

POLICY STATEMENT

The intent of the Disciplinary Code of the Harlan County Schools is to provide a positive school climate, provide a clear set of proper school discipline regulations, establish uniform guidelines for the administering of corrective measures for infractions of the code, and classify the due process procedures as related to the code.

DEVELOPMENT, REVIEW AND ORIENTATION PROCEDURES OF CODE OF CONDUCT AND RIGHTS AND RESPONSIBILITIES

DEVELOPMENT - A committee composed of school central office staff, principals, teachers, parents, students and interested citizens developed this document. It was then adopted by the local Board of Education.

REVIEW - This Code of Conduct and Rights and Responsibilities shall be reviewed/revised on an annual basis within one month of the ending of the school term by the Code of Conduct Committee.

ORIENTATION - The principal of each school will set a date and time within the first week of the school year for annual orientation of the Code of Conduct and Rights and Responsibilities for teachers, parents, and students. A copy of the Code will be given to each student.

STUDENT DISCIPLINE CODE

DEVELOPMENT In accordance with KRS 158.148 and 704KAR7.050, the Board shall develop a student discipline code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees. The code shall prohibit bullying and establish standards of acceptable student behavior and discipline and may include District-wide standards of behavior for students who participate in extracurricular and co-curricular activities. The code shall include a process addressing how students can report code violations and incidents of bullying to District personnel for appropriate action and information regarding the consequences of bullying and violating the code and violations reportable under KRS 158.154, KRS 158.156, or KRS 158.444 Students wishing to report any violation contained in the district code should follow the chain of command beginning with Teacher, Principal, School Council, Superintendent or designee and Board. Law violations/abuse should be reported to law enforcement and/or the cabinet for Families and Children in addition to school personnel.

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

Introduction

The Harlan County School District has a responsibility to provide an education for the children in its District. Under the law, this right cannot be taken away without cause. Students have a responsibility to conduct themselves in a way that does not interfere with the rights of other students to an education nor the school's ability to provide it. The Kentucky General Assembly has found that, "Every student should have access to a safe, secure, and orderly school that is conducive to learning," (KRS 158.440). This Code of Acceptable Behavior and Discipline outlines proper student behavior.

Philosophy Statement

The Harlan County School System firmly believes that attendance is a student, parent, and community responsibility. The intent of the attendance procedure for the Harlan County Schools is to provide a structure within which students can gain maximum benefits from the instructional program. Regular attendance is necessary if students are to receive adequate guidance through their class work and benefit from their discussions. All students are expected to attend class every day that school is in session. The progress of a student at school depends greatly on the punctuality and regularity of attendance. It is desirable that every student should be in the designated area five minutes before the beginning of school. Also, each student should be in class on time.

A. Student's Responsibilities are to:

- Attend school every day unless absence is excused. **Only three (3) parent/guardian notes shall be accepted for each semester (2 per trimester).**
- Bring notes from parents/guardians or physicians for excused absences.
- Report to school on time and be in class on time.
- Sign in or out of school on entry/exit log.
- Obtain and make-up, within a specific time, work which has been missed.
- Abide by school and classroom rules.
- Behave in such a manner that uninterrupted learning can take place.
- Observe the basic standards of cleanliness, modesty, and good grooming and dress in a manner that is not disruptive to a classroom setting.
- Wear clothing, which contributes to their own health and safety as well as that of others. Also, do not wear clothing that advertises vulgar or profane language or drugs.
- During a state of emergency as declared by the Governor or the Department of Public Health, the Superintendent may impose additional requirements for appropriate and protective apparel while on school property. This may include, but not be limited to, face masks.
- Show respect for fellow students, all School Board personnel, and authorized school visitors.
- Neither take nor damage the property of other students or school personnel.
- Respect the privacy of the property and the individuals who live in the area surrounding the school grounds and bus stops.

- Avoid threats, harassment to students or staff.
- Respect and maintain the property of the school system.
- Express themselves without violating the rights of others or interfering with the orderly educational process.
- Behave in such a manner as will serve as an example and guide to other students, if serving on the Student Government.
- Organize and conduct clubs and groups in an orderly manner, without discrimination.
- Respect the rights, property and privacy of other students and school personnel.
- Carry only those materials which are acceptable under the law, and which are not hazardous to any person or property, and to accept the consequences for prohibited articles stored in their lockers.

B. Staff Responsibilities are to:

- Maintain an orderly classroom.
- Prepare adequate lesson plans for an effective program.
- Enforce the course of study, the use of the legally authorized textbooks, and the rules and regulations prescribed for the Harlan County Schools.
- Encourage the development of trust, cooperation and responsibility.
- Make an effort to improve the self-image of each student through positive reinforcement.
- Maintain necessary records of student progress and attendance as accurately as possible.
- Inform parents/guardians of children's successes, problems or failures promptly.
- Deal with discipline problems personally until all strategies at the teacher's command have been exhausted.
- Hold pupils to a strict account of their conduct in school, on the way to and from school, on the playgrounds, in the lunchrooms and cafeterias, and during intermission or recess.
- Wear appropriate attire that is in keeping with your professional appearance. During a state of emergency as declared by the Governor or the Department of Public Health, the Superintendent may impose additional requirements for appropriate and protective apparel while at work and on school property. This may include, but not be limited to, face masks.

C. Parent's/Guardian's Responsibilities are to:

- Notify the school on the day your child is absent.
- Send your child to school on time.
- Send notes to school for excused absences.
- Review the Code of Acceptable Behavior and Discipline and the school rules with your child.
- Establish and maintain, in the home, a positive attitude toward education.
- Instill in their children a sense of responsibility.
- Insure their child's regularly daily attendance and promptness to school.
- Report and explain any absence to the school.
- Show an interest in their child's work and progress through regular communication with the school.
- Inform the school of any condition or circumstance that may affect their child's ability: to learn, to attend school regularly, or to participate in school activities.
- Cooperate with the school when their child is involved in a disciplinary matter.

GRIEVANCES

Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

- Teacher; Principal; School council; Superintendent or his Designee; Board.
- The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel.
- Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

EXCEPTION policy 09.42811 shall govern Harassment/Discrimination allegations.

STUDENT WELFARE The health, welfare and safety of pupils shall be a priority consideration in all Board decisions.

ATTENDANCE REGULATIONS

Attendance for all students in the state will be calculated based on the actual percentage of time the student is absent from school translated into a whole-day/half-day format. A tardy shall be recorded for a pupil who is absent 35% or less of the regularly-scheduled school day by arriving late, leaving early, or a combination of the two. A half-day absence shall be recorded for attendance of a pupil absent for more than 35% of the regularly-scheduled school day & a whole-day absence shall be recorded for attendance of a pupil absent for more than 84% of the regularly-scheduled school day. Reports will show a "T" for tardy if absence is within 0% to 35% of

the regularly-scheduled school day. Reports will show a 50% or 100% if absence is greater than 35% of the regularly-scheduled school day. For example, if a student is 30 minutes late one morning, that will be recorded as a tardy. If the student misses 150 minutes of the day, that will be counted as an absence and recorded as 50% (half-day) absent (150 minutes of a 410 minute school day). You may see reports showing 0%, 50%, or 100% indicating tardies, half-day absences, and/or whole day absences.

STUDENT ABSENCES

ABSENCES AND EXCUSES Pupils are required to attend regularly and punctually the school in which they are enrolled. When a student must be absent from school, it is the responsibility of the parent/guardian to call the school by 10:00 a.m. to inform the school of the reason for the absence. A parental note sent with the student upon return to school will give the school verification of the child's absence. **If the school does not receive a note, the absence will be counted as unexcused.** Absences for reasons other than those that are excused (illness, death in family, doctor's appointment, etc.) will not be excused, whether the absence was with or without parental consent.

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

1. Severe illness in the pupil's immediate family,
2. Illness of the pupil. Only three (3) days per semester (2 days per trimester) shall be excused with a note from home. One (1) doctor's statement will be sufficient for students who are sick for three (3) or more consecutive days and have a doctor's statement/hospital slip;
3. Death in the pupil's immediate family (limited to three [3] days except for extenuating circumstances that may be approved by the Principal);
4. Medical and/or dental appointments that cannot be made after school. Such appointments shall be verified by physician's or dentist's statement confirming date and time;
5. Driver's permit test [one-half (1/2) day per year] or driver's license test [one-half (1/2) day per year]. Not to exceed one (1) day total per year. Verification shall be required;
6. Court appearances (verification shall be required);
7. Religious holidays and practices that are pre-approved by a school official;
8. One (1) day for attendance at the Kentucky State Fair;
9. Natural disasters beyond the student's control.
10. Documented military leave;
11. One (1) day prior to departure of parent/guardian called to active military duty;
12. One (1) day upon the return of parent/guardian from active military duty, or
13. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave, or
14. Trips qualifying as educational enhancement opportunities (See EHO explanation below).
15. Any other absences as deemed appropriate by and at the discretion of the principal.

EDUCATIONAL ENHANCEMENT OPPORTUNITIES (EHO)

Per KRS 159.035, Section 2 a student may be allowed up to ten days per school year to participate in an educational enhancement opportunity that the principal determines to be of significant educational value. Participation in an educational foreign exchange program or an intensive instructional program in one of the core curriculum subjects of English, science, mathematics, social studies, foreign language or the arts could be considered an educational enhancement opportunity. Days on which students have been approved by the principal to participate in such an opportunity will be included in aggregate daily attendance. Students who are denied a request for an educational enhancement opportunity may appeal the determination to the district superintendent. If a superintendent upholds a principal's denial, a student can appeal the decision to the local board of education for a final determination. A principal, superintendent and local board of education shall make their determinations based on the provisions of this subsection and the district's school attendance policies. *Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

A written request from a parent/guardian stating the reason for the EHO and listing specific dates requested must be signed by the school's principal and must be on file for any students taking an EHO day. If no documentation exists, students will be marked absent.

Unexcused Absences All other absences shall be unexcused. Verification of the absence for the purpose of determining whether or not it will be excused shall be presented to the Principal of the student's school no later than the second day after the student's return to school and shall include the date of and reason for the absence. The Principal/designees shall determine whether the absence is excused. When a pupil has accumulated three (3) unexcused absences, school personnel shall notify the pupil's parent/guardian stating the implications of additional unexcused absences. Referring to 702 KAR 7:125 section 18: Suspension shall be considered an unexcused absence.

Since the school calendar for the following year is finalized on or before June 1 of each year, parents should make **Christmas** and **Spring Break** travel arrangements in advance to follow the school calendar. Any absences from school preceding or

following Christmas or spring break must have a doctor's verification or other valid excuse. **Leaving early or staying beyond the school calendar schedule for an extended vacation is not a valid excuse.**

Notes Required All absences and tardiness shall be considered unexcused unless the student brings a note from the parent/guardian within two (2) days of attendance. Only three (3) parent/guardian notes shall be accepted for each semester (2 per trimester). A note is required even if the parent noted the reason on the sign-in/sign-out log at the time of check in or check out. Excuses/notes will not be accepted after the last day of school at year's end.

