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## ***L GENERAL INFORMATION***

### **A. BOARD APPROVAL**

The original Code of Student Conduct was adopted by the Clark County Board of Education in 1982, and this revised copy was adopted by the board on June 19, 2012.

### **B. NOTICE OF NONDISCRIMINATION**

Clark County Public Schools does not discriminate on the basis of race, color, national origin, religion, sex, genetic information, disability, marital status, or age, in employment, educational programs, and activities as set forth in Title IX & VI, and in Section 504. Clark County Public Schools provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies and will forward inquiries to the appropriate coordinator.

Scarlett Ryan, Director of Human Resources Clark  
County Public Schools  
1600 West Lexington Avenue Winchester, KY  
40391  
859-744-4545

### **C. ANNUAL ORIENTATION**

Annual orientation of the code will be conducted as follows:

- A. Principals will review the code with all teachers at their respective schools prior to the opening day for students.
- B. Teachers will orientate all students at respective schools within the first 5 days of the new school year.
- C. Teachers will distribute a copy of the code to all students, review and discuss the code with the students and request that the students take the copy of the code home with them to discuss with their parents.
- D. Principals will assure that all students receive the Code of Student Conduct and that verification forms are returned, and kept on file.

### **D. PROCEDURES FOLLOWED IN DEVELOPING THE HANDBOOK**

The Clark County Board of Education authorized the Superintendent to develop the handbook by adhering to Kentucky's statutes, regulations, and guidelines.

## **E. NAME AND MAILING ADDRESS OF SUPERINTENDENT**

Paul Christy, Superintendent Clark  
County Public Schools 1600 West  
Lexington Avenue Winchester, Kentucky  
40391

## ***IL BOARD STATEMENTS***

### **A. SAFETY MISSION STATEMENT**

The Clark County School System believes that those within the school community are entitled to a safe and secure environment while pursuing academic excellence.

### **B. POLICY STATEMENT**

The Board of Education's primary concern is that students who wish to learn can do so in an environment conducive to learning and that disciplinary means be employed when individuals attempt to destroy or deny such an environment. A code of conduct applicable to all students has been developed to enhance this environment.

The code of conduct provides for consistent treatment for all students, fairness as required by constitutional due process, an atmosphere of open communications, clearly understood rules, and the encouragement of behavior which will enable students to develop to their fullest potential. Students will be responsible for this code in school, on the way to and from school, on school buses and at school-sponsored or related activities both at home and away from home. It is expected that sound, fair, and equitable judgment will be used by all concerned in the application of this code of conduct without regard for race, gender, or disability.

Compliance with the standards of this code is necessary to provide: Orderly operation of the schools;  
A safe environment for students, district employees and visitors to the schools;  
Opportunities for students to achieve at a high academic level in a productive learning environment;  
Assistance for students at risk of failure or of engaging in disruptive behavior;  
Regular attendance of students; and Protection of property.

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

Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures to the students and parents.

Teachers and other instructional personnel are responsible for administering Code standards in the classroom, halls, and other duty assignment locations.

To promote the full implementation of conduct standards and maximize safety in the school environment, the Board of Education requires all employees to make supervision of all students at all school activities a top priority among their assigned duties. The younger the child, the greater the need for adult guidance and protection.

### **C. PHILOSOPHY OF RIGHTS AND RESPONSIBILITIES**

The protection and safeguards of the United States Constitution, and more particularly the Bill of Rights, applies to all students. Responsibility is inherent in all rights. No student or other person involved in the public schools can realize his rights unless he also exercises the self-discipline and care to afford all others the same rights and not allow his own actions to infringe on the rights of others. The school is a community of individuals who have the right and responsibility to know the basic standards of conduct and behavior expected.

Students, families, educators, and the community share the responsibility for student success and for providing safe schools to facilitate academic achievement.

Teachers/school officials should involve parents at the earliest stage when a student shows signs of serious behavior problems.

### **D. ANNUAL PROVISIONS FOR CODE OF CONDUCT REVIEW**

1. A district committee may be charged with reviewing the entire document and make recommendations for changes in writing to the Superintendent or his designee for compilation no later than June of each year.

2. The Superintendent or his designee shall review the recommendations and submit for review the revised code to the Board of Education by the June Board meeting.

## ***III RIGHTS AND RESPONSIBILITIES***

### **A. STUDENTS**

**Students have the right to the opportunity for:**

1. A meaningful public education, the maintenance of high educational standards and a system of public education which meets the needs of individual students.
2. Reasonable and timely notice of all rules, regulations, policies and penalties to which they may be subject.
3. Physical safety and protection of personal property.
4. Consultation with teachers, counselors, administrators, and other school personnel.
5. Free election of their peers in authorized student organizations.

6. Examination of their own school records in accordance with applicable law.
7. Involvement in all authorized school activities without being subject to discrimination on any basis.
8. Respect from other students and school personnel.
9. Presentation of complaints or grievances to school authorities and receipt of authoritative replies from school officials.
10. Receiving an education in an environment free from harassment and/or bullying.
11. An orderly educational atmosphere conducive to learning.
12. Personal safety and security while at school and school-sponsored activities.

