

**2023-2024**  
**HANCOCK COUNTY SCHOOLS**

83 State Route 3543  
Hawesville, Kentucky 42348  
270-927-6914

**CODE OF**  
**ACCEPTABLE BEHAVIOR**  
**AND DISCIPLINE**



Equal Education and Employment Opportunities M/F/D

## HANCOCK COUNTY SCHOOLS

*"The mission of the Hancock County School System is to embody the principles and practices of a champion organization as we prepare our students for college, career, and life. In the preparation of our students for success, we are committed to instilling & conducting ourselves with integrity, service, quality, and trust."*

# CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

83 State Route 3543  
Hawesville, Kentucky 42348  
270-927-6914

Discipline Code Contact Person  
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The Hancock County Discipline Code was reviewed by Hancock County School Board Attorney, Mike Owsley and approved by the Board of Education on April 27, 2023.

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## CONTENTS

Procedures Followed in Developing the Code	1
Procedures for Annual Discipline Code Preview	1
Procedures for Annual Orientation to the Code	1
Assurances Regarding Non-Discrimination, Due Process and Appeal Procedures	1
Allowances in the Code for Flexibility and Individual Review	2
When and Where the Discipline Code Applies	2
Personnel Authorized to Administer the Code and the Mechanism for Administering the Code	2
Hancock County School District Discipline Philosophy	2
Students Rights and Responsibilities	3
Parent and Guardian Rights and Responsibilities	4
Teacher Rights and Responsibilities	5
Principal Rights and Responsibilities	6
Grading and Misconduct	6
Corporal Punishment and Physical Restraint	6
Bus Rules	7
Suspension and Expulsion and Due Process	8
Special Education	10
504	11
Search and Seizure	11
Criminal Violations	12
Drug & Alcohol Abuse	13
Attendance	14
Harassment	15
Bullying/Hazing	18
Threats of Violence or Violent Acts	18
Terroristic Threatening	18
Acceptable Use of Computers	19
Telecommunication Devices	21
Weapons	22
Contagious Diseases and Parasites	22
Dress Code	23
Disciplinary Responses to Student Misconduct Hancock County Elementary Schools	26
Disciplinary Responses to Student Misconduct Hancock County High School and Middle School	28
In School Learning Area/Isolated Classroom Environment	30
No Pass/ No Drive Law	31
Asbestos Management	33
Parent/Student Signature Sheet	34

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100 State Route 271 South  
Lewisport, Kentucky 42351  
Phone: (270) 927-6255  
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South Hancock Elementary School  
8631 State Route 69  
Hawesville, Kentucky 42348  
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North Hancock Family Resource Center  
330 Frank Luttrell Road  
Lewisport, Kentucky 42351  
Phone: (270) 927-7900  
FAX: (270)295-6332

Middle School Youth Service Center  
100 State Route 271S  
Lewisport, KY 42351  
Phone: (270) 927-6825

North Hancock Head Start  
330 Frank Luttrell Road  
Lewisport, KY 42351  
Phone: (270) 927-7900

Lewisport Vocational Center  
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Lewisport, KY 42351  
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Hancock County High School  
80 State Route 271 South  
Lewisport, Kentucky 42351  
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North Hancock Elementary School  
330 Frank Luttrell Road  
Lewisport, Kentucky 42351  
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Career Center  
1605 US Hwy. 60 West  
Hawesville, Kentucky 42348  
Phone: (270) 927-8066  
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High School Youth Services Center  
80 State Route 271 South  
Lewisport, Kentucky 42351  
Phone: (270) 927-6953

South Hancock Family Resource Center  
8631 State Route 69  
Hawesville, KY 42348  
Phone: (270) 927-6762

South Hancock Head Start  
8631 State Route 69  
Hawesville, KY 42348  
Phone : (270) 927-8905

## 2023-2024 HANCOCK COUNTY SCHOOL SYSTEM CALENDAR

Thursday, August 3	ALL TEACHER/STAFF WORK DAY
Monday, August 7	Opening Day For Teachers/Staff
Tuesday, August 8	No School-Flex Professional Development Day
Wednesday, August 9	First Day for Students
Monday, September 4	No School - Labor Day
Monday – Friday, October 9-13	No School - Fall Break
Monday, November 6	No School-Professional Learning Day-Teachers Only
Tuesday, November 7	No School-Election Day
Wednesday, November 22	No School – Flex Professional Development Day
Thursday, Friday November 23 and 24	No School - Thanksgiving Break
Friday, December 15	Students Last Day before Christmas Break
Monday, December 18	No School- Flex Professional Development Day
December 18 – January 1	No School - Christmas Break
Tuesday, January 2	Students First Day Back after Christmas Break
Monday, January 15	No School
Monday, February 19	No School – Flex Professional Development Day
Friday, March 29	No School - Good Friday
Monday – Friday, Apr 1-5	No School - Spring Break
Monday, April 8	Students Return from Spring Break
Monday, May 20	Last Day for Students (This date is subject to change)
Tuesday, May 21	Closing Day for Teachers/Staff

<b>Missed school days will be made up using the following schedule:</b>	
1 <sup>st</sup>	Banked Time
2 <sup>nd</sup>	Banked Time
3 <sup>rd</sup>	May 22
4 <sup>th</sup>	May 23
5 <sup>th</sup>	May 24
6th-10th	NTI Days
<b>NOTE:</b>	
<b>After the 10<sup>th</sup> day, the Hancock County Board of Education will meet to decide how additional days will be made up in the instructional calendar.</b>	

## **PROCEDURES FOLLOWED IN DEVELOPING THE CODE**

- A. A broad based committee was developed in each school during the Spring of 1985 to review existing school codes and bring them in compliance with new state regulations.
- B. Each school committee consisted of parents, students, teachers and administrators.
- C. The high school and middle school worked independently on their codes. The three elementary schools met together after compiling their first drafts in order to formalize one code for all elementary schools.
- D. The central office reviewed the three codes and added needed information that was called for by state regulation.
- E. The final draft was given to the school board attorney for review and recommended changes, additions and deletions.
- F. The draft was submitted to the board of education at the June board meeting for approval.
- G. The final approved copy was mailed to the Kentucky State Department of Education.

## **PROCEDURE FOR ANNUAL DISCIPLINE CODE PREVIEW**

- A. Each year a county discipline committee will be formed to review the existing code.
- B. If there are no changes after review, the committee will report such to the board of education.
- C. If there are revisions, the code will travel through the same steps it did in its original writing.

## **PROCEDURES FOR ANNUAL ORIENTATION TO THE CODE FOR STUDENTS, PARENTS & TEACHERS**

- A. Students - Each student will receive, by school administrators or teachers, an orientation to the discipline code at the beginning of each school year or upon enrolling in Hancock County Schools.
- B. Teachers - Each school administrator will review and explain the discipline code to the faculty at a faculty meeting each year before school starts.
- C. Parents - A copy of the discipline code will be available on line at the beginning of the school year. Parents will then be encouraged to contact the school if there are questions or comments. In addition, parents can request a hard copy of the code from any school or the central office.

