

**CODE of ACCEPTABLE BEHAVIOR
And
DISCIPLINE**



2020-2021

1. NAME AND ADDRESS OF LOCAL SCHOOL DISTRICT:

Crittenden County School System
601 West Elm Street
Marion, KY 42064

2. SUPERINTENDENT:

Mr. Vince Clark

**3. NAME AND PHONE NUMBER OF THE CONTACT PERSON FOR THE
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE:**

Diana Lusby, DPP
601 West Elm Street
Marion, KY 42064
(270) 965-3525

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SUPERINTENDENT'S CERTIFICATE

I, Vince Clark, Superintendent of the Crittenden County Schools, hereby certify that the Code of Acceptable Behavior and Discipline has been reviewed and approved by the school board attorney, Roy Massey of the law firm Frazer & Massey in Marion, Kentucky.



Vince Clark, Superintendent
Crittenden County Board of Education

BOARD CHAIRPERSON'S CERTIFICATE

I, Chris Cook, Chairperson of the Crittenden County Board of Education, hereby certify that the Code of Acceptable Behavior and Discipline was adopted by the Crittenden County Board of Education on the 23rd day of June, 2020.



Chris Cook, Chairperson
Crittenden County Board of Education

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Richard H. Peek, Jr., *of Counsel*

June 23, 2020

Vince Clark, Superintendent
Crittenden County Board of Education
601 West Elm Street
Marion, KY 42064

In Re: CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

Dear Mr. Clark:

Please be advised that I have reviewed the Code of Acceptable Behavior and Discipline proposed by the Crittenden County Board of Education at a Board meeting held on June 23, 2019. In my judgment, the proposed Code complies with the enabling legislation as well as the administrative regulations at the current time.

If you should have any questions concerning this matter, please do not hesitate to contact me.

Best Regards,

Roy Massey IV, Attorney
Crittenden County School Board

CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

Crittenden County Board of Education Policy – 09.438

- Development:** In accordance with KRS 158.148 and 704 KAR 7:050, the Crittenden County Board of Education shall develop a student discipline code, which shall be posted at each school, referenced in all school handbooks, and provided to school employees and parents. The code shall establish standards of acceptable student behavior and will include district-wide standards of behavior for students who participate in extracurricular and co-curricular activities.
- Distribution:** Once reviewed and approved, the student discipline code shall be distributed to students and parents in the district, including those students who enroll during the school year.
- Review:** The student discipline code shall be reviewed annually by the Board.

I. INTRODUCTORY STATEMENT

The Attorney of the Board of Education has reviewed this code as well as the Crittenden County Board of Education.

The Golden Rule passed by the Kentucky Legislature, popularly known throughout Kentucky as “Do unto others as you would have them do unto you”, shall be the model for improving attitude and the rule for conduct for all students attending the public schools of Kentucky. The breaking of the Golden Rule is harassment, intimidation, cyber-bullying, or bullying which means a repeated verbal, nonverbal, electronic, or written communication transmitted; repeated physical acts committed; or any other repeated behavior committed by a student against another student, or against school staff members, on school premises, on school-sponsored transportation, or at a school-sponsored event with intent to injure, intimidate, alienate, or threaten another student or school staff member that results in: (KRS 158.441)

- a. Physically harming a student;
- b. Damaging or stealing a student’s/school staff member’s property;
- c. Disrupting the orderly operation of the school; or
- d. Creating a hostile environment that interferes with a student’s educational benefits, opportunities, or performance. This pertains to any form of bullying or cyber-bullying that takes place on or off school premises that disrupts the learning environment of the school. This includes all social media.

Schools have distributed copies of the code to all students and employees of the district and to parents of students, including those who enroll after the beginning of the school year.

The principal shall be responsible for seeing that discussion about its contents occur with students in a timely and age-appropriate manner. In addition, each school will reference the code in the school’s handbook(s). On request, the principal shall provide help for non-English speaking, blind, deaf, or non-reading students and parents so that they can have access to the information contained in the code.

Each year the code committee will review the code in preparation for the upcoming school year. It welcomes suggestions as how to improve the document.

The Crittenden County Board of Education requires high standards of personal conduct from each student to promote respect for the rights of others and to accomplish the purposes of the schools. The Board also requires compliance with established standards and rules of the district and the laws of the community, state and nation.

The central purpose of the school system is to educate each student to the highest level possible. To support the success of the educational program, the Board directs employees to hold each student accountable to code standards in a fair manner. Compliance with the standards is necessary to provide: orderly operations of the schools; a safe environment for students to achieve a high academic level in a productive learning environment; assistance for students at risk of failure or engaging in disruptive behavior; regular attendance of students; and protection of property.

This code applies to all students in the district while at school, on their way to and from school, while on the bus or other district vehicle, and while they are participating in school-sponsored trips and activities. The Superintendent/designee is responsible for administration throughout the district. The principal is responsible for administration and implementation of this code within his/her school in a uniform and fair manner without partiality or discrimination.

Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this code and shall provide a list of the school's rules and discipline procedures in the school handbook(s). Teachers and other instructional personnel are responsible for administering code standards in the classrooms, halls and other duty assignment locations.

This code establishes minimum behavior standards, and recognizes that each school council, grade or class may require special provisions. Administrators and teachers have full authority to make rules to enforce these standards in keeping with their areas of responsibility. This code provides everyone with the opportunity to know the basic procedures that will be followed in disciplinary matters and the meanings and explanations of each.

Kentucky Revised Statutes has outlined the legal notes and responsibilities for the local boards of education, the superintendent and school councils related to the implementation of the *Code of Acceptable Behavior and Discipline*.

RIGHTS AND RESPONSIBILITIES FOR APPROPRIATE CONDUCT

As citizens of the United States of America, students may participate in activities that do not:

- * Materially of substantially disrupt the education process;
- * Present a clear and present danger to the health and safety of others or property, or;
- * Infringe on the rights of others.

Specifically, students have the right to:

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

Students have the responsibility to:

- * Comply with district, school and classroom rules and follow directions given by teachers and other school personnel;
- * Immediately, report students' threats to harm themselves or others to appropriate school personnel;
- * Give their best effort to tasks assigned by appropriate school personnel.

The Board expects employees, students, parents/guardians and others associated with the schools to:

- * Apply the following standards in a reasonable and fair manner;
- * Promote the full implementation of the conduct standards and maximize safety in the school environment.

The Board requires all employees to make supervision of all students at all school activities a top priority among their assigned duties. Adult supervision serves as a strong deterrent to code violations by students.

II. PARENTAL GRIEVANCE PROCEDURES FOR CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE VIOLATIONS

Parties involved in the grievance procedure may have advisory representation at any or all conferences. Parents/guardians desiring to question actions taken by school personnel may follow this procedure:

1. 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.
2. If this conference does not resolve the situation, the teacher and parent will arrange for a conference with the principal or designee with a minimum of delay.
3. If the problem is not related to the classroom, the parent will contact the principal directly.
4. If none of the above procedures result in a satisfactory solution to the problem, the parent shall state the complaint in writing and may request a conference with the Superintendent or designee within five (5) school days after the request.
5. During this conference, either party may present individuals having knowledge relative to factors involved. The other party shall be notified in advance if such persons are to be present.
6. The Superintendent or designee will advise the parent in writing of the disposition within five (5) school days after the conference.
7. The parent may appeal in writing to the Superintendent who will arrange a meeting with the Board of Education if the parent/guardian is not satisfied with the decision of the Superintendent or designee; however, if the grievance is regarding an SBDM policy, the parent may appeal in writing to the principal who will arrange a meeting with the SBDM council if the parent/guardian is not satisfied with the decision of the principal.