**Each student shall:**

1. Be responsible for his/her own conduct and for showing consideration for the rights and property of others.
2. Immediately report student threats to harm others to a teacher, counselor, or school administrator.
3. Exhibit neatness and cleanliness of personal attire and hygiene.
4. Refrain from fighting, creating disturbances, excessive noise, denying others the use of school facilities or buildings, using or carrying any weapon on school premises, intentionally injuring another person or exposing others to harm or using threats or intimidation against any other person.
5. Refrain from using tobacco or using, possessing or transmitting any alcoholic beverage or illegal substance.
6. Refrain from gambling, extortion, theft, or any other unlawful activity.
7. Show respect for the educational process by taking advantage of every opportunity to his/her education.
8. Show respect for the educational environment by refraining from intentional or habitual tardiness or unexcused absences.
9. Practice self-control and control of voice and limbs.
10. Meet the requirements as set by District and/or school policies in order to participate in extracurricular activities.
11. Comply with district, school, and classroom rules and follow directions given by teachers and other school personnel.
12. Demonstrate their personal academic best on a daily basis.

## **B. PARENTS/GUARDIANS**

### **Parents/Guardians have the right:**

1. To send their child to a school with an environment where learning is prized.
2. To expect classroom disruptions to be dealt with fairly, firmly, and quickly.
3. To enroll students in the Clark County School District where they shall attend classes regularly and promptly with minimal interruptions.
4. To expect the school to maintain high academic standards and expectations.
5. To review the child's academic progress and other pertinent information which may be contained in the student's personal record.
6. To address grievances concerning their child and to receive a prompt reply for any alleged grievance.
7. In accordance with the Family Education Rights and Privacy Act, written policies and procedures have been developed which describe the Clark County School District's requirements regarding the confidentiality of personally identifiable information.

### **Parents/Guardians have the responsibility:**

1. To instill in their children the values of an education.
2. To instill in their children a sense of responsibility.
3. To help children understand that disruptions in the school are detrimental to the educational program for all students.
4. To become familiar with the educational program and the procedures.
5. To inform children about the disciplinary procedures of the school and emphasize the importance of following same.
6. To see that children attend school regularly and promptly and to assure that assignments are completed.
7. To determine the facts of any situation before passing judgment.
8. To recognize that school personnel must necessarily concern themselves with education.
9. To support the efforts of the school personnel.
10. To demonstrate respect for the teachers, administrators and school personnel at school and all school-related activities.
11. To see that children exhibit neatness and cleanliness in their personal attire and hygiene.
12. To respond promptly to all communications from school personnel.
13. To notify the school of any change in guardianship immediately by providing court-authorized documentation.

## **C. TEACHERS Teachers have**

### **the right:**

1. To the support of co-workers, administrators, and parents.
2. To work in an educational environment with a minimum of disruptions.
3. To expect all assignments, including homework, to be completed and turned in as assigned.
4. To safety from physical harm and freedom from verbal abuse.

5. To provide input to aid in the formulation of policies.

6. To take action necessary in emergencies to protect their own person or property and of those in their care.

**Teachers have the responsibility:**

1. To create and foster a classroom culture of mutual respect and consideration among all students.
2. To create a culture of high expectations for all students.
3. To present subject matter and experiences to students and to inform students and parents or guardians of achievement and/or problems in accordance with KERA goals and learner outcomes.
4. To aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
5. To assist in the administration of such discipline as is necessary to maintain order throughout the school without discrimination on any basis.
6. To evaluate students' assignments and return them as soon as possible.
7. To exhibit exemplary behavior in action and speech.
8. To exhibit neatness, personal hygiene and professional dress.
9. To reward exemplary behavior or work of students.
10. To maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students.
11. To discipline any student who is misbehaving.
12. To recommend for retention in a class any student who fails to meet the basic standards in accordance with the Board of Education retention policy.
13. To maintain the necessary records of student progress and attendance as accurately as possible.
14. To follow and enforce rules and regulations of the Board of Education and/or school administration.
15. To diligently protect and care for the equipment and physical facilities of the school system.
16. To follow the Professional Code of Ethics for Kentucky School personnel 704 KAR 20:680.

**D. PRINCIPALS Principals**

**have the right:**

1. To the support of students, parents and teachers in carrying out the educational programs and policies established by the school system.
2. To provide input for the establishment of procedures and regulations that relate to the school.
3. To safety from physical harm and verbal abuse and harassment.
4. To take necessary action in emergencies to protect their own person or property or the persons or property of those in their care.
5. To discipline any student whose conduct disrupts the educational process.



6. To administer the school environment necessary to provide the proper learning atmosphere.

**Principals have the responsibility:**

1. To create and foster an atmosphere of mutual respect and consideration among pupils and staff members.
2. To administer discipline fairly and equally, following the guidelines set forth herein, but in doing so use his/her own best judgment.
3. To exhibit exemplary behavior in action, dress and speech.
4. To implement and evaluate all aspects of the educational program to improve learning and comply with the policies, regulations, procedures, and laws of the district, state, and nation.
5. To direct a program of dissemination of information explaining the Code of Conduct to the school community annually.
6. When the principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, 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, the principal shall immediately report the act to the appropriate local law enforcement agency in accordance with KRS Chapter 158.150.
7. Notice of adjudication to the school principal shall be released by the principal to employees of the school having responsibility for classroom instruction of the child and may be released to other school personnel, but the information shall otherwise be confidential and shall not be shared by school personnel with any other person or agency except as may otherwise be required by law. The notification in writing of the nature of the offense committed by the child and any probation requirements shall not become a part of the child's student record. This is in accordance with KRS 610.345.