A parent/student signature sheet is included in the back of this book. Parents and students must sign the sheet and return it to the schools. By signing the sheet, the parents and student will be acknowledging the fact that they have read the student discipline code, they understand it, and they agree to abide by it.

## **ASSURANCES REGARDING NON-DISCRIMINATION, DUE PROCESS AND APPEAL PROCEDURES**

- A. The Hancock County Schools will not discriminate against any person on the basis of age, sex, marital status, race, color, national origin, religion, social-economic level, handicap, intelligence or any other reason. Evidence of such discrimination should be reported to the Superintendent.

The Hancock County Schools will be afforded due process by (1) being notified of misconduct, how the discipline code was violated and the charges made against them, (2) having the right to present their cases to the charging authority, and (3) having the right to appeal any decision to the next higher authority or person until all appeal rights have been exercised.

Teacher  
Assistant Principal  
Principal  
Site Based Council **\*\*Only when the appeal is applicable toward a site based policy\*\***  
Assistant Superintendent for Support Services  
Superintendent  
Board of Education

### **ALLOWANCES IN THE CODE FOR FLEXIBILITY AND INDIVIDUAL REVIEW**

The Hancock County Discipline Code is a set of regulations that administrators and teachers will use to govern the discipline of the students.

- A. Flexibility is built into the code in dealing with student behavior by differentiating between the severity of offenses and by offering various alternative measures for dealing with misbehavior.
- B. Extenuating circumstances will be taken into account when dealing with student behavior.

### **WHEN AND WHERE THE DISCIPLINE CODE APPLIES**

The discipline code applies throughout the year to all students participating in educational activities, both curricular and extra-curricular, anytime students are on school-provided transportation, on school grounds, and /or under the supervision of certified school personnel.

### **PERSONNEL AUTHORIZED TO ADMINISTER THE CODE AND THE MECHANISM FOR ADMINISTERING THE CODE**

- A. The Hancock County Board of Education Discipline Code will be administered by personnel authorized by the board of education in accordance with board policy and Kentucky State law related to student discipline and behavior.
- B. Discipline problems, which are of a common or minor nature, are to be handled by the classroom teacher using informal, in-school measures.

Discipline problems, which the teacher deems to be of a serious nature, must be referred to the principal or designee. The administrator will investigate the problem and deal with it using the circumstance and the discipline code as guides for dealing with the problem.

### **HANCOCK COUNTY SCHOOL DISTRICT DISCIPLINE PHILOSOPHY**

The Hancock County School System believes that an environment must be ensured in each school that is conducive to the learning process. An effective discipline code, which is characterized by uniformity, clarity, equity and fairness, contributes to the development of this environment.

The discipline code also facilitates the development of students' self-control and self-discipline. In this regard, the student discipline code becomes an integral component of the educational process and a symbol of the commitment of parents, students, teachers, and administrators to the maintenance of an effective learning environment.

It is for these reasons that the Hancock County School District develops and maintains a discipline code which emphasizes not only the rights of students but also the responsibilities of students to others and to the learning process. School authorities are given a broad range of powers in assuring that student rights and responsibilities are harmonious with the learning process. The Hancock County School District will exercise these powers with discretion and will adhere to the requirement of due process and other constitutional standards.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **A. LEGAL BASIS**

Students, as citizens of the United States, are guaranteed certain individual rights by the Constitution of the United States. In the formulation of student discipline codes, school districts shall give particular attention to the following specific rights as delineated in KRS 160.295(6):

1. Right of expression, including, but not limited to appearance, assembly, association, and circulation of petitions and literature;
2. Right to participate in decision making procedures directly affecting students;
3. Right to procedural due process concerning major disciplinary action, as defined by the code;
4. Right to receive academic grades based only upon academic performance;
5. Right to freedom from abuse and threat of abuse by members of school facilities and administrative personnel; and
6. Right of access by student to his or her own records and guarantee of the confidentiality of a student's academic records outside of the school system, except upon written authorization of the student or his or her parents or guardians.

Exceptional education student or students who have been referred for evaluation for placement and/or related services, have specific rights guaranteed to them by the Education for All Handicapped Children Act and the Rehabilitation Act of 1973, Section 504.

All students have specific rights related to due process when they encounter a suspension or expulsion procedure. Their rights are delineated in KRS 158.150:

A pupil shall not be suspended until after at least the following due process procedures have been provided:

- a. The pupil has been given an explanation of the evidence of the charge or charges against him, which constitute cause for suspension.
- b. The pupil has been given an explanation of the evidence of the charge or charges if the pupil denies them; and
- c. The pupil has been given an opportunity to present his own version of the facts relating to the charge or charges.

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

In relation to student discipline, rights of teachers and administrators are delineated in KRS 161.190:

"No person shall upbraid, insult or abuse any teacher of the public schools in the presence of the school or in the presence of a pupil of the school".

Additional rights and specific circumstances are detailed in KRS 161.180, supervision of pupil conduct.

"Students and their parents or guardians have the right to be informed of student rights and responsibilities on an annual basis".

### **B. DISTRICT POLICY**

1. Students have the right to:
  - a. A system of public education that meets the needs of the individual students based on reasonable guidelines, funding policy and opportunity.



- 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 students have the right to seek and hold office.
  - f. Examination of their own personal school records, by the students, their parents/guardians, or their authorized representatives.
  - g. Involvement in school activities without being subject to discrimination on the basis of race, sex, or religion.
  - h. Respect from other students and school personnel.
  - i. Present complaints or grievances to school authorities and receive replies from school officials regarding such matters.
  - j. Be members of the discipline committee.
2. Each student has the responsibility to:
- a. Be accountable for his/her own conduct and for showing consideration for the rights and property of others.
  - b. Dress and groom in a manner that meets reasonable standards of health, cleanliness and safety.
  - c. Refrain from fighting, wearing vulgar items, language, denying others the use of school facilities or buildings, using or carrying any weapon on school premises or at school activities, intentionally injuring another person or exposing others to harm, or using threats or intimidation against any other person.
  - d. Refrain from gambling, extortion, theft, or any other unlawful activity.
  - e. Refrain from using tobacco products, or using, possessing, or transmitting an alcoholic beverage or illegal or controlled substance.
  - f. Show respect for the education process by taking advantage of every opportunity to further his/her education.
  - g. Practice self-control at all times.
  - h. Care for the equipment and physical facilities of the school by refraining from willful destruction and damage.
  - i. Follow the rules and regulations of the Board of Education and/or the school and of the school administration.
  - j. Respect the reasonable exercise of authority by school administrators and teachers in maintaining discipline in the school and at the school sponsored activities.

