

# STUDENT CODE OF CONDUCT

## SPENCER COUNTY PUBLIC SCHOOLS

**Our Future  
Our Schools  
Our Children**



**2009-2010**



**CONFIRMATION OF KNOWLEDGE OF/ AGREEMENT  
WITH DISTRICT POLICIES**

*(Please sign and return to the student's homeroom teacher)*

- I have received a Student Code of Conduct book for the 2009-2010 school year.
- I have read the code and agree to abide by its contents.
- I understand that I will receive the following forms from my child's school:
  1. Student Directory Information
  2. Right to Photograph/Videotape
  3. Acceptable Use of Technology
  4. Family Education Rights, Privacy Act

Parent

Date

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Student

Date

---

Date form received by School

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**REMOVE THIS PAGE AND RETURN TO THE SCHOOL**

**SPENCER COUNTY PUBLIC SCHOOLS**

207 West Main Street  
Taylorsville, Kentucky 40071  
Telephone: (502) 477-3250  
Fax: (502) 477-3259

**SPENCER COUNTY ELEMENTARY SCHOOL**

1265 Mt. Washington Road  
Taylorsville, Kentucky 40071  
Telephone: (502) 477-6950  
Fax: (502) 477-6955

**TAYLORSVILLE ELEMENTARY SCHOOL**

206 Reasor Avenue  
Taylorsville, Kentucky 40071  
Telephone: (502) 477-3339  
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**SPENCER COUNTY MIDDLE SCHOOL**

1263 Mt. Washington Road  
Taylorsville, Kentucky 40071  
Telephone: (502) 477-3260  
Fax: (502) 477-6796

**SPENCER COUNTY HIGH SCHOOL**

520 Taylorsville Road  
Taylorsville, Kentucky 40071  
Telephone: (502) 477-3255  
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**HILLVIEW ACADEMY**

404 Main Cross  
Taylorsville, Kentucky 40071  
Telephone: (502) 477-1530  
Fax: (502) 477-1760

**SPENCER COUNTY KERA PRESCHOOL**

206 Reasor Avenue  
Taylorsville, Kentucky 40071  
Telephone/Fax: (502) 477-3210

**DISTRICT WEBSITE:** [www.spencer.kyschools.us](http://www.spencer.kyschools.us)

# **SPENCER COUNTY PUBLIC SCHOOLS**

## **BOARD OF EDUCATION**

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Revised Spring 2009

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School councils will review before March of each year.

Spencer County Public Schools does not discriminate on the basis of sex, race, color, handicap, or national origin.

Spencer County Public Schools is an equal education and employment institution.

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# SPENCER COUNTY PUBLIC SCHOOLS

## Student Code of Conduct

### Purpose

The purpose of this handbook is to provide a concise outline of rights and responsibilities of the students in the Spencer County Schools and of those people, including parents/guardians and school personnel, directly involved in the educational process. Parents and students should also reference each school's handbook in order to understand the appropriate discipline and classroom management techniques necessary to carry out this code.

### Policy Statement

The Spencer County 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 procedures be employed on behalf of those who would impair, destroy, or deny such an environment. In an attempt to promote this environment, a code of conduct has been developed.

This district **Student Code of Conduct** provides for consistent treatment for all students and fairness as required by constitutional due process. It creates an atmosphere of open communication with clearly understood rules, thus encouraging behavior that will enable the students to develop to their fullest potential. **THE CODE OF CONDUCT IS APPLICABLE TO ALL ACTIVITIES ON SCHOOL PROPERTY, AT SCHOOL SPONSORED OR RELATED ACTIVITIES WHETHER ON OR OFF SCHOOL PROPERTY AND ON SCHOOL PROVIDED TRANSPORTATION WHETHER WITHIN OR OUTSIDE REGULAR SCHOOL HOURS.**

It is expected that sound, fair, and equitable judgment should be considered by students, teachers, principals, parents/legal guardians, and others based upon available and known facts in applying the principles of the **Student Code of Conduct**.

## **THIS POLICY APPLIES TO ALL STUDENTS ENROLLED IN THE SPENCER COUNTY SCHOOL SYSTEM.**

This **Student Code of Conduct** is the result of expressed concerns on the part of the school as well as the community. It provides for an annual review by the school, community, and the Spencer County Board of Education to ensure an effective document which meets the needs of the total educational community.

### **SUPERVISION OF PUPIL CONDUCT**

Each teacher and administrator in the public schools shall in accordance with the rules, regulations and bylaws of the Board of Education made and adopted for the conduct of pupils, hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities, including athletic trips. The Board of Education may use instructional assistants and other classified staff in supervisory capacities relating to the supervision and control of the conduct of pupils. Instructional assistants and other classified staff acting under the supervision of certified staff shall have the same authority and responsibility as is granted teachers in their performance of the same duties.

### **PHILOSOPHY OF RIGHTS AND RESPONSIBILITIES**

Responsibility is inherent in all rights. No student or other person involved in the public schools can realize his/her rights unless he/she also exercises the self-discipline and care to afford all others the same rights and not allow their own actions to infringe upon the rights of others. In the public schools, students, parents/legal guardians, teachers, administrators, and others in the educational process have the right and responsibility to know the basic standards of conduct and behavior, which are expected. The school environment is a community of individuals who live and interact based upon commonly shared rules, rights and responsibilities, expectations, and common sense.

