, their belongings, lockers, desks, or automobiles is to protect the safety and property of others. Additionally, a search may be made to maintain the ongoing educational process of the school. In no instance shall the school official strip-search any student.

### **DRESS AND APPEARANCE**

The wearing of any attire, cosmetics, presentation of extraordinary personal appearance, or any unsanitary body conditions that significantly disrupts school work, interrupts scholastic endeavors, or threatens the health of other pupils is prohibited. Please refer to individual school's SBDM dress and appearance policies for information specific to that school.

### **SPECIAL EDUCATION**

In cases involving sanctions short of suspension, students with disabilities are generally subject to this code as any other student unless the program devised by the child's Admissions and Release Committee provides otherwise. Suspension and expulsion may be discipline options insofar as they are consistent with the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. ~ 1400 et.seq. and corresponding state law and regulations.

In addition, children identified with disabilities may be subject to placement in interim alternative educational settings in the case of disciplinary infractions involving dangerous

weapons or drugs insofar as consistent with the forgoing statutory provisions. (See particularly KRS 158.150 and 20 U.S.C. section 1415(K)G.)

## WEAPONS

**Weapons Prohibited**—This policy applies to all persons on school property, per KRS 527.070. Knowingly carrying, bringing, using, or possession of any (dangerous or deadly) weapon or dangerous instrument in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited.

**Dangerous Weapons**—A dangerous weapon is any device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury. **Knives—including pocket, hunting, and multi-tools—are included in the list of weapons prohibited at school.** Violation of this policy by students shall require that the principal immediately make a report to the superintendent, who shall determine if charges for expulsion from the school district should be filed under Policy 09.435. Violations by visitors shall be reported to a law enforcement agency.

**Federal Requirements**—The penalty for students bringing a firearm or destructive device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under policy 09.435. However, the board may modify such expulsions on a case-by-case basis. Any student who brings to school a firearm or weapon, as defined by federal law, may be referred to the criminal justice or juvenile delinquency system.

**Exceptions**—An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.

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

1. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
2. any knife other than an ordinary pocket knife or hunting knife;
3. billy, nightstick or club;
4. blackjack or slapjack;
5. nunchaku karate sticks;
6. shrunken or death star;
7. artificial knuckles made from metal, plastic, or other similar hard material.

**Enforcement**—In the enforcement of this policy, principals may be authorized, if they have reasonable suspicion, to conduct searches in compliance with applicable board policies.

### **ATTENDANCE POLICY**

It is the policy of the Elliott County Board of Education to enforce all laws pertaining to the compulsory attendance of all students enrolled in the District. We expect every student to be in attendance each day that school is in session, in class on time, and participating in a full day of instruction. We believe that attendance is the student's and parent/guardian's responsibility, with the support provided by the school.

Individual schools shall encourage good attendance and follow-up on student absences. (See your school's "Student Information Packet" for more details.) If a determination of excused absences cannot be made, it will be reported to the Director of Pupil Personnel who will ascertain the reason for the absences and assist in eliminating any problems encountered. If efforts to correct the attendance are not successful it will be necessary to proceed against the child/parent/guardian in an appropriate court of law as prescribed by officers of the court and state law.

Any student who is absent from school for the day must submit a **WRITTEN** excuse to the principal/designee the first day the student is in attendance. Any student who is absent from school any portion (sign-in/sign-out) should submit a written excuse to the principal/designee the first day the student is in attendance. **The maximum number of written excuses (parent notes) is FIVE (5).**

#### **Parent Or Custodian To Send Child To School (KRS 159.010) / Age Limits For Compulsory Attendance**

Except as provided in KRS 159.030, each parent, guardian, or other person residing in the state and having custody or charge of any child between the ages of six (6) and eighteen (18) 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 school that the board of education of the district makes provision for the child to attend). A child's age is between six (6) and eighteen (18) when the child has reached his sixth birthday and has not passed his eighteenth birthday.

SB 35 (April 2006) clarifies that a student who is at least 5 years of age can enter and advance in the primary program if the student is determined to have acquired the academic and social skills taught in kindergarten as determined by local board policy.

704 KAR 5:060 states that 5-year-old Kindergarten students' parent/guardians can be subject to the Compulsory Attendance Law. This regulation applies only after the first two (2) months of school to allow for withdrawal of 5-year-olds demonstrating a lack of maturity or readiness for beginning the primary school program. The Elliott County School District mandates a full day kindergarten program.