Carry-over disciplinary actions: Disciplinary consequences can be carried over from one school year to the next.

Disciplinary records: Discipline records will be maintained but shall not become a part of the student's permanent record.

III. PUBLIC NOTICE REGARDING CONFIDENTIALITY AND CHILD FIND FOR CHILDREN WITH DISABILITIES IN NEED OF SPECIAL EDUCATION, 504 SERVICES, OR PRESCHOOL SERVICES

In accordance with the Family Education Rights and Privacy Act, written policies and procedures have been developed which describe the Crittenden County School District's (CCSD) requirements regarding the confidentiality of personally identifiable information and Child Find activities. There are copies of these procedures in the Principal's office of each school, and in the Board of Education office. Copies of these Policies and Procedures may be obtained by contacting the Principal or the Director of Special Education. Stated in this notice is a summary of your rights under the Act. These rights are passed on to the student at age eighteen. For the purpose of this notice, the student 18 years or older, will be referred to as the "eligible" student (who is age 18 or who is attending a postsecondary institution). Parents, guardians, and eligible students may review and inspect all education records relating to that student by making a request to the Principal of the school where that student attends. The CCSD will presume that the parents have the authority to review and inspect records relating to their child unless the district has been advised in writing that the parent does not have legal authority under applicable state law governing such matters as guardianship, separation, and divorce. The CCSD obtains written consent from a parent or eligible student before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA. Personally identifiable information is not released to another party unless there is written authorization from the parent or eligible student or there is a "Legitimate Educational Interest" as defined in the

policies and procedures for confidentiality. A current list of employees' names and positions who have access to personally identifiable information is on file in each school. The CCSD has described in their policies and procedures the conditions under which personally identifiable information is released to another person without written parental consent. Any parent or guardian of a student, or any eligible student may challenge the content or accuracy of any material or entries in the student's educational records on the grounds that it is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. Requests to amend the records are submitted in writing to the Principal of your child's school. "Directory Information" is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released to organizations and agencies whose need for data is connected student help activities. The parent, guardian, or eligible student currently enrolled may request that all or part of the directory information be withheld. The request must be in writing to the Principal of your child's school within 30 calendar days after this notification has been distributed. The written request must specifically state what information may not be classified as directory information. In accordance with federal regulation concerning the release or transfer of education records, it is the policy of this school district to forward education records on request to a school in which a student seeks or intends to enroll. Parents may obtain upon request a copy of the records transferred. The CCSD keeps child and youth records in a secure computer system and files in each school and in a centralized location. For students who have been determined eligible for Special Education, educational records, will be destroyed at the request of the parents when they are no longer needed to provide educational programs or services. The CCSD may destroy the educational records of a child without parent request three years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The CCSD may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed.

Child Find for Students with Disabilities Under Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, and Preschool

The Crittenden County School District (CCSD) has an ongoing Child Find system, which is designed to locate, identify and evaluate any child residing in a home, facility, or residence within its geographical boundaries, age three (3) to twenty-one (21) years, who may have a disability and be in need of Special Education or 504 services. This includes children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving Special Education or 504 services. The CCSD will make sure any child enrolled in its district who qualifies for Special Education or 504 services, regardless of how severe the disability, is provided appropriate Special Education or 504 services at no cost to the parents of the child. Parents, relatives, public and private agencies, and concerned citizens are urged to help the CCSD find any child who may have a disability and needs Special Education or 504 services. The District needs to know the name and age, or date of birth of the child; the name, address, and phone number(s) of the parents or guardian; the possible disability; and other information to determine if Special Education or 504 services are needed. Letters and phone calls are some of the ways the CCSD collects the information needed. The information the school district collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for Special Education or 504 services. Children eligible for Special Education include those children with disabilities who have autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment and who because of such an impairment need Special Education services. Children eligible for 504 services include those children in a public elementary and secondary education program who have a current physical or mental impairment that currently substantially limits some major life activity which causes the student's ability to access the school environment or school activities to be substantially limited. Children eligible for the State-Funded Preschool program include three- and four-year old children identified with disabilities and four-year old children who are at-risk, as defined by federal poverty levels up to 150%. Preschool children eligible for Special Education must have an Individual Education Plan (IEP) instead of a 504 plan to receive State-Funded Preschool program services. Child Find activities will continue throughout the school year. As part of these efforts the CCSD will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need Special Education or 504 services. Any information the District collects through Child Find is maintained confidentially. The CCSD provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible. If you know of a child who lives within the

boundaries of the CCSD who may have a disability, and may need but is not receiving Special Education or 504 services, please call or send the information to the District's Director of Special Education/504 Coordinator. If you know of a child who attends a private or home school within the boundaries of CCSD, who may have a disability, and may need but is not receiving Special Education services, please call or send information to the Director of Special Education. If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact the CCSD Director of Pupil Personnel or the Director of Special Education/Section 504 Coordinator. You may contact either of these individuals at (270) 965-3525. The hours for the Crittenden County Board of Education are 7:30 a.m. to 4:30 p.m. and the office is located at 601 West Elm Street, Marion, KY 42064.

IV. ATTENDANCE POLICY

Crittenden County Board of Education Policy – 09.123

EXCUSED ABSENCE EVENTS AND TARDINESS

Students in Crittenden County Schools for the full year shall be allowed up to five (5) absence events per year to be excused with a signed parent note. Students who enroll after October 1 will be allowed one (1) parent note for each two (2) months they are enrolled. If the limit of parent notes has been reached, the absence/tardy will be considered unexcused.

The District shall excuse up to ten (10) absence events with doctor/medical excuse/notes. Any absence events due to medical reasons in excess of ten (10) shall require the presentation of the District's Medical Excuse Form RX10 before the absence will be excused. The RX10 forms shall be available at each school, Superintendent's office and some medical facilities upon parent request. Students who have been court-ordered to attend school must use RX10 forms for all absences and tardies, which must be signed by the medical provider on the first day of the student's absence. All absence events and tardies shall be considered unexcused until the appropriate signed note, excuse, or documentation is presented to the school. These notes, excuses, etc. must be turned in to the school within five (5) days after the absence event or tardy. Any absence still unexcused on the 5th day will remain unexcused.

Students in Crittenden County Schools' shall be allowed up to four (4) daily tardies to be excused with a signed parent note for the entire school year.

When a student is deemed Chronically Absent (has absences and tardies, excused or unexcused, that equal or exceed 10% of instructional time to date), the following consequences may be incurred:

- i. Exclusion from activities considered extra or non-essential to the academic process;
- ii. Forfeiture of the driving privilege;

Note: Any student who is absent from school for more than five (5) consecutive days without a valid notification to the school shall be considered unexcused. Valid notification is defined as an approved contact from a parent or guardian.

An excused absence event or tardiness is one for which there is a valid reason and for which work may be made up for credit. Valid reasons shall include:

1. Personal illness of the pupil including emergency medical and dental care - After the fourth and subsequent absence event for illness, the Principal may require the student to submit a physician's statement, signed by the physician, stating the specific cause of the illness and how long the student will be out of school. As prescribed by order of the District Juvenile Court, dated May 1, 1991, a doctor's statement shall state the specific cause of illness and the actual days the student should be excused from school.
2. Death in the pupil's immediate family - Immediate family shall mean brother, sister, mother, father, grandmother, grandfather. The Principal may recognize others as immediate family, depending upon circumstances. Up to three (3) consecutive events may be excused by the Principal for death in the family.
3. Court appearances by subpoena -Verification may be required.
4. Act of God, such as extreme weather conditions (earthquake, etc.).
5. Test for driver's license, if accompanied by parent or guardian and with prior approval of the Principal.