## RIGHTS AND RESPONSIBILITIES

- A. STUDENT RIGHTS. Students have the right to an appropriate public education, which maintains high educational standards. In this process they may have the right:**
1. To expect respect from other students and school personnel
  2. To be notified of information pertaining to regulations and policies, which pertain to their public schooling experiences
  3. To expect reasonable physical protection and safety of their personal property
  4. To consult with teachers, counselors, administrators, and other school personnel
  5. To examine their own personal, cumulative school records
  6. If 18 years of age, to permit parents/legal guardians or their authorized representatives to examine personal school records through a waiver process
  7. To be involved in school activities without being subjected to any form of discrimination
  8. To participate in school activities which require competition on an equal basis
  9. To present complaints and grievances to proper school authorities and to receive replies from school officials regarding the disposition of their complaints and grievances
  10. To use school technology with signed permission form
  11. Not to submit, without prior written consent of parents/guardians, to any survey administered as part of a school program that reveals information concerning:
    - a. Political affiliations;
    - b. Mental and psychological problems potentially embarrassing to the student or his/her family;
    - c. Sex behavior attitudes;
    - d. Illegal, anti-social, self-incriminating and demeaning behavior;
    - e. Critical appraisals of other individuals with whom respondents have close family relationships;
    - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or
    - g. Income (other than that required by law to determine eligibility for participation in a program for receiving financial assistance under such program)

*The Superintendent/designee, in conjunction with the Principal, will provide oversight and direction regarding implementation of this requirement.*

*(FERPA – Policy #9,14)*

- B. STUDENT RESPONSIBILITIES. Students have the responsibility:**
1. To exhibit mutual respect for peers and staff
  2. To maintain acceptable conduct at all times
  3. To display respect for the rights and property of others including school board property
  4. To dress in a manner that is not a detriment to the normal school progress and orderly operation of the school
  5. To maintain proper hygiene at all times
  6. To abstain from the possession and/or use of illegal substances, including alcohol
  7. To abstain from the possession and/or use of weapons, dangerous instruments, fireworks, and other incendiary services
  8. To abstain from physically attacking or harassing any school employee
  9. To refrain from harassing or physically attacking classmates
  10. To refrain from violation of school regulations
  11. To attend all regularly scheduled classes
  12. To refrain from acts of truancy such as being absent without permission from school and/or class
  13. To show respect for school authority by avoiding all acts of defiance and by cooperating with teachers/adults requests or directions
  14. To abstain from gambling, extortion, theft, or any other unlawful activity
  15. To abstain from use or possession of tobacco products during the school day
  16. To complete all homework and class work in accordance with the teacher's instructions
  17. To represent the truth in all school matters
  18. To refrain from cheating on all academic and/or athletic activities
  19. To avoid the use of verbal abuse with all persons within the school setting
  20. To exhibit respect for others' opinions by refraining from rudeness or inappropriate or obscene language
  21. To abstain from willful disobedience by open rebellion to school regulations and/or school personnel
  22. To practice proper safety procedures while using the building facilities
  23. To show respect for the educational process by taking advantage of every opportunity to further their education
  24. To refrain from tardiness
  25. To practice self-control of their voices and limbs
  26. To refrain from leaving school grounds prior to dismissal for the day
  27. To abstain from any form of disruptive classroom behavior

**C. TEACHERS RIGHTS. Teachers have the right:**

1. To respect of students, administrators, peers and parents.
2. To work in a positive school climate with a minimum of disruptions
3. To expect all student assignments to be completed as requested
4. To remove and temporarily transfer responsibility for any student whose behavior **significantly** disrupts the positive school climate
5. To reasonable physical protection and safety of their personal property
6. To be free from verbal abuse
7. To provide input to committees designated with the responsibility of drafting school procedures that relate to their relationships with students and school personnel
8. To receive information from the court when a youth is found guilty of a felony offense or is classified as a violent offender

**D. TEACHER RESPONSIBILITIES. Teachers have the responsibility:**

1. To exhibit respect for students, administrators, peers, and parents.
2. To engage students with the educational materials and experiences appropriate to their course or grade level
3. To inform students and parents/legal guardians of achievement and progress
4. To plan a flexible course of study which meets the needs of all students
5. To maintain high standards for student academic achievement
6. To administer such disciplinary measures as outlined in this code in order to maintain a positive learning climate
7. To provide feedback on student assignments as soon as possible including keeping Infinite Campus data updated.
8. To exhibit exemplary behavior in terms of dress, action, and voice at school
9. To inform students and parents/legal guardians of achievement and successes, problems, and failures
10. To reward exemplary student work and/or classroom behavior
11. To maintain a classroom atmosphere conducive to good behavior
12. To follow the rules and regulations of the board of education and the local school

**E. PARENT/LEGAL GUARDIAN RIGHTS. Parents/legal guardians have the right:**

1. To expect the respect of school personnel
2. To send their student to a school with positive educational expectations
3. To expect all disruptive behavior to be dealt with fairly, firmly and quickly
4. To enroll their student in regularly scheduled classes
5. To expect their school to maintain high academic and accreditation standards
6. To examine their student's personal school records and to request amendment of educational records that they believe are inaccurate, misleading, or in violation of the student's right to privacy
7. To consent to disclosure of personally identifiable information in the student's records except to the extent that FERPA authorizes without consent
8. To meet/confer with teachers and administrators concerning the educational progress of their student
9. To address grievances to proper school authorities concerning their student and to receive a prompt reply pertaining to the specific grievances
10. To expect student information will be released or discussed only with parent or legal guardian (NOTE: Parent permission is not required when releasing educational information to another school district.)
11. To inspect any materials to be used with a survey, analysis, or evaluation as part of any school program or curriculum

**F. PARENT/LEGAL GUARDIAN RESPONSIBILITIES. Parents/legal guardians have the responsibility:**

1. To instill in their student the need for mutual respect
2. To instill in their student the need for an education
3. To instill in their student the sense of responsibility
4. To assist their student in understanding the need for a positive school environment
5. To become familiar with the educational policies and programs of the Spencer County Board of Education
6. To aid their student in understanding the disciplinary procedures of their school
7. To encourage their student to follow all school policies
8. To see that their student is regular in attendance
9. To inform the school officials of any long-term illness affecting their student

10. To demonstrate respect for all school personnel at school and related activities
11. To inform school officials of concerns pertaining to disciplinary procedures
12. To instill in their student the need for proper and appropriate student attire and hygiene
13. To exhibit concern for the progress and grades of their student
14. To assure that a designated person will meet their preschool students when they exit the bus
15. To inform the school of daily absences
16. To provide required enrollment records
17. To read, sign, return and comply with all school required forms

**G. PRINCIPAL/DESIGNATED ADMINISTRATOR RIGHTS.**

**Principals/designated administrators have the right:**

1. To expect respect from students, parents/legal guardians, and the school staff
2. To expect all participants in the educational process to comply with school and board of education policies
3. To discipline any student who disrupts the educational environment
4. To release or discuss student information only with the parent or legal guardian or others with a legal right to know
5. To receive information from the court when a youth is found guilty of a felony offense or is classified as a violent offender.