**E. STUDENTSEARCHES**

School officials have the right to search students or their property if the officials have **reasonable suspicion** that the student may be in possession of something that violates school rules or endangers others. The purpose of searching students, their belongings, lockers, desks, or automobiles is to protect the property and safety of others and/or to maintain the ongoing educational process of the school. Students have the protection, as do all citizens, against unreasonable search and seizure of their property.

**F. POLICE OFFICERS IN THE SCHOOL (CCPS Board Policy 09.4361)**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions, 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) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order or juvenile petition, or arrange to interview the student off the school grounds.
4. The student shall be informed by the police of his/her legal rights.
5. Parental notification/permission shall not be required if the student is an alleged victim of abuse by the parents.

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).

#### **G. STUDENT/PARENT GRIEVANCES (CCPS Board Policy 09.4281)**

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

1. Teacher;
2. Principal;
3. School Council, where appropriate;
4. Superintendent;
5. 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.

#### **Procedures**

Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

### **Exceptions**

Harassment/Discrimination allegations shall be governed by Policy 09.42811. Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

## ***IV. DISCIPLINE (KRS 160.340) (CCPS Board Policy 09.43)***

### **A. TEACHERS**

Discipline problems which are of a common or minor nature are handled by the classroom teacher who may use a variety of methods including the following:

1. Verbal warning reprimand
2. Individual conference
3. Notifying parents by telephone or letter
4. Temporary isolation within classroom
5. Referral to counselor and/or mental health therapists
6. Temporary withdrawal of privileges
7. Refer to peer mediation-(if applicable)
8. Detention
  - a) When a pupil is detained at school beyond the normal dismissal time, the teacher shall give appropriate consideration to factors of pupil transportation, traffic patterns, weather, and any other extenuating circumstances.
  - b) The age and grade level of the pupil shall be considered in determining the length of time a pupil may be detained after school. Under no circumstances should a pupil be detained longer than one hour. In the event that a pupil is detained beyond 15 minutes after the normal closing time, the parents or legal guardian shall be notified.
  - c) Prior notice should be given to the parents or legal guardian when a student is to be detained after school.
  - d) Precautions shall be taken to see that a student who is dependent upon bus transportation is not left without a way home.

**B. REFERRAL** Discipline problems which are of a serious nature must be referred to the principal or his/her designee. The staff member making the referral shall deliver in writing the following information:

1. name of student,
2. class,
3. date and time,

4. reason for referral, and
5. teacher signature.

### C. ADMINISTRATORS

Disciplinary problems referred to the school administrator may be handled using the following options:

- I. Counsel with student regarding the offense to correct the behavior and prevent its reoccurrence.
2. Set up a conference with the parents and/or guardians who may include the referring teacher, counselor, or other staff members.
3. Refer to counselor and/or mental health therapists.
4. Refer to peer mediation, if applicable.
5. Detention/Saturday School.
6. Extended loss of school privileges.
7. In-school alternative which is the temporary isolation of a student from one or more classes while still maintaining the student's educational program under proper supervision. In-school alternative may be imposed by the principal or designee for violation of school rules or policies where the infraction does not necessarily warrant removal from school by suspension.
8. Probation (CCPS Board Policy 09.4342)  
The principal or his/her designee may specify that the student may be readmitted to class upon probation, conditional upon good behavior during a specified period. Probation may be imposed for infractions of school rules or policies where the infraction does not necessarily warrant removal from school by suspension. Written notice of probation shall be given to the student and his/her parent(s) or guardian(s) and shall be placed in the student's file. Should the student breach the conditions imposed for probation, the student may be suspended from school, or may be subject to any of the other authorized actions pursuant to the Discipline Policy.
9. Suspension (KRS 158.150) (CCPS Board Policy 09.434)
  - a) Suspensions may be affected by the principal, assistant principal or by the Superintendent for a period not to exceed ten (10) school days.
  - b) If a suspension is warranted, the student and parent/guardian must confer with the Principal or his/her designee, in order for the student to be reinstated in school.
  - c) Subsequent suspensions may require that the student, parent/guardian, and Principal meet with the Superintendent or his/her designee at the Central Office.
  - d) Further violations may warrant a hearing before the Board of Education which can lead to expulsion.

Policies regarding work missed during a suspension are under the authority of individual school councils. When a student is suspended, he/she is not allowed to be on campus for any reason without permission of the administration.

Allowing parents/guardians to reinstate their children the day following a suspension makes evident that the importance of students being in school and displaying acceptable behavior is valued. Steps have been developed to help students be aware of the seriousness of unacceptable behavior. Therefore, suspensions cannot be looked upon lightly. Continued misbehavior will lead to removal from school.