6. College visitation for seniors limited to one (1) event. College visitation days shall be granted to students who are perceived to have a genuine interest in attending college or another post-secondary institution and who have registered for or taken the ACT or the SAT prior to the visit, unless the visit is to a vocational school. Visits must be pre-arranged and approved by the Principal. Prior to the visit, parents must arrange for a conference with the Principal if a visit will require more than one (1) day of travel.
7. Approved religious holidays and practices deemed to be legitimate by the school authorities.
8. Participation in co-curricular activities that are not sponsored by the school. Parents/guardians shall pre-arrange such activities with the Principal at least three (3) days in advance, in order for the absence to be excused.
9. Documented military leave.
10. One (1) day prior to departure of parent/guardian called to active military duty.
11. One (1) day upon the return of parent/guardian from active military duty.
12. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave.
13. Trips qualifying as educational enhancement opportunities, as determined by the Principal.

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

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

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

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

Educational Enhancement Opportunities will not be approved for students who are considered Chronically Absent (have absences and tardies, excused or unexcused, that equal or exceed 10% of instructional time to date).

14. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces.
15. Treatment of parasites such as head lice, bed bugs, etc. (maximum of three (3) absences per school year). The day the student is sent home from school does not count toward the three (3) day total.

Note: Participation in school-sponsored co-curricular activities, as approved under Board Policy 09.122, is not considered absences.

After the fourth and subsequent absence event for reasons other than illness, the Principal may require a signed, dated and notarized note from the parent/guardian of the reasons for the absence or tardiness.

Make-up of work missed during an excused absence or tardiness is the responsibility of the student. A reasonable amount of time shall be allowed for make-up work to be completed, as determined by the teacher.

UNEXCUSED ABSENCE EVENT AND TARDINESS

An unexcused absence event or tardiness is one for which the student does not provide the school official with sufficient reason for missing school. Examples shall include:

1. Truancy
2. Visiting

3. Shopping
4. Missing the school bus
5. Trips not approved in advance by the Principal
6. Employment or work-related absence, unless such employment is part of the curriculum.

ABSENTEE PROCEDURE

Excused absence events require a signed dated note or doctor's excuse. Absence events not accompanied with required verification may be excused only at the Principal's discretion.

Students who have been absent or tardy shall bring, upon their return to school, a dated signed note explaining their absence, which is signed by one of their parents/guardians or by a physician or other person who can attest to the validity of the excuse. Failure to adhere to this requirement shall result in the student's absence event(s) being officially recorded as "unexcused."

The Principal/designee shall determine whether absence events and tardiness are excused or unexcused, even when a student may have had parental consent to be absent or tardy.

SCHOOL/HOME COMMUNICATIONS

School will strive to maintain open and on-going communications with parents/guardians concerning the attendance status of their children through such measures as reporting attendance on report cards, sending letters, and making phone calls.

If no call is received from the home, schools shall call parents/guardians when their child is absent, to affirm the parent's knowledge of the absence or, when there are excessive absences, to verify the reasons for the absence and check on the child's welfare.

When the school determines there are excessive absences or tardiness, or when there are truancy concerns, the following process shall be implemented:

1. At the discretion of the Principal/designee, letters may be sent from the school advising parents of excessive absenteeism or tardiness and the school's concern that those will impede the child's educational progress.
2. On the third day of unexcused absence or tardy, the Principal/designee shall notify the parent/guardian in writing that the student has three (3) days of unexcused absence and is now classified as a truant, as defined by Kentucky Compulsory Attendance Law. The notification shall contain a summary of this policy and inform the parent of any requirements for doctor's statements or notarized excuses. In addition, the notice shall include an explanation of the academic and legal consequences of unexcused or excessive absenteeism and invite the parent to meet with the Principal/designee. A copy of the notice shall be sent to the Director of Pupil Personnel (DPP).
3. After the fourth day of unexcused absence or tardy, the Principal/designee shall send the parent/guardian a second Truancy Notice.
4. After the sixth day of unexcused absence or tardy, at which time the student is formally classified as an "habitual truant" and upon request of the Principal, the DPP shall send the parent/guardian, by certified mail or hand delivered, a legal Final Notice, which shall list the individual days missed without valid excuse and a directive that the student has twenty-four (24) hours to return to, and remain in school or face charges for being a persistent violator of the Kentucky Compulsory Attendance Law.
5. Failure of the parent/guardian to respond within the given time frame may result in the processing of a Final Notice by the DPP. After the Final Notice has been processed, the case may be referred to the court system. The form "Truancy Allegations/Assessment" required by the CDW shall be completed by the DPP, who shall file a Juvenile Complaint using the petition form. Criminal charges may be filed by the DPP against parent/guardian in District Court.
6. After the student has appeared before the CDW, the school should notify the DPP when the student misses another day of school, regardless of the reason. The DPP shall immediately notify the CDW.

7. Parents of students who are deemed Chronically Absent (have absences and tardies, excused or unexcused, that equal or exceed 10% of instructional time to date) will be notified by the DPP.

Charges against a student between the ages of eighteen (18) to twenty-one (21) shall be referred to the County Attorney for processing as an adult offender.

The Principal and/or the DPP are authorized to by-pass or otherwise modify these steps based on extraordinary circumstances and/or past attendance records of the student.

V. DISCIPLINARY CONSEQUENCES

BEHAVIOR CONTRACTS

A probationary committee may be established for students when a school administrator or other appropriate school personnel determine it would better benefit the student to remain in the classroom. When probation is used, a contract will be drafted stating the names and titles of the persons entering into the contract, the expected or required behavior of the student, and the possible consequences of violation of that required behavior. The behavior contract shall require the signature of the student and the principal/designee. A copy will be mailed to the parent/guardian.

DETENTION

Detention is extra time spent before school, at lunch, or after school. (Refer to school handbook(s) for detention procedures.)

- a. A detention period is designed as an intermediate consequence to a violation of the *Code of Acceptable Behavior and Discipline*.
- b. A policy for the procedure of applying detention as a possible consequence shall be formulated by each school.
- c. Violation of the detention policy may result in additional disciplinary action.
- d. Accurate and timely records shall be kept of all detention time served.
- e. Detention shall be served as soon as possible after it is determined to be the proper consequence.
- f. Students shall be notified of the specific violation and when to serve the detention.
- g. Normal due process procedures shall be followed.
- h. The school is not responsible for transportation.

SUSPENSION

Suspension shall mean a denial of attendance at any single subject or class, or at any full schedule of subjects or classes, or at any other type of activity conducted by or on behalf of Crittenden County Schools for the stated period of time. The student is not allowed to attend school functions or to be on school property (including community-sponsored activities) anywhere in the district during the time the suspension is in force. Suspended students shall be expected to complete on-going assignments/projects that were assigned before the suspension period began.

Who may suspend: In accordance with KRS 158.150, the principal or assistant principal may suspend a pupil up to a maximum of ten (10) days per incident.

Length of suspension: A pupil may not be suspended for more than a total of ten (10) days per incident. Suspension of elementary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

Prior due process required: A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431), unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process.

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

Written report required: The principal or assistant principal shall report any suspension in writing immediately to the Superintendent and to the parent of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

Extracurricular activities: A student on suspension shall not be allowed to participate in any extracurricular activity sponsored by the school.