**H. PRINCIPAL/DESIGNATED ADMINISTRATOR**

**RESPONSIBILITIES. Principal/designated administrators have the responsibility:**

1. To demonstrate respect for all school personnel at school and related activities
2. To help create and maintain an atmosphere which respects the rights of all participants in the educational process
3. To administer discipline measures fairly and equally in accordance with this conduct code
4. To exhibit exemplary behavior in terms of action, dress, and speech
5. To direct the school staff in developing a program which communicates this **Student Code of Conduct** to the school community.

## **DISCIPLINARY PROCEDURES**

This section of the **Student Code of Conduct** contains the recommended procedures to use in applying disciplinary action to specific conduct offenses. There are four levels of misconduct which are progressive, ranging from **LEVEL 1** as the least severe to **LEVEL 4** as the most severe level of misconduct. The level of severity is dependent upon variables such as the circumstance of the offense, the type of offense, the degree of seriousness, and the frequency of the offense.

Due to these variables, a number of the disciplinary response options have been developed for each level of misconduct. These disciplinary response options will allow the teacher, principal or his/her designee to review and recommend the most appropriate action for the student and thus assure that the particular procedure will best fit the problem.

Repeated incidents of misbehavior can be referred to the next level of misconduct.

### **LEVEL 1 Misconduct**

Level 1 misconduct includes minor misbehavior on the part of the student that impedes orderly classroom procedures or interferes with the orderly operation of the school. These misbehaviors can usually be handled by an individual staff member, but sometimes require the intervention of other school support personnel.

### **Disciplinary Response Options**

School district personnel shall confer with the student/parties as soon as is practical.

Disciplinary options include but are not limited to (not necessarily in order):

- a. Discussion of appropriate behaviors and verbal warning.
- b. Notification to parents/legal guardians by phone, letter or message
- c. Classroom discipline plan
- d. Loss of privileges
- e. Classroom probation/isolation
- f. Assignment of appropriate written task
- g. Referral of student to principal

**NOTE:** There may be situations in which **ANY LEVEL** of misconduct may warrant suspension of a recommendation for expulsion, depending upon the circumstances surrounding the violation and/or the student's past behavior record.

## **LEVEL 2 Misconduct**

Level 2 misconduct includes misbehavior in which the frequency or seriousness tends to disrupt the learning climate of the classroom or school.

These infractions often result from the continuation of Level 1 misbehaviors. They require the intervention of administrative personnel because Level 1 disciplinary options failed to correct the situations or because the infractions have become more serious.

### **Disciplinary Response Options**

School district personnel shall confer with the student/parties as soon as is practical.

Disciplinary options include but are not limited to (not necessarily in order):

- a. Discussion of appropriate behaviors and verbal warning
- b. Development of a behavior intervention plan
- c. Notification to parents/legal guardians by phone, letter or message
- d. Probation
- e. Suspension of the student (out of school) for no more than five (5) school days. The student will be readmitted to school only after a parent/student/school contact. The superintendent or his/her designee shall be notified in writing by the principal/designee.
- f. Petition/warrant signed (The principal or designee may sign a petition/warrant when a Kentucky Revised Statue is violated.)
- g. In-school detention

**NOTE:** There may be situations in which **ANY LEVEL** of misconduct may warrant a suspension or a recommendation for expulsion, depending upon the circumstances surrounding the violation and/or the student's past behavior record.

### **LEVEL 3 Misconduct**

Level 3 misconduct includes acts directed against persons or property in which the consequences endanger the health or safety of self or others in the school.

Although these acts might be considered criminal, generally they can be handled by the disciplinary mechanism in the school. Corrective measures that the school should undertake, however, depend upon the extent of the school's resources for mediating the situation in the best interest of all students.

#### **Disciplinary Response Options**

School district personnel shall confer with the student/parties as soon as is practical. The parents or guardians shall be contacted immediately by phone, letter or message.

Disciplinary options include but are not limited to (not necessarily in order).

- a. Suspension of the student (out of school) for six (6) to ten (10) school parent/school/student conference is held. The superintendent or his/her designee shall be notified in writing by the principal/designee.
- b. Referral to alternative educational setting
- c. Referral to proper law enforcement authorities (The principal or his/her designee may sign a petition/warrant when a Kentucky revised statute is violated.)
- d. In-school detention

**NOTE:** There may be situations in which **ANY LEVEL** of misconduct may warrant suspension or a recommendation for expulsion, depending upon the circumstances surrounding the violation and/or the student's past behavior record.

## **LEVEL 4 Misconduct**

Level 4 misconduct includes acts that result in violence or which pose a direct threat to the safety or health of self, other persons or property in the school.

This would also include a student who will not conform to the code.

Those acts may be criminal or so serious that they may require administrative actions that result in the immediate removal of the student from school, the intervention of law enforcement authorities, and/or action by the Spencer County Board of Education.

### **Disciplinary Response Option**

School district personnel shall confer with the student/parties concerned as soon as practical. The parents or legal guardians shall be contacted immediately by phone, letter or message.