## **PARENT AND GUARDIAN RIGHTS AND RESPONSIBILITIES**

1. Parents/Guardians have the right to:
- a) Send their child to a school with an environment where learning is valued.
  - b) Expect that classroom disruptions will be dealt with fairly, firmly, and quickly.
  - c) Enroll students in the Kentucky County School District where they shall attend classes regularly and promptly with minimal interruptions.
  - d) Expect the school to maintain high academic standards.
  - e) Review the student's academic progress and other pertinent information, which may be contained in the student's personal records.
  - f) Address a question concerning their child to the proper authority and to receive a reply in a reasonable time period.
2. Parent/Guardians have the responsibility to:

- a) Instill in their children the values of an education.
- b) Instill in their children a sense of responsibility.
- c) Instill in their children a sense of respect.
- d) Understand that unnecessary interruptions in the school are detrimental to the educational program for all students.
- e) Be familiar with the educational program and the procedures.
- f) Inform children about the disciplinary procedures of the school and emphasize the importance of following the same.
- g) See that children attend school regularly and promptly.
- h) Check with the proper school officials regarding the facts of any situation that they might question.
- i) Support the efforts of the school personnel.
- j) Demonstrate respect for the teachers, administrators, school personnel at school and all school related activities.
- k) See that students exhibit neatness and cleanliness in their personal attire and hygiene.
- l) Provide the school with any court orders or decrees affecting guardianship.

## **TEACHER RIGHTS AND RESPONSIBILITIES**

1. 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 and turned in as an assignment.
  - 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 (may result in court action).
  - f) Provide input to aid in the formulation of policies that relate to their relationships with students and school personnel.
  - g) Take action, necessary in emergencies, to protect their own person or property or the persons or property of those in their care.
  - h) Voice objections of school actions through the grievance procedure.
  - i) Be informed of any legislative/judicial decisions that pertain to discipline and conduct.
  
2. Teachers have the responsibility to:
  - a) Present subject matter and experiences to students.
  - b) Assess student learning and inform students, parents or guardians and administrators of achievement and/or problems.
  - c) Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
  - d) Assist in the administration of such discipline as is necessary to maintain order throughout the school without discrimination on any basis.
  - e) Evaluate student's assignments and return them as soon as possible.
  - f) Exhibit exemplary behavior in action and speech.
  - g) Exhibit neatness and cleanliness of personal dress and hygiene.- Teachers should exhibit business dress as defined by the building principal.
  - h) Reward exemplary behavior or work of students.
  - i) Maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students.

- j) Maintain necessary records of student progress and attendance in a timely manner and as accurately as possible.
- k) Follow and enforce rules and regulations of the Board of Education and the School Administration.
- l) Care for the equipment and physical facilities of the school.
- m) Report suspected inappropriate behavior including but not limited to child abuse, drug abuse, and emotional problems.

## **PRINCIPAL RIGHTS AND RESPONSIBILITIES**

1. Principals have the right to:
  - a) The support of students, parents, and teachers in carrying out the educational program 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) To take necessary action in emergencies to protect their own person and property, or the persons and property of those in their care.
  - e) Suspend any student whose conduct disrupts the educational process.
  - f) Administer the school environment to provide the proper learning atmosphere.
  - g) Administrators may utilize the office of the court designated worker.
  
2. Principals 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 in accordance with the conduct code.
  - 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 the policies, regulations, procedures, or laws of the district, state, and nation.
  - e) Direct the school staff in developing a program which communicates this code of conduct to the school community.
  - f) Support and communicate with the staff both as a group and individually.

## **GRADING AND MISCONDUCT**

No student's grades will be lowered on the basis of misconduct. Grades will be arrived at solely on the basis of scores earned by the students.

## **CORPORAL PUNISHMENT AND PHYSICAL RESTRAINT**

"Corporal Punishment" is defined as the deliberate infliction of physical pain by any means upon the whole or any part of a student's body as a penalty or punishment for student misbehavior.

Effective July 1, 1991, no person employed or engaged by any public elementary or secondary educational system within this school district shall inflict or cause to be inflicted corporal punishment or bodily pain upon a pupil attending any school or institution within such educational system; provided, however, that any such person may, within the scope of his employment, use and apply such amounts of physical restraint as may be reasonable and necessary to protect oneself, the pupil, or others from physical injury, to obtain possession of a weapon or other dangerous objects within control of the pupil, or to protect property from serious harm.

## BUS RULES

### A. Regulations:

1. The driver is in charge of the pupils and bus. Obey the driver promptly and respectfully.
  2. *Be On Time: The bus cannot wait beyond its regular schedule for those who are tardy.*
  3. Wait in an orderly line off highway, street and on school grounds.
  4. *Do not run toward or across the street in front of a school bus while it is in motion.*
  5. *Take a seat without disturbing other passengers; remain seated while the bus is in motion.*
  6. Ride only the bus assigned by the school district.
  7. Do not try to get on or off the bus or move about within the bus while it is in action.
  8. Behave on the bus as you are expected to behave in the classroom. Insolence, disobedience, vulgarity, foul language, fighting, pushing and other offensive acts will not be tolerated.
  9. Any Elementary Principal has complete responsibility and authority over any high school or middle school student waiting for the bus at the elementary school.
  10. Do not engage in any activity which might damage or cause excessive wear or litter to the bus or other property. The following activities are prohibited at all times:
    - a. Smoking/use of tobacco products on the bus;
    - b. Possessing knives or sharp objects on the bus;
    - c. Bringing animals or specimens on the bus;
    - d. Throwing articles or objects in or from the bus;
    - e. Tampering with mechanical equipment, accessories or controls on the bus;
    - f. Bringing food or drink onto the bus for consumption on the bus;
    - g. Glass containers of any kind on the bus.
  11. Do not engage in any activity which might divert the driver's attention and cause an accident, such as:
    - a. Loud 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.
  12. Report promptly to the driver any damages done to the bus. Persons causing damage shall be expected to defray its full cost.
110356736. 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 to 12 feet).
110356737. Do not cross the road while either loading or unloading until the bus driver motions you to cross.
110356738. There will be four (4) bus evacuation drills yearly. All students will be expected to participate in the drills. Any student who would have a medical reason that would prevent them from participating shall supply the school and bus driver with a written doctor's excuse prior to the bus evacuation drill.

### B. Violations

Misconduct on the bus is subject to the same disciplinary measures as misconduct at school. When necessary, the principal or the transportation officer may cancel riding privileges and the student may return only when the student shows evidence that his behavior will improve.

When a bus driver reports a student to the building principal for alleged misconduct on the bus, the principal must first determine the merits of the complaint.