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

EXPULSION

Expulsion shall mean a denial of attendance of any full schedule of subjects or classes, denial of attendance at any other type of activity conducted by or in behalf of the Crittenden County Schools, and any combination of the foregoing for a period of time. An expulsion shall include denial of admission to or entry upon real or personal property owned, leased, rented, or controlled by the Crittenden County Board of Education. (Refer to Board Policy 09.435)

The Board may expel any pupil from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency/program. (KRS 158.150)

KRS 158.150 (1) (a) (b) SUSPENSION OR EXPULSION OF PUPILS

- (1) All pupils admitted to the common schools shall comply with the lawful regulations for the government of schools:
 - (a) Willful disobedience or defiance of the authority of the teachers or administrators, use of profanity or vulgarity, assault or battery or abuse of other students, the threat of force or violence, the use or possession of alcohol or drugs, stealing or destruction/defacing of school property or personal property of students, the carrying or use of weapons or dangerous instruments, or other incorrigible bad conduct on school property, as well as off school property at school-sponsored activities, constitutes cause for suspension or expulsion from school; and
 - (b) Assault or battery or abuse of school personnel; stealing or willfully or wantonly defacing, destroying, or damaging the personal property of school personnel on school property, off school property, or at school-sponsored activities constitutes cause for suspension or expulsion from school.

The Superintendent, director of special education, and building principals make sure that appropriate procedures are followed in the suspension and expulsion of children with disabilities. For any child with a disability who has been referred for in or out of school suspension, the principal shall contact the case load manager for possible revision or implementation of his or her behavior management plan before any disciplinary action is taken. To the extent removal would be applied to children without disabilities, school personnel may remove a child with a disability from the child's current placement for not more than a total of ten (10) consecutive school days for a violation of school rules.

Protections for children not eligible for special education services: A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that results in long term suspension or expulsion, may assert any of the protections provided for students already eligible for special education services if the WSCD had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

Before initiating expulsion proceedings, or excluding any student from school for a period of time that would constitute a pattern of removal if the student had been determined eligible to receive special education services, the building principal or designee, takes the following action. The assigned person(s) shall review the student's records and discuss the student

with his/her current teacher(s) and counselor(s) to determine if the district has a basis of knowledge that the student may be in need of special education services, as described immediately below. The building principal, or designee, shall be prepared to demonstrate that this has been accomplished.

Authority for suspension: The principal/assistant principal/designee may suspend a student for up to ten (10) consecutive days of school.

Authority for expulsion: The Board of Education may expel a student for the duration of the semester, the remainder of the school year, or a period deemed appropriate by the Board. Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board. In the case of expulsion, due process procedures as outlined in Board Policy and this *Code of Acceptable Behavior and Discipline* will be followed.

Educational services must continue unless the Board of Education has made a determination, on the record, supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in to a state-funded agency program. For special education students, temporary injunctive relief through the courts can be sought if the parent and the other members of the Admissions and Release Committee (ARC) cannot agree upon a placement and the current placement will likely result in injury to the students or others.

The Board of Education is required under HB 330 to expel a student from school for a period of not less than one (1) year for bringing a weapon to school. To determine if a student has brought a weapon to school, the Board of Education shall use the definition of “unlawful possession of a weapon on school property” stated in KRS 527.07.

VI. CLASSIFICATION OF UNACCEPTABLE BEHAVIOR

1. CLASSIFICATION OF VIOLATIONS

Violations of the *Code of Acceptable Behavior and Discipline* are grouped into four (4) Classes – I, II, III, IV. Each classification is followed by the disciplinary consequences that are to be implemented by principals/ designees. The number of violations within each specific class has been designated to give distinction between the Elementary (K-5) grade levels and Middle School/High School (MS/HS) grade levels (6-12).

2. DISCIPLINARY CONSEQUENCES

Dependent upon whether the student is enrolled in Elementary (ELEM), which includes grades kindergarten through fifth grade, or enrolled in Middle School/High School (MS/HS) which includes grades 6 – 12; the consequences are progressive in severity. The following are taken into consideration when assigning consequences for a violation: definition of specific offense committed, circumstances of the offense, the type of offense, the degree of seriousness of the offense, and the number of times the offense has occurred. Code of Conduct consequences may be modified by school site administrator for a student with a Behavior Management Plan (BMP) as approved by the Admission and Release Committee (ARC).

3. DISCIPLINE COMMITTEE

Any regular education student enrolled in the Crittenden County School System who commits a Class IV *Code of Acceptable Behavior and Discipline* violation shall appear for a meeting with the Crittenden County Discipline Committee. The discipline committee shall be made up of the referring principal and the Director of Pupil Personnel (DPP). The student will be asked to appear with his/her parents/guardians and the committee will meet with the student and parents/guardians to review the allegations resulting in a Class IV violation along with the student’s discipline history, attendance, and grades to determine what appropriate consequence should be applied. The discipline committee’s decision as to the appropriate consequence shall be final, with the exception of recommendations for expulsion.

If the discipline committee recommends expulsion given the nature of the violation and/or other factors, a student discipline hearing will be scheduled before the Crittenden County Board of Education as soon as reasonably possible.

All decisions of the discipline committee are appealable to the Crittenden County Board of Education.

CLASS I VIOLATIONS

- 1.01 DEFIANCE/DISRESPECT/NON-COMPLAINEE** – engaging in brief or low-intensity failure to respond to adult requests.
- 1.02 PHYSICAL CONTACT/HORSEPLAY** – engaging in non-serious, but inappropriate physical contact or rough or rowdy play that can result in unintentional physical harm.
- 1.03 PROPERTY MISUSE** – engaging in low-intensity misuse of property.
- 1.04 INAPPROPRIATE LANGUAGE** – engaging in low-intensity instance of inappropriate language.
- 1.05 TARDY** – student arrives at class after the bell (or signal that class has started).
- 1.06 TECHNOLOGY VIOLATION** – engaging in non-serious but inappropriate (as defined by school) use of any school-owned electronic device (Refer to Board Policy 09.4261).
- 1.07 DISRUPTION** – engaging in low-intensity, but inappropriate disruption.
- 1.08 DRESS CODE VIOLATION** – clothing or wearing apparel that is considered inappropriate, disruptive, or unsafe will not be allowed. This includes, but is not limited to: caps, sunglasses, sleepwear, pants with holes higher than 4 in. above the knee, shorts that are shorter than 4 in above the knee, or tops that are sleeveless, low-cut, or show skin when the student's arms are raised or bends over.
- 1.09 PUBLIC DISPLAY OF AFFECTION** – inappropriate public displays of affection including kissing, arms around each other, etc.
- 1.10 LOITERING IN AN UNAUTHORIZED AREA** – hanging around school property after hours or designated areas with no apparent reason or permission.
- 1.11 UNAUTHORIZED OVER-THE-COUNTER MEDICATION** – possession or distribution of unauthorized over-the-counter medications; such as aspirin, Tylenol, etc.
- 1.12 HALL PASS VIOLATION** – out of classroom without a signed hall pass during instructional time
- 1.13 ANY OTHER VIOLATION OR DISRUPTION TO THE EDUCATIONAL PROCESS, WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL IN THIS CATEGORY.**
SEE KRS 158.150.

CLASS I CONSEQUENCES

Class Consequences are identified as a progressive list of options from which the principal/designee may choose. ELEMENTARY represents students enrolled in Kindergarten through 5th grade. MIDDLE/HIGH represents students enrolled in grades 6-12. Elementary school offenses will be reviewed based on school-level discipline system. KRS 158.150 (7).

