

**Dawson Springs School District**  
**STATEMENT ON EXPECTATIONS**  
**AND RESPONSIBILITIES**  
**STUDENT CODE OF CONDUCT**  
**2024-2025**



***“A Tradition of Success”***

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# Parent Guide/Student Handbook

## Welcome to the Dawson Springs Independent School District

There are many things you can do, as parents, to help make learning a pleasurable experience for your child. This booklet will deal with many of these items. This year you will be helping to establish patterns of his/her life. How successful and happy your child will be in later life will depend, to a degree, on his experiences both at home and at school. Education is a cooperative adventure, and only as we work together can we achieve the maximum potential for your child.

Please look closely at this booklet and use it for future reference. Many questions will be answered when you read the booklet. If you still have questions, please contact the School Office.

Dawson Springs Independent School District is your school district. We are excited about the coming year. With the help and support of parents, we are sure we will provide a year of valuable experiences for “our” children. Please visit your child’s school! You are welcomed at any time. Please report to the school office and obtain a Visitor’s Pass prior visiting any area of the campus.

Always remember that the school belongs to you and to all our community. We welcome your visits to our school and encourage your active participation in this important part of your child’s life.

### **ABOUT OUR SCHOOL**

Dawson Springs Independent School District is fully accredited by the Kentucky Department of Education and will be serving approximately 550 students during the 2021-2022 school year. The school district boundaries include the Tradewater River to the South and West, the railroad line to the East, and the West Kentucky Parkway to the North. Students from Caldwell and Hopkins County School District are accepted for enrollment with the approval of the Administrative Staff and the agreement of the School District from which the student comes.

A staff of approximately 80 people is employed in the schools. If you have questions or desire further information about the Dawson Springs School District, contact any of the schools or the office of the Superintendent (270-797-3811), 118 E Arcadia Avenue, Dawson Springs, KY 42408.

### **VISITS TO SCHOOL**

The Dawson Springs Schools welcome visits from parents or community residents. To make these visits more profitable and pleasurable to all, the principal and/or teachers should be contacted in advance. Student visitors and small children are not permitted to visit or attend class. All visitors must register in the appropriate school office. Visitors will be issued a Visitor’s Pass that must be displayed at all times while on campus. All visitors should sign out upon leaving the building. Friday’s are designated as the only day visitors may attend lunch with their child/children.

### **NON DISCRIMINATION POLICY STATEMENT NOTICE**

Students, their parents, and employees of the Dawson Springs Independent School System are hereby

notified this school district does not discriminate on the basis of race, color, national origin, age, religion, marital status, gender, or handicap in employment, educational programs, or

activities as set forth in Title IX, Title VI, and Section 504. Any person having inquiries or wishing to file a grievance concerning Title IX, Title VI, or Section 504 is directed to contact Dawson Springs Independent Schools, 317 Eli Street, Dawson Springs, Kentucky, (270) 797-3811, who has been designated by Dawson Springs Board of Education to coordinate the district's efforts to comply with Title IX, Title VI, and Section 504. Persons who feel they have been discriminated against may obtain the forms for filing a grievance from the School Office.

### **ADMISSION REQUIREMENTS**

#### **Who May Enter Kindergarten?**

Any child who is six (6) years of age, or who may become six (6) years of age before August 1, shall attend public school as provided by KRS 157.315. Any child who is five (5) years of age, or who may become five (5) years of age before August 1, may enter a public school kindergarten.

Notwithstanding any statute to the contrary, effective July 1, 1986 and any year thereafter, successful completion of kindergarten shall be a prerequisite for a child's entrance into first grade.

#### **Registration-What should Parents bring?**

1. Copy of child's social security card
2. A certified copy of the child's birth certificate. (Please note that this is NOT the hospital certificate.) A certified birth certificate is one that has been obtained from the Department of Vital Statistics in Frankfort.
3. Immunization certificate: Except as otherwise provided in KRS 214.036, no child shall be eligible to enroll as a student in any public or private elementary or secondary school without first presenting a certificate from a duly licensed medical or osteopathic physician stating that the child has been immunized against diphtheria, tetanus, poliomyelitis, rubella, and rubella in accordance with the provisions of this section and KRS.214.010, 214.020, 214.032 to 214.036 and 214.990 and the regulations of the secretary for human resources. The governing body of private and public schools shall enforce the provisions of this section.