DEFINITION OF TRUANCY (KRS 159.150): Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without a valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant. Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant. Any student who has been reported as a truant two (2) or more times is a habitual truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

PRE-ARRANGED ABSENCES:

When parents know in advance their children will miss school, advance arrangements must be made through the principal or designee. A note from the parent/guardian explaining the request for absence is required and must be given to the principal or designee for approval. The principal or designee will give a pre-arranged absence form to the pupil who will present it to each teacher for his/her signature. After the form is completed, it should be returned to the office of the principal or designee. All planned absences must be arranged for at least 3-5 days in advance barring unforeseen circumstances or emergencies.

When assessing the student request for absence, teacher and principal will take such factors as student grades, attendance record, and previous trips, or other extenuating circumstances involving absence from school, into consideration.

With a valid excuse, it is our intention to allow any student to make-up work missed. Teachers may not be able to recreate that teachable moment for absent students. **Due to the nature of some classroom activities, work cannot always be made up.**

MAKE-UP WORK:

Students having excused or pre-arranged absences which are acceptably documented, shall be allowed to make up work. It is the student's and parent's/guardian's responsibility to contact the teacher concerning make-up work. The teacher has the discretion to require missed work to be submitted prior to the student's absence or immediately after the student returns to school. The time limit for make-up work should be a reasonable period left to the discretion of the teachers.

MAKE-UP WORK UNEXCUSED ABSENCES: Work may not be made up for class credit for unexcused absences.

SUSPENSION (MAKE-UP WORK DURING) Projects or homework assigned prior to suspension shall be accepted for credit. Students shall be responsible for submitting assignments due during the time of the suspension. Long-term projects assigned during the suspension and due at a later date shall be accepted. Work assigned and due during suspension shall not be accepted (refer to page 3: suspensions are considered unexcused absences).

Loss of Credit Students in grades kindergarten through eight (K-8) who have already missed five (5) days in a semester and who are unexcused absent for two (2) additional days during a grading period, may receive a failing grade for that period. Nine (9) unexcused absences in any class beyond the first five (5) in each semester may result in a failing grade for that class for the year.

Students in grades nine through twelve (9-12) who miss five (5) unexcused days in a semester may receive a failing grade for that class for the semester.

Attendance Committee Students who have missed more than five (5) unexcused days in a semester may appeal a failing grade to the Attendance Committee. This committee shall be composed of the Principal/designee, a classroom teacher, and Guidance Counselor.

Extended Illness/Special Consideration Parents/guardians of students who miss as many as five (5) days due to illness shall arrange for homebound instruction through the Principal. Parents/guardians of chronically ill students or students with disabilities should notify the school in writing in order for these children to receive special consideration. If possible, when an extended absence is anticipated, prior arrangements for the continuation of schoolwork should be made through the Principal/Counselor.

Early Dismissal Early dismissals shall be approved in accordance with policy 09.1231 and shall be excused only for the valid reasons listed above for excusing absences.

EXTRA-CURRICULAR PARTICIPATION

Any student who is absent from school **excused**, may participate in extracurricular activities on the day of the absence only with the approval of the principal or designee.

DRIVER'S LICENSE REVOCATION

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

ACADEMIC AND ATTENDANCE DEFICIENCIES for students age sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four courses (must pass 4 on a 5 period schedule), taken in the preceding trimester.

2. They shall be deemed deficient in attendance when they accumulate (6) unexcused absences in a class/classes for the preceding trimester. Suspensions shall be considered unexcused absences.

REINSTATEMENT OF DRIVING PRIVILEGE Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency. Students must wait until completion of the following trimester before they can be reported as compliant to regain their driving privilege (if you are reported as non-compliant in the 3rd trimester, you must wait until end of fall trimester to seek reinstatement).

Note: Excuses will not be accepted after last day of school at year's end for any purpose including driver's license reinstatement.

RELEASE of STUDENTS

RELEASE OF STUDENTS TO DIVORCED, SEPARATED, OR SINGLE PARENTS The Board shall release the student to either parent, guardian, or legal custodian unless the school has been informed and provided with evidence that there is state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary.

Procedure At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. The Principal/designee prior to the student departing school must approve any deviation from the authorized release process in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian. Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

RELEASE PROCESS If the student is to be picked up early, the custodial parent/guardian or designee shall report to the Principal's office and sign for the student's release. Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (**visual identification by an employee, driver's license, picture identification, etc.**) to assure that they are authorized to pick up the student. Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

RELEASE EXCEPTIONS A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant or person authorized by the Cabinet for Health and Family Services when the student is committed to the cabinet by a court order. In such case, the student's parent shall be notified at the earliest opportunity. In addition, the Board authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

STUDENT RECORDS

DISCLOSURE OF RECORDS Student records shall be made available for inspection and review to the parent of a student or to an eligible student on request. **Legal separation or divorce alone does not terminate a parent's record access rights.**

Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws. Upon written request, Parents or eligible students may be provided copies of their educational records, including those maintained in electronic format when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health and safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

Also refer to Notice of Rights under the Family Education Rights and Privacy Act and Notice for Directory Information on pages 21-23 for additional details regarding release/disclosure of student records and/or information.

Records Release to Juvenile Justice System Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought.

JUVENILE COURT RECORDS or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Superintendent shall notify the Principal of the school in which the child is enrolled. The

Principal shall then release the information as permitted by law. Only Superintendent and school administrative, transportation and counseling personnel or teachers or other school employees with whom the student may come in contact shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.

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

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.
(Assault shall mean any physical assault, including sexual assault.)

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.

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

RECORDS OF MISSING CHILDREN Upon notification from the Chief State School Officer of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of the child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

NOTIFICATION OF DESTRUCTION OF STUDENT SPECIAL EDUCATION RECORDS In accordance with the state and federal regulations implementing the Individuals with Disabilities Education Act (IDEA), the District destroys personally identifiable information related to special education services maintained in school special education records after three (3) years of exiting from special education services or from District enrollment.

If you wish to maintain this information for your personal records, you need to notify the District's Central Office by mailing a signed request (by student/former student who is 18 years old or by his/her continued legal educational guardian) or by signing a request in person at 251 Ball Park Road- Harlan, KY 40831 by the 3rd year of exiting from special education services or from District enrollment, otherwise the information may/will be destroyed.

Please be advised that the records may be needed by the student or the parent(s) for social security benefits or other purposes.

Records to be destroyed are as follows: Individualized Education Programs (IEPs), Evaluation Reports, Test Protocols, Notifications of Meetings, Notices of Action, Review of Existing Data Summaries, All other personally identifiable information within the Special Education file*. The reason for destruction of the above listed items is because they are no longer needed to provide educational services as it has been more than three (3) years since this individual has received special education services in the Harlan County School System.

*The district may maintain a permanent record, without time limitation, of a student's name, address and phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed.

You may contact the Special Education records office at the Harlan County Board of Education at (606) 573-4330 or the address included above for more information.

MEDICAL CONFIDENTIALITY

Unless otherwise required by law, signed parental consent, designating personnel to be informed of a student's medical condition shall be on file prior to informing identified District Personnel. Medical records shall be accessible only to persons designated by the parents.

EMERGENCY MEDICAL TREATMENT

FIRST AID TO BE PROVIDED First-aid shall be provided to all pupils in case of an accident or sudden illness until the services of a physician becomes available.

FIRST-AID ROOM A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

The District shall have employees trained in accordance with the law to administer or help administer emergency medications.

INFORMATION NEEDED Parents' telephone numbers or a number at which parents can be reached and name of the family physician shall be maintained at each school for all its pupils. Parents will be notified in the event of an accident.

EMERGENCY PROCEDURES

Each Principal shall develop a procedure for handling medical emergencies.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking. Additionally, if deemed necessary by school personnel, a report may be made to proper authorities such as the Kentucky State Police, the Cabinet for Families & Children, or local law enforcement.

STUDENT MEDICATIONS

School personnel authorized to give medications must be trained in accordance with KRS 158.838, Krs 156.502, and 702 KAR 1:160

AUTHORIZATION:

- 1) Medication should be given at home when possible. School personnel who witness students taking medications shall receive appropriate training as required by law. The Principal shall designate school personnel to witness students taking medications.
- 2) Parents and health care practitioners shall complete the required forms before any person witnesses a student taking medication. The form shall include the following information: student's name, health care practitioner's signature, address and phone number; type of medicine, dosage, time of day for dosage, reason medication is to be dispensed, possible reactions or side effects of medicine; release from liability; and parent's telephone numbers at home and work, as well as an emergency contact and number, as appropriate.
- 3) Except for emergency medications (including, but not limited to FDA approved seizure rescue medication and Epipens) and medications approved for students to carry for self-medication purposes, all medications shall be kept in a locked, safe, secure place accessible only to the responsible authorized school personnel. Medications requiring refrigeration shall be stored in a separate refrigerator in a supervised area.
- 4) Provided an authorization form has been completed by the parent/guardian, school personnel who witness students taking medications shall arrange for the child to take the medication at the proper time.
- 5) Unless otherwise approved to self-medicate, students are to be supervised by an authorized individual when taking medication. The person witnessing the taking of medication must keep a written record.

SELF-MEDICATION A student shall be responsible for taking his/her own medication (prescription) provided the parent/guardian has written approval on file with school personnel. Such approval shall assure school personnel that the child has been properly instructed in self-administering the medication. Provided the parent/guardian and health care practitioner files a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication. In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an epinephrine auto-injector in all environments. The auto-injector shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, section 504 Plan or Health Plan.

PRESCRIPTION MEDICATIONS Prescription medications shall be taken only as perceived on the health care practitioner's or dentist's written authorization. Parents/guardians shall bring to school the prescription medications in amounts needed during school hours for two (2) weeks or longer increments unless otherwise approved by the Principal or designee. Schools shall accept only a month's supply of medication for any student.

Parent/Guardians shall bring all prescription medication, original or refill, to school in a pharmacy labeled container that includes the student's name, date, medication, dosage, strength, and directions for use including frequency, duration and mode of administration, prescribers name and pharmacy name, address, and phone number. Labels that have been altered in any way will not be accepted. Per KRS 218A.210, "A person to whom or for whose use any controlled substance has been presented, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

Changes in the dosage and/or times of taking medication must be received in the form of a written order from the health care practitioner, OR the parent/guardian must bring to school a new prescription bottle from the pharmacy indicating the changes.

NON-PRESCRIPTION MEDICATIONS Nonprescription (over-the-counter) medications may be accepted on an individual basis as provided by the parent or legal guardian when prescribed by a health care practitioner and when a completed authorization form for the student to take the medication is on file. The parent/guardian must bring to school the medication in its original container, dated upon receipt, with a two (2) week or longer supply, and with the health care practitioner's order attached to the container.

With approval of the Health Care Coordinator and the Principal, nonprescription medications for periods of fewer than two (2) weeks' duration may be accepted on an individual basis. The parent/guardian shall complete an authorization form for the student to take the medication and shall bring the medication in its original container to school, date the container upon receipt, and attach to the container the health care practitioner's order, if applicable.

CONTAGIOUS DISEASES AND PARASITES

NOTIFICATION A parent, legal guardian, or other person or agency responsible for a student shall notify the student's school principal if the student has any medical condition which is defined by the Cabinet for Human Resources 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 Health Services. Control procedures for incidences of live head lice have been developed and must be followed for each case.

EPIDEMICS

In the event of a dangerous epidemic as determined by the Kentucky Department for Public Health, the Board may close the schools. A series of protocols have been implemented regarding directives from the appropriate health agencies concerning exposure and best practices regarding the Covid-19 Pandemic.