Disciplinary options include:

- a. The student may be suspended until a formal expulsion hearing can be arranged. A recommendation for expulsion will be given to the superintendent for presentation to the board of education. The hearing shall be held as soon as practical after the date of the suspension. Expulsions carry the loss of credit.
- b. The principal or his/her designee may refer to appropriate law enforcement authorities. When a Kentucky Revised Statute is violated, the principal or his/her designee may sign a petition/warrant.

**NOTE:** There may be situations in which **ANY LEVEL** of misconduct may warrant suspension or a recommendation for expulsion, depending upon the circumstances surrounding the violation and/or the student's past behavior record.

The Spencer County Board of Education recognizes that a petition/warrant to the court may be issued.

## CONDUCT WARRANTING DISCIPLINARY ACTION

**The Code of Conduct is applicable to the activities on school property, at school sponsored or related activities whether on or off school property, and on school provided transportation, whether within or outside regular school hours.**

1. **Defamation** – Level 1, 2, 3, or 4  
Defamation includes harming another person’s character or reputation by saying things which are not true and which are intended to bring harm.
2. **Misrepresenting Facts** – Level 1, 2, 3 or 4  
Misrepresenting facts includes knowingly deceiving or attempting to deceive any school district personnel.
3. **Disorderly Conduct/Classroom Disturbance** (including profanity, pornography, and obscene behavior) – Level 1, 2, 3, or 4  
This misconduct includes conduct and/or behavior which is disruptive to the orderly educational procedure of the school.
4. **Harassment** – Level 1, 2, 3 or 4  
Unlawful 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.
5. **Bullying** – Level 1, 2, 3 or 4  
A conscious, willful, deliberate, hostile and repeated behavior by one or more people, which is intended to harm others. Bullying takes many forms and includes:
  - a. Exclusion from peer group
  - b. Verbal taunts, name-calling, and put downs
  - c. Threats
  - d. Extortion or stealing of possessions
  - e. Physical violence
6. **Intimidation of Witness** – Level 1, 2, 3 or 4  
Physical or verbal intimidation of a witness to any school violation
7. **Threats** – Level 1, 2, 3 or 4  
This misconduct includes any expression of intention to inflict injury or damage. The expression may be written verbal or otherwise communicated.
8. **Malicious Remarks** – Level 1, 2, 3 or 4  
This misconduct includes remarks which intimidate, insult or in other manner, abuse verbally or in writing, any member of the school district personnel or student body.

9. **Aggressive Misbehavior Towards any School District Personnel** – Level 3 or 4  
This includes any physical contact or threat of physical contact towards school employees with the intention of doing bodily harm by a student or a group of student.
10. **Defiance of Authority** – Level 1, 2, 3, or 4  
Defiance of authority is the refusal to comply with reasonable requests of school personnel or refusal to comply with rules.
11. **Forgery** – Level 1, 2, 3 or 4  
The act of forgery includes falsely using the name of another person, or falsifying documents or correspondence including but not limited to absences, excuses, school work, or bus permission slips.
12. **Gambling** – Level 1, 2, 3 or 4  
Gambling includes any participation in games of chance for the express purpose of exchanging money or items of monetary value in accordance with state law.
13. **Extortion** – Level 1, 2, 3 or 4  
Extortion includes the solicitation of money or anything of value from another student, regardless of the amount, in return for protection, or in connection with a threat to inflict harm.
14. **Theft and Related Offenses** – Level 1, 2, 3 or 4  
Theft and related offenses includes the taking of property of others without their consent; the possession of stolen property, or possession without the owner’s permission; or the selling of school property.
15. **Vandalism** – Level 1, 2, 3 or 4  
Vandalism includes the destruction, defacing or marring of property located on school premises or owned by the board of education. The student or the student’s parents will be responsible for restitution.
16. **Fighting** – Level 1, 2, 3 or 4  
Fighting includes the willful engagement of physical contact for the purpose of inflicting harm on another person.
17. **Contributing to a Fight** – Level 1, 2, 3 or 4  
To verbally or otherwise try to encourage a student to hit or fight with another student
18. **Excessive Tardiness** – Level 1, 2, 3 or 4  
Over three unexcused times a semester (Not applicable to preschool.)
19. **Skipping School/Truancy** – Level 1, 2, 3 or 4  
The misconduct includes purposefully missing a day(s) or a portion of a school day when school is in session. It also includes invalid absences and unauthorized leaving school grounds. (*Not applicable to preschool.*)
20. **Loitering by Unauthorized Student** – Level 1, 2, 3 or 4

Students on shortened programs or students who have been expelled or suspended are not to be on school grounds, in the school building, or at any extracurricular activity, home or away, without permission from appropriate school personnel.

21. **Unlawful Assembly** – Level 2, 3, or 4

A person is guilty of unlawful assembly when:

- a. He/she assembles with other persons for the purpose of engaging or preparing to engage with them in disorderly behavior; or
- b. Being present at an assembly which either has or develops such a purpose and he/she remains there with the intent to advance that purpose.

22. **Tobacco Product Policy** – Level 2, 3, or 4

Student use or possession of any tobacco product on school premises is prohibited. This policy also applies to any student who is a participant in a school sponsored activity.

23. **False Fire Alarm** – Level 1, 2, 3 or 4

This misconduct refers to falsely alerting the fire department or school of a non-existent fire.

24. **Arson or Attempted Arson** – Level 3 or 4

This includes the starting or the attempt to start a fire within the school or on the school grounds for any purpose that results in either destruction or disruption. (*Level 2 option for preschool.*)

25. **Bomb Threat** – Level 3 or 4

Bomb threats include any threat that a bomb has been placed or is about to explode in a school. (*Level 2 option for preschool.*)

26. **Use of Noxious Substance** – Level 1, 2, 3 or 4

A person is guilty of use of a noxious substance when he/she deposits on school premises or vehicle of another, any stink bomb device, or irritant (including chemical irritants such as mercury, etc) with the intent to interfere with another's use of the premises or vehicle.