#### **D. BOARD**

1. Expulsion is an act carried out only by the Board of Education by a majority vote that expels any student from school for violation of the regulations or rules established by the Board, including without limitation, the Discipline Policy, for immorality, or when the presence of the pupil is detrimental to the best interests of the school. No expulsion shall be made until the parent, guardian, or other person who has legal custody or control of the student and the student has had an opportunity to have a hearing before the Board of Education.

2. A student suspended or expelled is prohibited from entering any school or any school grounds (except for a prearranged conference with an administrator), attending any day or night school function (including weekend functions) of the Clark County Schools, or riding a school bus during the term of the suspension. Violation is cause for expulsion.

#### **E. SUSPENSION AND EXPULSION PROCEDURES (KRS 158.150)**

The basis to suspension and expulsion of students in the public schools is:

1. 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.
2. A pupil shall not be suspended from the common schools until after at least the following due process procedures have been provided:
  - a) The pupil has been given oral or written notice of the charge or charges against him which constitute cause for suspension;
  - b) The pupil has been given an explanation of the evidence of the charge or charges if the pupil denies them; and
  - c) The pupil has been given an opportunity to present his own version of the facts relating to the charge or charges.

These due process procedures shall precede any suspension from the common schools unless immediate suspension is essential to protect persons or property or to avoid disruption of the ongoing academic process. In such cases, the due process

procedures outlined above shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

3. The Superintendent, principal, assistant principal, or head teacher of any school may suspend a pupil but shall report such action in writing immediately to the Superintendent and to the parent, guardian, or other person having legal custody or control of the pupil. The Board of Education of any school district may expel any pupil for misconduct as defined in subsection (1), but such action shall not be taken until the parent, guardian, or other person having legal custody or control of the pupil has had an opportunity to have a hearing before the Board. The decision of the Board shall be final.

#### **F. ALTERNATIVE EDUCATION (KRS 159.051) (CCPS Board Policy 09.4341)**

For conduct that disrupts the educational process or community, a student may be assigned to the Day Treatment Program by the Superintendent or Court System. The duration of assignment shall be fixed by the Principal of the school, or the Superintendent, with 90 days being the recommended duration. A referral packet will be completed by referring schools if students are being considered for Day Treatment.

The Principal or the Principal's designee shall notify the parents of their child's assignment to the Day Treatment Program upon receiving word from the Superintendent or the Court System.

During the Intake Meeting, expectations will be set forth in documentation. These expectations include code of conduct, phase progressions, and required treatment sessions with counseling staff.

Day Treatment students shall receive educational services as afforded to all students, but shall be isolated from the regular school setting. Opportunities shall be provided for the student to continue regular school work under the supervision of the school staff, and counseling services shall be provided to address school-related problems or issues.

#### **G. SPECIAL EDUCATION**

##### **Disciplinary Actions Involving Children and Youth with Disabilities**

It is important to remember that children with disabilities who are eligible under the Individuals with Disabilities Education Act (IDEA) are part of the general education student body of the school district. As such, children with disabilities are subject to the disciplinary action described in the school district's policies and procedures or code of conduct handbook subject to the findings of a manifestation determination conducted by the child's Admissions and Release Committee (ARC). Penalties for infractions against the district's disciplinary code cannot be more severe for a child with disabilities than they would be for a child without disabilities.

Specific protections provided by IDEA to children with disabilities with regards to disciplinary actions, include but are not limited to: the child may not be deprived of the services specified in his or her IBP or denied access to the general education curriculum for greater than ten (10) school days during a school year without intervention by that child's ARC; by no later than the eleventh day of a disciplinary action changing

the placement of a child with a disability, the ARC must have met and made a manifestation determination, conducted a functional behavioral assessment, and determined appropriate services and settings. In addition, the ARC must determine an appropriate interim alternative educational setting if a child commits a drug or weapon offense.

Following is information to consider in taking disciplinary action when a child with a disability, eligible for services and protections under IDEA, commits a violation of the district's code of conduct:

**I. Does the district's code of conduct specify a penalty for the violation? If yes:**

- a. The penalty for the child with a disability cannot be more severe than the penalty for a child without a disability who commits the same infraction(s);
- b. Has the child with a disability previously been removed from his or her ARC determined educational placement and services as recorded in the IBP or from access to the general education curriculum as the result of a disciplinary action this year? If yes, for how many days?
- c. Does this infraction require the child be removed from his or her current ARC determined educational placement for more than 10 cumulative school days during this school year?
  1. If no, school personnel may impose the same penalty it would for a child without a disability.
  11. If yes, then this disciplinary action constitutes a change in placement that requires involvement of the child's ARC. On the tenth (10<sup>th</sup>) day of the removal the ARC must conduct a manifestation determination to ascertain if regular suspension or expulsion procedures apply, and if so, how the child will continue to receive the services called for in his or her IBP, including access to the general education curriculum and the setting (placement) for these services. This can be accomplished through an alternative educational setting, another setting (such as a different placement option, different service provider, more restrictive setting, etc.), or suspension, as long as the appropriate services are provided and it is the ARC decision. The ARC has additional responsibilities described in Item 3 below.
2. Has the child with a disability violated the district's code of conduct through the use, possession, sale, or solicitation of Drugs as identified in 21 U.S.C. Section 812 (does substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury (not including a pocket knife with a blade less than 2 ½ inches) as identified in 18 U.S.C. Section 930? If yes: (Note, for disciplinary behaviors that do not involve a drug or weapon offense as defined here, refer to Number I above.)
  - a. The penalty for the child with a disability cannot be more severe than the penalty for a child without a disability who commits the same infraction(s);