Possible course of action:

1. Reprimand the student - probation, etc.
2. Removal of bus riding privileges for a number of days.
3. Form a committee of parent, principal, driver and student to develop a formal plan of action that all are in agreement with on the third removable offense (K-08 ONLY). If a parent

does not show up for a meeting, or if agreement cannot be reached, the child will be sent to a hearing officer. If during the implementation of this plan, the student commits another removable offense, or does not abide by the agreement, the student will be referred to the hearing officer.\*\*

4. Similar misconduct not listed here will be treated in a like manner.

	Second Line – K -8		First Line – High School	
	1 <sup>st</sup> <u>Offense</u>	2 <sup>nd</sup> <u>Offense*</u>	3 <sup>rd</sup> <u>Committee</u> <u>K-08 Only</u>	3 <sup>rd</sup> / 4 <sup>th</sup> <u>Offense**</u>
Abuse of other students	3-5 Days 1-3 Days	5-10 Days 3-5 Days	Committee*** Committee***	Board Board
Fighting	3-5 Days 1-3 Day	5-10 Days 3-5 Days	Committee*** Committee***	Board Board
Improper Language	3-5 Days 1-3 Days	5-10 Days 3-5 Days	Committee*** Committee***	Board Board
Smoking/use of tobacco products	3-5 Days 1-3 Days	5-10 Days 3-5 Days	Committee*** Committee***	Board Board
Abuse of driver	3-5 Days 1-3 Days	5-10 Days 3-5 Days	Committee*** Committee***	Board Board

\*1<sup>st</sup> & 2<sup>nd</sup> offense: Removal from the bus plus whatever disciplinary school response option for that particular level of misconduct, subject to the severity of the incident.

\*\*3<sup>rd</sup> offense: Removal from the bus and referred to the hearing officer.

\*\*\*3<sup>rd</sup> Committee K-08 Only – For above offenses only.

## SUSPENSION AND EXPULSION AND DUE PROCESS

Expulsion is the most serious penalty a school can impose. Based on Kentucky State Law (158.150) a student may not be expelled from school unless provisions of section 2 KRS 158.150 have been followed. It is therefore the policy of the Hancock County Board of Education to place a student in an isolated school setting when a student is brought before the board for expulsion.

Conduct which proves a serious or immediate threat to the safety or well-being of students or staff requires the removal of the offender from the school.

When students commit serious acts of misconduct which warrant their removal from school, the district has an obligation to initiate expulsion hearings, after other alternatives have been exhausted. In all instances, due process procedures must be carried out in accordance with Kentucky Law as specified in Section 2 of KRS 158.150.

### 158.10 Suspension or Expulsion of Pupils

- 1) All pupils admitted to the common schools shall comply with the lawful regulations for the government of the 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 or 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.
- 2) Each local board of education shall adopt a policy requiring the expulsion from school for a period of not less than one (1) year for a student who is determined by the board to have brought a weapon to a school under its jurisdiction. The board shall also adopt a policy requiring disciplinary actions, up to and including expulsion from school, for a student who is determined by the board to have possessed prescription drugs or controlled substances for the purposes of sale or distribution at a school under the board's jurisdiction, or to have physically assaulted or battered or abused educational personnel or other students at a school or school function under the board's jurisdiction. The board may modify the expulsion requirement for students on a case-by-case basis. A board that has expelled a student from the students regular school setting shall provide or assure that educational services are provided to the student in an appropriate alternative program or setting, unless the board has made a determination, on the record, supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed into a state-funded agency program. Other intervention services as indicated for each student may be provided by the board or by agreement with the appropriate state or community agency. A state agency that provides the service shall be responsible for the cost. In determining whether a student has brought a weapon to school, a local board of education shall use the definition of "unlawful possession of a weapon on school property" stated in KRS 527.070.
  - 3) School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the district transportation system pending any further disciplinary action that may occur. Each board of education shall adopt a policy to assure the safety of the students and staff.
  - 4) A pupil shall not be suspended from the common schools until after at least the following due process procedures have been provided.
    - a. The pupil has been given oral or written notice of the charge or charges against him which constitute cause for suspension;
    - b. The pupil has been given an explanation of the evidence of the charge or charges if the pupil denies them; and
    - c. The pupil has been given an opportunity to present his own version of the facts relating to the charge or charges. These due process procedures shall precede any suspension from the common schools unless immediate suspension is essential to protect persons or property or to avoid disruption of the ongoing academic process. In such cases, the due process procedures outlined above shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.
  - 5) The superintendent, principal, assistant principal, or head teacher of any school may suspend a pupil but shall report the action in writing immediately to the superintendent and to the parent, guardian, or other person having legal custody or control of the pupil. The board of education of any school district may expel any pupil for misconduct as defined in subsection (1) of this section, but the action shall not be taken until the parent, guardian, or other person having legal custody or control of the pupil has had an opportunity to have a hearing before the board. The decision of the board shall be final.
  - 6) (a) Suspension of exceptional children, as defined in KRS 157.200, for more than a total of ten (10) days during a school year shall constitute a change of educational placement. The

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

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

- 7) The Hancock County School District has an alternative program. In most cases students who are guilty of expulsionary offenses in high school and middle school will be assigned to the district's alternative program. See the Hancock County High School and Hancock County Middle School Handbooks for guidelines for expulsion to the alternative school.

## **SPECIAL EDUCATION**

The behavior of exceptional (special education) students and students who have been referred for evaluation for possible special education placement and/or related services should be considered during the Admissions and Release Committee (ARC) meetings. Behavioral interventions, treatment and consequences should become a part of the Individual Education Plan for that student. Should these interventions prove unsuccessful, as evidenced by misconduct of the student, the issue should be brought to the appropriate ARC to make changes in the student's program which might result in more appropriate behaviors.

In deciding *Kaeline V. Grubbs*, (June 9, 1982), the Sixth Circuit Court Appeals has outlined general standards governing the suspension and expulsion of handicapped children in Kentucky, Ohio, and Michigan.

- A. A handicapped child may be *suspended* temporarily without a special education change of placement procedures. (KRS 158.150 and OAG 78-637 outline due process requirements, which must be followed in suspension of all children.) Not to exceed 10 cumulative days per school year.
- B. A handicapped child may be *expelled* as long as appropriate Admissions and Release Committee procedures are followed with a committee determination that the child's disruptive behavior was not a result of the handicapping condition.

A handicapped child *may not* be expelled if the committee determines that the child's disruptive behavior was a result of the handicapping condition;

Even if the child is expelled through the appropriate procedures, there must not be a complete cessation of educational services. Therefore, if a handicapped child is expelled, alternative services must be provided.

## **504**

There are certain procedures schools must follow before disciplining handicapped students under section 504 and IDEA. The procedures which public schools are required to follow under section 504 before disciplining handicapped students are also required under IDEA. IDEA, however, requires schools to follow additional procedural safeguards, which are not required under section 504. As a result, the regulation, which establishes the procedures to be followed under section 504 specifically, provides that compliance with the procedural safeguards of IDEA will satisfy the procedural requirements under section 504.

### **SEARCH AND SEIZURE**

#### **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 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 student or by the Principal or Assistant Principal or the school which the student attends and in the presence of another certified person.

#### **WITNESS**

When a pat-down search of 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 from 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.

#### **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 others' safety and security may be seized by school officials.



## **OTHER DISRUPTIVE ITEMS**

Items which 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 which have been seized shall be turned over to the proper authorities or returned to the true owner.