27. **Possession of Dangerous Instruments** – Level 2, 3 or 4

This misconduct includes the POSSESSION of any instrument, such as fireworks, matches, lighters, explosives, mace and mace-like sprays, tear gas, pepper spray, knives, clubs, chains or the like, that can be used to inflict bodily injury to another person.

28. **Possession of Weapons** – Level 2, 3, or 4

This misconduct includes the POSSESSION of firearms, deadly, weapons, destructive devices, or booby trap devices.

29. **Use of Weapons or Dangerous Instruments** – Level 3 or 4

This offense includes the USE of any instruments, such as fireworks, matches, lighters, explosives, mace and mace-like sprays, tear gas, pepper spray, knives, clubs, weapons such as firearms, deadly weapons,

- destructive devices, booby trap devices, chains, or the like, that is used to conflict bodily injury to another person (level 2 option for preschool.)
30. **Possession of, Use of, Being Under the Influence of Alcoholic Beverages or Controlled or Harmful Substances** – Level 3 or 4  
This misconduct refers to the possession of, use of or being under the influence of any beverage with alcohol content, or controlled substances, such as dangerous drugs, narcotics, marijuana, barbiturates, amphetamines, or any other material having a harmful or unnatural effect on the person using them. (*Level 2 option for preschool.*)
31. **Distributing or Selling Alcoholic Beverages or Controlled Substances** – Level 4  
This misconduct refers to the DISTRIBUTION OF OR SALE OF any of the items listed in number 30.
32. **Possession of Drug Paraphernalia** - Level 2, 3, or 4  
The possession of equipment, instruments or other items (rolling papers, pipes, needles, etc.) intended to be used in conjunction with any of the items listed in number 30.
33. **Possession of, Use of, Selling of, or Being Under the influence of Non-Prescribed “Look Alike” Substances** – Level 1, 2, 3, or 4  
These substances include “look alike” drugs or substances which the student may claim or create the impression that it is a controlled substance. They may also include prescription medication which are prescribed for someone else or over-the-counter drugs which are being used or sold for the purpose of creating an unnatural effect or which are being sold for profit.
34. **Possession of or Use of Over-The-Counter or Non-controlled Substance** – Level 1, 2, 3, or 4  
All medications and substances shall be registered with designated school personnel who shall place them in a secure location unless ordered by a physician to keep with the pupil due to the pressing medical need. Students shall not be in possession of over-the counter medications or non-controlled substances without the orders of a physician.
35. **Telecommunications Devices** – Level 1, 2, 3 or 4  
The unauthorized use of any type of telecommunication electronic device by a student on school grounds during regular school hours is prohibited.
36. **Technology Tampering/Vandalism** – Level 1, 2, 3 or 4  
This includes adding to, deleting from, and damaging computer hardware/software and other technology equipment.
37. **Technology Abuse** – Level 1, 2, 3, or 4  
The following abuses are not permitted.
- Sending or displaying offensive message or pictures

- Using obscene language
- Harassing, insulting, or attacking others
- Damaging computer systems or computer networks
- Violating copyright laws
- Using another's password
- Trespassing in another's folder, work or files
- Using the network for commercial purposes
- Other unethical use of the Internet
- Interfering with the integrity of the private electronic mail system

38. **Violation of Law** – Level 1, 2, 3, or 4

There are certain other acts of misbehavior or violation of criminal laws or school regulations that are not included in this list. In such instances, disciplinary action will be at the discretion of the teacher, principal, or his/her designee, and/or superintendent.

39. **Repeated Violation** – Level 2, 3 or 4

This includes repeatedly failing to comply with the **Student Code of Conduct**, directions of teachers, student teachers, substitute teachers, instructional assistants, principal or other authorized school personnel during any period of time when the student is properly under the authority of school personnel.

40. **Inappropriate Public Displays of Affection or Indecent Behavior** – Level 1, 2, 3 or 4

This will be determined by the staff.

41. **Plagiarism** - Level 1 or 2

Presenting the ideas or words of another as one's own is prohibited.

## **REGULATIONS FOR STUDENTS RIDING SCHOOL BUS**

The privilege of any student to ride a school bus is conditional upon his/her good behavior and observance of the following rules and regulations. When a student violates any of these rules and regulations, necessary corrective action will be taken.

### **Waiting at the Bus Stop**

1. Arrive five (5) minutes early.
2. Stay back from the road five (5) big steps.
3. Respect other people's property.
4. Wait in an orderly manner.
5. Line up starting back from roadway.
6. Wait until the bus stops before moving.

### **Getting on the Bus**

1. Only board the bus you are assigned to.
2. Wait for the driver's hand signal before approaching the bus or crossing the road.
3. Cross at least ten (10) giant steps in front of the bus.
4. Make sure the driver can always see you.
5. Never bend down or put any part of your body under the bus.
6. If you drop something, leave it and go tell the driver.
7. If you miss the bus going to school, go directly home or to a location designated by parent/guardian.
8. Never walk to school without your parent or guardian's permission.
9. Go quietly to your assigned seat. (Bus drivers have the authority to assign seats.)

*(All preschool students will be hand-delivered to the bus monitor by an authorized caregiver. The bus monitor will cross the road and escort the child to the bus if the designated pick up location does not face bus doors.)*

### **ITEMS NOT ALLOWED ON THE BUS**

1. Weapons
2. Illegal drugs, alcohol, or tobacco
3. Food or drinks
4. Glass containers, balloons, or animals (as prohibited by state law.)
5. Items that are likely to block the bus aisle or exits in case of an emergency such as large musical instruments.
6. Any item that is likely to cause a disturbance.