ELEMENTARY – Consequences range from warning/contact with parent to one (1) day of In-School Detention

MIDDLE/HIGH – Consequences range from one (1) after-school detention to three (3) days of In-School Detention

CLASS II VIOLATIONS

NOTE: Damages must be paid for in Class II offenses.

- 2.00 REPEATED CLASS I VIOLATIONS**
- 2.01 ACTS OF DISRESPECT TOWARD SCHOOL EMPLOYEE**

- 2.02 **PHYSICAL AGGRESSION** - any physical conflict between two individuals in which no visual injuries are sustained by either individual (pushing, shoving, kicking, wrestling).
- 2.03 **DEFACING SCHOOL PROPERTY**
- 2.04 **PROFANITY – ORAL, WRITTEN, GRAFFITI, OR GANG GESTURES**
- 2.05 **SKIPPING CLASS** – unauthorized absence from class, assemblies, etc. while student is at school
- 2.06 **INAPPROPRIATE USE OF TECHNOLOGY** – Inappropriate or unauthorized use (as defined by the school) of any personal electronic device, including smartwatches (Refer to Board Policy 09.4261).
- 2.07 **LYING/CHEATING** – student delivers message that is untrue and/or deliberately violates rules, including plagiarism and false reporting of behavior incidents involving peers.
- 2.08 **THEFT** - the intentional, unlawful taking and/or carrying away of property valued at less than fifty dollars (\$50.00) belonging to or in lawful possession or custody of another.
- 2.09 **POSSESSION OF STOLEN PROPERTY** – property that is stolen and valued at less than fifty dollars (\$50).
- 2.10 **HARASSING COMMUNICATION/BULLYING/CYBERBULLYING** – student delivers disrespectful messages (verbal or gestural) to another person that includes threats and intimidation, obscene gestures, pictures or written notes. Disrespectful messages include negative comments based on race, religion, gender, age, and/or national origin; sustained or intense verbal attacks based on ethnic origin, disabilities or other personal matters. This includes bullying/cyber-bullying – both physical and psychological – which occurs on or off school property and disrupts the learning environment of the school. (Refer to Board Policy 09.42811.) 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.
- 2.11 **DISTRIBUTION OF OVER-THE-COUNTER MEDICATION** – student shares any over-the-counter medication with another student
- 2.12 **TOBACCO PRODUCTS** - use or possession of any tobacco product including smoking materials such as matches, lighters, e-cigs or vaping accessories, etc. (KRS 438.050, OAG 81-295, KRS 160.290, KRS 160.340, OAG 91-137)
- 2.13 **ANY OTHER VIOLATION OR DISRUPTION TO THE EDUCATIONAL PROCESS, WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL IN THIS CATEGORY.**
SEE KRS 158.150.

CLASS II CONSEQUENCES

Class Consequences are identified as a progressive list of options from which the principal/designee may choose. **ELEMENTARY** represents students enrolled in Kindergarten through 5th grade. **MIDDLE/HIGH** represents students enrolled in grades 6-12. Elementary school offenses will be reviewed based on school-level discipline system. KRS 158.150 (7) Schools may refer students to school-based counseling services in an attempt to deter any future misconduct.

ELEMENTARY – Consequences range from parent contact/conference to up to two (2) days of In-School Detention or corporal punishment (with parent permission).

MIDDLE/HIGH – Consequences range from one (1) to three (3) days of In-School Detention to Alternative Learning Center placement.

CLASS III VIOLATIONS

NOTE: Damages must be paid for in Class III offenses.

- 3.00 REPEATED CLASS II VIOLATIONS**
- 3.01 DEFIANCE OF SCHOOL EMPLOYEE’S AUTHORITY** - any verbal or non-verbal refusal to comply with a lawful direction or order of a school employee’s authority
- 3.02 FIGHTING** - physical conflict between two individuals when there are visual injuries sustained (e.g. hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.)
- 3.03 VANDALISM/CRIMINAL MISCHIEF** - intentional and deliberate action resulting in injury or damages of less than two hundred dollars (\$200.00) to public property or the real or personal property of another.
- 3.04 DIRECTING OBSCENE OR PROFANE LANGUAGE TO A SCHOOL EMPLOYEE**
- 3.05 SKIPPING SCHOOL** – leaving school grounds without permission or absent from school without parent permission.
- 3.06 CONCEALING/FAILURE TO REPORT INFORMATION RELATED TO INDIVIDUAL/SCHOOL SAFETY**– students have a duty to report any knowledge that relates to harm of self, others and/or school.
- 3.07 POSSESSION AND/OR DISTRIBUTION OF PORNOGRAPHY** – which includes, but is not limited to: written, digital, electronic, magazines, videos, etc.
- 3.08 THEFT** - the intentional, unlawful taking and/or carrying away of property valued at over fifty dollars (\$50.00) and less than two hundred (\$200.00) belonging to or in lawful possession or custody of another.
- 3.09 POSSESSION OF STOLEN PROPERTY** – property that it is stolen and valued at more than fifty dollars (\$50).
- 3.10 ATTEMPTED EXTORTION** - verbally or by a written or printed communication maliciously threatening an injury to the person, property, or reputation of another with the intent to extort money or any pecuniary advantage whatever or with the intent to compel the person so threatened or any other person to do any act against his or her will.
- 3.11 POSSESSION OF UNAUTHORIZED PRESCRIPTION MEDICINE**
- 3.12 THREATS/INTIMIDATION/BULLYING/CYBER-BULLYING** - the intentional, unlawful threat by word or action to violence of the person of another, coupled with an apparent ability to do so, and the doing of some act which will instill fear in such other person that such violence is imminent. This includes bullying/cyber-bullying – both physical and psychological – which occurs on or off school property and disrupts the learning environment of the school. (Refer to Board Policy 09.42811, 09.422)
- 3.13 SEXUAL HARASSMENT** – offensive/unwanted touching, use of obscene manifestations (verbal, written gestures, articles or items related to sex acts, propositions to engage in sex acts, sexual rumors, etc.), and/or indecent exposure. (Refer to Board Policy 09.2811)
- 3.14 NON-CRIMINAL HAZING** – hazing is defined as an act that, is an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization (team) on or off school grounds, with or without the newcomers consent, to produce fatigue, humiliation, private or public ridicule.
- 3.15 POSSESSION AND/OR IGNITING COMBUSTIBLES** – possession of substances/objects readily capable of causing bodily harm and/or property damages (ammunition, firecrackers, gasoline, or lighter fluid).
- 3.16 ANY OTHER VIOLATION OR DISRUPTION TO THE EDUCATIONAL PROCESS, WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL IN THIS CATEGORY.**
SEE KRS 158.150.

CLASS III CONSEQUENCES

Class Consequences are identified as a progressive list of options from which the principal/designee may choose. ELEMENTARY represents students enrolled in Kindergarten through 5th grade. MIDDLE/HIGH represents students enrolled in grades 6-12. Number of violation sequence differs between the two levels. Suspension of elementary students shall be considered only in exceptional cases where there are safety issues for the child or others. Schools may refer students to school-based counseling services in an attempt to deter any future misconduct. All Class III violations will be investigated by two (2) certified employees.

ELEMENTARY – Consequences range from 3 Days of In-School Detention to corporal punishment (with parent permission) and/or suspension.

MIDDLE/HIGH – Consequences range from 5 days of In-School Detention to suspension and/or Alternative Learning Center placement.

