



Greenup County Schools

Code of Acceptable Behavior and Discipline

2018-2019

(Rev 6.18)

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

The central purpose of the school system is to educate each student to the highest level possible. To support the success of the educational program, the Board directs employees to hold each student accountable to Code standards in a fair manner. Compliance with the standards is necessary to provide:

- Orderly 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 the Code within his/her school in a uniform and fair manner without partiality or discrimination.

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

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

This code establishes minimum behavior standards. Recognizing that each school, grade or class may require special provisions, school councils, administrators and teachers have full authority to make rules to enforce these standards in keeping with their areas of responsibility.

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

Employees and other students shall not retaliate against a student because s/he reports a violation of the code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.

Student Rights and Responsibilities

Students have the right to:

- An appropriate and free public education.
- Receive academic grades based only on academic performance.
- Be kept informed as is reasonably possible of all rules, regulations, policies, and penalties to which they may be subjected and be assured of all due process rights.
- Personal safety and security while at school and school-sponsored activities.
- Involvement in school activities without being subjected to discrimination on the basis of race, national origin, marital status, sex, economic status, or handicapping condition.
- Present complaints or grievances to school authorities and receive authoritative replies from school authorities.
- Receive consultation or counseling in academic, personal, social and career related concerns.
- Protection of their personal property.

Students have the responsibility to:

- Attend school regularly and to arrive on time.
- Show consideration for the rights of others within the total school environment.
- Refrain from conduct that disrupts the educational process, creates disorder, or damages or destroys private or public property.
- Immediately report student threats to harm others to a teacher, counselor or school administrator.
- Give their best effort to tasks assigned by their teachers, coaches or other persons who work with them.

Staff Rights and Responsibilities

School Staff has the right to:

- Expect all students to complete assignments.
- Work in a positive school climate with a minimum of disruptions.
- The support of fellow staff members, administrators and parents.
- Safety from physical and verbal abuse.
- Take action in emergencies to protect their own person and persons in their care.

School Staff has the responsibility to:

- Maintain a professional attitude and behavior toward all students, parents, administrators, teachers, staff and the Board of Education.
- Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
- Maintain an atmosphere conducive to learning with mutual respect and trust with appropriate discipline.
- Follow the policies, rules and regulations adopted by the Board of Education and/or school administration.
- Deal firmly, promptly, and consistently with disruptions or violations of board policy and school procedures, and if necessary, enlist the support of administrators.
- Provide adequate supervision for students in their care.
- Provide a learning environment free from harassment for students.

Parent/Guardian Rights and Responsibilities

Parents/Guardians have the right to:

- Rights as guaranteed by the Family Educational Rights and Privacy Act.
- Expect that any classroom disruptions will be dealt with fairly, firmly, and quickly.
- Access to all school rules and regulations and the consequences for violation of these rules and regulations.
- Participate in meaningful parent-teacher conferences to discuss their child's progress and welfare.
- Expect school personnel to notify parents/guardians of important news, especially as they relate to children.
- Address a question concerning their child to the proper authority and to receive a reply in a reasonable time period.

Parents/Guardians have the responsibility to:

- Accept their own role as the primary educators of their children.
- Instill in their child the values of an education, a sense of responsibility and a sense of respect.
- Understand and support school requirements, rules, and policies and to be knowledgeable of the consequences of violations by students.
- Communicate with their child concerning academic performance and behavior.
- Be familiar with the educational program and procedure.

Responses to Student Misconduct

This code is part of the Board of Education's policy on student behavior and discipline. State and federal law requires special consideration and possible designation of alternative consequences when dealing with behavior and disciplinary issues involving students with disabilities. The board has included samples of prohibited behaviors and response options to help the reader understand how the behavior standard will be enforced. Other behaviors not included in the examples may also be prohibited.