### **Riding the Bus**

1. Know your bus driver's name, bus number, and route number.
2. Obey the driver's direction.
3. Be respectful of driver and other students.

4. Sit quietly in assigned seat; use “inside voice”
5. Do not distract the driver’s attention
6. Do not stand in the step well
7. Extend nothing out the bus window
8. Eating and drinking are not permitted
9. Keep all carried items in your lap
10. Report to the driver any damage to the bus
11. Do not throw items
12. Do not throw trash on the floor; be responsible for your area of bus
13. Students are responsible to pay for damages they can cause to the bus

### **Leaving the Bus**

1. Wait in your seat until the bus stops
2. Do not crowd or push
3. Use the handrail
4. Do not jump off the steps
5. Leave the bus only at your designated stop
6. Do not go to the mailbox; go immediately to your house
7. If you have to cross in front of the bus, **walk three (3) feet to the side, then ten (10) feet in front of the bus; wait for the driver’s signal to cross the street**
8. Make sure the driver can always see you
9. Check both ways before crossing the road
10. Never stop to pick up a dropped object

### **IMPORTANT**

**If for any reason a child needs to go home on another bus or ride another bus to school, he/she must have a signed note of request from the parent/guardian that has been approved by the principal.**

**By law, all preschool students must be hand-delivered to the assigned parent, guardian, or approved adult when departing the bus. If the approved adult is not present to receive the student, the student will be returned to the preschool office. The parent will have to pick up the student at the office.**

**(NOTE: The central office, schools, the bus garage, and all buses have radios and the option of video monitoring for safety purposes.)**

## DISCIPLINARY PROCEDURES FOR THE VIOLATION OF BUS REGULATIONS

*(Bus drivers have the opportunity to issue a verbal warning before initiating the written Misconduct Report process.)*

Violations of the rules and regulations for riding a school bus shall result in the following actions:

1. First Offense – The bus driver will talk with the student and state the bus rule violation. A First Misconduct Report will be filed and the transportation manager will send written notification to the building administrator and parent/guardian.
  - a. **Major violations can be moved to Fourth, Fifth, or Sixth Offense status by the building administrator.**
2. Second Offense – The bus driver will state the bus rule violation, and determine an appropriate seat for the student for up to two (2) weeks. A Second Misconduct Report will be filed and the transportation manager will send written notification to the building administrator and parent/guardian.
  - a. **Major violations can be moved to Fourth, Fifth, or Sixth offense status by the building administrator.**
3. Third Offense – The bus driver will state the bus rule violation. The driver also may move the student to an appropriate assigned seat. A Third Misconduct Report will be filed and the transportation manager will send written notification to the building administrator and parent/guardian.
  - a. **Major violations can be moved to Fourth, Fifth, or Sixth Offense status by the building administrator.**
4. Fourth Offense – A Fourth Misconduct Report will be filed and the building administrator will suspend bus riding privileges for 1-5 days. Written notification will be sent home by the school.
  - a. **Major violations can be moved to Fifth or Sixth Offense status by the building administrator.**
5. Fifth Offense – A Fifth Misconduct Report will be filed and the building administrator will suspend bus riding privileges for 6-10 days. Written notification will be sent home by the school

- a. **Major violations can be moved to Sixth Offense status by the building administrator.**

6. Sixth Offense – A Sixth Misconduct Report will be filed by the driver and the building administrator will suspend bus riding privileges for the remainder of the school year. Written notification will be sent home from the school.

## **DUE PROCESS**

Due process includes those rights of a student accused of violating school regulations and which may be brought to his/her defense at a disciplinary conference or hearing pending possible suspension or expulsion from school.

### **Pupil Suspension and Expulsion**

It is necessary to maintain a pupil's contact with a continuous program of education, either in the classroom setting or in a specifically arranged program under the direction of the administration.

The pupil's needs will be considered as well as the requirements of the institution. The underlying causes of a pupil's behavior should be considered, along with his/her actions and attitudes.

All pupils admitted to the Spencer County 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 of students, the carrying or use of weapons or dangerous instruments, or other incorrigible conduct on school property as well as off school property at school sponsored activities constitute cause for suspension or expulsion from school.

The superintendent, principal, assistant principal, or principal designee of any school may suspend a pupil for up to ten (10) school days for violation and shall report such action in writing immediately to the superintendent and to the parent/legal guardian or other person having legal custody or control of the pupil.

A principal may assign a student to an appropriate alternative educational setting to continue his/her education under more restrictive conditions for a period of time based on progress and behavior of the student.

A pupil shall not be suspended from the Spencer County 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/her which constitute cause of suspension;
- b. The pupil has been given an explanation of the evidence of the charge or charges if the pupil denies said charge or charges;
- c. The pupil has been given an opportunity to present his/her own version of the facts relating to the charge or charges.

These due process procedures shall precede any suspension from the Spencer County 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 possible, but not later than three (3) school days after the suspension.

A conference should be held between the official who meted out the suspension or an informed representative and the pupil and his/her parents, or legal guardians, prior to readmission.

If a high school student is suspended from school he/she is automatically suspended from all other affiliated educational activities.

If a student is suspended from any Spencer County school, that student is automatically barred from all extracurricular and co-curricular activities in the county schools.

The Board of Education may expel any pupil for misconduct, 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.

## **DUE PROCESS PROCEDURES FOR SPECIAL EDUCATION AND 504 STUDENTS REGARDING SUSPENSION AND EXPULSION**

### **Suspension**

Special education and 504 students who create a disruption or dangerous situation for themselves or others may be **temporarily suspended** from school without the change of placement procedure as long as the following due process procedures are followed:

1. The student has been given oral or written notice of the charge or charges against him/her which constitute cause for suspension;
2. The student has been given an explanation of the evidence regarding the charge or charges if the student denies said charge or charges.
3. The student has been given an opportunity to present his/her own version of the facts related to the charge or charges.