- b. Does this infraction require the child be removed from his or her current ARC determined educational placement?
  1. If no, data are not reported on this incident.
  11. If yes, school personnel may unilaterally order a change in placement to an interim alternative educational setting for the same amount of time that the child without a disability would be subject to discipline, but for not more than forty-five (45) days. However, the ARC must meet and determine the appropriate interim alternative educational setting where the child can receive the services called for in his or her IEP and have access to the general education curriculum. The ARC determines the setting for receiving the services, but cannot override the decision by the school personnel to remove the child from his or her current educational placement prior to the end of the forty-five (45) days  
**.!!!!.lw** through a manifestation determination, the ARC ascertains the behavior resulting in this disciplinary action is related to the child's disability. If so, the child is no longer subject to disciplinary action for that particular incident and behavior and the ARC determines the child's placement in the least restrictive environment. The ARC may return the child to his or her previous educational placement or may decide upon another appropriate educational placement.
3. What is an interim alternative educational setting? An interim alternative educational setting, as the name implies, is an alternative to the normal educational settings a school typically uses for educating its children. This term is not specific to children with disabilities. Examples of interim alternative educational settings might include an in-school suspension program, an alternative learning center, separate facility for educating at-risk students, and or a home or hospital environment. Please note that this is not an exhaustive list. An "interim" alternative educational setting is intended as a 'short term" solution and is not intended to be a long-term option.

## ***V. CONDUCT WARRANTING DISCIPLINARY ACTION***

### **A. DISORDERLY CONDUCT**

Conduct and/or behavior such as profanity, obscenity, horseplay, name-calling, harassment, loud and raucous noise, and bullying which disturbs the orderly educational procedure of the school.

### **B. DEFIANCE OF AUTHORITY**

Extreme acts of defiance toward school personnel will be strictly disciplined. Such behavior as cursing school personnel, threatening destruction of property and intimidating or abusive behavior toward school personnel will automatically result in a minimum of three days suspension.



### **C. FIGHTING**

Fighting will not be tolerated. Students involved in fighting will be strictly disciplined. Fighting is defined as students who engage in physical contact for the purpose of inflicting harm on another person. Words can constitute provocation.

### **D. THEFT**

The act of taking another person's belongings without permission from the owner.

### **E. FORGERY**

The act of falsely using the name of another person, or falsifying documents or correspondence from, to, or within the school affecting official school activities.

### **F. DESTRUCTION OR DEFACEMENT OF SCHOOL PROPERTY**

The willful marking upon, defacing, damaging, or destroying school property or property of school personnel. The student and/or parent will be liable for cost of repair or restitution.

### **G. TOBACCO (CCPS Board Policy 09.4232)**

Students shall not be permitted to use or possess any tobacco products, alternative nicotine product, or vapor product as defined in KRS 438.305 on or in Board property at all times, including any vehicle owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity. Adequate notice shall be provided to students, parents, and guardians, school employees, and the general public. Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property. School employees shall enforce the policy. 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.

### **H. USE OF ALCOHOL, DRUGS, AND OTHER CONTROLLED SUBSTANCES (CCPS Board Policy 09.423)**

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any alcoholic beverage or any controlled drug substance, or any substance which "looks like" a controlled substance, 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.

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school sponsored activities. In addition, violations shall result in notification of appropriate legal officials.

### **I. POSSESSION OF WEAPONS (KRS 527.070) (CCPS Board Policy 5.48)**

Pupils shall not carry on their person or cause to be brought onto school property or to any location of a school-sponsored activity firearms, illegal knives, and any other

object which can be classified as a dangerous instrument or any instrument that looks like a dangerous weapon.

Violation of this policy, including those involving instruments that are not actual weapons, shall constitute reason for suspension or expulsion, and referral to the legal authorities.

#### **J. EXTORTION**

The solicitation of money for something of value from another student, regardless of the amount, in return for protection, or in connection with a threat to inflict harm.

#### **K AGGRESSIVE BEHAVIOR TOWARD ANY SCHOOL EMPLOYEE (CCPS Board Policy 09.425)**

Physical contact or threat of physical contact toward school employees with the intention of doing bodily harm by a student or group of students.

1. Extreme acts of defiance toward school personnel will be strictly disciplined. Such behavior as cursing school personnel, threatening destruction of property and intimidating abusive behavior toward school personnel will result in disciplinary action.
2. Whenever any officer, employee, or agent of the school district has been struck or attacked by any individual or group, or has suffered bodily harm, he/she shall notify the Principal. The Principal shall immediately call the Superintendent and take appropriate disciplinary action which may include contacting the police.
3. Whenever any officer, employee, or agent of the school district is threatened with bodily harm by an individual or group, he/she shall notify the Principal immediately, who shall suspend the student or students. A report of the case shall be sent to the Superintendent for possible further action.