### **YOUR CHILD WILL NOT BE ALLOWED TO ENTER SCHOOL UNTIL WE HAVE THE ABOVE ITEMS**

### **HEALTH**

The Dawson Springs School System has a School Based Health Clinic through the Hopkins County Health Department. The following services are provided:

- Vision Screening in grades K-6 and all other teacher referred students.
- Hearing Screening in grades K, 1, 2, 3, and 5 and all other referred students.
- Speech Screening in Kindergarten, and all new students, and other referred students.
- Scoliosis Screening for grade 6.
- Height and Weight Checks for grade 6.
- Tuberculin Skin Tests when recommended by the Health Department.

- Preschool Screenings for 3, 4, and 5 year olds.

Current immunization certificates are required of all students prior to attendance in the Dawson Springs Independent Schools. This is in compliance with KRS 158.035 and the Policy of the Dawson Springs Board of Education.

Medical Examinations are required by Kentucky law and will be required of all students entering the Dawson Springs Independent Schools for the first time. All students entering grade 6 must have a second physical including an MMR vaccination. Our School Based Health Clinic is able to conduct these examinations during school hours during the spring semester of the student's fifth grade year. For more information concerning health needs, call our School Based Clinic at 270- 797-3811 (ext. 4).

### **MEDICATION**

Parents of students who take medication while at school must follow the following guidelines: • Parents of students who are taking medication must deliver the medication to school in person.

- The medication must be in the original container bearing the pharmacy label which includes the directions from the physician, the physician's name, the name of the medication, the date and the student's name. The school reserves the right to call the parents, the doctors and the pharmacies to confirm medication.
- The parent must sign an authorization form in the office for administering of medication by school personnel.
- The parent is encouraged to send or bring limited amounts of medication to school and to schedule times of administration so that a minimum number of doses will be given during the school day. Parents should ask the providing pharmacist to accommodate medicine to be brought to school.
- All medication that is to be administered to student must be held in the school office. • Medicine given on a short-term basis (antibodies, cough syrup, etc.) will be given by the clinic.

### **TITLE I**

Services are available to our students. Title I is a school wide federally funded program that is available to provide assistance to all students.

Pursuant to "Parent Involvement Policy", the Dawson Springs Independent School District shall convene an annual meeting at a time that is convenient for parents, to which all parents of students participating in the Title I program are invited and encouraged to attend. At this meeting, parents will be informed of their child's participation in Title I, the purpose and requirements of Title I, and their right to be involved. Particular attention shall be given to reaching those parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

The Dawson Springs Independent School District shall involve parents in an organized, ongoing, and timely manner, in the Title I planning, review, and improvement of programs, including the joint development of the school parent involvement policy and the school plan.

Parents of students participating in Title I school shall be provided:

- timely information and opportunities to attend regular meetings



- school performance profiles and their child’s individual assessment results, including an interpretation of results
- a description and explanation of the school curriculum, assessment, and proficiency levels • a timely response to any parent suggestion.

If you have any questions concerning Title I, please call the school.

**PARENT CONFERENCES & PROGRESS REPORTS**

Parents are encouraged to schedule conferences with their child’s teacher. These conferences should be worked out between the parent and teacher at the convenience of both parties. At the elementary level, two parent conferences are scheduled throughout the year to share information with parents. As always, feel free to contact the teacher anytime an additional conference is desired. You are also welcome to visit at any time. Assessment is constant throughout the year. Grades and Progress Reports are available in the Parent Portal. Printed reports will be sent home every nine weeks. Our goal is to help all children feel good about themselves and to have a positive attitude toward school. We want all children to be successful in what they do at school.

**CAFETERIA**

The Cafeteria offers a choice of food, even a large selection of choices. This is called Offer vs. Serve, which means the Cafeteria offers five food groups: meat, bread, vegetable, fruit, and milk. Your child must take at least three of the five items offered. The Cafeteria Staff will offer a salad bar for grades 3 and up which is also under the Offer vs. Serve. A student must take three of the five food groups.

Dawson Springs Independent also has a great breakfast program. If your child is not eating breakfast with us, it is our hope that you will encourage him/her to do so. Breakfast at school is for every child. It is a proven fact that children who eat breakfast learn better. If your child arrives at school later than 7:45 am, he/she will not have time to eat breakfast. Therefore, please have your child at school before 7:45 each morning to ensure there is time to eat.

Extra items are sold for breakfast and lunch. A list of prices will be published in the newsletter. Parents of elementary students are welcome to eat with us on the first and third Friday of each month. If this is not a convenient time, please call the school. Please contact the office for guest breakfast and lunch prices.