**** Principal/Designee shall make a reasonable attempt to notify the parent/guardian in person and/or phone, as soon as possible. Parents will receive a copy of the disciplinary notice in person or via mail regarding notice of any CLASS III violations and consequences.**

CLASS IV VIOLATIONS

***Any regular education students enrolled in the Crittenden County School System who commits Class IV Code of Acceptable Behavior and Discipline violations shall appear before the Crittenden County Discipline Committee which could result in a student disciplinary hearing before the Board of Education.**

***For students with disabilities whose consequence results in a total of more than 10 days of alternate placement for the current school year, an Admissions and Release Committee (ARC) meeting, including a manifestation determination, will be held.**

*** Damages must be paid for in Class IV offenses. Law authorities will be called due to criminal nature of offenses.**

4.00 REPEATED CLASS III VIOLATIONS

4.01 INCITING OR PARTICIPATING IN A MAJOR STUDENT DISORDER - leading, encouraging, or assisting major disruptions.

4.02 AGGRAVATED BATTERY - MALICIOUS FIGHTING – intentional violent bodily harm that results in disability or permanent disfigurement.

4.03 VANDALISM/CRIMINAL MISCHIEF – intentional and deliberate injury or damages at or in excess of two hundred dollars (\$200.00) to public property or real or personal property belonging to another.

4.04 BOMB THREATS – any such communication(s) directed at a school Board employee that has the effect of interrupting the educational environment.

4.05 UNJUSTIFIED ACTIVATION OF A FIRE ALARM SYSTEM

4.06 POSSESSION OF WEAPONS - trap device, brass knuckles, chemical weapon, etc. that will or is designated to or may readily be used to inflict bodily harm to self or others. (Refer to Board Policy 05.48)

4.07 POSSESSION AND/OR DISCHARGING OF FIREARMS – any loaded or unloaded firearm (including a starter pistol, revolver, rifle, shotgun, air gun or spring gun) which will or is designated to or may readily be converted to expel a projectile by the action of a student; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device. (Refer to Board Policy 05.48)

4.08 DAMAGING SCHOOL PROPERTY OR PROPERTY OF SCHOOL EMPLOYEE

4.09 STEALING - LARCENY - GRAND THEFT - the intentional, unlawful taking and/or carrying away of property valued at fifty dollars (\$50.00) or more belonging to or in the lawful possession or custody of another.

4.10 BURGLARY OF SCHOOL PROPERTY – a person is guilty of burglary when, with the intent to commit a crime, he/she knowingly enters or remains unlawfully in a building.

4.11 DRUGS, ALCOHOL, UNAUTHORIZED PRESCRIPTION DRUGS AND PARAPHERNALIA - if and when a student intentionally has possession of, transfers, sells, is under the Influence of, and/or uses or consumes illegal drugs, prescription drugs, drug paraphernalia, look-alike controlled substances or alcohol while on or about school property, at any location of a school-sponsored activity, en route to or from school or a school-sponsored/sanctioned activity, on district transportation, or within one thousand (1,000) feet of school premises. (Refer to Board Policy 09.423)

4.12 TERRORISTIC THREATENING/BULLYING/CYBERBULLYING - a threat that if committed would cause serious injury or death to an individual (slit throat, shooting, etc.). This includes

- bullying/cyber-bullying – both physical and psychological – which occurs on or off school property and disrupts the learning environment of the school.
- 4.13 **SEXUAL OFFENSE** – includes indecent exposure, statutory rape, sexual assault/abuse, and other sexual offenses.
 - 4.14 **CRIMINAL HAZING** – hazing is defined as an act that, **is** an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership **in the school or** in a group or organization (team) on or off school grounds, with or without the newcomers consent, **which includes but is not limited to acts that:** produce fatigue, humiliation, private or public ridicule; **that may or may not result in** a physical assault, contact with another’s body in an improper or offensive manner, physical abuse, harm or injury, destroys or removes public or private property; **or** involves the consumption of alcohol, other drugs or substances.
 - 4.15 **EXPLOSIVES** – preparing, possessing, or igniting on school Board property explosives capable of causing serious bodily injury or property damage.
 - 4.16 **ASSAULT IN THE 1ST DEGREE** – (KRS 508.010): A person is guilty of assault in the first degree when: he/she intentionally causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument, which creates a grave risk of death to another, thereby causes serious physical injury to another person.
 - 4.17 **ASSAULT IN THE 2nd DEGREE** – (KRS 508.020): A person is guilty of assault in the second degree when: he/she intentionally causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument.
 - 4.18 **ASSAULT IN THE 3rd DEGREE** – (KRS 508.025): A person is guilty of assault in the third degree when: he/she intentionally causes physical injury to a school employee, volunteer or other persons working on behalf of the school.
 - 4.19 **ASSAULT IN THE 4th DEGREE** – (KRS 508.30): A person is guilty of assault in the fourth degree when: he/she intentionally or wantonly causes physical injury to another person.
 - 4.20 **FALSIFYING SCHOOL RECORDS** – the changing of school records, through technology or any other means.
 - 4.21 **ROBBERY** - the taking of money or other property from the person or custody of another by force, violence, assault, or putting him/her in fear of same.
 - 4.22 **ARSON** - the willful and malicious burning of any part of a building or the contents.
 - 4.23 **ANY OTHER VIOLATION OR DISRUPTION TO THE EDUCATIONAL PROCESS, WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL IN THIS CATEGORY.**
SEE KRS 158.150.

CLASS IV CONSEQUENCES

Class Consequences are identified as a progressive list of options from which the principal/designee may choose. ELEMENTARY represents students enrolled in Kindergarten through 5th grade. MIDDLE/HIGH represents students enrolled in grades 6-12. Suspension of elementary students shall be considered only in exceptional cases where there are safety issues for the child or others. Schools may refer students to school-based counseling services in an attempt to deter any future misconduct. All Class IV violations will be investigated by two (2) certified employees.

**Principal/Designee shall: (1) Notify parent/guardian in person and/or via phone (2) Notify appropriate law enforcement and/or file charges which may involve notification of the Court Designated Worker (CDW). Schools may refer students to school-based counseling services in an attempt to deter any future misconduct.

Suspicion/Screening: If a principal determines there is reasonable suspicion of a student being under the influence, he/she may require a screening be performed at Crittenden County Hospital or through local law enforcement. The cost of the screening will be solely on the student/parent on all positive results. If the screening provides a negative result, the district will bear the cost. Refusal of required screenings will be treated as a positive result.

ELEMENTARY – Possible suspension of up to ten (10) days with possible recommendation of expulsion.

MIDDLE/HIGH – Possible suspension of up to ten (10) days with Alternative Learning Center referral or recommendation for expulsion.

VII. TRANSPORTATION

Crittenden County Board of Education Policy – 06.34

PRINCIPAL RESPONSIBILITY

The principal shall oversee the department of students who ride on the school bus and who walk to and from school.

REPORTING OF VIOLATIONS

The bus drivers shall promptly report any violation of District policy or school rules to the principal.

DISCHARGE OF PUPILS FROM BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver is authorized to order the offending pupils from the bus. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the principal of the school where the pupil attends or the superintendent and the student's parent or legal guardian.

WITHHOLDING OF RIDING PRIVILEGES

The principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The principal shall notify the parents in cases where bus-riding privileges have been withheld.

The superintendent or the superintendent's designee may withhold bus riding privileges up to the remainder of the school year.