These due process procedures are for short term suspension and are the same procedures for **all** students..

These due process procedures shall precede any suspension from the Spencer County schools unless immediate suspension is essential to protect person or property or to avoid disruption of the ongoing academic process. In such cases, the aforementioned due process procedures shall follow the suspension as soon as possible, but not later than three (3) school days after suspension.

Suspension of exceptional children or 504 students as defined in KRS 157.200 for more than a total of ten (10) days during a school year shall constitute a change of educational placement.

If the committee determines that a child's behavior is a manifestation of his disability, the child is not subject to further disciplinary procedures unless the child's violation involved drugs, weapons, or serious bodily injury.

A district may seek temporary injunctive relief through the courts if the parent and the other member of the admissions and release committee cannot agree upon a placement and the current placement will likely result in injury to the student or others. Additionally, the parents and/or the district may request an expedited hearing.

## Expulsion

In the area of expulsion for student identified under 504 or as a student with a disability, approved district procedures will be followed. Please consult your child's school, the board office, or the district webpage for a copy of the procedures.

## ATTENDANCE

Progress of a student at school depends greatly on punctuality and regularity of attendance. There is a direct relationship between attendance and achievement; a day of school missed can never be entirely made up. We firmly believe that attendance is a student/parent/legal guardian responsibility. The intent of this attendance procedure for the Spencer County Schools is to provide a structure within which students can gain maximum benefit from the instructional program.

All students are expected to attend class every day that school is in session. When a student must be absent from school, **it is the responsibility of the parent/legal guardian to call the school by 10:00 am to inform the principal/designee of the reason for the absence.** The parent/legal guardian shall send a written excuse with the student when he/she returns to school. Notes from parent/legal guardian are acceptable for up to five (5) absences. After that number of absences, a health professional can excuse the absences, unless reason of absences is deemed reasonable and valid by the building principal.

## Kentucky Compulsory School Law

1. Each parent, legal guardian, or other person residing in the state and having custody or charge of any child between the ages of 6 and 16 shall send the child to a regular public day school for the full term that the public school of the district in which the child resides is in session, or to the public school that the board of education of the district makes provision for the child to attend. A child's age is between 6 and 16 when the child has reached the sixth birthday and has not passed the sixteenth birthday.
2. An unmarried child between the ages of 16 and 18 who wishes to terminate his/her public or non-public education prior to graduating from high school shall do so only after a conference with the principal or principal's designee, and the principal shall request a conference with the parent, legal guardian, or other custodian. Written signed

permission for withdrawn must be received from the parent, legal guardian, or other person residing in the state and having custody or charge of the student.

The written permission shall be dated and the signature witnessed by the principal of the school or principal's designee, where the child is in attendance. A child's age is between 16 and 18 when the child has reached the sixteenth birthday and has not passed the eighteenth birthday. Written permission for withdrawal shall not be required after the child's eighteenth birthday. Every child that is actually a resident in the state is subject to the laws relating to compulsory attendance, and neither the student nor the person in charge of the student shall be excused from the operation of those laws or the penalties under them on the ground that the child's residence is seasonable or that the parent is a resident of another state.

## **ABSENCES**

### **Definition**

1. Missing half or more of a day is considered an absence. This includes all scheduled activities such as homeroom, classes, assemblies, pep rallies, etc.
2. Students are not absent when participating in school activities which have been authorized by the Spencer County Board of Education and which are a definite part of the instructional program of the school.
3. Students are not absent when participating in school-related activities.
4. Students must remain at school at all times or check out through the office. Students leaving campus during the school day without permission will be subject to disciplinary action.
5. Excused absences include:
  - a. Illness of the student
  - b. Death in the immediate family (the immediate family is defined as parents, siblings, grandparents, sister-in-law, brother-in-law, without reference to the location or residence of said relative, and other blood relatives who reside in the student's home)

**Excuses are to be sent to the building administrator.**
6. Authorized school activities
  - a. Religious holidays
  - b. Court summons
  - c. Driver's permit or license

- d. Medical appointment
- e. Absences for good cause with prior approval of the principal

Absences for reasons other than those listed above will be considered unexcused and students will not be allowed to make up any work. Students have three (3) days after an absence to present an excuse. **(If a student receives an excused absence, the student shall accept responsibility to see the teacher and ask what work is to be made up. The student will have one day to make up work for each day of school missed. Extenuating circumstances may be addressed by the student's principal/designee.)**

7. Unexcused absences include:

- a. Truancy
- b. Indifference of parent/legal guardians
- c. Working
- d. Transportation (missed bus)
- e. Suspension
- f. Oversleeping
- g. Juvenile detention/jail
- h. Babysitting
- i. Skipping school (all or any part of day)
- j. Other (any that is deemed inexcusable by the school personnel) unauthorized leaving school grounds for any period of time.

8. Unexcused tardiness:

A student who is not in his or her homeroom, classroom or other assigned areas when the tardy bell rings is considered tardy. In addition, a student who leaves before the end of the school day will be considered tardy. Repeated tardiness is subject to disciplinary action.

9. Truancy:

Any student who has been absent from school without a valid excuse for three (3) or more days, or tardy on three (3) or more days, is a truant. Any student who has been reported as truant two (2) or more times is a habitual truant. Being absent for less than half of a school day shall be regarded as being tardy.

a. Attendance procedure:

i. Second Unexcused Absence –

- 1. School personnel mail attendance letter and attendance information to parent or guardian and place a copy of the letter in the student's file.

2. Building administrator or designee contacts and/or meets with parent or guardian to ensure receipt of attendance letter/information, to determine reason for excessive absences and to develop a supportive action plan if needed. This is documented and placed in the student's file.