## **ABSENCES**

**In accordance with revisions to 702 KAR 7:125 and effective July 1, 2006, attendance for all students will be calculated based on the actual time the student is absent from school. A student who is absent for sixty (60) minutes or less of the regularly scheduled school day is tardy.**

VALID (EXCUSES) ABSENCES may include the following:

- Death in student's immediate family\* - requires note from parent/guardian
- Illness of an immediate family member\* requiring the treatment of a health care professional – requires note from parent/guardian
- Attendance at a funeral of an immediate family member<sup>1</sup> - requires note from parent/guardian
- Family emergency – requires note from parent/guardian
- Court appearances requiring the student's presence – requires note
- Driver's permit/license – ½ day only
- Religious holiday – requires note from parent/guardian
- Illness of student – requires note from parent/guardian
- Medical or dental appointments (only a portion of the day should be used and students must bring to school a statement showing that they kept the appointment)
- Documented military leave
- One day prior to departure of parent/guardian called to active military duty
- One day upon the return of parent/guardian from active military duty
- Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities

INVALID (UNEXCUSED) ABSENCES may include the following:

- Working at home/business (farming, gardening, babysitting, etc.)
- Missing the bus (oversleeping)
- Non-school trips/vacations that do not qualify as education enhancement opportunities
- Distance from school and/or bus stop

## **EXTRA-CURRICULAR PARTICIPATION**

Students should not be allowed to participate in extracurricular activities (ball, cheerleading, etc.) unless they are in attendance that day. A student not in attendance the day following any extra-curricular activity should not be allowed to participate in the next succeeding extra-curricular activity in which he/she is scheduled to participate.

## **TRUANCY**

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

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<sup>1</sup> "Immediate family" shall mean brothers and sisters, parents, grandparents, and any other blood relative who resides in the student's home.

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

Any student who has been reported as a truant two or more times is a habitual truant (KRS 159.150).

Any public school student who has attained the age of 18, but who has not reached his or her 21<sup>st</sup> birthday, will be held accountable for school attendance and subject to penalties associated with school truancy laws. The parent or guardian of a public school student who has not reached his or her eighteenth birthday will be accountable if the student fails to comply with school truancy laws. Any court-appointed guardian of a public school student who has not reached his or her twenty-first birthday will be accountable if the student fails to comply with school truancy laws (HB 72-2005 Legislative Session). KRS 159.990 states that parents, guardians, or students (depending on student ages, as described above), who intentionally fail to comply with attendance requirements shall be fined one hundred dollars (\$100) for the first offense, and two hundred fifty dollars (\$250) for the second offense. Subsequent offenses are classified as Class B misdemeanors.

Students who are absent from school should be allowed and encouraged to make up the work that they miss. If the absences are **excused**, students may make up work missed on their own time.

Elliott County Schools shall implement the following truancy procedures for students in Kindergarten through high school:

- Three (3) unexcused absences – a letter is mailed to parent/guardian/student notifying them of the unexcused absences and that the student is truant.
- Six (6) unexcused absences – a letter is mailed to parent/guardian/student and to the Director of Pupil Personnel notifying them of the unexcused absences. The Director of Pupil Personnel will serve a **FINAL NOTICE** on the parent/guardian/student. This notice states that legal action may be taken and either the parent/guardian/student will be referred to district court.

**If a Final Notice has been served, ONLY the following will be accepted as "excused absences":**

- **Doctor's excuse for the appointment time with allowance for travel time**
- **Other valid reason as determined by the Principal**

### **NO PASS/ NO DRIVE**

In addition to the sanctions previously described, the implementation of "No Pass/No Drive" (KRS 159.051) became effective August 1, 2007.

**"No Pass/No Drive" allows the denial or revocation of a student's driver's license for academic or attendance deficiencies.** Academic deficiency is defined as a student who

does not have passing grades in at least four (4) courses, or the equivalent of four courses, in the preceding semester. A student is deemed deficient in attendance when he/she has nine or more unexcused absences in the preceding semester. Any absences due to suspension shall be considered unexcused absences for the purpose of “No Pass/No Drive.”

Effective August 1, 2007, any sixteen (16) or seventeen (17) year old applying for a driver’s permit will be required to have a completed school Compliance Verification Form to verify that the student is in compliance with the components of the “No Pass/No Drive” statute. Additionally, the school is required to report sixteen (16) and seventeen (17) year old students (who hold a license or permit) to Kentucky’s Transportation Cabinet when they accumulate nine (9) or more unexcused absences or are deemed to be academically deficient.

### **REPEATED INFRACTIONS**

In dealing with repeated infractions, a series of varied consequences should be used rather than the same response over and over. If possible, the teacher or administrator should record the nature of the repeated infraction, the disciplinary action applied, and the apparent effectiveness of each method used. This information can be beneficial in several ways. For example, it can be referred to in determining what strategies to use for other infractions and it will supply documentation of the number of alternative strategies that have been used with each student. It may be necessary to increase the disciplinary action for repeated infractions when alternatives are exhausted and the repeated misconduct continues.