It is the responsibility of the person who suffers the assault or injury to file any charges for legal prosecution by the courts.

#### **Abuse Of Teacher Prohibited (KRS 161.190)**

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

#### **L. AGGRESSIVE BEHAVIOR TOWARDS STUDENTS (CCPS Board Policy 09.425)**

Any pupil who threatens, assaults, batters, bullies or abuses another student shall be subject to appropriate disciplinary action, including suspension or expulsion.

#### **M. DISPLAY OF RACIAL BIGOTRY OR INTOLERANCE**

Is defined as any act which violates a person's civil or constitutional rights and/or shows disregard for mutually respectful relationships.

## **N. HARASSMENT (CCPS Board Policy 09.42811)**

**Definition:** Harassment/discrimination is behavior based on race, color, national origin, age, religion, sex, or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment. The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process.

**Prohibition:** Harassment is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.) District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

**Disciplinary Action:** Students who engage in harassment/discrimination of an employee or another student on the basis of race, color, national origin, age, religion, sex, or disability shall be subject to disciplinary action including but not limited to suspension and expulsion. Actions may result in violators being reported to legal and/or social authorities.

**Guidelines:** Students who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving other students that they believe to be an act of harassment/discrimination shall, as soon as reasonably practicable, report it to their teacher, guidance counselor or Principal. In each school building, the Principal is the person responsible for receiving these reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent, or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination. Employees who observe prohibited behaviors or with whom students share a complaint shall notify the Principal or their immediate supervisor, who shall immediately forward the information to the Superintendent.

**Prohibited Conduct:** Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane relating to one's race, color, national origin, age, religion, sex, or disability;
2. Unwanted touching, sexual advances, request for sexual favors, and spreading sexual rumors;
3. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an

educational decision will be based on whether or not the student submits to unwelcome sexual conduct;

4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
5. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
6. Destroying or damaging an individual's property based on any of the protected categories.

## **1. HAZING / BULLYING (CCPS Board Policy 09.422)**

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

### **ACTIONS NOT TOLERATED**

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

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

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

### **BULLYING DEFINED**

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

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.

### **REPORTS**

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to,

bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain, cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.221 I; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

#### **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.

#### **P. FALSE FIRE ALARM**

Falsely alerting the fire department or school to a non-existent fire. Violation of this policy shall constitute reason for suspension or expulsion or referral to legal authorities.

#### **Q. ARSON OR ATTEMPTED ARSON**

Starting a fire within the school or on the school grounds for any purpose that results in destruction or disruption. Violation of this policy shall constitute reason for suspension or expulsion or referral to legal authorities.

#### **R. BOMB THREAT**

Making a threat that a bomb has been placed, or is about to explode in a school. Violation of this policy shall constitute reason for suspension or expulsion or referral to legal authorities.

### **S. ACCESS TO ELECTRONIC MEDIA, INTERNET, AND NETWORK (CCPS Board Policy 08.2323)**

A signed parental request, in the form of the District Acceptable Use Policy (AUP), shall be required prior to the student being granted independent access to electronic media involving District Technological Resources. The required permission/agreement form (AUP), which shall specify acceptable uses, rules of on-line behavior, access privileges, and policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian, (or the student who is at least 18 years old) must provide the Superintendent with a written request.

Per the Clark County Acceptable Use Policy, students may only access electronic media, Internet and Network resources on District-owned devices or approved personal devices that are permitted to access the District's network. Access for personally owned devices will only be granted after the user has completed a District assigned Internet Safety certification course. Anyone using personally owned devices with permission to access the District's network are subject to the same procedures, guidelines, and rules as defined by the Clark County Acceptable Use Policy and the Clark County Telecommunication Devices Policy (CCPS Board Policy 09.4261).

### **T. TELECOMMUNICATION DEVICES (CCPS Board Policy 09.4261)**

Unless approved for educational use by certified staff, under the direction of the administrative staff, Students shall not be permitted to use personal telecommunications devices on school property during the school day or while attending school-sponsored trips associated with the regular school day schedule. Devices shall be kept in the "off" position and not visible. Schools shall develop procedures that address non-compliance. A violation also may result in a report being made to law enforcement.

"Personal telecommunication device" means a device that emits an audible signal, vibrates, displays a message, photo, or otherwise summons or delivers a communication to the possessor, including, but not limited to, a cellular telephone<sup>1</sup>.

Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:

- a. Poses a threat to academic integrity, such as cheating,
- b. Violates confidentiality or privacy rights of another individual,
- c. Is profane, indecent, or obscene,
- d. Constitutes or promotes illegal activity or activity in violation of school rules,
- e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.
- f. Violates any provision of the Clark County Acceptable Use Policy

### **U. DRESS AND APPEARANCE (CCPS Board Policy 09.427)**

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.

School/councils could set dress codes that would be stricter than board policy but not less than the standards set by the board.