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 Health Services will conduct an evaluation of the affected student's medical condition and formulate recommendations regarding school attendance. If the Kentucky Department for Health Services will conduct an evaluation of the affected student's medical condition and formulate recommendations regarding school attendance. If the Kentucky Department for Health Services 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 Health Services 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 educational environment.

COMPETITIVE FOODS

MINIMAL NUTRITIONAL VALUE The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state regulations.

NUTRITIONAL STANDARDS No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, during the school day which is defined

- First window is from midnight the night before until 30 minutes after the last lunch period. While this window is open, no sale of food or beverage may take place except as part of the school breakfast or school lunch program.
- Second window opens 30 minutes after the last lunch period and closes 30 minutes after the end of the official school day. While this window is open any food that is sold must meet all nutrition standards in the regulations.
- Third window opens 30 minutes after the end of the official school day and closes at midnight. During this window, there is no nutrient standards restricting what may be sold.

Definition: School Campus: all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

Recordkeeping: (LEAs) local educational authority must maintain records for all other competitive food sales on school campus.

All food sales including fundraisers must still meet the federal smart snacks regulations with in the window time period for which food may be sold.

Alliance for healthier generation smart snack calculator. [HTTPS:WWW.HEALTHIERGENERATION.ORG/TAKE ACTION/SCHOOLS/SNACKS AND BEVERAGES/SMART SNACKS/ALLIANCE PRODUCT CALCULATOR/](https://www.healthiergeneration.org/take-action/schools/snacks-and-beverages/smart-snacks/alliance-product-calculator/)

STUDENT MEALS All students (elementary and high school) will receive 1 breakfast at no charge and 1 lunch at no charge daily due to Harlan County Public Schools participation in the Community Eligibility Provision (CEP). Elementary schools that are participating in the Fresh Fruit and Vegetable Program will also receive at no charge fresh fruit/vegetable during the school day. For schools that are participating in the CACFP at Risk Snack and Supper programs after the school day, students will receive at no charge snack and/or supper. CACFP will feed on weekends a snack and a lunch or supper at no charge (must have request in by the 25th of the current month for approval for the next month).

All ala carte (extra sales) are to be paid for each day. **Charging of ala carte (extra sales) items is not allowed.** You may prepay (put money on your child's account) with different options; (1) You may set up an account at www.myschoolbucks.com and use a debit or credit card or (2) you may send money to the school. The only time that those accounts will be used is if your child purchases food from the cafeteria as an extra sale.

If your child currently has a negative balance, you will need to inquire about it at the school where the charges occurred. These charges will follow the students through their senior year in high school and are expected to be paid in full before the student graduates. You may call the school and ask them to set up a payment plan until the charges are paid in full.

Should a student transfer from one school to another, their charge or prepaid amounts will follow them. Or, if a student leaves elementary level and proceeds to the high school level, these charge or prepaid amounts will also follow them. See page 28 for current year cafeteria prices.

ADULT CAFETERIA CHARGES Employees of the Harlan County Board of Education shall not charge meals at any school cafeteria. They must pay the cashier the meal charge as designated by the Board, and have all purchases documented at the point of sale. All foods will be priced on an ala carte list.

Check Cashing Policy -- All Harlan County school cafeterias will only accept checks made out to the cafeteria for the amount of payment of that day's meal or for prepayment of food items.

SUPERVISION OF STUDENTS

Students will be under the supervision of a qualified adult.

STRICT ACCOUNT Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities. A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old. A non-faculty coach or a non-faculty assistant may accompany students on athletic trips as provided in statute.

Access to School Property during the School Day

Unless they are authorized visitors, only those students who are enrolled in the district and on the property for an official school purpose, such as receiving instruction or participating in a school sponsored extra-curricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on Home/Hospital instruction wishes to come onto property during the school day, the student shall first go to the principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

ERRANDS No employee shall send a student on an errand off school property without the prior approval of the Principal.

AFTER HOURS Only those students who are involved in school activities and under the direct supervision of a faculty member or other approved school personnel shall be permitted in school buildings after school hours.

STUDENT ACTIVITIES

TO BE ENCOURAGED Student activities of an educational nature shall be encouraged and maintained based upon the needs and interests of pupils. In schools operating under SBDM, the council shall determine selection of extra-curricular activities, as well as academic qualifications, attendance requirements, evaluation procedures and supervision for these programs.

CONTROL All school-sponsored student activities shall be under the direction of the Principal and/or faculty of the school except that a non-faculty coach or non-faculty assistant may accompany students on athletic trips as provided in statute.

ELIGIBILITY The Superintendent or designees or school council, where operational, shall develop student eligibility criteria for extracurricular and athletic participation in grades K-12. The Principal may suspend a student's eligibility to participate in extracurricular and co-curricular activities, pending investigation of any allegation that the student has violated either the District behavior standards or the school council's criteria for participation.

STUDENTS ON SUSPENSION While on suspension, a student shall not be allowed to participate in or attend any extracurricular activity sponsored by the school.

STUDENT GOVERNMENT The development of a student government organization shall be at the discretion of each school.

SCHOOL-RELATED STUDENT TRIPS

Prior approval of the Superintendent/designee is required for the following school-related trips: 1) All regularly scheduled academic and athletic events; 2) All academic and athletic trips which are part of a competition, tournament, or play-off in which the school is a participant, and 3) All in-state, school-related trips as approved by the Principal.

BOARD INVOLVEMENT The Board shall be regularly informed of any trip falling within these guidelines. The Board on a case-by-case basis shall authorize use of a certified common carrier service, and the reasons to justify such use shall be cited in Board minutes. Prior approval by the Board is required for all out-of-state school-related trips.

DRIVERS/VEHICLES All District-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.

SUPERVISION A certified or classified staff member must accompany students on all school-sponsored and school-endorsed trips. For athletic trips, a non-faculty coach or a non-faculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.

INSURANCE Only Board-insured vehicles or appropriately certificated common carriers shall be used for transporting students.

PARENTS' APPROVAL Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

TRIP CANCELLATIONS School-related trips shall be canceled or postponed when schools are closed due to inclement weather, unsafe roads, or other related emergencies unless written permission is granted by the Principal and the Superintendent/designee.

VOLUNTEERS Adults who assist teachers, administrators, or other staff in public school classrooms, schools, or school district programs and do not receive compensation for their work are considered volunteers. All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff. The District shall conduct a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school sponsored trips. This applies to individuals working as head coaches or assistant coaches on a volunteer basis.

STUDENT BEHAVIOR The Board requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school district and the laws of the community and state.

PREGNANT AND MARRIED STUDENTS Married and/or pregnant pupils shall be permitted the same rights and privileges as other pupils. Pregnant students may not participate in activities, which will endanger the student or fetus.

STUDENT CONDUCT The Superintendent/designee shall be responsible for overall implementation and supervision of the Board's code of acceptable behavior and discipline, and each Principal shall be responsible for administration and implementation of the code within each school. The Principal shall apply the code uniformly and fairly to each student without partiality or discrimination. The Principal of each school, or school council in schools with SBDM, shall set school policy concerning the selection and implementation of appropriate discipline and classroom management techniques necessary to carry out the code.

MEDICATION WHILE ON TRIPS Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education. When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

FUND-RAISING ACTIVITIES

BOARD APPROVAL REQUIRED The Board must approve all school wide fund-raising activities, including the proposed use of the funds. Requests must be channeled through the Principal and Superintendent.

DOOR TO DOOR SALES The Superintendent shall develop and present for Board review door-to-door sales guidelines to reflect the following standards:

- 1) Students shall be permitted to participate only when mature enough to benefit safely from the experience;
- 2) To promote their safety and well-being, students shall be instructed to use specific sales strategies, which shall be provided in writing; and
- 3) Community members and businesses shall not be overburdened by continual appeals.

SUBSCRIPTION SALES The Superintendent shall provide written approval to the county clerk for all subscription sales of printed materials. This approval shall identify the product(s) being sold, the students involved as solicitors and the duration of sales.

GAMING ACTIVITIES LICENSE Schools and individual classes planning to conduct charitable gaming activities, as defined by law and Accounting Procedures for Kentucky School Activity Funds, shall obtain and display the appropriate license.

PUPILS NOT COMPELLED No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity. Students choosing not to participate in a fund-raiser shall not be excluded from benefitting from the fund-raiser or otherwise penalized in any way.

CONDUCT OF ACTIVITIES All school-sponsored groups and any booster group wishing to be recognized by and/or affiliated with the district shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.

SAFETY As directed by the Superintendent, roadside sales or solicitation on or in close proximity to roadways are prohibited (Example; roadblocks, standing near or in roadways with signs, etc....).

CARE OF SCHOOL AND PERSONAL PROPERTY

PUPILS RESPONSIBLE Pupils shall be held responsible for damage to school property.

SCHOOL PROPERTY Any pupil organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property. 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 damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving: 1) Intentional harm and 2) Damage beyond minor loss or breakage, excluding normal wear and tear.

PERSONAL PROPERTY OF SCHOOL PERSONNEL Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages, the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.

STUDENT'S PROPERTY Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

PARENTS LIABLE Parents shall be liable for property damage caused by their minor children.

BULLYING/HAZING

ACTIONS NOT TOLERATED: The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, verbal or physical abuse of others, or other threatening behavior. This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with ability of other students to take advantage of the educational opportunities offered. Students who violate this code shall be subject to appropriate disciplinary action.

REPORT Students that believe they are victims of bullying/hazing are encouraged to report such incidents to district personnel for appropriate action.

Bullying Defined Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or
2. That disrupts the education process

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

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, 09.426 and/or 09.42811. Harassment/Discrimination allegations shall be governed by policy 09.42811.

STOP

End School Violence Now

Stop Bullying & Risky Behavior

Speak Up

Alert Principals, Counselors, Teachers, Law Enforcement
Or Text, Call or Scan 1-866-393-6659

National Human Trafficking Hotline

1-888-373-7888
Or Text “BeFree” (233733)

Live Chat: HumanTraffickingHotline.org

Bullying Assessment Flow Chart



To be considered "Bullying", the act must be a combination of all three: Aggression, Dominance AND Persistence.

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 the local school board policy.

Criminal offenses are acts which result in violence to another person or his property or which pose a direct threat to the safety of others in the school. Such offenses are clearly criminal. Due to the seriousness of criminal offenses, the student's continued presence in the school would constitute a threat to other persons and would have a negative impact on the general morale of the school. Verified criminal conduct could result in the immediate removal of the student from the school, pending a hearing before the board in accordance with KRS 158.150.

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.

A student charged with criminal conduct 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 hearing or trial

WEAPONS - This policy applies to students, staff members, and visitors to the school.

WEAPONS PROHIBITED Except as permitted by law, carrying, bringing, using or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property. Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under policy 09.435. 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 firearm in violation of the law or assault involving the use of a weapon. Violations by visitors shall be reported to a law enforcement agency.

FEDERAL REQUIREMENTS The penalty for students bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under policy 09.435. However, the Board may modify such expulsions on a case-by-case basis for both IDEA & Non-IDEA students. Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

EXCEPTIONS An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070. Law enforcement officials are authorized to bring weapons onto school property in performance of their duties. Each School Resource Officer (SRO) shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.