**COMPETITIVE FOODS**

Commercially prepared/restaurant foods or drinks shall not be brought into school by students nor shall they be sold and/or delivered to students at school before or during the school’s designated breakfast and/or lunch serving period other than those provided by the school cafeteria. In addition, students shall not bring bottled or canned carbonated beverages to be consumed during the lunch period.

Foods and beverages sold during the school day outside of the National School Breakfast/Lunch program, shall comply with local standards and minimum nutritional standards specified by Kentucky Administrative Regulation (KAR).

No school may sell competitive foods or beverages, whether from vending machines, school stores or

canteens, classrooms, teacher or parent groups, from the time of arrival of the first student at the school building until 30 minutes after the last school lunch period.

Definitions:

- “Competitive Food” shall mean any food or beverage item sold in competition with the National School Breakfast/Lunch program.
- “School day” means the period of time between the arrival of the first student at the school building and the end of the last instructional period.
- “School-day-approved beverage” means water, 100% fruit juice, low-fat milk, and any beverage that contains no more than 10 grams of sugar per serving.

**When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in Kentucky Administrative Regulation.**

### **FAMILY RESOURCE CENTER**

If you need assistance for any family needs such as food, shelter, counseling services, child discipline, job training, vocational counseling, etc., please contact the Family Resource Youth/Service Center at 797-3811 (ext. 4).

#### **FRYSC Participation Agreement**

##### **Student eligibility requirements in order to participate in Back to School Shopping, Shop with a Cop, Christmas Adoption Program and Happy Feet.**

1. The student shall have no more than 5 unexcused tardies and/or absences. Attendance will be checked two weeks before the planned trip/event.
2. Students may become ineligible if found to have damaged school property.
3. The student must be passing all required courses. Grades will be checked one week before the planned trip/event.
4. The student is required to be at school and be in attendance the entire day of the departure date to be eligible to go on the trip. If the student is tardy or leaves school before the end of the school day they will not be allowed to participate on the trip/event.
5. Student will automatically become ineligible with a suspension.
6. Student will automatically become ineligible with a combination of ISS assignments.
7. Student may become ineligible dependent on the infraction or severity of the offense.

*Any Infractions may be considered by principal, assistant principal and sponsors and could jeopardize your eligibility to attend.*

A student has the right to an appeal for attendance/behavioral issues.

Appeal Committee: Principal, Assistant Principal and FRYSC Coordinator.

##### **Appeal Process**

1. The student must submit a written statement to the principal and assistant principal within 5 days after being declared ineligible.

2. The student will meet at a set time established by the principal for an oral appeal with the committee. Parent(s) or guardian may attend.
3. The principal will present the decision of the committee in writing to the student within 5 days of the appeal date.

**Parent Eligibility Requirements:**

Parents must attend at least 4 school sponsored events in order for their child to be able to participate in FRYSC trips. Examples of opportunities for parents to fulfill these requirements are:

1. Parent Forums
2. Open House
3. Back to School Bash
4. Student Led Conferences
5. Room Mothers/Fathers for Holiday Parties
6. SUDS
7. Window Painting
8. Book Fair
9. Athletic Events-working in concession stand
10. PTO Fall Festival-working a booth
11. Attend PTO Meetings
12. Other activities approved by FRYSC

**FRYSC Trips:**

1. Students must abide by the time schedule and plans of the itinerary and never depart from the group without sponsor’s permission.
2. Students are expected to follow the Dawson Springs Independent Schools’ Code of Acceptable Behavior at all times.

**Student Participating:**

I have read and fully understand the agreement of being a part of the FRYSC trip. I agree to abide by the agreement.

Student’s Signature \_\_\_\_\_ Date \_\_\_\_\_

**Parent(s) or Guardian:**

I have read and fully understand the agreement for my child attending the FRYSC trip. I support each and realize that my child must follow the agreement in order to attend. If all requirements are met, I give permission for my child to accompany FRYSC and its sponsors/chaperones on the trip.

Parent/Guardian’s Signature \_\_\_\_\_ Date \_\_\_\_\_

## **FAMILY EDUCATION RIGHTS AND PRIVACY**

In accordance with the *Family Education Rights and Privacy Act*, parents shall have the right to inspect and review all educational records relating to their child by making a request to the Superintendent. This right shall be passed on to the student at age 18.

Written policies have been developed which describe the types and locations of these records and the specific procedures available to parents for the review of records, the amendment of or hearing concerning education records believed to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, and for the disclosure and destruction of records. Copies of these policies and procedures may be obtained upon request from the office of the Superintendent.