RESTITUTION OF DAMAGES

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

STUDENTS WITH DISABILITIES

Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.

Riding a school bus is a privilege conditioned upon the student obeying all rules and regulations. Suspension of bus riding privileges applies to all buses. Once a pupil has been suspended from riding one school bus, the pupil is not eligible to ride

any school bus until the suspension is served. This means that a pupil who is suspended from his regular bus cannot ride another bus to school. The suspension may apply to co-curricular activity trips, field trips, or athletic trips.

CONDUCT ON SCHOOL BUS

Crittenden County Board of Education Policy – 09.226

PUPILS' RESPONSIBILITIES

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

INSTRUCTION IN BUS CONDUCT AND SAFETY

Instruction in bus conduct and safety shall be provided all transported students. Instruction shall include the following rules:

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

Crossing on driver's signal: Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver.

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

Seating: When pupils enter the bus, they shall proceed directly to a seat.

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

Body not to protrude from window: Pupils shall not extend their arms, legs, or heads out the bus window.

Changing seats: Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.

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

RULES AND REGULATIONS FOR PUPILS RIDING SCHOOL BUSES

1. The driver is in charge of the bus and pupils. Students should obey the driver promptly.
2. Students should be on time. The bus cannot wait beyond its regular schedule for those who are tardy. Students should be at the bus stop five (5) minutes before the bus is scheduled to arrive.
3. Pupils shall ride their assigned bus and no other bus. Exceptions may be authorized by the principal.
4. Any damage done to the bus should be reported promptly to the driver. Persons causing damage shall be expected to defray the full cost of repairs before riding privileges are restored.
5. Students should always cross in front of the bus and at a safe distance in front of the bus in order to be seen by the bus driver (minimum: 10-12 feet). They should cross only on driver's signal.
6. Students should not run toward or run across the street in front of a school bus while it is in motion.
7. Students should never stand in the road while waiting for the bus, but should wait in an orderly line off the highway or street.
8. Pupils should board and leave the bus at only their assigned stop. Exceptions may be authorized by the principal.
9. Pupils shall wait at their assigned stop off the traveled roadway and shall remain there until the driver has stopped the bus, opened the door, and signaled the student to enter the bus.

10. Pupils shall board the bus and immediately take a seat without disturbing other passengers. They shall ride three in a seat, and shall not exchange seats unless given permission by the driver. If all seats are taken, students should stand to the rear of the bus and not in the doorway.
11. Pupils shall not try to get on or off the bus or move about within the bus while it is in motion.
12. Pupils shall not engage in any activity that might divert the driver's attention away from driving the bus and cause an accident such as:
 - a. Loud noises (including talking or laughing) or unnecessary confusion;
 - b. Unnecessary conversation with the driver;
 - c. Extending any part of the body out of the bus windows or doors.
13. Pupils shall not engage in any activity which might damage or cause excessive wear to the bus.
14. The following activities are prohibited at all times:
 Insolence, disobedience, vulgarity, offensive acts/gestures, foul language, fighting, pushing, shoving, and similar offensive acts; possession and use of any/all tobacco products; unauthorized items or objects on the bus; possessing knives or sharp objects; bringing any live animals or reptiles on the bus; bringing any preserved specimens on the bus that would likely frighten any pupil or cause a commotion; throwing articles or objects in or from the bus; tampering with mechanical equipment, accessories, or controls of the bus; transporting any object that would likely block the bus aisle or seats; in the event of a collision, obstructing the aisles or doors in any manner; occupying more space in a seat than required; littering the bus; deliberately tracking mud and dirt onto the bus.
15. The pupil shall not transport or have any type of fireworks, firearms, or weapons (either operative or ceremonial) on the bus. The student *Code of Acceptable Behavior and Discipline* applies.
16. No persons other than those assigned to the bus shall be allowed to ride a school bus.

VIOLATIONS OF THE RULES AND REGULATIONS FOR RIDING A SCHOOL BUS SHALL RESULT IN THE FOLLOWING ACTIONS:

The bus driver may hold a conference with a student(s) or assign a student(s) to a seat(s) as a means of maintaining order or providing a safe environment. Students who continue to violate the rules and regulations for riding a bus shall be referred to the principal. The principal will implement the following consequences:

1. A "Courtesy Notice" shall be given as a warning for violating a bus rule. Drivers have the authority to bypass this step if he/she feels the violation warrants immediate referral.
2. First referral – School level discipline and/or pupil will be suspended from the bus for one (1) to three (3) days and written notification will be mailed to the parent/guardian.
3. Second referral – School level discipline and/or pupil will be suspended from the bus for one (1) to five (5) days and written notification will be mailed to the parent/guardian.
4. Third referral – School level discipline and/or pupil will be suspended from the bus for five (5) to ten (10) days and written notification will be mailed to the parent/guardian.
5. Fourth referral – School level discipline or pupil will be suspended from the bus for ten (10) days or to the remainder of the school year and written notification will be mailed to the parent/guardian. (Refer to KRS 159.010: 160.290)

*Discipline, of the Crittenden County Student *Code of Acceptable Behavior and Discipline*, may also be applied in any case(s) deemed necessary.

VIII. DUE PROCESS

Crittenden County Board of Education Policy – 09.431

RIGHT TO DUE PROCESS

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

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

STUDENTS WITH DISABILITIES

In cases that involve students with disabilities, procedures mandated by federal and state law shall be followed. Due process to be followed by the principal/assistant principal/designee:

1. Evaluate the violation
2. Obtain statements from witnesses such as teachers, students, and others regarding the incident
3. Tell the accused student the charges against him/her
4. Give the accused student an opportunity to explain the incident
5. Have the student who violated the rule prepare, date, and be given the opportunity to sign statement;
6. Refer to the *Code of Acceptable Behavior and Discipline* to determine the severity of the offense and appropriate disciplinary action.

TRANSFER OF RECORDS

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

IX. SEARCH AND SEIZURE

Crittenden County Board of Education Policy – 09.436

REASONABLE SUSPICION

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law. Search of a pupil's person shall be conducted only with the express authority of the principal.

AUTHORIZED PERSONNEL

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the principal of the school, which the pupil attends.

WITNESS

When a pat-down search of a pupil's person is conducted, the person conducting the search shall be the same sex as the pupil, and a witness of the same sex as the pupil shall be present during the search.

PERSONAL SEARCHES

No search of a pupil shall be conducted in the presence of other students.

STRIP SEARCHES

No strip searches of students shall be permitted.

FAILURE TO COOPERATE

Students who fail to cooperate with school authorities when requested to shall be subject to other disciplinary action.

REGULAR INSPECTION

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

MOTOR VEHICLE INSPECTION

Driving rules shall be given to each driver, including a statement giving school officials the right to search a vehicle parked on school property and to search individual automobiles when conditions exist in the school or community that would cause reasonable suspicion that dangerous weapons could exist that threaten the safety of employees and/or students.

ILLEGAL ITEMS

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

OTHER DISRUPTIVE ITEMS

Items that may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the principal's office.

DISPOSITION OF ITEMS

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

USE OF METAL DETECTORS

In accordance with procedures reviewed by the board, school administrators are authorized to use stationary or mobile metal detectors in the following circumstances:

1. To search an individual when there is reasonable cause to believe that students possess weapons at school;
2. To search all students entering the premises; or

3. To search students on a random basis.

Any search of a student's person, as the result of the activation of the detector will be conducted in private. In the enforcement of these provisions, principals may authorize:

1. Unannounced inspections of pupils' desks and lockers;
2. Inspection of pupils' automobiles driven to school; and
3. Students' personal belongings if suspected to contain weapons.