## **VEHICLES**

When reasonable suspicion exists that a student's automobile or the contents thereof pose a threat to a student health, safety or welfare or of disruption to the educational process, and a search is warranted, the Principal or assistant Principal will accompany the student to the vehicle. If the vehicle is unlocked, a search will be made. If a student refuses to open any portion of the vehicle for examination, legal authorities will be summoned and the student will lose driving privileges and appear before the Board at the next school board meeting.

## **USE OF TRAINED DOGS**

Subject to the following conditions, the Principal may authorize the use of trained dogs to locate controlled substances on school grounds:

1. The dogs shall be certified as never having been trained as attack dogs.
2. The Principal or the Principal's designee shall be present.
3. Searches involving dogs shall be conducted only when students are in classrooms; no student shall be in the vicinity of lockers being searched.

All dogs shall be on a leash and will not be allowed to come in close proximity to any student.

## **CRIMINAL VIOLATIONS**

Students are accountable to their school, in their role as students, as well as to the law in their capacity as citizens. The criminal laws of the Commonwealth of Kentucky and of the federal government apply to the conduct of all persons on school property. Violations should be dealt with according to these laws and local school board policy.

- A. Due to the seriousness of LEVEL IV offenses, the student's continued presence in school would constitute a threat to other persons and would have a negative impact on the general morale of the school. Verified LEVEL IV misconduct should result in punishment in accordance with KRS 158.150.
- B. Schools should report these offenses to the appropriate law enforcement agency and assist these agencies in investigating and prosecuting the offender. In cases of assault and/or battery on a student or school employee; it is suggested that these persons press charges. The district should encourage this practice and give full support to the aggrieved individual in the legal pursuit of this matter.
- C. A student charged with LEVEL IV misconduct should be given a full due process hearing before the board, which should take prompt and appropriate action. Since disciplinary action by the school in criminal matters does not constitute "double jeopardy", the board need not await the disposition of the hearings or trial.

- D. If a student has been found guilty or has been expelled from a public or private school for an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs, prior to the student's admission to any school, the parent, guardian, or other person or agency responsible for a student shall provide to the school a sworn statement indicating (on a form provided by the State Board for Elementary and Secondary Education) that the student has been expelled from school attendance at a public or private school in this state or another state for homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs. No records shall be transferred until proceedings have been terminated and shall reflect the charges and any final disposition of the expulsion proceedings. (See Senate Bill No. 112-Commonwealth of Kentucky)
- E. School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, officials shall endeavor to notify the parents of students who are arrested.

When students are arrested at school, the Principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

#### CRIMES OFF SCHOOL PROPERTY

In the interest of the student's welfare, the following requirements shall be followed when police officers ask a question or remove a student from the school whom they suspect of committing a crime off school property.

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s)/legal guardian(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s)/legal guardian(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order or juvenile petition or arrange to interview the student off the school grounds.
4. Parental/legal guardian notification/permission shall not be required if the student is an alleged victim of abuse by the parents/legal guardians.-

#### CRIMES ON SCHOOL PROPERTY

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s)/legal guardian(s).

**\*\* Any student found to have committed crimes against the school / district will NOT be allowed to participate (or attend) graduation ceremonies. This includes any misdemeanor OR felony charges and also refers to students that have been accused based on probable cause that MAY eventually lead to charges being filed.**

#### DRUG AND ALCOHOL ABUSE (HCSBR 4440)

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

1. Alcoholic beverages;
2. Controlled drug substances and drug paraphernalia:

3. Substances that “look like” a controlled substance.

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

#### **DRUGS DEFINED**

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance which may be added by the Kentucky Department of Health Services under regulations pursuant to KRS 218A.020.

#### **AUTHORIZED MEDICATION**

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

#### **PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

#### **REPORTING**

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

#### **PREVENTION PROGRAM**

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

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

#### **ATTENDANCE**

Pupils are required to attend regularly and punctually the school in which they are enrolled.

#### **TRUANCY DEFINED**

Any pupil who has been absent from school without a valid excuse for three (3) days or more, or tardy without a valid excuse on three (3) days or more, is a truant. A pupil who has been reported as a truant two (2) or more times is a habitual truant. Absence for less than sixty minutes shall be considered tardiness. Students who are eighteen or older are to be responsible to the court for their own attendance.

Truants shall be reported to the Principal and then to the Director of Pupil Personnel both of whom shall take appropriate action.

## EXCUSED ABSENCES

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

1. Death or severe illness in the pupil's immediate family,
2. Illness of the pupil (physician's verification may be required),
3. Religious holidays and practices,
4. Order of the court,
5. One (1) day for attendance at the Kentucky State Fair, or
6. Other valid reasons as determined by the Principal or the Principal's designee.
7. Military Deployment

## NOTIFICATION

The parent (guardian) shall call the school on the date of absence and send a note stating reasons for the student's absence on the date the student returns to school. Any student that obtains 15 or more (excused or unexcused) absences may be required to attend an attendance committee meeting to discuss a plan of action to address missed instructional days. This plan may extend beyond the current school year. The attendance committee may include the district's director of pupil personnel, school principal, teachers, school nurse, counselor, and parent/guardian.

## MAKE-UP WORK

Make-up work shall be permitted for excused absences only. Students shall request make-up work within (2) days of their return to school.

**\*Parents should refer to the Student Handbook for additional guidelines.**

## PERFECT ATTENDANCE

To be considered having perfect attendance, a student should be in attendance and punctual each day. To receive a perfect attendance award for the school year, a student may have: one tardy and/or have .5 cumulative excused absences or less.

## HARASSMENT

### DEFINITION

Harassment/Discrimination is intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred contempt, or prejudice or to have the effect of insulting or stigmatizing an individual.

- This includes cyber bullying- Cyber bullying is when a child, preteen or teen is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another child, preteen or teen using the Internet, interactive and digital technologies or mobile phones.

### PROHIBITION

Harassment/Discrimination due to an individual's race, color, national origin, age religion, marital status, beliefs, sex, or disability is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment / discrimination based on sex may be committed by persons of the same or the opposite sex.)

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

## FELONY OFFENSES

If a felony offense is believed to have occurred on school grounds the following will occur:

1. School employees report to principal
2. Within 48 hours, the principal files a written report with the local board of education, and one of three local law enforcement agencies (sheriff's office, KSP, or county attorney).
3. Principal notifies the parents or guardians of students.
4. The agency receiving the principal's report will conduct an investigation ( the school or board may participate in the investigation if the agency requests)

## 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 other students being victimized shall, as soon as reasonably practicable, inform their Principal, who shall provide a form for the student to complete and then immediately notify the Superintendent and/or Title IX/Equity Coordinator, as appropriate.

Employees who observe prohibited behaviors or with whom students share a complaint shall notify the Principal or their immediate supervisor, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than five (5) school days of submission of the original written complaint. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during investigation.