In accordance with federal regulations concerning the release or transfer of educational records, it is the policy of this school district to forward education records on request of the parent to a school in which a student seeks or intends to enroll. Parents may obtain upon request copies of the records transferred and an opportunity for a hearing. Directory information may be released by the schools on individual students unless specific instructions not to do so are presented to the Superintendent in writing by the parents of a student on or before September 30th of each year. Directory information shall include this student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent education institution attended by the student.

Parents shall have the right to file complaints to the *Family Education Rights and Privacy Act* concerning any alleged failures of the district to comply with this act.

## **TELEPHONES**

No child or teacher will be called to the telephone except for emergencies. Messages will be delivered when emergencies arise.

## **VOLUNTEER PROGRAM**

### **VIPS...VOLUNTEERS IN PUBLIC SCHOOL**

Volunteers have always been part of education in Dawson Springs Schools. After all, parents have always come to school--to help teachers, organize special events, chaperone field trips, share their interests and hobbies and more.

In 1992, due partially to the KERA Strategic Plan Objectives and in response to the superintendent as well as teachers and parents, Dawson Springs began a more formal effort to bring both parents and members of the community together to meet the needs of our school's children.

Volunteers work in the school, under the direction of teachers and school personnel to strengthen the

school program or offer special skills to enrich the students' educational experience.

Students benefit immensely from the encouragement and attention volunteers are able to give. When young people see that their community cares about education, they tend to adopt that same value.

There is a VIPS coordinator who will be glad to help you enroll in our Volunteer Program if you so choose. Just call 797-3811. All Volunteers must complete a background check through the Board of Education (Crystal Davenort).

### **OUT-OF-DISTRICT ACADEMIC POLICY**

1. At the end of the school year, if an out of district student receives two (2) F's as earned grades in two subject areas, the out of district student will be asked to enroll in the school which is located in his/her residence district. The out of district student will not be allowed to enroll in Dawson Springs Independent Schools for the following year.
2. If an out of district student reaches the ISS level, or the alternate school level, the DSCS administration and Board of Education may consider the option of returning the student to his/her home school district.
3. If an out of district student reaches "truancy level", the DSCS administration and Board of Education may consider the option of returning the student to his/her home school district.

### **ATTENDANCE - Elementary**

School begins at 7:55am each day. Your child is expected to be in class on time each day unless he/she is physically unable to attend class. The school should be notified by 9:00 a.m. if your child will not be in attendance. A child should NEVER be kept out of school for shopping trips or other activities that can be planned for other times.

Each time your child is absent he/she is missing activities that can never be made up.

When it is necessary for your child to be out of school, be sure that the teacher knows WHY as this information must be kept in permanent attendance records. When your child returns to school after being absent, please send a note to the teacher even if you have called to notify the school.

If a child has a fever, he/she should be kept at home for his/her protection as well as that of the other children. However, there may be times when your child vaguely complains of feeling bad but has no symptoms of illness. On these occasions you may want to send her/him on to school. You will be notified should he/she become ill during the school day.

On the following pages you will find a copy of the Attendance Policy of the Dawson Springs Independent Schools' Board of Education. Please read and study this information carefully. The director of Pupil Personnel, employed by the Board of Education, is charged with the responsibility of seeing that all pupils attend school regularly.

Please watch tardies. They are very disruptive! The child should be in the room by 7:55 a.m. each day. Excessive tardiness not only upsets the child but disrupts the class.

### **ATTENDANCE SECONDARY**

Complete Attendance Policy is posted in Code of Acceptable Behavior 3.11

## **WAYS PARENTS CAN HELP ELEMENTARY STUDENTS**

Talk about school as a friendly place. Help your child look forward to school as a new and happy experience...

Read to your child often! Read together with your child! Have your child read to you! Help young children become independent by:

- Allowing and encouraging them to do things for themselves.
- Giving them small responsibilities at home.
- Allowing them to spend some time away from home without their parents.
- Arranging for them to play with children their own age.
- Encouraging them to observe things around them.
- Allow them to dress alone even if it does take 1/2 hour.

Teach them to:

- Put on and take off their coats/hoodies-let them hang up their own items at home.
- Use simple courteous expressions: please, thank you, etc.
- Care for their toilet needs.
- Learn the names of the teachers and fellow students.

## **SAFETY**

It is essential that the school have the correct address, home, business and emergency telephone numbers at all times. If you change your address or phone number, please notify the school at once. Emergencies often arise so we must be able to reach you at all times.

For the protection of the child and his/her family it is imperative that the parents notify the teacher if someone other than the parents is to call for the child. Be sure the names of people who are allowed to pick up your child are on your child's pick up list. Please notify the teacher (verbally and note) if there is someone who should not be allowed to pick up or see your child at school. Be sure that your requests are legal, those that we can respect.