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p><u>I.</u> Minor student misbehavior which disrupts classroom procedures or interferes with the orderly operation of the school. Misbehavior which can usually be handled by a staff member but sometimes requires intervention of other school personnel.</p>	<ul style="list-style-type: none"> • Inappropriate dress • Non-defiant failure to complete assignments • Failure to carry out directions • Failure to follow rules • Minor misbehavior on bus, or during school sponsored or endorsed activities • School tardiness 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. Repeated misbehavior requires a parent/teacher contact or conference with the appropriate school staff. Proper and accurate records of offenses and disciplinary actions are maintained by the appropriate staff and/or administrator.</p>	<ul style="list-style-type: none"> • Verbal warning or reprimand • Special assignment • Counseling • Withdrawal of privileges • Detention/ISS/ISI • Individual conference • Parent contact/conference • Confiscation of inappropriate materials • Referral to student support services
<p><u>II.</u> Student misbehavior which increases in frequency or severity, disrupting classroom procedures or interfering with the orderly operation of the school. Also included in this level are misbehaviors which do not represent a direct threat to health and safety of others, but whose educational consequences require an administrative response.</p>	<ul style="list-style-type: none"> • Continued or repeated Level I offenses • Truancy • Gambling • Using forged notes or excuses • Disruptive behavior • Profanity/vulgarity • Disrespectful Attitude • Possession of pornographic materials 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. Teacher's response includes documentation of misbehavior and notification is sent to administrator. The student is referred to the administrator for appropriate disciplinary action. The administrator meets with the student and/or teacher and effects the most appropriate response. A proper and accurate record of the offense and the disciplinary action is maintained by the administrator.</p>	<ul style="list-style-type: none"> • Continuation of Level I responses • Detention • Parental conference/contact • Referral to outside agency • Counseling • Confiscation of inappropriate materials • Alternative Educational Plan • Suspension • Referral to student support services
<p><u>III.</u> Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of other in the school.</p>	<ul style="list-style-type: none"> • Continued or repeated Level II offenses • Vandalism • Theft, possession of stolen property • Destruction of school property • Fighting • Threat/intimidation • Use/possession of tobacco products • Harassment • Activating false fire alarm 	<p>The student is referred to administrator for appropriate disciplinary action. The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences. The administrator meets with the student and notifies the parent about the student's misconduct and resulting disciplinary action(s). School officials will contact appropriate law enforcement agency if necessary.</p>	<ul style="list-style-type: none"> • Continuation of Level I and II responses • Alternative Education Plan • Suspension • Parental conference • Referral to appropriate law enforcement agency • Expulsion • Replacement of damaged property • Referral to student support services
<p><u>IV.</u> Serious misbehaviors which may result in violence to another's person or property, which pose a direct threat to the safety of others in the school or are a violation of the law.</p>	<ul style="list-style-type: none"> • Continued or repeated Level III offenses • Extortion/robbery • Terroristic threat • Possession/use/transfer of weapons • Assault/battery • Furnishing/selling, possession and/or use of drugs or other controlled substances including alcohol (includes "look alike" substances) • Sex offense • Possession/use of explosive devices 	<p>Administrators are required to follow a set of responses outlined by the Board of Education:</p> <ul style="list-style-type: none"> • Refer to emergency response plan if necessary. • Follow due process as outlined by policy/procedure. • Remove student from the school environment by suspension. Parents/guardians are notified. • Contact appropriate law enforcement agency and assist in prosecuting violator. • Submit a complete and accurate report to the superintendent with possible board action. • Inform the student of assistive programs. 	<ul style="list-style-type: none"> • Parental conference • Saturday school • Suspension from school and/or bus • Alternative Education Programs • Expulsion or other board action which results in appropriate placement • Referral to law enforcement agency • Make restitution for damages • Referral to student support or therapeutic services

Search and Seizure

See Board Policy 09.436

Students have the right to be secure from unreasonable searches of their person and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating the Code or a school rule or the law. Also, school authorities may conduct general inspections of jointly held property on a regular basis. All searches will be conducted in accordance with Board policy. Students cannot expect complete privacy in their use of school property assigned for their use, such as desks and lockers.

Physical Restraint/Corporal Punishment

See Board Policy 09.433

Employees may use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, 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.

The Board authorizes the use of corporal punishment as a disciplinary measure, under guidelines set out in Board policy.

Student Records

See Board Policy 09.14

Student records shall be made available for inspection and review to the parent(s) 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. For information concerning access or corrections to student records, contact the school Principal or the Superintendent.

Reports to Law Enforcement Officials

KRS 158.154

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. For purposes of the section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department,

sheriff, or the Department of Kentucky State Police, by telephone or otherwise if:

1. The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - b. Carrying, possession, or use of a deadly weapon; or
 - c. Use, possession, or sale of controlled substances; or
 - d. Any felony offense under the laws of this Commonwealth; and
2. The conduct occurred 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.

KRS 158.156

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 in 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 or the Department of Kentucky State Police or the county attorney within forty-eight hours of the original report.

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the 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.