### **TELECOMMUNICATION AND RECORDING DEVICES**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall comply with provisions in Board policy concerning possession and use of telecommunication and recording devices. **Students are permitted to possess telecommunication devices, but shall keep them for after school use only. (Cell phones, etc. are not to be visible at any time during the school day.)** When use is permitted, the following conditions shall apply:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. 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/custodian, or to the student, if he/she has reached the age of eighteen..
2. 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.
3. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication devices. This policy applies

- to any electronic device including, but not limited to, cell phones, paging devices, beepers, and portable media players (iPods, CD players, etc.)
4. Students shall not utilize a telecommunication or recording device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

### **ACCESS TO ELECTRONIC MEDIA**

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. Because access to the Internet may expose users to items that are illegal, defamatory, inaccurate, or offensive, we require all students under the age of eighteen (18) to submit a completed Parent Permission/User Agreement Form to the Principal/designee prior to access/use. The required permission/agreement form shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations. Individuals who refuse to sign this required acceptable use document 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 technology. **Disciplinary action for violating this policy, up to and including expulsion will be enforced.**

Internet safety measures shall be implemented that effectively address the following:

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

The network administrator has the right to access information stored in any user directory, on the current user screen, or in electronic mail. The administrator may review files and communications to maintain system integrity and ensure that individuals are using the system responsibly. Users should not expect files stored on District servers to be private.

Generally, behavior including, but not limited to, the following is not permitted:

1. Sending or displaying offensive messages or pictures
2. Using obscene language
3. Harassing, insulting, or attacking others
4. Damaging computer systems, computer networks, or school/District websites
5. Violating copyright laws
6. Using another user's password
7. Trespassing in another user's folder, work, or files
8. Intentionally wasting limited resources
9. Using the network for commercial purposes

10. 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, Snapchat, Facebook, or Instagram.

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Defacing or otherwise making unauthorized changes to a District web site shall result in disciplinary action up to and including expulsion.

### **TOBACCO/ALTERNATIVE NICOTINE/VAPOR PRODUCTS**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity. HB 11 requires all local Boards to adopt and implement policies that prohibit the use of the above mentioned products at all times on or in school property and states that school employees are required to enforce the policies.

### **SCHOOL FOOD SERVICE**

The Elliott County School District strives to provide students with the best possible nutrition while they are at school because proper nutrition is important for both physical and educational development. Nourishing meals assist children in making the most of their educational opportunities.

Accordingly, it is the policy of this school system that the sale of foods of minimal nutritional value shall be prohibited throughout the school grounds between the start of the school day and the end of the last lunch period.

This prohibition applies to all food sales on school grounds in compliance with the National School Lunch Program 7 CFR Part 210.11- Competitive Food Services. Further, 702 KAR 6:090 Competitive Food and Beverage Sales and Service requirements is a necessary regulation "to ensure that students have an opportunity to fully avail themselves of at least one (1) meal planned with dietary and nutritional needs in mind." **Specifically, the sale of any food or beverage item to students in competition with the School Breakfast Program or the National School Lunch Program shall be prohibited on the school campus.**

Elliott County Schools offer school breakfasts and lunches to students each day. Breakfast and lunch are served at different scheduled periods each day. There is no charge for student meals. Adult staff members' breakfast price is \$1.75 and lunch is \$3.00. Adult non-staff members' breakfast price is \$2.50 and lunch is \$4.50.

Elliott County Schools have a closed lunch period, which means that no student is permitted to leave campus for lunch and no restaurants will be permitted to deliver to any

school campus between 7:30 a.m. and 3:30 p.m. All students are to go to the cafeteria during the lunch period. All students will return all plates and utensils to the dishwashing area and leave the table and floor in a clean condition. The lunchroom supervisor will dismiss students from the cafeteria.

### **INTEGRATED PEST MANAGEMENT**

The Elliott County Board of Education has implemented a special program of Integrated Pest Management (IPM) in order to control pests in a way that minimizes economic, health, and environmental risks via a monitoring and inspection program and the judicious use of pesticides. Those individuals applying pesticides will be properly certified in keeping with applicable legal requirements for the IPM program. The application of pesticides in the school or on school grounds during times when children are present is limited by state regulation, but there may be occasions when, after consulting with a certified pesticide applicator, the school administration determines that a pesticide application is necessary when children are present in the school. Parents or guardians who wish to receive a telephone call prior to the application of pesticides in the school when children are present or who wish to be notified twenty-four (24) hours in advance of a planned pesticide application, other than when bait is used, or as soon as possible when an emergency pesticide application is necessary, please call 606-738-8002.