OTHER PROHIBITED WEAPONS *In addition to those weapons listed for state reporting purposes, no student shall be allowed to carry any weapon, including but not limited to knives, razor blades, throwing stars, stun-guns, or any sharp instrument on school grounds. All knives, including ordinary pocketknives and hunting knives, are prohibited. Employees who receive information from a student or other person regarding conduct required to be reported, shall report the conduct in the same manner as stated above.

WEAPONS PROHIBITED - It is the policy of the Harlan County School System to report any student who is determined to have brought a weapon or firearm to school or school grounds under the jurisdiction of this system to the criminal justice or juvenile delinquency system. To comply with existing requirements of the individuals with Disabilities Education Act (IDEA) regarding discipline of students with disabilities, the Harlan County Board of Education will modify the expulsion requirements on a case-by-case basis, for IDEA-eligible students. IDEA-Eligible students may be expelled for behavior unrelated to their disabilities, as long as procedural safeguards required by IDEA and KRS 158.150 are followed: In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

DEADLY WEAPON STATE REPORTING REQUIREMENTS

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 carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. For state reporting purposes, a deadly weapon shall be defined as;

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

REPORT TO LAW ENFORCEMENT AGENCY 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 assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property. School property means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the principal.

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

NOTIFICATION Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other school official who has knowledge of the student's behavior prior to the assignment or contact.

CHILD ABUSE --- REPORT REQUIRED KRS 620.030

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

Dependent defined-A child is dependent when he/she is without proper care through no fault of the parents/guardians.

WRITTEN RECORDS

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records," and not maintained with the students' "permanent records," is immaterial if such records are directly related to student and are maintained by the school or school District.

DUTY TO REPORT CERTAIN CONDUCT

The law also requires the school employees to report to the sheriff, local police or Kentucky State Police:

Any felony occurring on school property; or

Any misdemeanor or violation relating to:

A. carrying, possession or use of a deadly weapon on school property, or –

B. use, possession, or sale of a controlled substance on school property.

Failure to promptly report is a Class A misdemeanor, punishable by up to 12 months in jail and a fine of up to \$500.

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

USE OF ALCOHOL, DRUGS AND OTHER PROHIBITED SUBSTANCES

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

1) Alcoholic beverages;

2) Controlled substances, prohibited drugs and substances and drug paraphernalia; and

3) Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass the item as a controlled substance.

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

DEFINITIONS Controlled substance means any substance or immediate precursor listed in Chapter 218A of the **KRS** or any other substance which may be added by regulation under KRS 218A.010.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

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

PENALTY Violation of this policy 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.

REPORTING Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

TOBACCO PROHIBITED Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined by KRS 438.305 on or in all Board property at all times, including any vehicles owned, operated, leased, or contracted for use by the Board and while attending or participating in any school related student trips or student activity. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

SEARCH AND SEIZURE

REASONABLE SUSPICION No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, et.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will turn up evidence that the pupil has violated or is violating this code, school rule or the law. Search of a pupil's person shall be conducted only with the express authority of the Principal/designee.

AUTHORIZED PERSONNEL Searches of a pupil's person or his/her personal effects shall only be conducted by the certified personnel directly responsible for the conduct of the student or the Principal/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

FAILURE TO COOPERATE Students who fail to cooperate with school authorities shall be subject to other disciplinary action.

REGULAR INSPECTION School property, such as lockers, desks, and network systems, technology resources and accounts owned and supplied by the District are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items that are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account 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 reasonable determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

USE OF METAL DETECTORS School administrators are authorized to use stationary or mobile metal detectors. Metal detectors may be used in the following circumstances:

- 1) To search an individual student when there is reasonable suspicion to believe the specific student is concealing a weapon;
- 2) To search all students entering the premises; or
- 3) To search students on a random basis provided adequate procedures are adopted and followed to insure a random selection process. Procedures setting guidelines for the use of metal detectors shall be developed and presented to the Board for review. All procedures for the use of metal detectors shall conform to applicable legal standards. Students shall be notified that metal detectors may be used and the circumstances and procedures for their use.

OTHER DISRUPTIVE ITEMS A staff member may temporarily remove items, which may be used to disrupt or interfere with the educational process, from the pupil's possession. Such items may be returned to the pupil by the staff member or through the Principal's office.

PUPIL'S PRESENCE Except for administrative searches such as routine locker checks, students will have the opportunity to be present when a search of personal possessions is to be conducted unless the pupil is absent from school or unless school authorities determine that the pupil's presence could endanger his/her health and safety or the health and safety of others. KRS 161.180

POLICE OFFICERS IN THE SCHOOL

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 to 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) cannot come to the school and do not consent to the interview, the police should be advised to either bring a court order, juvenile petition or warrant or arrange to interview the student off the school grounds;

- 3) If the parent(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;
- 4) If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for health and family Services representative as to whether to contact a parent and shall provide the cabinet access to a child subject to an investigation without parental consent.
- 5) The student shall be informed by the police of his/her legal rights.

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).

WILLFUL DEFIANCE OF AUTHORITY

The refusal of any student to comply with reasonable request of school personnel by refusing to recognize or obey school authority or the open resistance to and standing up against the school staff or administration is unacceptable. Furthermore, students who intentionally defy school personnel with the purpose of insulting or verbally abusing them, thus undermining the discipline and order of the school, **will be suspended with possible recommendation to the Board of Education for expulsion.**

ABUSE OF TEACHER PROHIBITED

No person shall upbraid, insult or abuse any teacher of the public schools at any time in the presence of the school or in the presence of a pupil of the school. Whenever a teacher or school administrator is functioning in his capacity as an employee of a Board of education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school or the effectiveness of the school person. **Penalty, 161.990(3)**

ASSAULT AND THREATS OF VIOLENCE

For purposes of this policy, a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods. Any/All Threats to harm others are a disciplinary violation and consequences will depend on the seriousness of the behavior. Student threats will be evaluated by a member(s) of a threat assessment team and in some cases students may be required to participate in a mental health assessment.

PUPILS Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion and/or legal action.

SCHOOL PERSONNEL Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action up to and including expulsion from school and/or legal action.

THREAT ASSESSMENT AND RESPONSE PROTOCOL

A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act. When in doubt, treat the communication or behavior as a threat and conduct a threat assessment. Threats that are not easily recognized as harmless (e.g., an obvious joke that worries no one) should be reported to the school administrator or other team members. The administrator or other team member makes a preliminary determination of the seriousness of the threat. The student, targets of the threat, and other witnesses should be interviewed to obtain information using this protocol. A transient threat means there is no sustained intent to harm and a substantive threat means the intent is present (or not clear) and therefore requires protective action. A threat assessment is not a crisis response. If there is indication that violence is imminent (e.g., a person has a firearm at school or is on the way to school to attack someone), a crisis response is appropriate. Take immediate action such as calling 911 and follow the school crisis response plan. Schools will use a 5-step assessment protocol that may include the following:

- Evaluate Threat
- Attempt to Resolve the threat as transient
- Respond to a Substantive Threat
- Conduct Safety Evaluation for serious substantive threat
- Implement and Monitor the safety plan

Refer to page 29 for a list of threat responses that may be initiated. The list includes, but is not limited, appropriate actions to use as threat responses. Each case may require a unique set of actions. Please refer to pages 36 & 37 for further information regarding Terroristic Threatening.

REMOVAL OF STUDENTS

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's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to;

- 1) verbal or written statements or gestures by students indicating intent to harm themselves, others or property;
- 2) physical attack by students so as to intentionally inflict harm to themselves, others or property. Removal of students from a bus shall be made in compliance with 702 KAR 5:080. Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as possible. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

USE OF PHYSICAL RESTRAINT

Employees may use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, student(s), or others from physical injury; to obtain possession of a weapon or other dangerous object under the control of a student; or to protect property from serious harm.

If the ARC (Admissions & Release Committee) or section 504 Team anticipates that a student may need to be restrained on a frequent basis, the district shall consider whether special restraint training is needed for one (1) or more of the employees who regularly work with the student. All staff are required to complete training on the appropriate use of seclusion and restraint as outlined in Kentucky regulation 704 KAR 7:160

DISRUPTING THE EDUCATIONAL PROCESS

Behavior that materially or substantially disrupts the educational process, whether on school property or at school sponsored events and activities shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to;

- 1) conduct which threatens the health, safety, or welfare of others;
- 2) conduct which may damage public or private property, including the property of students or staff;
- 3) Illegal activity;
- 4) conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
- 5) conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

DRESS AND APPEARANCE The wearing of any item that materially or significantly disrupts the educational process or threatens the health or safety of other students or staff members is prohibited. If a school/council chooses to develop a dress code, it shall be consistent with Board standards set out in the District's Code of Acceptable Behavior and Discipline.

HARRASSMENT/DISCRIMINATION

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

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

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

DISCIPLINARY ACTION Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

GUIDELINES Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination 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 three (3) school days of submission of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. 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 measure to protect complainants during the investigation.
- 2) A process to identify and implement, within five (5) 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 IX Coordinator, Jim Whitaker (606)573-4330, ext:2024, Email: jim.whitaker@harlan.kyschools.us, 251 Ball Park Road, Harlan, KY 40831 shall be notified.

NOTIFICATIONS: Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227). In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.

BUS SAFETY RULES AND POLICIES

NEW MANDATORY POLICY Relates to United States Department of Education regulation published on May, 19, 2020 defining sexual harassment for purposed of Title IX. Title IX Sexual Harassment in the educational programs or activities of the District is prohibited. In addition to numerous other matters, the regulation sets forth grievance procedure requirements that apply, including the initiation of a formal complaint, before there is a determination that a student is responsible for Title IX Sexual Harassment. The applicable definition of sexual harassment describes serious sexual misconduct. The District has in place a Title IX Sexual Harassment grievance procedure which treats complainants and respondents equitably as required by Federal Regulation. Anyone subjected to said harassment shall contact the school principal or the District administrative office for a complete and detail copy of the policy and grievance procedure.

BUS SAFETY RULES AND POLICIES

PUPILS RESPONSIBLE Relates to KRS 156.160, 189.540; Pursuant to KRS 13.082, 156.070, 156.160

Necessity and Function: To make the pupils that ride the buses to and from school aware of their responsibilities relating to pupil transportation. 702 KAR 5:080

Section 16. The driver shall transport only those pupils officially assigned to a particular bus trip unless an unassigned pupil presents the driver with a written permit to ride the bus trip that has been signed by the school principal or his designee. The driver shall not permit an assigned pupil to leave the bus at a stop other than where the pupil regularly leaves the bus unless presented with a written permission signed by the principal or his designee.

PRINCIPAL RESPONSIBLE The Principal shall oversee the department of students who ride on the school bus and who walk to and from the school. 702 KAR 5:090 –

CONDUCT ON SCHOOL BUS - STUDENTS' RESPONSIBILITIES Pupils shall conform to transportation rules prescribed under state statutes, and under state and local regulations. Instruction in bus conduct and safety is provided to all transported students.

DISCHARGE OF PUPILS FROM BUS Drivers are in charge of their buses, and their first responsibility shall be the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver shall stop the bus and contact the bus garage or Superintendent's designee to send someone to pick up the student or, if the behavior warrants, the driver shall call law enforcement. If calls for assistance are unsuccessful, the driver is authorized to order the offending student from the bus if the student is in the sixth (6th) grade or above. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends or the Superintendent and the student's parent or legal guardian.