## ***VI. TRANSPORTATION***

### **A. TRANSPORTATION**

Transportation is provided free for students residing one mile or more from school. Transportation is also provided for students participating in field trips or extracurricular activities after school.

### **B. BUS CONDUCT**

Transportation by school bus is a privilege provided by the Clark County Board of Education. Discipline problems are referred to the school principal by the bus driver. Students who violate the rules may temporarily or permanently lose the privilege of riding the bus. If a student loses this privilege, the parent is responsible for transporting the student to and from school. In order to insure the safety of students being transported, the following rider rules have been adopted:

### **C. BUS RULES**

#### At the Bus Stop

- Arrive at the assigned bus stop five to ten minutes before the bus time. The driver is not permitted to wait for students.
- Keep all articles off the roadway and remain well clear of traffic.
- Do not damage private property.
- Do not disturb residents by making excessive noise.
- Fighting or damage to property may be subject to action by local police as well as from school officials.
- Wait until the bus stops and then walk to the bus.
- Students living on the opposite side of the street from the bus stop should wait on the opposite side of the street until the bus arrives and the driver signals them to cross.
- Students may only use the bus stop closest to their home, unless written permission is obtained from the principal and provided to the bus driver at the time of boarding.

#### On the Bus

- The bus driver may assign seats as necessary.
- Bus riders will share seats as directed by the bus driver.
- Neither the driver/monitor nor student is permitted to use tobacco products while on the school bus.
- Weapons (real or ceremonial), explosives, or any other dangerous articles are absolutely prohibited from school buses.
- No animal, live or stuffed, or other items that might frighten other riders are permitted on a school bus.
- No items of any kind are to be placed in the aisle of the bus, or any other place where it might interfere with bus evacuation in case of emergency.

- Profanity and obscene gestures are prohibited on the bus.
- Excessive noise as determined by the driver is prohibited.
- Riders are not to extend any part of their body outside the bus.
- Riders are not to use the rear emergency exit except upon directions from the driver, or competent authority.
- Riders will refrain from language, or any action that might tend to embarrass or intimidate other students.
- Riders are not to mark on seats or deface any part of the bus, inside or out.
- Balloons, skateboards, loose basketballs or any such items are not to be transported on a school bus.

#### Bus Evacuations

Evacuation drills will be conducted four times each school year. The drill is designed to keep students familiar with proper procedures to follow in case of an emergency.

#### Removal from Bus

Whenever the bus driver determines the existence of an unsafe condition, the bus must be stopped until the unsafe condition no longer exists. Assistance may be obtained by contacting the Transportation Division when the unsafe condition is beyond the capability of the driver to correct. If needed, the student(s) will be removed and transported by separate bus to the school or home. Information may be obtained by calling 744-5620.

#### Unsafe Condition

Any condition, which could result in an injury to a student, is considered unsafe. Some examples are:

- Throwing items inside or outside the bus.
- Failure to remain properly seated; back to the back, bottom on the seat.
- Improperly exiting the bus.
- Extending body parts out of the bus.
- Damaging any part of the bus inside or outside.
- Acts designed to intimidate or otherwise embarrass other students.
- Failure to carry out instructions of the driver.

#### Video Cameras

All Clark County buses are equipped with video camera systems. All video footage is recorded in color and contains audio. Video footage may be used to document action on the bus.

#### Special Instructions

- Only leave the bus at your authorized stop unless, parents or school principal has granted permission in writing to the bus driver.
- Never cross the street behind the bus.
- Wait until the driver signals you to cross the street.
- Cross the street at least 10-15 feet in front of the bus.



- When getting on and off the bus, students should never stop to pick up dropped items, unless they have first notified and gotten the approval from the driver to pick up the item.

### Stopped School Buses

School buses stopped for the purpose of loading or unloading students will have the "stop arm" activated. Any time the stop arm is activated and the red overhead lights are flashing, all traffic must stop. When the stop arm is activated the bus cannot be passed, even on school property. The exception to any of the above is when the bus is on a road with four or more lanes - traffic going in the opposite direction does not have to stop.

School bus drivers are encouraged to file complaints with the local Police Department when violation occurs.

## ***VIL ATTENDANCE REQUIREMENTS***

### **A. ATTENDANCE REQUIREMENTS (CCPS Board Policy 09.122)**

#### COMPULSORY ATTENDANCE

All children in the district who have entered kindergarten or who are between the ages of six (6) as of October 1, and sixteen (16), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents (see CCPS Board Policy 09.111)

#### EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school,
2. A pupil who is enrolled in a private or parochial school,
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study,
5. A pupil who is enrolled and in regular attendance in private, parochial, or church programs for exceptional children, or
6. A pupil who is enrolled and in regular attendance in state supported program for exceptional children.

#### PHYSICIAN'S STATEMENT REQUIRED

The Board, before granting an exemption for a physical or mental condition, shall require a signed statement as required by law unless a student's

individual education plan (IBP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.

#### EXCEPTIONS TO PRESENCE AT SCHOOL

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional, or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.
3. Students may participate in co-curricular activities and be counted as being in attendance during the instruction school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when co-curricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.
5. Students having an individual education plan (IBP) that requires less than full-time instructional services shall not be required to be present for a full school day.
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instructional time.
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled school day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.