Weapons

See Board Policy 05.48

Students are *never* allowed to bring a weapon to school. The carrying, bringing, using, or possessing of any weapon or dangerous instrument, including any type of knife, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. A dangerous instrument is considered to be any device with the stated, implied or demonstrated intent to physically harm someone.

The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property.

If a student violates the prohibition on weapons, the Principal shall 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.

Suspension, Expulsion, and Due Process

See Board Policies 09.434; 09.435; 09.431

For certain violations, administrators, such as the Superintendent and Principal, may remove (suspend) a student from school for up to ten (10) days per incident. Unless immediate suspension is necessary to protect persons or property or to avoid disruption of the educational process, students shall not be suspended until they have been given due process (required by law). Due process must be given before educational benefits are taken away and shall include:

1. Oral or written notice of the charge(s) against them,
2. An explanation of the evidence, if the student denies the charge(s).
3. An opportunity to present their own version of the facts concerning the charge(s).

A report of the suspension shall be made in writing to the Superintendent and to the parent of the student being suspended. Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

Following legally required due process, the Board may expel any pupil from the regular school setting for misconduct as defined by law for periods longer than ten (10) days. In cases of expulsion, 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 poses a threat to the safety of other students or school staff and cannot be placed in a state-funded program. 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.

Grievances

See Board Policy 09.4281

Students and parents wishing to express an educational concern or grievance shall observe the following order of appeal:

1. Teacher;
2. Principal;
3. School council;
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.

Information on filing a formal complaint or grievance is available online (www.greenup.kyschools.us), at each school and at the Central Office. See Board Procedure 09.4281 AP.1.

Bullying/Hazing

See Board Policy 9.422

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.

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. 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 means any unwanted verbal, physical or social behavior 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 educational process.

This definition shall not be interpreted to prevent 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 educational process.

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. Students wishing to report bullying or other code violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher (Board Procedure 09.438 AP.1), who shall take appropriate action as defined by the Code. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offenses, or a report that may be required by law, including reports to law enforcement.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 02.21 covering federally protected areas.

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 02.21.

Harassment/Discrimination

See Board Policy 2.21

Harassment/Discrimination is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information or disability involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

A hostile environment is created by harassment/discrimination that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational or work environment.

Grievance procedures may include voluntary informal mechanisms for resolving some types of sexual harassment complaints; however informal procedures will never be utilized for any sexual assault complaint.

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 or work environment, as defined by policies 09.426, 03.1325 and 03.2325 or where it does not violate provisions of policy 09.422.

Sexual harassment means unwelcome conduct of a sex nature, which can include sex assault, sex violence, sex misconduct, unwelcome sexual advances, requests for sex favors, or other verbal, nonverbal, or physical conduct of a sexual nature. It can include conduct such

as touching of a sexual nature; making sexual comments, jokes or gestures; writing graffiti or displaying or distributing sexually explicit drawings, pictures or written materials; calling students sexually charged names; spreading sexual rumors; rating students on sexual activity; or circulating, showing, or creating electronic messages or websites of a sexual nature.

Work day is any day administrators are scheduled to work excluding holidays and school day is any day in the official school calendar. If the alleged victim is a student, school days will be used for the investigating and reporting timeline. If the alleged victim is other than a student, working days will be used for the investigating and reporting timeline.

The School District has jurisdiction over harassment issues, including Title IX, sexual harassment.

Prohibition

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to vendors and 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.

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

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.

Anyone who believes they or any employee, student, vendor or visitor is being or has been subjected to harassment/discrimination by anyone under the school's jurisdiction shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports/complaints of harassment/discrimination at the building level.

Otherwise, reports/complaints of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report/complaint 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/complaints may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who

shall immediately forward the information to the Superintendent.

Guidelines

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) work/school days of receipt 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. In order to protect alleged victims during the investigation, the Superintendent/designee may take interim measures, such as keeping the alleged victim and alleged perpetrator separated, changing schedules, and extra supervision as deemed appropriate by the Superintendent/designee, until the investigation is over.
2. A process to identify and implement, within five (5) work/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. A process to be developed and implemented to communicate requirements of this policy to all individuals which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, codes of conduct, staff memoranda, and/or pamphlets;
 - postings in the same location as are documents that must be posted according to state/federal law; and/or
 - such other measures as determined by the Superintendent/designee.Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.
4. Annual training for staff and volunteers explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and for students 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.

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

Notification

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.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.¹ Individuals may also file criminal complaints about harassment directly with law enforcement agencies.