WITHHOLDING OF RIDING PRIVILEGES The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld. The Superintendent or the Superintendent's designee may withhold bus-riding privileges up to the remainder of the school year.

VIDEO RECORDING EQUIPMENT Video cameras may be installed in the District's school buses to record student behavior during transportation to and from school and school-related events. Evidence of student misbehavior recorded on video may be used to discipline students under provisions of governance authorities.

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

STUDENTS WITH SPECIAL NEEDS Students with special needs who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and /or 504 plan and the legal obligations and standards adopted by the Board.

INSTRUCTION IN BUS CONDUCT SAFETY - Instructions shall include the following rules:

- 1) Pupils shall wait at their assigned bus stop off the roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.
- 2) Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver.
- 3) When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order that the bus driver may see them.

- 4) When pupils enter the bus, they shall proceed directly to a seat.
- 5) Pupils shall not transport Firearms or weapons either operative or ceremonial; Fireworks or other explosive materials of any type; live animals, fowls, or reptiles; Preserved specimens that would likely frighten a pupil or cause a commotion on the bus: Glass objects or helium balloons. Exception: an animal that is to enable a person to safely utilize the bus transportation as documented by adequate medical evidence or a student's IEP or 504 Plan and that is not a risk to other bus riders may be allowed.
- 6) Pupils shall remain seated until the bus has come to a complete stop.
- 7) Pupils shall not extend their arms, legs, or heads out the bus windows.
- 8) Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.
- 9) Pupils shall not create noise on the bus to the extent that it might distract the bus driver or to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.
- 10) Passengers shall not bring an object on the school bus that may block the bus aisles or exits.

TELECOMMUNICATION DEVICES

POSSESSION AND USE 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 posing a threat to academic integrity, such as cheating or violating confidentiality or privacy rights of another individual. When students violate this prohibition, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian;
- 2) Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property;
- 3) Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
- 4) 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. Violation would include, but not be limited to, taking unauthorized pictures, video, or audio recordings of students/staff (capturing pictures without an individual's knowledge or consent, passing pictures to others, exposing the identity of a minor, using pictures to ridicule, embarrass, or degrade an individual, or posting pictures on the internet). Violation also includes use that is profane, indecent or obscene; use that constitutes or promotes illegal activity or activity that violates school rules; or use that constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

ACCESS TO ELECTRONIC MEDIA

(Acceptable Use Policy) and Children's Internet Protection Act (CIPA) Policy The Board supports reasonable access to various information formats for students and employees and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

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

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyber bullying awareness and response.

Internet safety measures, which shall apply to all District-owned devices with internet access or personal devices that are permitted to access the District's network, shall be implemented that effectively address the following:

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

This policy provides measures to protect against access by both adults and minors, to visual depictions that may be obscene, or otherwise inappropriate content, which may cause harm. This policy also provides restrictions and prohibits the use of the district's electronic media services to participate in any illegal activity, and strictly prohibits the use of electronic devices to capture, distribute, or display unauthorized or otherwise unacknowledged pictures of students and/or staff. The below language is a required statement of the District's explanation of parental consent and compliance with Federal law, policy 08.2323:

Parents must accept and agree that their child's rights to use the electronic resources provided by the district and/or the Kentucky Department of Education (KDE) are subject to the terms and conditions set forth in District policy/procedure. They are also advised that data stored in relation to such services is managed by the District pursuant to this policy and accompanying procedures. They must understand that the e-mail address provided to their child can also be used to access other electronic services or technologies that may or may not be sponsored by the District, which provide features such as online storage, online communications and collaborations, and instant messaging. Use of those services is subject to either standard consumer terms of use or a standard consent model. Data stored in those systems, where applicable, may be managed pursuant to the agreement between KDE and designated service providers or between the end user and the service provider. Before a student can use online services, he/she must accept the service agreement and, in certain cases, obtain parental consent.

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

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or district.

Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

In order to meet the requirements of the Children's Internet Protection Act (CIPA) and Board's Acceptable Use Policy, The Harlan County School District requires all users to agree to uphold the integrity set forth by this policy, and requires parental consent for all students of the district. Therefore, guardians and students acknowledge that **receipt of this notice implies agreement** to abide by all terms, conditions and regulations set forth by the Harlan County School District, the Kentucky Department of Education and KRS, and the US Department of Education regarding and governing the use of technology (including, but not limited to the internet, email, and other district technology resources). Furthermore, it is understood that if guardians and/or students do not agree to the aforementioned terms and conditions, then they will forfeit the privilege of using technology provided by the Harlan County School District.

Please return this form to the District Technology Director via your child's homeroom teacher only if you do not give permission for your child to participate in technology services provided by the Harlan County School District.



I DO NOT give permission for my child to participate in/use technology provided by Harlan County Schools.

Please Print Clearly.

Parent's Name: _____

Child's Name: _____

Child's School and Grade _____

Parent's Signature: _____ Date _____

Child's Signature (optional): _____ Date _____

STUDENT DISCIPLINARY PROCESSES

SCHOOL-RELATED ACTIVITIES: Relates to Policy 09.43 The authority of the district in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

SERIOUS PROBLEMS Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

*As part of the schools' wellness policy, loss of physical activity periods shall not be used as a disciplinary consequence. Relates to Policy A02.4241

DUE PROCESS

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

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

STUDENTS WITH DISABILITIES

In cases that involve students with disabilities, procedures mandated by federal and state law shall be followed. KRS 158.150

DISCIPLINE AND THE EXCEPTIONAL STUDENT

Identified exceptional students in the Harlan County Schools should be instructed in areas relevant to responsible pupil conduct including drug, alcohol, moral, and values education. Exceptional students are expected to conform to school rules, as are their non-handicapped peers. Thus, definite term suspensions of exceptional students are permissible provided they do not create a "change in placement" for purposes of the federal special education law. However, suspensions totaling ten days can be considered a "change of placement" which requires an SBARC meeting to determine if the current IEP is appropriate and if it is being properly implemented. The SBARC must also make any necessary IEP adjustments and determine whether the student's behavior is a result of the handicapping condition. Reviewed court cases usually find that misbehavior is the result of the handicapping condition. The ARC must make the determination that the infraction committed by the exceptional student, which warrants expulsion, is unrelated to the child's handicapping condition. Indefinite suspensions and/or serial suspensions also constitute a "change in placement" for purposes of the law and cannot arbitrarily be used by school administrators to punish exceptional students for rule infractions. Expelling an exceptional child from school is viewed by the courts to be a "change in placement" and can only be recommended by the student's Admissions and Release Committee (ARC). For further discussion and clarification refer to the District's "Policies and Procedures for Exceptional Children Handbook," or discuss with the DOSE. (PL 101-476; 704 KAR 7:050)

ALTERNATIVE EDUCATION PROGRAM

After repeated school violations, trancies, at risk of failing, or misconduct, the principal has the right to refer any student to an alternative education program.

Assignment For conduct that disrupts the educational process, a student may be assigned to the alternative education program by the Principal or the Principal's designee. The Principal or the Principal's designee shall fix the duration of assignment.

Notification The Principal or the Principal's designee shall notify the parents by letter of their child's assignment to the alternative education program. The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

Supervision The student shall remain in the regular school setting but shall be isolated from the regular school schedule. Opportunities shall be provided for the student to continue regular schoolwork under the supervision of the school staff, and counseling services shall be provided to address school-related problems. KRS 159.051

DETENTION The Principal or the Principal's designee may establish a detention hall as an alternative disciplinary method.

Notice to Parents: A pupil's parent/guardian shall be notified prior to the detention so that transportation may be arranged by the parent. KRS 160.290; KRS 160.340

SUSPENSION AND EXPULSION

KRS 158.150 - "All pupils admitted to the common schools shall comply with the lawful regulations for the government of the schools. 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 or school personnel, 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, 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."

SUSPENSION:

Who May Suspend In accordance with KRS 158.150, the Principal or assistant Principal may suspend a pupil up to a maximum of ten (10) days per incident. The Superintendent may suspend a pupil up to a maximum of ten (10) days per incident.

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

Prior Due Process Required A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150*(09.431), unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the principal, additional due process shall be provided.

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

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

Suspension from the Harlan County Schools is a severe disciplinary measure. Suspension is usually for one (1) to three (3) days although it can be longer. A student who receives a first suspension may or may not be required to return to school with his/her parents. Students who receive a **second or third suspension during a school year will be required to have one or both parents meet with the principal or assistant principal before being allowed to return to school.** A fourth suspension could result in expulsion for the remainder of the school term. Students on suspension or expulsion are not eligible to participate in any school

activities. Snow days, holidays, or weekends do not constitute suspension days. When a student is on suspension/expulsion, the principal shall notify all teachers of that student.

EXPULSION:

Board May Expel The Board may expel any pupil from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program. Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others; the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drugs or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others. The Superintendent shall present to the Board for its approval options for providing educational services to expelled students.

Hearing And Records Required Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board. The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.

Board Decision Final The Board's decision shall be final.

Students with Disabilities In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed and educational services must continue for IDEA eligible students who are expelled.)

Transfer of Records: Records transferred to another school shall reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed. KRS 158.150

CORPORAL PUNISHMENT

The Harlan County Board of Education follows Kentucky mandates regarding corporal punishment.

SCHOOL COUNCIL MEMBERS (SBDM)

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. This statute also requires a parent member to provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. A parent member may serve prior to the receipt of the criminal history background check and CA/N check, but shall be removed from the council on receipt by the district of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165.

HARLAN COUNTY SCHOOLS COMPREHENSIVE SUBSTANCE ABUSE EDUCATION PROGRAM, PREVENTION POLICY AND PROCEDURE

In this day and time, alcohol and other forms of drug abuse have grown to major proportions in our society. The school setting is not exempt from this phenomenon. Therefore, it is vital that educators and parents continually explore ways to institute programs that encourage a drug-free lifestyle for their students/children. It is to that end that this program is created to provide the appropriate action plan to address and nurture a drug-free environment for the entire Harlan County School community.

In order to accomplish its purpose, this policy establishes a program of education and counseling to deter the unlawful use of alcohol and other drugs and provides for the suspension and termination of participation in the schools extra-curricular activity structure when deterrence is unsuccessful. To determine compliance with the policy, it provides a testing program to identify student participants who are unlawfully using alcohol and other drugs. For these students, the policy provides incentives for rehabilitation through possible reinstatement to the specific activity involved. Team/extra-curricular activities covered by this policy include all groups and organizations (grades 7-12) under the direct sponsorship of Harlan County Schools and any group that will conduct itself in the names of Harlan County Schools and participate in activities sanctioned by the administration. Participation is contingent upon student and parent/legal guardians' agreement to be bound by the terms and conditions contained in this policy.

NOTICE TO REGISTERED SEX OFFENDERS

KRS 17.545 Now requires that no registered sex offender be on the clearly defined school grounds without advance written permission from the principal or board after full disclosure of status.

A registrant who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day;
2. To pick up the child who is injured or ill;
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law;
4. To attend a school activity, including athletic practices and competition, in which the student is a participant;
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

STUDENT INFORMATION

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or part by a program of the U.S. Dept. of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

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

Parent/eligible student may inspect, upon written request and prior to administration or use, materials or instruments used for collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Act (IDEA).

Notice of Rights under the Family Education Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords parents and eligible students (students over 18 years of age, who are married, or who are attending a postsecondary institution) the following rights with respect to the student's education records.