## **TECHNOLOGY - ACCEPTABLE USE POLICY**

The Dawson Springs Independent School System is pleased to provide students and staff access to the district computer network for electronic mail, Internet, and locally available computer software. Access to electronic mail and the Internet enables individuals to explore thousands of libraries, databases, and bulletin boards while exchanging messages with Internet users throughout the world. Users should be warned that some materials accessible via the Internet may contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While it is the school system's intent to make this access available to further educational goals and objectives, individuals may find ways to access other materials as well. The system believes that the benefits to students, staff and community members from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages. The following standards for the use of technology are designed to promote proper and responsible use of available technology.

#### GENERAL STANDARDS:

Students need to sign the Technology Use form to establish an account before use of technology. This form will remain on file for each student. The following standards are used as a general structure for students and staff access to electronic resources.

- Students are allowed to use network resources using a student login. This type of user login allows students read-only access to instructional software and data files.
- Students are allowed to have independent access to the Internet at school only if they have a release form signed by the parent or guardian.
- Students can be given access to electronic mail.

#### CERTIFIED AND CLASSIFIED STAFF:

- For every staff person whose position requires network access, an account(s) with appropriate rights will be established. This account includes access to electronic mail.
- Certified and Classified staff access to the Internet is available.

#### INTERNET ACCESS SOFTWARE:

- Internet access software can be loaded on student, staff and library workstations. Access is limited through password protection and requires individual login accounts.

#### RIGHT TO PRIVACY:

- Network storage areas may be treated like school lockers. Network administrators may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files stored on servers will always be private.
- Network management and monitoring software packages may be used for random access to monitor, review progress and for security purposes.

#### DSCS TERMS AND CONDITIONS FOR TECHNOLOGY USE

##### NETWORK AND INTERNET REGULATIONS:

- The use of your account must be in support of education and research and consistent with the educational objectives of the Dawson Springs School System.
- You may not give your password to anyone.
- You may not offer Internet access to any individual via your DS account.
- You may not break or attempt to break into other computer networks.
- You may not create or share computer viruses.
- You may not destroy another person's data.
- You may not use the network for commercial purposes.
- You may not monopolize the resources of the DSS Network by such things as running large programs and applications over the network during the day, sending massive amounts of mail to other users, but not limited to chain e-mail letters, or using system resources for games.
- You may not use MUD (multi-user games) network via the DSS network.
- You are not permitted to get from or put onto the network any copyrighted material (including software), or threatening or sexually explicit material.
- Purposefully annoying other Internet users, on or off the DSS network system, is prohibited. (Example: continuous talk requests.)
- As a user of this community system, users should notify a network administrator of any violations of this contract taking place by other users or outside parties. This may be done anonymously.

- No illegal activities may be conducted via the network.
- All communications and information accessible via the network should be assumed to be private property.
- Student cell phones shall fall under the umbrella of technology regarding consequences for misuse. This includes use of video, imaging, or recording capabilities of student cell phones for in school and all school activities.
- Internet access from outside the school is the domain of the parents or guardians.
- Students should not reveal their name and personal information to or establish relationships with “strangers” on the Internet, unless the communication has been coordinated by a teacher or parent.
- The school should not reveal a student’s personal identity or post a picture of the student or the student’s work on the Internet with personally identifiable information unless the parent has given documented consent.

**ELECTRONIC MAIL REGULATIONS:**

Students and employees of Dawson Springs Independent Schools are prohibited from using district resources to establish Internet E-mail accounts through third party providers or any other non KETS standard electronic mail system.

- Be polite. Do not write or send abusive messages to others.
- Use appropriate language. Do not swear, use vulgarities or inappropriate language.
- Do not reveal your personal address or phone numbers of students or colleagues.
- Do not send electronic messages using another person’s name or account.
- Do not send electronic messages anonymously.
- The electronic mail is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.

**SECURITY:**

Security on any computer system is a high priority, especially when the system involves many users. If any user can identify a security problem on the DSS network, he/she must notify a network administrator. Do not demonstrate the problem to other users.

**VANDALISM:**

Vandalism shall result in cancellation of privileges. Vandalism is defined as any attempt to harm or destroy data, operating systems, or applications of another user, DSS Net, or any other agencies or networks that are connected to the KETS Internet backbone. This includes, but not limited to, the uploading or creation of computer viruses.