2. A process to identify and implement, within three (3) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. Annual dissemination of written policy to all staff and students;
4. Age-appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

Student handbooks shall include information to assist individuals in reporting alleged harassment/discrimination. When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook, 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

Examples of conduct and/or actions prohibited under this policy include, but are not limited to:

1. Name calling, stories, jokes, pictures, e-mails, or objects that are offensive to one's gender, race, color national origin, religion, or disability;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Being subjected to unwelcome sexual remarks in the context of the classroom;
4. Impeding the progress of a student in class by questioning the student's ability to do the required class work based on the gender, race, color, religion, national origin, or disability of the students;
5. Limiting student access to educational tools, such as computers, based on the student's gender, race color, religion, national origin, or disability; and
6. Teasing a student's subject choice or assignment based on the gender, race color, religion, national origin, or disability of the student.

## CONFIDENTIALITY

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

## APPEAL

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

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

Failure by an employee, immediate supervisor, Principal, and/or Superintendent to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, to follow approved procedures, or to take corrective action shall be caused for disciplinary action.

## RETALIATION PROHIBITED

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

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

## FALSE COMPLAINTS

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

#### OTHER CLAIMS

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

#### **BULLYING/ HAZING BULLYING DEFINED**

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

No one shall retaliate against a student because he/she has reported, assists or participates in an investigation of, or participates in a hearing regarding an alleged act of bullying. School administrators shall take appropriate measures to ensure that students are protected against retaliation.

Students who are found to have violated this policy will be subject to disciplinary actions as outlined in the disciplinary responses section of this handbook (pg. 24). If the severity of an act warrants, law enforcement will be notified and/or notification of parent/guardian as required by law.

The use of lewd, profane, or vulgar language is prohibited. In addition, students shall not engage in such behaviors as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or making threats. This policy extends to any/all students' language or behavior.

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

#### **THREATS OF VIOLENCE OR VIOLENT ACTS**

#### **STUDENTS      09.425 AP.22**

#### **Assault and Threats of Violence - Notice of Penalties and Provisions**

KRS 158.1559 requires written notice to all students, parents and guardians of students within ten (10) days of the first instructional day of the school of the provisions of KRS 508.078 (making it a crime to make the described threats against school-affiliated persons and persons lawfully on school property or against school operations). In compliance with this requirement, the text of KRS 508.078 is set forth below.

#### **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 any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or

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

- b) Makes false statements by any means, including by electronic communication, indicating that an act likely to result in death or serious physical injury is occurring or will occur for the purpose of:
    - 1. Causing evacuation of a school building, school property, or school sanctioned activity;
    - 2. Causing cancellation of school classes or school sanctioned activity; or
    - 3. Creating fear of death or serious physical injury among students, parents, or school personnel;
  - c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
  - d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
- 2. A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
  - 3. A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
  - 4. Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.
  - 5. Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

Juveniles face sanctions that may include fines up to five hundred dollars (\$500.00) (KRS 635.085); probation or supervision subject to court imposed conditions and graduated sanctions for violations (KRS 635.060); and more serious sanctions if they have prior adjudications or an offense is determined to involve a deadly weapon. 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 or her parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060)



## **ACCEPTABLE USE OF COMPUTERS**

The Board supports the right of students, employees and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner.

## **PROCEDURES AND GUIDELINES**

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

## **PERMISSION/AGREEMENT FORM**

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

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

## **EMPLOYEE USE**

Employees shall use electronic mail only for purposes directly related to work-related activities.

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

## **COMMUNITY USE**

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

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

## **DISREGARD OF RULES**

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems or other computing and telecommunications technologies.

## RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

## RESPONDING TO CONCERNS

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

## AUDIT OF USE

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

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials.

The process may include, but not be limited to:

1. Utilization of blocking/filtering software
2. Turning off the "auto load images" feature of the Internet browser
3. Using a proxy server to control accessible websites

## TELECOMMUNICATION DEVICES

While on school property or while attending school sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to use that:
  - a. Poses a threat to academic integrity, such as cheating,
  - b. Violates confidentiality or privacy rights of another individual,
  - c. Is profane, indecent or obscene,
  - d. Constitutes or promotes illegal activity or activity in violation of school rules, or
  - e. Constitutes or promotes sending, sharing or possessing sexually explicit messages, photographs, or images using any electronic device.These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.
2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break.
3. Students shall be permitted to possess and use personal telecommunications devices on school buses provided they do not cause a distraction to the driver and students are able to respond as needed to the driver's instructions.
4. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to

their parent/ guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.

5. 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.
6. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
7. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.
8. The inappropriate use of camera phones that includes, but is not limited to taking pictures of staff or students, on school property or school trips is strictly prohibited. Any violation of this policy may result in forfeiture of the device until the end of the semester. Inappropriate use of a camera phone may also lead to other charges such as sexual harassment charges, theft of proprietary information, or invasion of another's privacy.
9. The use of telecommunication devices to engage in cyber bullying will be treated as harassment as defined in this handbook (page 17)
10. The use of cellular phones or other telecommunication devices outside of the school, which can/or do affect the educational environment may result in consequences at school.

### **WEAPONS (HB 312)**

Students shall not possess any weapons (firearms, knives, etc.) on school property except for instructional and/or ceremonial purposes and with the written consent of the school principal. Weapons brought onto school property for such purposes shall be rendered incapable of firing.

### **LOOK-A-LIKE WEAPONS/ SUBSTANCES**

Any toy or model weapon that looks enough like an authentic weapon to be reasonably mistaken for one will be considered a weapon. Any student who represents a look-alike weapon to a staff member or another student as a real weapon and/or who uses it to intimidate, threaten, or harass someone will be treated as if he or she used a real weapon, according to state and federal laws. Any substance that can be reasonably mistaken for a controlled substance is considered a look-alike drug. This includes non-alcoholic beer and wine. Any student, who uses, distributes, or represents a look-alike drug as authentic will be treated as if it were authentic, according to state and federal laws.

### **CONTAGIOUS DISEASES AND PARASITES**

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

The Principal or designee shall notify the student's teachers in writing of the nature of the medical condition.

### **INFECTION CONTROL**

If any student is known or suspected to have or be infected with a communicable disease or condition for which a reasonable probability for transmission exists in a school setting, the Superintendent may order the student excluded from school. The time period the student is excluded from school shall be

in accordance with generally accepted medical standards which the Superintendent shall obtain from consultation with the student's physician, the local health Officer, or the Kentucky Department for Public Health.

#### **EPIDEMICS**

In the event of a dangerous epidemic as determined by the Kentucky Department for Public Health, the Board may close the schools.

#### **SCHOOL TO REPORT**

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department.

In accordance with its published guidelines, the Kentucky Department for Public Health will conduct an evaluation of the affected student's medical condition and formulate recommendations regarding school attendance.

If the Kentucky Department for Public Health determines the student poses no risk, she/he will be allowed to attend school without restriction. If the student is physically unable to attend school or if the Kentucky Department for Public Health deems the student a significant health risk to students or school personnel, the Superintendent shall confer with the parents and/or the student to determine an appropriate education environment.