1. The right to inspect and review the student's education records within forty-five (45) calendar days of the day the district receives a request for access.

Parents or eligible students submit a written request to the school principal/designee that identifies the record(s) they wish to inspect. The Principal arranges for access and notifies the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student's privacy or other rights.

Parents or eligible students may ask the district to amend a record they believe is inaccurate, misleading or in violation of privacy or other rights. The parent writes the school principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the district decides not to amend the record as requested by the parent or eligible student, the district notifies the parent or eligible student of the decision and advises them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures are provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The district may disclose records to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her

tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law.

4. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.**

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-4605

5. **The Superintendent or the Superintendent's designee is authorized to release Board approved directory information.**

Directory Information is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released without consent. This information may include the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent educational agency or institution attended.

Any eligible student, parent, or guardian who does not wish to have directory information released notifies the Superintendent in writing on or before September 30 of each school year or within thirty (30) calendar days after the Annual FERPA Notice has been distributed. The written request must specifically state what information may not be classified as "Directory Information".

6. **The district keeps educational records in a secure location in each school and Board office.**

7. **The district obtains written consent from a parent or eligible student before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA.**

8. **For students who have been determined eligible for special education, education records are destroyed at the request of the parent when they are no longer needed to provide educational programs or services.**

The district may destroy the educational records of a child without a parent's request five (5) years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The district may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance record, classes attended, grade level completed, and year completed.

Children determined eligible for special education include those children with disabilities who have a hearing impairment, visual impairment, emotional-behavioral disability, deaf-blindness, other health impairment, specific learning disability, mental disability, multiple disabilities, speech or language impairment, developmental delay, orthopedic impairment, autism, or traumatic brain injury, and who because of such an impairment need special education services.

Child Find for Children with Disabilities in Need of Special Education or 504 Services

The Harlan County School District keeps educational records in a secure location in each school and Board office.

The Harlan County School District obtains written consent from a parent or eligible student (age 18 or who is attending a postsecondary institution), before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA.

For students who have been determined eligible for Special Education, educational records will be destroyed at the request of the parents when they are no longer needed to provide educational programs or services. The Harlan County School District may destroy the educational records of a child without parent request three (3) years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The Harlan County School District may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed.

Children eligible for Special Education include those children with disabilities who have autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment and who because of such impairment need Special Education services.

Child eligible for 504 services include those children in a public elementary and secondary education program who have a current physical or mental impairment that currently substantially limits some major life activity which causes the student's ability to access the school environment or school activities to be substantially limited.

Children eligible for the State-Funded Preschool program includes three-and four-year-old children identified with disabilities and four-year-old children who are at-risk, as identified by federal poverty levels up to 150%. Preschool children eligible for special education must have an Individual Education Plan (IEP) instead of a 504 plan to receive State-Funded Preschool program services.

The Harlan County School District has an ongoing “*Child Find*” system which is designed to locate, identify and evaluate any child, age three (3) to twenty-one (21) years, who resides in a home, facility, or residence within its geographical boundaries, age three (3) to twenty-one (21) years who may have a disability and be in need of Special Education or 504 services. This includes children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving Special Education or 504 services. The district’s “*Child Find*” system includes children with disabilities attending private or home schools within the school boundaries who may need special education services.

The Harlan County School District will make sure any child enrolled in the district who qualifies for Special Education or 504 services, regardless of how severe the disability, is provided an appropriate Special Education or 504 services at no cost to the parents of the child.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the Harlan County School District find any child who may have a disability and need Special Education or 504 services. The District needs to know the name and age, or date of birth of the child; the name, address, and phone number(s) of the parents or guardian; the possible disability; and other information to determine if Special Education or 504 services are needed.

Letters and phone calls are some of the ways the Harlan County School District collects the information needed. The information the school District collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for Special Education or 504 services.

If you know of a child who lives within the boundaries of the Harlan County School District, who may have a disability, and may need but is not receiving Special Education or 504 services, please call 1-(606)-573-4330 ext. 2030 or send the information to:

Director of Special Education- Eric Bowling
Harlan County Public Schools
251 Ball Park Road
Harlan, Kentucky 40831
1-(606)-573-4330 ext. 2030

Section 504 Coordinator- Eric Bowling
Harlan County Public Schools
251 Ball Park Road
Harlan, Kentucky 40831
1-(606)-573-4330 ext. 2030

If you know of a child who attends a private or home school within the boundaries of Harlan County School District, who may have a disability, and may need but is not receiving Special Education services, please call (606)573-4330 ext. 2030 or send the information to:

Director of Special Education- Eric Bowling
Harlan County Public Schools
251 Ball Park Road
Harlan, Kentucky 40831
1-(606)-573-4330 ext. 2030

“*Child Find*” activities will continue throughout the school year. As part of these efforts, the Harlan County School District will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need Special Education or 504 services. Any information the District collects through “*Child Find*” is maintained confidentially.

Written *Policies and Procedures* have been developed which describe the District’s requirements regarding confidentiality of personally identifiable information and “*Child Find*” activities. There are copies in the Principal’s office of each school, and in the Board of Education office. Copies of these *Policies and Procedures* may be obtained by contacting:

Director of Pupil Personnel- Brett Johnson
Harlan County Public Schools
251 Ball Park Road
Harlan, Kentucky 40831
1-(606) 573-4330 ext. 2033

The District office is open Monday through Friday, from 7:00 a.m. to 4:00 p.m.

The Harlan County School District provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible. If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact the Director of Pupil Personnel, the Director of Special Education or the Section 504 Coordinator at the address or phone number listed above for the Harlan County Schools.

Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Harlan County Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However,

Harlan County Schools may disclose appropriately designated “directory information” without written consent, unless you have advised the District to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the Harlan County Schools to include this type of information from your child’s education records in certain publications. Examples include: The annual yearbook, Honor Roll or other recognition lists, Graduation programs, and Sports activity sheets showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want the Harlan County Schools to disclose directory information from your child’s education records without prior consent, you must notify the District in writing by two weeks of initial enrollment. The Harlan County School District has designated the following information:

- | | |
|--------------------------|---|
| -Student’s Name | -Participation in officially recognized activities and sports |
| -Address | -Weight and height of members of athletic teams |
| -Telephone Listing | -Degrees, honors, and awards received |
| -Electronic Mail address | -The most recent educational agency or institution attended |
| -Photograph | -Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s SSN, in whole or in part, cannot be used for this purpose.) |
| -Date and Place of Birth | |
| -Major Field of study | |
| -Dates of attendance | |
| -Grade level | |

RIGHTS

A. All students have the right to:

- 1) Attend public schools which maintain high educational standards and meet individual needs.
- 2) Be informed of rules, regulations, policies, and penalties to which they may be subjected and to be assured of all due process of rights.
- 3) Be respected as a worthwhile person.
- 4) Reasonable physical protection and safety of personal property.
- 5) Seek advice and counseling in academic, personal, social and career related concerns.
- 6) Free student elections for organizations within the school or their counterparts within the state or nation.
- 7) Candidacy and to hold office in student organizations within the school or within the state or nation.
- 8) Access to and interpretation of their own personal school records if 18 years of age, or older, or if younger, with consent of parent/guardians.
- 9) Examination of their personal school records by the parents/guardians or their authorized representative.
- 10) Expect that when information is offered in a disciplinary case, the confidentiality of the student will be respected unless the testimony of the student is required in a hearing in the school or before the Board of Education or in a court proceeding.
- 11) Receive academic grades or progress reports based on academic performance.
- 12) Expression of their point of view so long as it does not infringe on the rights of others.
- 13) Make recommendations regarding classes offered and to select and participate in classes that will best meet individual needs.
- 14) Wear clothes, which are attractive, fashionable or modish, provided they are properly fitted and not hazardous or harmful to themselves or others.

B. Teachers have the right to:

- 1) The support of co-workers and administrators.
- 2) Work in an educational environment with a minimum of disruptions.
- 3) Expect all assignments including homework, to be completed and turned in as assigned.
- 4) Discipline a student for disruptive behavior and to refer him/her to guidance counselor or to the school administrator.
- 5) Enjoy safety from physical harm and freedom from verbal abuse.
- 6) Take action necessary in emergencies to protect their own person or property or the persons or property of those in their care.

- 7) Withhold permission for student exemption from class for other activities when absence from class would affect student's academic achievement.

C. Parents and Guardians have the right to:

- 1) Send their child to a school with a positive educational climate.
- 2) Expect classroom disruptions to be dealt with fairly, firmly, and quickly.
- 3) Be informed immediately of any discipline problem requiring suspension or expulsion, or alternative programs recommended for their child.
- 4) Review the child's academic progress and other pertinent information, which may be contained in the student's personal records.
- 5) Expect their school to maintain high academic and accreditation standards.
- 6) Address grievances concerning their child by following procedures as outlined in the Harlan County Complaint and Communications Procedures.

D. Principals have the right to:

- 1) Expect staff members to comply with policy and directions of the principal.
- 2) Suspend any student whose conduct disrupts the educational process or assign student to alternative program.
- 3) Expect respect from students, parents/guardians and staff members.

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

For LEAs without asbestos We know that parents and school employees are concerned about asbestos safety. We are happy to report that all of our facilities have been thoroughly inspected in accordance with Federal and State regulations, and that there are no known asbestos containing building materials in any of them. However, the Commonwealth of Kentucky and Federal law require that we notify you annually that we maintain an asbestos Management Plan for each school system owned or leased building. The plans are available in the office of your school and at the main Administrative Services Office located at [Harlan County Board of Education 251 Ball Park Road Harlan Kentucky, 40831]. You are welcome to review and copy (for 10 cents per page) these plans during regular business hours. If you have any questions about our asbestos program, please call [Johnny Turner, Jr.], Asbestos Designated Person for the school system at 606-573-4330.

Elementary School Behavior Violation and Consequences	In-School Discipline Measures	Parent/Guardian Conference	Short -Term Suspension (1to 10 Days)	Long-Term Suspension (above 10 days) Goes to Superintendent and Board	Referral to Alternative Program	Expulsion Procedures Initiated
Behavior Violations						
1. Failure to sign in or out of school	X	X				
2. Unexcused tardiness to class Non-attendance to class	X	X				
3. Defiance of Authority	X	X	X	X	X	X
4. Disturbing Class	X	X	X			
5. Failure to Attend Detention	X	X	X			
6. Fighting	X	X	X	X	X	X
7. Inappropriate Sexual Behavior	X	X	X	X	X	
8. Profanity or Vulgarity	X	X	X	X	X	
9. Threat / Intimidation	X	X	X	X	X	X
10. Tobacco Violations (Smoking and Chewing)	X	X	X	X	X	
11. Dangerous Instruments (Carrying or Using)	X	X	X	X	X	X
12. Violation of Dress Code	X	X	X			
13. Repetition of Short-Term/Long-Term Suspension		X			X	X
14. Vandalism	X	X	X	X	X	X
15. Assault (Simple)	X	X	X	X	X	X
16. Burglary	X	X	X	X	X	X
17. Arson	X	X	X	X	X	X
18. Theft - Larceny	X	X	X	X	X	X
19. Drug Abuse		X	X	X	X	X
20. Drunkenness		X	X	X	X	X
21. Abuse of a Teacher/Administrator or Staff		X	X	X	X	X
22. Weapon		X	X	X	X	X
23. Disorderly Conduct	X	X	X	X	X	X
24. Sex Offense	X	X	X	X	X	X
25. Terroristic Threatening (Bomb Threats, False Alarm)	X	X	X	X	X	X
26. All Other Law Violations	X	X	X	X	X	X

* Suspension of Primary School Students shall be Considered only in Exceptional Cases Where There are Safety Issues for the Child or Others.