**RELIABILITY:**

Dawson Springs Independent Schools will not be responsible for any damages not limited to loss of data resulting from delays, non-deliveries, miss-deliveries, or service interruptions caused by its own negligence or user error or omissions.

The school will not be responsible for supervising or continually monitoring every communication and Internet session for every student and staff member beyond the scope of supervision defined in the user agreement.

The school will be responsible for supervising and monitoring access to the extent outlined in the user agreement and/or parent permission form.

By signing the user agreement and/or parent permission form, the student or staff member has agreed to abide by policy governing access. The school will assume that the individual student or staff member is complying with policy and will not unreasonably monitor or control utilization of the network.



**Dawson Springs Independent School District**

**BYOD Student Agreement**

Please review and sign the BYOD Agreement for student access to the school network with a personal device. No student will be permitted to use a personal technology device unless the agreement is signed and returned.

Students participating in the BYOD project must adhere to the Student Code of Conduct, as well as Board of Education policies, particularly the Internet Acceptable Use Policy. Please read carefully.

\_\_\_\_\_ Students take full responsibility for their devices. The school is not responsible for the security of personal technology devices. Personal devices cannot be left at school before or after school hours.

\_\_\_\_\_ Devices cannot be used during assessments, unless otherwise directed by the student's teacher.

\_\_\_\_\_ Students must immediately comply with a teacher's request to shut down personal devices or close the screen. Devices must be in silent mode and put away when directed by teachers.

\_\_\_\_\_ Students are not permitted to transmit or post photographic images/videos of any person on campus on public and/or social networking sites.

\_\_\_\_\_ Personal devices must be charged prior to bringing them to school and run off their own batteries while at school. Charging will be available on a limited basis and is up to teacher discretion.

\_\_\_\_\_ To ensure appropriate network filtering, students will only be allowed to use the BYOD wireless connection provided by the school. Students will not attempt to bypass the network filtering by using personal data plans provided by commercial internet access providers.

\_\_\_\_\_ Students understand that the use of personal devices to infect the network with a virus or program designed to damage, alter, destroy or provide access to unauthorized data or information is in violation of the AUP and will result in disciplinary action. The school district has the right to collect and examine any personal device that is suspected of causing problems or is the source of an attack or virus infection.

\_\_\_\_\_ Students realize that printing from personal devices will not be permitted at school.

\_\_\_\_\_ Students should not physically share their personal devices with other students.

Please understand that the use of personal devices to support the educational experience is not a necessity, but a privilege. With respect to the rules, this privilege will benefit the learning environment, however when rules are not followed privileges will be taken away.

I understand and will abide by the BYOD polices and guidelines. I further understand that any violation is unethical and may result in the loss of my technology privileges as well as other disciplinary action.

\_\_\_\_\_  
Printed Student Name

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Parent Name

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

**Dance Attire Guidelines (Prom, Homecoming, etc..)**

**Boys:**

Prom

- A tuxedo, suit, or sports coat/tie is required. Shorts are NOT permitted.
- No jeans, ball caps, sock hats, toboggans, or beanies.
- Boys will keep their dress shirts on at all times.
  - Dancing only in a vest or undershirt is prohibited

Homecoming/Formals

- Dress Pants/Slacks
- Dress shirt, Polo, sweater
- No jeans, ball caps, sock hats, toboggans, or beanies.

**Girls**

- Dress length for a short dress- No shorter than halfway between fingertips and the top of the knee when arms are extended at the sides.
  - Neckline- No plunging necklines. Necklines cannot be below the top of the bra line. If plunging occurs, mesh or flesh-colored material must cover the open space. Dress can only plunge to the bottom of the bra line, no further (must have mesh below the top of the bra line).
  - Slits may extend to your fingertips when your arms are extended at the side.
  - Back- Cannot scoop lower than the bend of the waist.
  - Cut-outs on the side of the dress- No cut-outs below the waist. Any cut-outs along the side needed to follow the “back “ guidelines and not drop below the bend of the waist nor may they extend toward the front of the dress any further than the midline (seam) on each side of the dress. Any openings must be covered in mesh or flesh-colored material to meet the guidelines.
- Two-piece dresses- the gap cannot exceed one inch from the two pieces.

**IF IN DOUBT, TAKE A PICTURE WITH YOU IN THE DRESS AND BRING IT IN FOR THE ADMINISTRATION'S APPROVAL. MAKE SURE AND GET CLEAR PICTURES OF THE AREAS OF CONCERN/QUESTION.**

I have read the Dance Attire Guidelines and I agree to follow the guidelines when attending Dawson Springs High School Prom. I understand that I and/or my date will be asked to leave if the above dress code is not adhered to.