#### **MEDICAL CONFIDENTIALITY**

Unless otherwise permitted by law, signed parental consent designating District personnel to be informed of a student's medical condition shall be on file prior to informing identified District personnel.

The Superintendent shall identify which employees are to have access to student medical information. This determination shall be made on a need-to-know basis.

#### **CLEANUP PROCEDURES**

The Superintendent shall develop procedures to promote adequate and proper cleanup details and measures to aid in the prevention of infection and communicability of contagious diseases.

#### **DRESS CODE**

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

- A. Students' dress and grooming shall be neat and clean.
- B. Shoes shall be worn.
- C. No exposed midriffs, underwear or low-cut tops
- D. No see-through garments shall be worn without proper undergarments. This includes garments with large-cut arm-holes.
- E. Appropriate shorts, skirts and dresses may be worn. Principals shall have the discretion to approve the appropriateness of these items
- F. No clothing shall be worn which displays profanity, suggestive phrases, alcohol or drug advertisement, expresses violence, suggests racial bias or is gang-related.

- G. Hats and sunglasses shall not be worn inside the school building during regular school hours except for special occasions as deemed by the principal.

***SCHOOLS MAY IMPOSE MORE RESTRICTIVE REQUIREMENTS  
AS SPELLED OUT IN SCHOOL HANDBOOKS.***

***DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT***

**HANCOCK COUNTY ELEMENTARY SCHOOLS**

<b>BEHAVIOR VIOLATIONS</b>	<b>DISCIPLINARY ACTIONS:</b>	<b>Informal School Discipline Measure</b>	<b>Parent Conference</b>	<b>Short-Term Suspension</b>	<b>Long-Term Suspension</b>	<b>Expulsion Procedures</b>
				<b>1-3 Days</b>	<b>4-20 Days</b>	<b>Initiated</b>
Academic Dishonesty		X	X	X		
Unexcused tardiness to school or class		X	X			
Non-attendance of class		X	X			
Leaving school grounds without permission		X	X	X		
Failure to identify oneself		X	X			
Failure to follow school/class rules		X	X	X		
Deliberate disruption		X	X	X		
Profanity/vulgarity		X	X	X		
Fighting-students		X	X	X		
Fighting-Interference of staff		X	X	X		
Smoking/gambling		X	X	X		
Destruction of school property less than \$100		X	X	X		
HarassmentBullying		X	X	X	X	X

<b>BEHAVIOR VIOLATIONS</b>	<b>DISCIPLINARY ACTIONS:</b>	<b>Informal School Discipline Measure</b>	<b>Parent Conference</b>	<b>Short-Term Suspension 1-3 Days</b>	<b>Long-Term Suspension 4-20 Days</b>	<b>Expulsion Procedures Initiated</b>
Verbal Abuse		X	X	X	X	
Theft/extortion		X	X	X	X	X
False fire alarm/bomb threat			X	X	X	X
Possession of weapons, drugs, alcohol			X	X	X	X
Threats			X	X	X	X
Sale of drugs, alcohol			X	X	X	
Destruction of school property more than \$100				X	X	X
Assault/sexual abuse					X	X
Arson					X	X
Violation/repetition of short-term suspension					X	X
Violation/repetition of long-term suspension						X
Possession or sale of fireworks			X	X	X	X



**DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT  
HANCOCK COUNTY HIGH SCHOOL AND HANCOCK COUNTY MIDDLE SCHOOL**

<b>LEVELS OF MISCONDUCT</b>	<b>EXAMPLES</b>	<b>DISCIPLINARY RESPONSES PROCEDURES</b>	<b>RESPONSE OPTIONS</b>
<p>I. Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operations of the school.</p> <p>These misbehaviors can usually be handled by an individual staff member but sometimes requires the intervention of other school support personnel.</p>	<p>Classroom disturbance Classroom tardiness Abusive language Nondefiant failure to complete or carry out directions Public display of affection</p>	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. Repeated misbehavior requires a parent/teacher conference; conference with the counselor and/or administrator. A proper and accurate record of the offenses and disciplinary action is maintained by the staff member.</p>	<p>Verbal reprimand Classroom Break Special assignment Counseling Withdrawal of privileges Strict supervised study Detention (Break/Sunrise) Parental Conference</p>
<p>II. Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These infractions, which usually result from the continuation of LEVEL I misbehaviors, require the intervention of personnel on the administrative disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.</p>	<p>Continuation of unmodified LEVEL I behavior Academic Dishonesty School tardiness Truancy Possession or use of tobacco products Using forged notes or Disrupting classroom Cutting class Obscene acts or gestures Profanity-contempt for holy things, blasphemy/swearing Vulgarity-coarseness of manners and language Insubordination</p>	<p>The student is referred to the administrator for appropriate disciplinary action. The administrator meets with the student and/or teacher and effects the most appropriate response. The teacher is informed of the administrator's actions. offense and the disciplinary action is maintained by the administrator. A parental conference is held.</p>	<p>Teacher/schedule change Social probation Peer counseling Referral to outside agency In School Learning Area Detention (sunrise) In-team Isolation Saturday School Isolated Classroom Environment</p>

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSES PROCEDURES	RESPONSE OPTIONS
<p>III.</p> <p>Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in school.</p> <p>These acts might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remedying the situation in the best interests of all students. ISLA)</p>	<p>Continuation of unmodified LEVEL II misconduct</p> <p>*Fighting</p> <p>Vandalism (minor)</p> <p>Stealing</p> <p>Threats to others</p> <p>False fire alarm</p> <p>Shocking/extreme anti-social behavior</p> <p>Harassment-all forms</p> <p>Bullying</p>	<p>The administrator initiates disciplinary action by investigating the infractions and conferring with staff on the extent of the consequences.</p> <p>The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action. A proper and accurate record of offenses and disciplinary actions is maintained by the administrator.</p>	<p>Temporary removal from class</p> <p>In School Learning Area</p> <p>Temporary out-of-school suspension</p> <p>Parental Conference</p> <p>Saturday School</p> <p>*Fighting at HCHS zero tolerance (3-5 days suspension and/or 15-20 days</p>
<p>IV.</p> <p>Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school.</p> <p>These acts are clearly criminal and are so serious that they always require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and action by the board of school directors.</p>	<p>Continuation of unmodified LEVEL III misconduct</p> <p>Extortion</p> <p>Bomb Threat</p> <p>Possession/use/transfer of dangerous weapons</p> <p>Assault/battery</p> <p>Vandalism/Theft/Possession/sale of stolen property</p> <p>Arson</p> <p>Furnishing/selling/possession/use of unauthorized substance</p> <p>False fire alarm</p> <p>(See III. Above)</p>	<p>The administrator verifies the offenses, confers with the staff involved and meets with students.</p> <p>The student is immediately removed from the school environment. Parents are notified.</p> <p>School officials contact law enforcement agency and assist in prosecuting offenders.</p> <p>A complete and accurate record is submitted to the superintendent for the board action.</p> <p>The student is given full due process hearing before the board.</p>	<p>Isolated Classroom Environment</p> <p>Hearing Officer</p> <p>In School Learning Area</p> <p>Hearing Officer</p> <p>Other board actions which results in appropriate placement (see discussion of expulsion issue)</p> <p>Intervention of law enforcement</p> <p>Parental Conference</p> <p>Saturday School</p> <p>Isolated Classroom Environment</p>

**NOTE:**  
The above options do not include all possible situations

**In School Learning Area (ISLA)  
Isolated Classroom Environment (ICE)**

Rationale and Purpose

For some time many people have felt that out-of-school suspension was not in the best interest of the student or the school. For this reason, the Hancock County Board of Education has gone to great lengths to provide alternatives to out-of-school suspension. There are now two (2) different types of alternative classrooms.