High School Behavior Violation and Consequences	In-School Discipline Measures	Parent/Guardian Conference	Short – Term Suspension (1to 10 Days)	Long-Term Suspension (above 10 days) Goes to Superintendent and Board	Referral to Alternative Program	Expulsion Procedures Initiated
1. Failure to sign in or out of school	X	X	X			
2. Unexcused tardiness to class Non-attendance to class	X	X	X			
3. Defiance of Authority	X	X	X	X	X	X
4. Disturbing Class	X	X	X			
5. Failure to Attend Detention	X	X	X			
6. Fighting	X	X	X	X	X	X
7. Inappropriate Sexual Behavior	X	X	X	X	X	
8. Profanity or Vulgarity	X	X	X	X	X	
9. Threat / Intimidation	X	X	X	X	X	X
10. Tobacco Violations (Smoking and Chewing)	X	X	X	X	X	
11. Dangerous Instruments (Carrying or Using)	X	X	X	X	X	X
12. Violation of Dress Code	X	X	X			
13. Repetition of Short-Term/Long- Term Suspension		X	X	X	X	X
14. Vandalism	X	X	X	X	X	X
15. Assault (Simple)	X	X	X	X	X	X
16. Burglary	X	X	X	X	X	X
17. Arson	X	X	X	X	X	X
18. Theft - Larceny	X	X	X	X	X	X
19. Drug Abuse		X	X	X	X	X
20. Drunkenness		X	X	X	X	X
21. Abuse of a Teacher, Administrator or Staff	X	X	X	X	X	X
22. Weapon		X	X	X	X	X
23. Disorderly Conduct	X	X	X	X	X	X
24. Sex Offense	X	X	X	X	X	X
25. Terroristic Threatening (Bomb Threats, False Alarms)	X	X	X	X	X	X
26. All Other Law Violations	X	X	X	X	X	X

* School Staff may use an Alternative Disciplinary Action in a Particular case With Written Justification.

THREAT RESPONSE

Use additional pages as needed. This is a list of common actions taken in response to a threat. Each case may require a unique set of actions. Add date and signature of person taking action if appropriate. Note if action was recommended but for some reason not completed (e.g., parent refusal).

<input type="checkbox"/>	1. Increased contact/monitoring of subject	
<input type="checkbox"/>	2. Reprimand or warning	
<input type="checkbox"/>	3. Parent conference	
<input type="checkbox"/>	4. Student apology	
<input type="checkbox"/>	5. Contacted target of threat, including parent if target is a minor	
<input type="checkbox"/>	6. Counseling (note number of meetings)	
<input type="checkbox"/>	7. Conflict mediation	
<input type="checkbox"/>	8. Schedule change	
<input type="checkbox"/>	9. Transportation change	
<input type="checkbox"/>	10. Mental health assessment	
<input type="checkbox"/>	11. Mental health services in school	
<input type="checkbox"/>	12. Mental health services outside school	
<input type="checkbox"/>	13. Assess need for special education services	
<input type="checkbox"/>	14. Review of Individualized Education Program (IEP) for students already receiving services	
<input type="checkbox"/>	15. 504 plan or modification of 504 plan.	
<input type="checkbox"/>	16. Behavior Support Plan created or modified	
<input type="checkbox"/>	17. In-school time out or suspension	
<input type="checkbox"/>	18. Out-of-school suspension (number days)	
<input type="checkbox"/>	19. Referral for expulsion	
<input type="checkbox"/>	20. Other disciplinary action	
<input type="checkbox"/>	21. Change in school placement (e.g., transfer, homebound instruction)	
<input type="checkbox"/>	22. Services for other persons affected by threat	
<input type="checkbox"/>	23. Law enforcement consulted	
<input type="checkbox"/>	24. Legal actions (e.g., arrest, detentions, charges)	
<input type="checkbox"/>	25. Other actions	

Harlan County Schools

Educating Tomorrow's Leaders Today

Superintendent
Brent Roark

Board Of Education

Gary Farmer Hiram Fields Myra Mosley Wallace Napier Scott Sherman

251 Ball Park Road
Harlan, KY 40831
Phone: 606-573-4330 Fax: 606-573-5767
www.harlan.k12.ky.us

Black Mountain Elementary School

Pre-School-Grade 8
Bonnie LeFevers, Principal
1555 Hwy. 215
Evarts, KY 40828
606-837-2214

Green Hills Elementary School

Pre-school – Grade 8
Jacob Saylor, Principal
123 W. Hwy 221
Bledsoe, KY 40810
606-558-3533

Cawood Elementary School

Kindergarten-Grade 8
Melinda Sergent, Principal
51 Nola Street
Cawood, KY 40815
606-573-2502

James A. Cawood Elementary School

Pre-School-Grade 8
John Carter, Principal
279 Ball Park
Harlan, KY 40831
606-573-1950

Cumberland Elementary School

Pre-School-Grade 8
Sheila Hall, Principal
322 Golf Course Road
Cumberland, KY 40823
606-589-2511

Rosspoint Elementary School

Kindergarten – Grade 8
Bryan Howard, Principal
132 Hwy. 522
Baxter, KY 40806
606-573-4600

Evarts Elementary School

Kindergarten-Grade 8
TBA, Principal
132 Keister Street
Evarts, KY 40828
606-837-2386

Wallins Elementary School

Pre-School-Grade 8
Stan Nicely, Principal
993 Hwy. 219
Wallins, KY 40873
606-664-3444

Harlan County High School

Grades 9-12
Kathy Napier, Principal
4000 US HWY 119N
Baxter, KY 40806
606-574-2020

HARLAN COUNTY SCHOOLS

School Calendar 2023-2024

August 11, 2023	Flexible Professional Development for Teachers
August 14, 2023	Flexible Professional Development for Teachers
August 15, 2023	Opening Day for Teachers
August 16, 2023	First Day for Students – Full Day
September 4, 2023	Labor Day – No School for Students or Teachers
November 6, 2023	Flexible Professional Development for Teachers – No School for Students
November 7, 2023	Election Day – No School for Students or Teachers
November 20, 2023	Flexible Professional Development for Teachers – No School for Students
November 21, 2023	Break - No School for Students or Teachers
November 22, 2023	Break - No School for Students or Teachers
November 23, 2023	Thanksgiving Holiday – No School for Students or Teachers
November 24, 2023	Break - No School for Students or Teachers
December 18, 2023	Start of Christmas Break
December 25, 2023	Christmas – Holiday
January 1, 2024	New Year’s Day – Holiday
January 2, 2024	Students and Teachers Return from Christmas Break
January 15, 2024	Martin Luther King Jr. Day – No School for Students or Teachers
February 19, 2024 Day)	President’s Day – No School for Students or Teachers (Possible Make-Up Day)
April 1 – April 5, 2024	Spring Break (Possible Make-Up Days)
May 21, 2024	Election Day
May 23, 2024	Last Day for Students - Full Day
May 24, 2024	Closing Day for Teachers
May 27, 2024	Memorial Day
May 28 – June 10, 2024	Make Up Days

GRADING PERIODS FOR 2023 - 2024

- 1st Nine Weeks Ends October 16, 2023
- 2nd Nine Weeks Ends January 8, 2024
- 3rd Nine Weeks Ends March 11, 2024
- 4th Nine Weeks Ends May 23, 2024

- 1st Semester Ends January 8, 2024 **(HCHS ONLY)**
- 2nd Semester Ends May 23, 2024 **(HCHS ONLY)**

MY NOTES/GOALS

**Harlan County School Food Service
Charges for Meals and Milk and Ala Carte Extras
2023-24 (100 %CEP SCHOOLS)**

	Elementary Students		High School Students	
	Breakfast	Free	No Charge	Free
	Reduced	No Charge	Reduced	No Charge
	Full Paid	No Charge	Full Paid	No Charge
Lunch	Free	No Charge	Free	No Charge
	Reduced	No Charge	Reduced	No Charge
	Full Paid	No Charge	Full Paid	No Charge

Breakfast **Adults** **Employees** \$3.00

Lunch **Adults** **Employees** \$5.00

Lunch Ala Carte

	Elementary Students	High School Students	Adults
Milk	\$0.30	\$0.30	\$0.50
6 oz. Juice	\$0.35	\$0.35	\$0.75
Meat/Meat Alt.	\$0.50	\$0.50	\$1.50
Vegetable	\$0.50	\$0.50	\$1.00
Fruit	\$0.50	\$0.50	\$1.00
Bread	\$0.15	\$0.15	\$0.60
Dessert	\$0.35	\$0.35	\$0.75
Meat/Bread	\$1.00	\$1.00	\$2.10
Side Salad	\$0.50	\$0.50	\$1.25

Breakfast Ala Carte

	Elementary Students	High School Students	Adults
Milk	\$0.30	\$0.30	\$0.50
4 oz. Juice	\$0.30	\$0.30	\$0.50
Meat/Meat Alt	\$0.30	\$0.30	\$0.85
Vegetable/fruit	\$0.50	\$0.50	\$1.00
Bread	\$0.15	\$0.15	\$0.60
Cereal	\$0.30	\$0.30	\$0.50
Meat/Bread	\$1.00	\$1.00	\$2.10
Pastry	\$0.80	\$0.80	\$0.80
Toast/2 slices	\$0.30	\$0.30	\$0.40

NOTE: Due to escalating cost of milk and seasonal fruits and vegetables these prices will need to be adjusted periodically.

Ala Carte Items that consist of 2 or more food groups will be charged for combined food groups. All Elementary students must take a reimbursable meal before an ala carte item(s) can be purchased.

Ala Carte items must be cash. NO CHARGING ALLOWED FOR ALA CARTE SALES!!!!

Starting & Ending times for all Harlan County Public Schools

<u>School</u>	<u>Classes/ Instruction Begins</u>	<u>Dismiss</u>
Black Mountain	7:45 a.m.	2:35 p.m.
Cawood Elementary	7:45 a.m.	2:30 p.m.
Cumberland Elementary	7:45 a.m.	2:35 p.m.
Evarts Elementary	7:45 a.m.	2:30 p.m.
Green Hills Elementary	8:00 a.m.	2:50 p.m.
Harlan County High	7:55 a.m.	2:40 p.m.
James A. Cawood Elementary	7:50 a.m.	2:40 p.m.
Rosspoint Elementary	7:50 a.m.	2:35 p.m.
Wallins Elementary	7:45 a.m.	2:40 p.m.

Note that all **starting times reflect the beginning of instruction**. Check with your respective school to determine when doors will open for student drop off and for cafeteria serving times. Additionally, some schools sound a first bell 5-10 minutes prior to beginning time & a final tardy bell at the beginning time. Arrival after the listed times will require students to sign in to school at the front desk and will result in students being counted as "Tardy". There are no shortened days in the calendar. In the event of early dismissal due to weather conditions, loss of water/electric, emergency, etc..., the school/district will make an effort to notify the public.