Student signature: \_\_\_\_\_

Date: \_\_\_\_\_

## EXTRACURRICULAR ACTIVITY ATTENDANCE POLICY

### DEFINITION:

- Extracurricular Activities are events that take place outside of the regular school day. This particular policy pertains to those extracurricular activities that are not open to the public such as PROM, Homecoming, and window painting. Etc. Sporting events are considered public events; therefore this policy does not apply to sporting events.

### CRITERIA FOR ELIGIBILITY

- A guest verification form must be submitted at least ONE WEEK prior to the event and all policies/procedures of Dawson Springs High School must be followed.
- Guests must be 20 years of age or younger on the date of the event and must show proof of age at least two days before the event. A photo ID showing a birthdate must be checked at the door prior to the event.
- Guests must be enrolled in a school or formal education program, be a high school graduate, or have earned a GED. Guests must show proof of education status one week prior to the event.
- Students must be in good academic standing in the areas of attendance, behavior, and grades to be allowed to participate in activities.
- The minimum grade for PROM attendance is 9th grade.
- Students must be in good academic standing.
- Students must not have Level III or IV infractions.

### *Examples of NOT being in Good standing include:*

- 6 or more unexcused absences
- Failing two (2) or more classes at the end of the 3rd nine weeks
- Any level III infraction is subject to administrative discretion.
- Level IV violations automatically disqualify an individual

# Code of Acceptable Behavior

2024-2025



**Dawson Springs  
Independent School District**

The following are the members of the Code of Acceptable Behavior Committee:

Todd Marshall	Principal-Jr/Sr High School
Elizabeth Robinson	Assistant Principal 6-12/Athletic Director
Jennifer Ward	Principal-Elementary
Michael Davenport	Assistant Principal K-5
Brannigan Ethridge	Guidance Counselor
Carol Niswonger	Board Member
Barbara P'Poole	Teacher- Elementary
Erin Woolsey	Teacher- Elementary
Tamara Rice	Teacher-High School
Kati Griffin	Teacher-High School
Ladonna Pace-Hooper	Transportation
Shannon Garrett	Parent
Mary Beth Drennan	Parent
Ava Ward	Student
Ty Marshall	Student

This Code of Acceptable Behavior was developed during the 2012-2013 school year and has been modified for the 2024-2025 school year. The updated version of the Code was formally first read 7/29/2024 and adopted August 2024 .

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Vicki Allen  
Chairman

## **CODE OF ACCEPTABLE BEHAVIOR 2024-2025**

This *Code of Acceptable Behavior* and conduct was formulated by a committee of parents, students, and school personnel. It was adopted by the Dawson Springs Board of Education. It has been expanded to meet current applicable statutes and regulations. The Code shall become effective when students enter kindergarten and shall continue through the twelfth grade.

The *Code* will be reviewed annually. Revisions will be made as needed and presented to the School Based Decision Making Council (SBDM) and school board for approval.

Copies of this *Code of Acceptable Behavior* will be distributed to all students and teachers in the district. In addition, the *Code* will be posted on the school and District websites. An orientation to the Code will be made at the beginning of each school year for students and teachers. Additionally, students entering during the school year will be given an orientation at the time of their entrance into the system. Orientations for parents shall include but are not limited to when entering kindergarten and seventh grade at Dawson Springs Jr/Sr High School.

The policies of the Dawson Springs Board of Education, including the *Code of Acceptable Behavior*, are drawn in a non-discriminatory manner and are intended to be applied without regard to race, religion, or sex. All pupils are guaranteed due process and may appeal to the Superintendent should issues of fairness or lack of due process arise. The ultimate appeal would be to the Board of Education.

Though the *Code of Acceptable Behavior* is specific, there shall be allowances for flexibility. Teachers and administrators are expected to exercise reasonable judgment in the application of the procedures set forth in this document.

The Dawson Springs Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability.

This *Code of Acceptable Behavior* has been reviewed by Mike Owsley, Attorney-at-law, for reasonableness and legality.

Leonard Whalen  
Superintendent

## 1.0 INTRODUCTION

Students, teachers, parents, administrators, and the school district are endowed with certain rights considered basic and unalienable. Assumption of these rights portends assumption of responsibility to not only self, but to the greater good of the school, student body, faculty and staff, and the community. To this end, this document becomes a portion of the policy of the Dawson Springs Board of Education.