### **NOTIFICATION** **PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

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

**Consent before students are required to submit to a survey that concerns one or more of the following if the survey is funded in whole or in part by a program of the U.S. Department of Education:**

1. Political affiliations or beliefs of the student or student's parent/guardian;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

**Receive notice and an opportunity to opt a student out of:**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under state law); and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

**Inspect, upon request and before administration or use:**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Elliott County School District shall annually notify parents and eligible students of the specific or approximate dates for the activities listed above. This will serve as notification that the forms are available in each school and the district office for a student who wishes to opt out of participating in those activities.

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

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

**ASBESTOS MANAGEMENT PLAN FOR ELLIOTT COUNTY SCHOOLS**

This notice is being issued to inform concerned individuals that the Elliott County Board of Education meets both National and State regulations that relate to asbestos-containing building material (ACBM).

An inspection for building materials that contain asbestos has been completed for all buildings owned, leased, or otherwise occupied by the Elliott County Board of Education. This inspection has been conducted by a certified inspector and the material samples were evaluated by an accredited laboratory. Building materials with as little asbestos as one percent (1%) have been identified and made a part of an Asbestos Management Plan for the school system.

A complete Asbestos Management Plan for the school district is on file at the Elliott County Board of Education Office. Also, a copy of the Asbestos Management Plan for each individual school is on file in each respective school's office.

We will continue to notify the public at least once each year on the status of the Asbestos Management Plan. Should it be necessary, more frequent updates will be issued from additional inspections, normal surveillance practices, response actions, or remodel work that might disturb building materials that contain asbestos. Every precaution will

continue to be used to protect the well-being of students and employees of the Elliott County Public School System.

### **REPORTING OF CODE VIOLATIONS**

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

### **NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS**

Parents may request the District to provide information regarding the professional certification of their child's classroom teachers. In complying with such requests, the District shall provide the information designated by federal law (03.112).

### **STUDENT MEDICATION**

A student may be permitted to carry medication that has been prescribed or ordered by a physician to stay on or with the pupil. Provided the parent/guardian and physician file a completed authorization form each year as required by law, a student under treatment for asthma shall be permitted to self-administer medication. Students shall not share any prescription or over-the-counter medication with another student. Violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion (09.2241).

### **HARASSMENT/DISCRIMINATION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. Students who engage in harassment/discrimination of an employee or another student shall be subject to disciplinary action, including but not limited to suspension and expulsion. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. 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 (09.42811).

### **ASSAULT AND THREATS OF VIOLENCE-NOTICE OF PENALTIES**

Any student who threatens, assaults, batters, or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action up to and including expulsion from school and/or legal action. Threatening or violent behavior shall include, but not be limited to: verbal or written statements or gestures by students

indicating intent to harm themselves, others, or property; or physical attack by students so as to intentionally inflict harm to themselves, others, or property. (09.425)

In compliance with the new section of KRS 158 requiring written notice to all students, parents/guardians, please be advised that there are serious penalties for this second degree terroristic threatening offense. Potential penalties upon conviction of this Class D felony include a term of imprisonment of not less than one (1) year nor more than five (5) years and a fine of not less than one thousand (\$1,000) and not greater than ten thousand (\$10,000) as provided in KRS 532.060 and KRS 532.030, respectively. In addition, a court in a juvenile case dealing with charges based on bomb threats or other criminal threats that disrupt school operations may order the child or his parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060).

Provisions of KRS 508.078 (Terroristic Threatening, 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 a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
  - b. Makes false statements by any means, including by electronic communication, for the purpose of:
    - i. Causing evacuation of a school building, school property, or school sanctioned activity;
    - ii. Causing cancellation of school classes or school sanctioned activity; or
    - iii. 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. Terroristic threatening in the second degree is a Class D felony.

### **Early Graduation**

The Early Graduation regulation, [704 KAR 3:305](#), is a result of [Senate Bill 61](#) (2013) and is a companion to [Senate Bill 97](#) (2013). Beginning in 2014-15, Early Graduation was possible for students who intended to progress through high school on an accelerated timeline and graduate college ready in three years or less of high school. Early Graduation is a deliberate pathway for students in grades 9-11 who wish to move on when ready, receive a diploma from the district and be eligible for acceptance into Kentucky public universities and non-profit independent colleges and universities. The pathway provides a financial scholarship, known as the Early Graduation Certificate, to support this action. Requirements include: scoring proficient on all required state assessments; achieving ACT benchmarks as designated by the Council for Postsecondary Education; and completing three elective classes in a vocational or humanities pathway. Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate. You may contact the high school principal's office for additional information.