Revised 7/05/2023

HARLAN COUNTY SCHOOLS BUS SCHEDULE FOR THE 2022-2023 SCHOOL YEAR

HARLAN COUNTY SCHOOLS BUS ROUTES 2023-2024

Black Mountain School SCHOOL BEGINS AT 7:45 DISMISS AT 2:35

- Bus 195: Ralph Pryor – Disney down KY 215 to the school
- Bus 194: Becky Griffith - Holmes Mill, Cotes to Evarts on Hwy 38.
- Bus 233: Michael Saylor – Kitts Road on Hwy. 38, Eastbrook, Coxton, Kiildav, Ages Bottom
- Bus 215: Everitt Griffith , Ages Bottom, Jones Creek, Verda, Verda Camp, Hwy 215 to school.
- Bus 188: Elmer Wynn-Special Needs Bus

Evarts Elementary School SCHOOL BEGINS AT 7:45 DISMISS AT 2:30

- Bus 185: Coleen Pennington – Holmes Mill, to Colts,
- Bus 230: Zach Nolan –Wide Spot at Maas Tech on 119, Eastbrook, Coxton, Ages Bottom,
- Bus 186: Jack White - Sal's Branch, Middleton Addition, Verda Quick Stop, Evarts City, behind High school and Clinic.
- Bus John Middleton-Baileys Creek, Dartmont, Cotes to Shields RR Tracks
- Bus 188: Elmer Wynn – Special needs,.

James A. Cawood Elementary School SCHOOL BEGINS AT 7:50 DISMISS AT 2:40

- Bus 216: Martha Colinger –, Hwy. 72, Hwy. 2425, Catrons Valley, Teetersville, Upper Elcomb, Lower Elcomb, Pope Hill, Oh Brothers Station,
- Bus 209: Stacy Noe –Watts Creeks, Fresh Meadows, Dayhoit (White Star), Holiday Trailer Park, UPS
- Bus 192: Ben Johnson –Lawnvale, Rio Vista, Loyall, Old Loyall, 413 to the Foot of Pine Mountain
- Bus 204: Sabrina Broyles – Grays Knob, Lenarue, Browning Acres,,Holiday Apartments, Tway

Wallins Elementary School SCHOOL BEGINS AT 7:45 DISMISS AT 2:40

Bus 225: John Slusher – Dorcus Jane Lane, Tremont ,Watts Creek, Four Mile Road, Dollar Store
Bus 161: Jeff Roberts– Abe Hill, Forrester’s Creek, Jesse’s Creek, Happy Top, Coldiron
Bus 152: Boyd Taylor – End of 219 to School,
Bus 189 : Robert Simpson - Around the World, Platts Fork, Terry’s Fork.
Bus 181 – Jesse Bailey – Rio Vista, Loyall, Buddies Gas Station,,Dayhoit, Dayhoit Trailer Park, Fresh Meadows
Bus 232: Pete Stewart – Black Star, Pathfork, Bell Co. Line, Molus, Hwy. 119 to school.
Bus 171: Chad Woods – Sawbriar, Billie G. Hollow, Daniels Mountain, Water Tank Road.

Cawood Elementary School SCHOOL BEGINS AT 7:45 DISMISS AT 2:30

Bus 172: Jeff Ramsey –. Crummies, Hwy. 421 to VA state line, Cranks Hollow.
Bus 193: Gary Grubbs: – Lenarue, Mary Helen, Bobs Creek, Lower Cawood, Little Creek and Big Creek.
Bus 202: Roy Farmer, Jr. – Smith, Martins Fork Lake, Three Point, Old Dam Road Junction 3463, Day Branch Hollow to school.
Bus 221: Scott Caldwell – Pansy, Catrons Creek, Buddies Store, Grays Knob, Lenarue Still House branch, Qualls Road, Thompson Branch Road

Green Hills Elementary SCHOOL BEGINS AT 8:00 DISMISS AT 2:50

Bus 220: Shelia Hensely – Hwy. 421 to Al’s Cash and Carry, Bigalow Rd.
Bus 222: Glenda Saylor – Straight Creek to Tacky Town, 221 West to school.
Bus 177: Bruce Farley – Little Shepherd Trail, Pine Mt., Woodard Branch.
Bus 173: Cindy Messer – Big Laurel (221), 2009 to Leslie County Line, Hwy 510, Hwy 221 to Hwy 421 to School

Rosspoint Elementary School SCHOOL BEGINS AT 7:50 DISMISS AT 2:35

Bus 228 – Rocky Noe –Hwy. 119, Low Water Bridge to Putney Crossing to Nolansburg, then on Hwy. 522, Nolansburg to Putney Crossing.
Bus 194: Jeff Wilson - Hwy. 522 to Putney Crossing, Hwy 119 to Harlan
Bus 121: Needham Saylor – Dayhoit Bridge, Loyall, Old Loyall, Rosspoint
Bus 170H: John Simpson - Special Needs from Teetersville to Rosspoint School

Cumberland Elementary School SCHOOL BEGINS AT 7:45 DISMISS AT 2:35

Bus 214 - : Marcus Creech– Top of mountain on Sand Hill to West Main and East Cumberland.
Bus 206 - Walter Ravizee - Benham, Lynch, Golf Course Road.
Bus 228: Heather Hall– Colliers Creek to old Hwy. 119, Blair, Mastin Dr., Springfield, Kingdom King Drive
Bus Justin Williams – South Cumberland (Koal Town Area) U.S. 119, Hiram straight, 119 to Putney, to Hwy. 522
Bus 164: David Fields –Benham, Lynch, Russel Drive, Brown Street to Elementary
Bus 180 – Ethan Hatfield – Cloverlick, New York Section.
Bus 160: Jon Fields – Gilley Hollow, Old highway 119 to Totz. (Special Needs)

HARLAN COUNTY HIGH SCHOOL BEGINS AT 7:55 DISMISS AT 2:40

Cloverfork area to Harlan County High School

Bus 182: Denver Turner –Eastbrook, Coxton, Brookside, Ages Bottom, Ages Hollow, Hwy 38 to Harlan, Boys and Girls Club.
Bus TBD: Disney to Pounding Mill to Old Evarts High School, Baileys Creek, Dartmont.
Bus 210: Robert Evans – Evarts Baptist Church, Evarts Elementary, Kildav, Jones Creek, Verda Camp
Bus 162: Rebecca Bennett – Holmes Mill to Evarts

Cumberland area to Harlan County High School

Bus 153:- Jerry Edwards- Lynch, East Benham to Benham City Hall, to US 119
Bus 207: Von Edwards: – Main Street, Field Street, Pride Terrace, New York Section, Sand Hill Bottom, Hwy. 522
Bus 208 Kevin Houser – Clutts, Russell Drive, East Main Cumberland, Downtown Cumberland, Cloverlick
Bus 211: Donald Smith – Colliers Creek, Springfield, West Main to 119

Harlan area to Harlan County High School

Bus 190 : LeAnn Nantz - Hwy. 2008 to Leslie Co. line, Hwy. 510, Hwy. 221, Hwy. 421 Pine Mountain.

Bus 174: Tina Farley– Tacky Town, Bell County Line, Green Hills School, Little Shepherd Trail (transfer with Small Bus at Elementary School).

Bus 176: Dennis Daniels Smith on Hwy. 987.

TBD – Big Creek, Little Creek, Crummies Mountain, Cranks, to VA line.

Bus 191 : Harvey Osborne TBD - Pathfork, Molus, all stops on Hwy. 119 to Coldiron

Bus 212: Ashley Taylor-Daniels - Coldiron, Forrester’s Creek, Happy Top, Terry’s Fork, Wallins Fire Station, Old Loyall Road – KY 413.

Bus Michael Hensley –, Wallins, Sawbriar, Stops on Hwy 119

Bus 229: Denny Farmer –Watts Creek, Tremont, Dayhoit, Fresh Meadows, Holiday Trailer Park on old 119.

Bus 187: Loren Pate – Pansy, Bardo, Mary Alice Camp, Dressen, Beach Grove Lane, Mary Alice, Hwy. 2425, Teetersville, Elcomb

Bus 223: Jon Reynolds - Buddies Gas Station on KY 72 to Old Hall School, Chevrolet to Bobs Creek

Bus 175H: John Lewis, (Special Needs)

***Subject to Change**



CERTIFICATION OF ACKNOWLEDGMENT

The signature below indicates that I as a parent/guardian of a student in a Harlan County School have received a copy of the Harlan County Schools Discipline Code and will communicate with my child to help him/her understand the rights and responsibilities he/she has as a student.

Signature of Parent/Guardian

Printed Name of Student

Date

Signature of Student

Address of Student

School & Grade

Dear Parent/Guardian,

Our most important function in (School District) is to provide the safest learning environment possible for all of our students and school staff members.

Unfortunately, in recent years, Kentucky's P-12 schools have experienced an escalation of terroristic threats being made by students with intent to do harm to either other students or school staff members. Plainly stated, these are threats being made to shoot people or detonate bombs with lethal intent. In fact, between January 23 and April 30th of school year 2018, Kentucky schools experienced (294) terroristic threats that caused widespread fear throughout the school's community and resulted in total disruption to the educational process. In many of those cases, school officials and law enforcement officials were forced to close schools to investigate the threats that had been made. In other cases, school attendance plummeted for days after the threat was made. Many school leaders have said that the emotional, instructional, and financial impacts of these acts are incalculable.

Terroristic Threatening in the second degree is defined in state law (KRS 508.078)

(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:

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

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

(For the complete text for KRS 508.078 please see the attached page.)

Such threats to our students and school staff are totally unacceptable and will not be tolerated. As a result, the purpose of this letter is to notify all parents and guardians that school district officials (in coordination with responding law enforcement agencies) will **pursue immediate legal charges for felony terroristic threatening in the second degree, to the absolute fullest extent of the law, against anyone who makes such threats, including students.** Moreover, we will advocate to our highest ability that the prosecution of these individuals be swift and their punishment be severe.

Our approach to eliminating terroristic threatening in our school and district is strong and unwavering, and as a result, it is imperative that you discuss this critically important matter with your student as soon as possible. School and law enforcement officials are determined to put a halt to these willful acts of terrorism being made toward our students. Please do your part to ensure that your student never becomes a party to such an offense by educating him/her on the seriousness of its consequences.

Together we can prevent this unnecessary, dangerous, and disruptive crime from victimizing our schools. I appreciate your partnership in keeping our school the safest place for your student to learn and grow.

If you have any questions or concerns, please contact me at your convenience.

Sincerely,

Mr. Brent D. Roark, *Superintendent*
Harlan County Public Schools

PLEASE CAREFULLY REVIEW DETAILS OF KRS 508.078 ON FOLLOWING PAGE

Definitions of Terroristic Threatening:

508.078 Terroristic threatening in the second degree.

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

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

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

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

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

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

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

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

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

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

Penalties

Violating a Class D felony (adult) 1-5 years imprisonment (KRS 532.020) and/or \$1,000-\$10,000 fine (KRS 532.020).

Violating a Class C felony (adult), 5-10 years imprisonment (KRS 532.020) and/or \$1,000-\$10,000 fine (KRS 532.020).

Violating a felony (juvenile) fine not to exceed \$500 (KRS 635.085), with fine assessed at the court's discretion in lieu of commitment to the Department of Juvenile Justice.