## **B. ABSENCES AND EXCUSES (CCPS Board Policy 0.9123)**

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.1

### **TRUANCY DEFINED**

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 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 an habitual truant.

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

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.

### **EXCUSED ABSENCES**

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

1. Death or severe illness in the pupil's immediate family,
2. Illness of the pupil,
3. Medical appointment for the student,
4. Court appearances when the student's presence is required,
5. Religious holidays and practices,
6. Driver's license test or examination (only that portion of the day required),
7. One (1) day for attendance at the Kentucky State Fair,
8. Documented military leave,
9. One (1) day prior to departure of parent/guardian called to active military duty,
10. One (1) day upon the return of parent/guardian from active military duty,
11. 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
12. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities. Students shall be granted an excused absence for up to ten (10) school days to pursue

an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

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

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

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

#### PARENTS TO NOTIFY SCHOOL

Parents shall send with their child within three (3) days of his/her next day of attendance a written excuse explaining the reason for an absence. The number of parent notes allowed by the school may not exceed six (6) per school year. After the sixth (6th) absence with a parent note, the parent will be forwarded a letter from the Principal/designee. Any further absences will be unexcused unless documented by doctor, health department official, or court official. Unless the school receives the required documentation, the absence shall be counted as unexcused. Any absence not properly documented and accepted by the Principal will be unexcused.

#### MAKE-UP WORK

Students with excused or prearranged absences shall be permitted to make up work. It is the student's and parent's responsibility to contact teachers concerning make-up work.

Days missed while on suspension shall be counted as unexcused absences. Students who have been suspended shall not be allowed to make up daily work, and work assigned and due during suspension shall not be accepted.

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. Teachers shall be required to accept and give credit for long-term projects assigned during the suspension and due at a later date.

#### C. HABITUAL TRUANCY PROCEDURES

***KRS 159.150 (3); CCPS Board Policy 09.123... "Any student who has attained the age of six (6), but has not reached birthday, who his/her eighteenth (18<sup>th</sup>***

***has been absent from school without valid excuse for three (3) days or more, 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 an habitual truant"*** Principal/Designee shall follow these procedures regarding truancy and habitual truancy:

1. When a student is determined to be truant; three (3) unexcused absences, the student's parent/guardian/legal custodian shall be notified by telephone and/or letter and a record shall be kept.
2. In the event of a fourth (4<sup>th</sup>) unexcused absence, a home visit will be made by the appropriate school personnel and documentation of that visit shall be kept.
3. If the student continues to have unexcused absences, the student's parent/guardian/legal custodian shall be notified. A conference shall be held with the parent/guardian/legal custodian, Principal/designee, and other appropriate school personnel to make every attempt to resolve the truancy issue.
4. If a student has six (6) unexcused absences or tardies, the Director of Student Support Services may proceed under KRS 159.180 to seek legal recourse for resolution of the problem.

#### **D. TARDINESS**

Any student absent for sixty (60) minutes or less on a regularly scheduled school day is considered tardy. There are two (2) classifications of tardiness (tardy in and tardy out). Tardy in indicates the student was sixty (60) minutes or less late to school. Tardy out indicates the student left school with less than sixty (60) minutes to the end of the school day. Students who are late or leave early without a valid excuse will be officially recorded as unexcused tardy.

### ***VIII. NOTIFICATION OF FERPA REQUIREMENTS***

The Family Education Rights and Privacy Act (FERPA) affords parents and "eligible students" (students over **18** years of age or students who are attending a postsecondary institution) certain rights with respect to the student's education records. They are:

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

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

**2) The right to inspect and review logs documenting disclosures of the student's education records.**

Except for disclosure to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to the parent or eligible student, FERPA regulations require the District to record the disclosure.

**3) 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 that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify 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 will notify the parent or eligible student of the decision and advise him/her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

**4) The right to provide written consent prior to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

Exceptions that permit disclosure without consent include:

- a) Disclosure 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 volunteer, or an outside 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/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the District.
- b) Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.
- c) Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.
- d) Disclosure to state and local educational authorities and accrediting organizations, subject to requirements of FERPA regulations.

**5) The right to notify the District in writing to withhold information the Board has designated as directory information as listed in the annual directory information notice the District provides to parent/eligible students.**

To exercise this right, parents/eligible students shall notify the District by the deadline designated by the District.

- 6) **The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U. S. Armed Forces and its services academies, the Kentucky National Guard, and the Kentucky Army National Guard.**

Unless the parent or secondary school student requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to the Armed Forces recruiters upon their request.

- 7) **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.**

The name and address of the Office that administers FERPA is:

*Family Policy Compliance Office  
U.S. Department of Education 400  
Maryland Avenue, SW  
Washington, D.C. 20202-460*





PARENT'S CONFIRMATION OF RECEIPT OF STUDENT  
CODE OF CONDUCT

and

REVIEW OF STUDENT  
HANDBOOK

(Please sign and send back to the student's teacher.)

I verify that I have received or reviewed a copy of the "Student Handbook," and discussed the Clark County School District's "Code of Student Conduct" with my child.

\_\_\_\_\_  
Child's Name

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