RANDOM SWEEPS UTILIZING TRAINED DOGS MAY OCCUR DURING THE COURSE OF THE SCHOOL YEAR IN ACCORDANCE WITH BOARD POLICY 09.436

X. PHYSICAL RESTRAINT

Crittenden County Board of Education Policy – 09.433

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

XI. CRITTENDEN COUNTY ALTERNATIVE LEARNING CENTER

The Crittenden County Alternative Learning Center is an educational placement option designed to assist students in grades 6-12 who are at risk of academic failure due to behavior issues; who are a safety risk to themselves or others; or who have personal and/or lifestyle problems that prevent them from succeeding in the traditional school program. Placement in the CCALC program is based on a review of discipline, academic and attendance documentation presented to the district screening team composed of a principal representative, counselor representative, alternative school administrator and CCALC head teacher. Students assigned to the CCALC either through recommendation of the screening committee or by the Board of Education will be provided an individualized academic plan and an individual behavior plan.

XII. HARASSMENT/DISCRIMINATION POLICY

DEFINITION

Harassment – A person is guilty of harassment when with intent to harass, annoy or alarm another person he: strikes, shoves, kicks, or otherwise subjects him to physical contact; or attempts or threatens to strike, shove, kick or otherwise subject the person to physical contact; or makes an offensively coarse utterance, gesture, or display or addresses abusive language to any person present; or follows a person; or engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose.

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

The provisions in this policy shall not be interpreted as applying 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 Board Policy 09.426, or where it does not violate provisions of Board Policy 09.422.

PROHIBITION

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

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

NOTIFICATION OF PARENTS

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.

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 nickname, 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 the disability are unable to comprehend fully or consent to the activity; and
6. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

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

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because he/she files a written grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because he/she 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.

XIII. BULLYING/HAZING

Crittenden County Board of Education Policy – 09.422 and Kentucky Revised Statute 158.148

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

ACTIONS NOT TOLERATED

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.¹ This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

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

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

BULLYING DEFINED

Bullying 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 that either:

- occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
- 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.²

DISCRIMINATION

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

The provisions in this policy shall not be interpreted as applying 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 Board Policy 09.426, or where it does not violate provisions of Board Policy 09.422.

XIV: NON-DISCRIMINATION POLICY STATEMENT AND GRIEVANCE PROCEDURE

NOTICE OF NON-DISCRIMINATION

Students, parents, employees and others doing business with or performing services for the Crittenden County Public School District are hereby notified that the Kentucky Public School District does not discriminate on the basis of age, race, color, religion, national origin, sex, parental status, marital status, veteran status, or disability in admission or access to, or treatment or employment in, its programs and activities. Any person having inquiries concerning the Kentucky Public School District's compliance with the regulations implementing Title VI, Title VII, Title IX, the Americans with Disabilities Act (ADA), or Section 504 of the Rehabilitation Act is directed to contact:

American Disabilities Act..... Michelle Orr, Special Education Director
Title VI Coordinator..... Tonya Driver, Instructional Supervisor, K-5
Title IX Coordinator..... Diana Lusby, Director of Pupil Personnel
Section 504..... Michelle Orr, Special Education Director

Crittenden County Board of Education
601 West Elm
Marion, KY 42064
(270) 965-3525

GRIEVANCE PROCEDURES

Students, parents of students, and employees, in the Crittenden County Public School District, and members of the public who allege program inaccessibility, shall have the right to file a formal complaint with the Crittenden County Public School District alleging discrimination under federal or state law requiring non-discrimination in programs and employment.

Level One - Immediate Supervisor, Building Administrator, or Program Administrator (Informal and Optional - may be bypassed by the grievant)

An employee with a complaint of discrimination based upon his/her age, race, color, religion, national origin, sex, parental status, marital status, veteran status, or disability is encouraged to first discuss it with his/her immediate supervisor, with the objective of resolving the matter informally.

A student, or a parent of a student, with a complaint of discrimination based upon the above-state categories is encouraged to discuss it with the building administrator or program administrator involved.

An individual with a disability, including a member of the public, with a complaint regarding program inaccessibility is encouraged to first discuss it with the program administrator.

Level Two - Coordinator / Compliance Officer

If the grievance is not resolved at level one and the grievant wishes to pursue the grievance, the grievant may formalize it by filing a complaint in writing on a Grievance Filing Form, which may be obtained from the Title VI, Title VII, Title IX or Section 504, Compliance Officer. The complaint shall state the nature of the grievance and the remedy requested. Except for complaints of program inaccessibility for persons with disabilities, the formal written complaint must be filed within 30 workdays from the event-giving rise to the grievance, or from the date the grievant could reasonably have become aware of the occurrence. In cases of ongoing discrimination, the 15 workdays shall run from the date of the last incident of discrimination. The grievant or the Compliance Officer may request that a meeting concerning the complaint be held. A

minor student may be accompanied at that meeting by a parent or guardian. The Compliance Officer shall investigate the complaint and attempt to resolve it. A written report from the Compliance Officer regarding action taken shall be sent to the involved parties within 15 workdays after receipt of the complaint, unless the time is extended by mutual agreement or by the Compliance Officer for good cause.

Level Three – Superintendent

If the complaint is not resolved at level two, the grievant may appeal it to level three by presenting a written appeal to the Superintendent within 5 work days after the grievant receives the report from the Compliance Officer. The grievant may request a meeting with the Superintendent, or the Superintendent may request a meeting with the grievant to discuss the appeal. A written decision will be sent to the parties by the Superintendent within 10 workdays after the receipt of the written appeal, unless the time is extended by mutual agreement, or by the Superintendent for good cause.

Level Four - Appeal to Board

Except in areas of employment grievances which fall within the exclusive jurisdiction of the Superintendent under Kentucky Law, if the grievant is not satisfied with the Superintendent’s decision, the grievant can file an appeal with the Crittenden County Public School District Board of Education by delivering it to the Superintendent within 5 work days of receiving the Superintendent’s decision. The Superintendent shall immediately forward it to the Board members. It is within the discretion of the Board to determine whether it will hear the appeal, and the Board shall notify the grievant within 5 days after its next regular meeting as to whether it will hear the appeal. If the Board determines to hear the appeal, it shall do so within 15 days after notifying the grievant it will hear the appeal, and shall notify the grievant of its decision within 5 days after the Board meeting during which the grievance was heard. The time lines may be extended by mutual agreement.

In cases of complaints concerning the identification, evaluation or educational placement of students with disabilities, the parents, or adult student, also have the right to an impartial hearing to resolve the issue.

None of the procedures herein in any way deny the right of the grievant to file formal complaints with the U.S. Department of Education, Office for Civil Rights; the Equal Employment Opportunity Commission; the U.S. Department of Justice, or other State or local Human Rights Commissions, or other regulatory agencies.

EQUAL EDUCATIONAL OPPORTUNITIES

Crittenden County Board of Education Policy – 09.4281

DISCRIMINATION PROHIBITED

No pupil shall be discriminated against because of age, color, disability, race, national origin, religion, sex, or veteran status.

STUDENTS WITH DISABILITIES

The District shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction.

The District shall operate its programs in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

RELIGIOUS ACTIVITIES

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

- 1) Infringe on the rights of the school to:
 - a. Maintain order and discipline;
 - b. Prevent disruption of the educational process;
 - c. Determine education curriculum
- 2) Harass other persons or coerce other persons to participate in the activity
- 3) Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.