**(The building administrator and the director of pupil personnel may pursue due process action after the third unexcused absence depending on the student's situation and/or attendance history.)**

ii. Fifth Unexcused Absence –

1. Director of pupil personnel/designee sends attendance letter by certified mail and calls parent or guardian. This is documented and placed in the student's file. If needed, the DPP/designee will arrange a meeting with the parent or guardian to review the circumstances of student absences and/or arrange a home visit by the Family Resource team. This is documented and placed in the student's file.

**(If excessive absences continue school personnel will contact DPP administrative assistant. The DPP will take immediate legal action.)**

- b. Parents responsible for student's violations: Every parent, legal guardian or custodian of a student residing in any school district in this state is legally responsible for any violation of law or board policy by the student. Before any proceedings are instituted against the parent, legal guardian, or custodian for violation of law or board policy, a written notice shall be given by the director of pupil personnel, and one (1) day shall be allowed for the termination of the violation. After such notice, if the violation is continued or the provisions of the law or board policy are again violated during the school term by the student, no further notice shall be necessary and parent/legal guardian shall be accountable. A notice by certified mail, return receipt requested, or hand delivered by the director of pupil personnel shall be a legal notice.
- c. Students over sixteen: Any student over sixteen years of age who is absent six (6) days from school without sufficient documentation will be reported as a habitual truant. Parents, guardians, and/or custodians of a student who have not reached his/her eighteenth birthday are accountable if the student fails to

comply with school truancy laws. A student who has attained the age of eighteen, but not reached his/her twenty-first birthday is accountable if he/she fails to comply with school truancy laws.

### **IN-SCHOOL DETENTION (where applicable)**

Students have the responsibility for conducting themselves appropriately while under the authority of school officials. When misconduct does occur, school officials have the authority/responsibility to impose the appropriate consequences.

The in-school detention program is designed to deal with students who have misbehaved or are guilty of a minor infraction of the **Student Code of Conduct**. This is an alternative-to-suspension program that allows students to atone for their misconduct, reflect upon the actions that got them into trouble, and to stay current in their studies.

Any 504 Plan or IEP will be implemented while that student is in in-school detention.

Since this program is offered for the benefit of students, certain minimal standards of decorum and behavior are expected. Students participating in in-school detention will exhibit good behaviors, good attitudes, and remain engaged with instructional task during time assigned. Persistent problems may result in the suspension of the student.

### **DRESS CODE**

Proper appearance has been shown to have a high relationship to behavior. Students and parents must accept the responsibility concerning this matter. Students will dress according to weather, health, safety, and school activities. The wearing of any attire or cosmetic, presentation of extraordinary personal appearance, or any unsanitary body condition which materially disrupts school work, interrupts scholastic endeavors, or threatens the health of other students is prohibited. Clothing and accessories (jewelry, necklaces, belt buckles, etc) with obscene, crude or rude pictures, or sayings advocating use of alcohol, tobacco, extreme violence, or sex are not permitted.

## SEARCH AND SEIZURE

Lockers are property of the school and are subject to the board of education's regulation and supervision. Locker inspection or searches are not carried out as a harassment technique, but as a duty when the health, safety, or welfare of students is involved. K-9 units will be used to search lockers, parking lots, vehicles, buildings, and grounds when there are no students present. In a search and seizure situation the following procedures shall be followed:

1. A student's person will only be searched when there is reasonable suspicion that the student is concealing evidence of an illegal act or school violation.
2. Illegal items (weapons, firearms, etc.) or other possessions reasonably determined by the proper school authorities to be a threat to the student's safety or security and the safety or security of others may be seized by school officials.
3. Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession by a staff member. These items may be returned to the student by the staff member or through the office.
4. A general inspection of school properties such as lockers, desks, etc., may be conducted on a regular basis. During these inspections, items which are school property may be collected. (Example: overdue library books). Any other package (such as, but not limited to backpacks, gym bags, band instrument cases, or any package capable of concealing a weapon) may be inspected if school authorities have reasonable cause to suspect dangerous or illegal substances/object.
5. All items which have been seized will be turned over to proper authorities or returned to the true owner, depending on the situation. The student will have the opportunity to be present when a search of personal possessions is to be conducted unless: (1) the student is absent from school, or (2) school authorities decide that the student's presence could endanger the student's health and safety, or (3) other good cause.

**The United States Supreme Court, on January 15, 1985 ruled that a school administrator may search a student if he/she has reasonable grounds to believe that the search will turn up evidence of violation of the law or rules of the school and the nature and scope of the search is related to its object, to the age, and sex of the student, and to the severity of the infraction.**

## CLOSED CAMPUS

All students are to be confined to the school grounds during the hours that school is in session, including the lunch period, unless students have written permission signed by the parent and approved by the principal. There will be no unauthorized leaving of the school campus unless prior approval by the school principal or his/her designee.

## SCHOOL VISITORS

The Spencer County Board of Education encourages citizens to visit the schools as often as practicable. Each visitor shall report to the principal's office to get authorization for his/her presence in the building, so as not to disrupt school programs. Students are not allowed to bring a friend/guest to visit their school for a day or any part of a day.

## HILLVIEW ACADEMY

Students exhibiting delinquent and pre-delinquent behavior patterns need a highly structured environment in which they can re-evaluate their attitudes, experience growth in self-awareness, and realize the inevitable result of continued improper behavior. Hillview Academy provides such an environment for elementary, middle and high school students.

The goals and objectives of Hillview Academy are to reduce disruptive behavior, suspensions, and drop-out rate, while improving student self-esteem, promoting a more positive attitude toward school and increasing student achievement. Unless expressed permission is obtained by Hillview principal, Hillview students cannot be on any other school campus besides Hillview.

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*This **Student Code of Conduct** handbook is reviewed annually by the Spencer County Board of Education to determine if amendments and revision are necessary.*

**NOTE: School closings are announced on WHAS 840 AM and WHAS-TV and the district website ([www.spencer.kyschools.us](http://www.spencer.kyschools.us))**

### **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-592 35