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 and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an individual to believe that he or she must submit to unwelcome sexual conduct in order to not suffer adverse employment action, or that a student must submit in order to not suffer adverse actions regarding participation in school programs or activities;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. 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
7. Destroying or damaging an individual's property based on any of the protected categories.

Confidentiality

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved. The Superintendent/designee shall evaluate requests of confidentiality.

Appeal

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

the Superintendent. The Superintendent shall inform the victim and the accused of his/her decision within in thirty (30) work days.

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

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

The Superintendent shall inform the victim and the accused of his/her decision within thirty (30) work days.

Counseling

The District contracts with various providers of counseling services. In the event you would like to request such services or learn more about them, contact the District Title IX Coordinator, Scarlet Shoemaker: scarlet.shoemaker@greenup.kyschools.us; telephone 606-473-9819, or the school guidance counselor for a list of current providers.

Retaliation Prohibited by Federal Law

No one shall retaliate against an employee or student because s/he files a written grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy. Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

Other Claims

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

Damages to School Property

See Board Policy 9.421

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.

Tobacco

See Board Policy 9.4232

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, or during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subjected to penalties set forth in the local code of acceptable behavior and discipline.

Use of Alcohol, Drugs and Other Controlled Substances

See Board Policy 9.423

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/from school or a school-sponsored activity:

- Alcoholic beverages;
- Controlled drug substances and drug paraphernalia;
- Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

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

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance 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 prohibited substances however taken or used, including by 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.

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.

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.

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.

Assault and Threats of Violence

See Board Policy 9.425

A "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

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

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 practicable. 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.

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.

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

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Telecommunication Devices

See Board Policy 9.4261

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

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
 - a. Poses a threat to academic integrity, such as cheating;
 - b. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;
 - c. Is profane, indecent, or obscene,
 - d. Constitutes or promotes illegal activity or activity in violation of school rules, or
 - e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

- These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.
2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break.
 3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
 4. 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.
 5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
 6. 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.

Acceptable Use

See Board Policy 8.2323

The District offers students, staff, and members of the community reasonable access to the District's computer network for electronic mail and Internet and expects users to utilize this privilege in an appropriate and responsible manner as required by policy 08.2323 and related procedures. Access is a privilege—not a right. Users are responsible for good behavior on school computer networks. Independent access to network service is given to individuals who agree to act in a responsible manner. Users are required to comply with District standards and to honor the access/usage agreements they have signed. Beyond clarification of user standards, the District is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network independently.

Violations of the Acceptable Use Policy include, but are not limited to, the following:

1. Violating State and Federal legal requirements addressing student and employee rights to privacy, including unauthorized disclosure, use and dissemination of personal information

2. Sending or displaying offensive messages or pictures, including those that involve: profanity or obscenity; or harassing or intimidating communications.
3. Damaging computer systems or computer networks, or school/District websites.
4. Violating copyright laws, including illegal copying of commercial software and/or other protected material.
5. Using another user's password, "hacking" or gaining unauthorized access to computers or computer systems, or attempting to gain such unauthorized access;
6. Trespassing in another user's folder, work, or files
7. Intentionally using electronic media unrelated to job performance, including downloading of freeware or shareware programs.
8. Using the network for commercial purposes, financial gain or any illegal activity.
9. Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com

Additional rules and regulations may be found in the schools' handbooks and on the district website. Violations of these rules and regulations may result in loss of access/usage as well as other disciplinary or legal action per KRS 434.840-434860 and KRS 512.020.

Policy information listed in this document may be excerpts of Board policies, and not the policies in their entirety. For access to complete and/or updated board policies, visit the district website at www.greenup.kyschools.us. Click on "Board of Education", then "Board Policies and Procedures". Board policies may also be accessed at the Board of Education, 45 Musketeer Drive, Greenup, KY 41144.

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

The District's Title IX/Equity Coordinator is Scarlet Shoemaker. If you have any questions pertaining to sexual harassment or sexual discrimination, you may contact her at: 45 Musketeer Drive, Greenup, KY 41144

Telephone Number: (606) 473-9819

Email Address:

scarlet.shoemaker@greenup.kyschools.us

The District's 504 Coordinator is Kim Taylor. If you have questions pertaining to Section 504 of the Rehabilitation Act of 1973, you may contact her at: 45 Musketeer Drive, Greenup, KY 41144

Telephone Number: (606) 473-9819

Email Address: kim.taylor@greenup.kyschools.us