ISLA – This classroom is set aside for students who, in the past, would have normally been suspended from school for misconduct. We feel that students need to be held accountable for their actions and sometimes this requires punishment.

ICE – This classroom is set aside for students who have not been successful in school or who have been sent there by school administrators, the Hearing Officer or the Board of Education.

The ISLA and ICE allow the student to stay in the learning environment under adult supervision with the opportunity to continue his or her schoolwork. At the same time, the student is receiving the message that some behavior is unacceptable and will be dealt with in a more severe manner. Hopefully, this will be a very positive step forward in working with the young people of our community.

*For more specific information about these programs and how they work for the individual schools, please refer to the individual school handbook.*

**KRS 159.051 Amended by the General Assembly and signed into law 4-26-07 an ACT relating to a student's license or permit to operate a motor vehicle.**

**Section 1. KRS 159.051**

- (1) When a student age sixteen (16) or seventeen (17) drops out of school or is declared to be academically deficient, the school administrator or his designee shall notify the superintendent of schools of the district in which the student is a resident or is enrolled. The reports shall be made at the end of each semester but may be made earlier in the semester for accumulated absences. A student shall be deemed to have dropped out of school when he has nine (9) or more unexcused absences in the preceding semester. Any absences due to suspension shall be unexcused absences. A student shall be deemed to be academically deficient when he has not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, in the preceding semester. The local school board shall adopt a policy to reflect a similar standard for academic deficiency for students in alternative, special education, or part-time programs.**
- (2) Within ten (10) days after receiving the notification, the superintendent shall report the student's name and Social Security number to the Transportation Cabinet. As soon as possible thereafter, the cabinet shall notify the student that his operator's license, intermediate license, permit, or privilege to operate a motor vehicle has been revoked or denied and shall inform the student of his right to a hearing before the District Court of appropriate venue to show cause as to the reasons his license, permit, or privilege should be reinstated. Within fifteen (15) days after this notice is sent, the custodial parent, legal guardian, or next friend of the student may request an ex parte hearing before the District Court. The student shall not be charged District Court filing fees. The notification shall inform the student that he is not required to have legal counsel.**
- (3) In order for the student to have his license reinstated, the court shall be satisfied that the license is needed to meet family obligations or family economic considerations which if unsatisfied would create an undue hardship or that the student is the only licensed driver in the household or the student is not considered a dropout or academically deficient pursuant to this section. If the student satisfies the court, the court shall notify the cabinet to reinstate the student's license at no cost. The student, if aggrieved by a decision of the court issued pursuant to this section, may appeal the decision within thirty (30) days to the Circuit Court of appropriate venue. A student who is being schooled at home shall be considered to be enrolled in school.**
- (4) A student who has had his license revoked under the provisions of this section may reapply for his driver's license as early as the end of the semester during**

which he enrolls in school and successfully completes the educational requirements. A student may also reapply for his driver's license at the end of a summer school semester which results in the student having passed at least four (4) courses, or the equivalent of four (4) courses, during the successive spring and summer semesters, and the courses meet the educational requirements for graduation. He shall provide proof issued by his school within the preceding sixty (60) days that he is enrolled and is not academically deficient.

## **Section 2. KRS 186.470**

- (1) The application of any minor under the age of eighteen (18) for an operator's license, motorcycle operator's license, intermediate license, or any instruction permit shall not be granted unless the application is signed by a parent or legal guardian of the applicant. Regardless of which parent signs the application, both parents shall be responsible as provided in KRS 186.590. If the minor does not have a father, mother, or guardian, an operator's license, intermediate license, or instruction permit shall not be granted to the minor unless his application is signed by a person willing to assume the obligation imposed by KRS 186.590 upon a person signing the application of a minor. A signature shall not be required in the case of the renewal of a minor's license but the signature on the original application shall continue to make the parent, guardian, or other person liable under the provisions of KRS 186.590 on all renewals of the minor's license until he reaches the age of eighteen (18) unless the license, or any renewal thereof, is canceled as provided in subsection 3 of this section.**
- (2) The application shall include parental consent for the receipt and release of the information as set forth in Section 1 of this Act regarding the attendance and academic requirements for a minor to acquire and keep an operator's license, intermediate license, instructional permit, or privilege to operate a motor vehicle.**
- (3) A parent or a guardian of a minor applicant may file with the cabinet a verified written request that the license of the minor be canceled. Thereupon the license of the minor shall be canceled and the person who signed the application shall be relieved as to subsequent acts of the minor from the liability imposed by subsection (1) of KRS 186.590.**
- (4) The cabinet upon receipt of satisfactory evidence of the death of the person who signed the application of a minor for a license shall have the license canceled and no new license shall be issued to the minor until a new application, signed and verified, is made as required by this section.**

**SPECIAL NOTICE**  
**ASBESTOS MANAGEMENT PLAN FOR HANCOCK COUNTY SCHOOLS**  
**2023-2024**

This notice is sent to inform parents of children within the Hancock County School System as to our efforts to comply with National and State regulations that relate to asbestos containing building materials (ACBM).

An inspection for building materials that contain asbestos has been completed for all buildings owned, leased or otherwise occupied by Hancock County Schools.

This inspection has been conducted by a certified inspector and the material samples were evaluated by an accredited laboratory. Building materials with as little as one percent (1%) asbestos have been identified and made a part of the Asbestos Management Plan. To date, our remaining ACBM is in the form of floor tile and mastic at the high school. This non-friable type of asbestos poses no health concerns as long as it remains in good condition.

Our maintenance personnel are trained to recognize damaged asbestos, and we have contracted a consulting firm, Matrix Environmental Group, LLC, to inspect our buildings twice per year as required by state regulations.

A complete Asbestos Management Plan for the school district is on file at the Hancock County Board of Education. A copy is also available for each individual school at the respective School's office.

Nick Boling, Asbestos Coordinator, LEA  
Hancock County Schools

I have read and understand the Hancock County Schools Code of Acceptable Behavior and Discipline.

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Parent Signature

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Date

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Student Signature

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Date