This Code shall apply to all pupils of the school in grades kindergarten through twelve while at school, at extracurricular events, while riding the school bus, and on the way to or from school. All school personnel are responsible for seeing that the code is adhered to. Cafeteria staff, custodians, bus drivers, instructional assistants, and office support staff are expected to report violations of the rules to the proper authorities. Teachers and principals are responsible for carrying out the mandates of this code.

The Dawson Springs Independent School District is committed to providing quality education for all students by promoting the use of Positive Behavioral Interventions and Supports (PBIS). We believe it is important to create a community within our schools where students' needs are met, expectations are understood, guidance is given, and a safe and orderly environment is maintained. PBIS is the behavior component of a Multi-Tiered System of Supports (MTSS) that provides schools with a framework for utilizing high quality evidence-based instruction, intervention, and assessment practices to provide all students with a level of instruction and support that is matched to their needs.

MTSS/PBIS is built upon three tiers of intervention:

Tier 1 interventions refer to services all students receive in the form of academic and behavioral instruction. Tier 1 provides schoolwide and classwide supports and interventions available to all students to prevent problem behaviors, encourage prosocial behaviors and address the unique academic, behavioral and social-emotional needs of students in a particular school.

Tier 2 interventions are provided for students

who need more student-specific instruction and support. These services may be provided in small groups both in and out of the classroom. The purpose of Tier 2 instruction and supports is to improve student performance and prevent further negative impacts on learning and social development.

Tier 3 interventions provide intensive supports that are matched to the specific needs of an individual student. These services may be provided individually or in small groups. The purpose of Tier 3 instruction is to help students overcome significant barriers to learning academic and/or behavior skills required for school success.

This code was adopted by the Dawson Springs Board of Education to help schools create a safe, positive, and respectful learning environment for all students and school personnel. We recognize that a school's learning climate and students' behaviors improve when students:

- Know what is expected of them at school;
- Believe they have the academic and social skills to achieve;
- Receive recognition and praise for doing good work and behaving appropriately; and
- Feel there is someone at school who cares about them and encourages their development.

Students enrolled in the Dawson Springs Independent School system have the responsibility to observe and respect the rights of all others. The U.S. Supreme Court has held that a student may not be denied the

opportunity to receive a public education without just cause established through due process of law. Responsible observance of others' rights requires behavior that does not threaten, interfere with, or deprive any others of educational opportunities.

**The Statement on Expectations and Responsibilities:** Student Code of Conduct was developed by a committee of parents, teachers, and administrators, appointed by the superintendent. A standing committee of the same make-up reviews and revises this code in compliance with board policy.

The developmental and review process requires:

1. A committee of individuals representing the groups listed above.
2. Compliance with Kentucky Department of Education guidelines.
3. Compliance with state regulations.
4. Review by legal counsel.
5. Review and adoption by the local board of education.

## 1.0 INTRODUCTION – CONT'D

This code is intended to be a useful guide for supporting positive student behavior and correcting misconduct. It will take the collective efforts of students, parents, teachers and administrators, from the first day of school to the last, to create a safe learning environment where all students can succeed. Working together, we will create a safe and productive school climate.

The **Statement on Expectations and Responsibilities: Student Code of Conduct** may be amended by the Dawson Springs Board of Education at any time. Standard procedures relating to policy changes of the board shall apply to amendments to the code. Proposed amendments may be submitted by board members, the superintendent, principals, faculty, students, and parents. If a conflict exists between the **Statement on Expectations and Responsibilities: Student Code of Conduct** and adopted policies and procedures of the board, the policies and procedures shall govern.

Each principal shall provide a yearly orientation to this code to faculty members, staff members, and students. Copies of the code will be provided to parents and to all employees. A copy of the code is posted at each school so that it is readily available for review by visitors. Where required, district provisions for effectively communicating with disabled and non-English speaking students will be used.

Issues, concerns, or questions relating to the **Statement on Expectations and Responsibilities: Student Code of Conduct** may be directed to the school principal.

The application of this code to matters of student behavior is not limited to school buildings and grounds or to times when the student is in route to or from school, but extends to any activity that is school related or school sponsored, either on or off the school campus. The code also applies to behavior occurring off school grounds that threatens the safety and wellbeing of students or staff and directly affects the school's ability to ensure a safe learning environment for all students. It is not an all-encompassing document and occasionally may not address issues resulting from unusual circumstances. The prudent judgment and discretion of administrators shall prevail in such instances.

The Kentucky Education Reform Act provides for school-based decision making. As a part of this model, school councils are required to adopt policies to be implemented by the principal. Schools will have specific policies dealing with selection and implementation of discipline and classroom management techniques, including



responsibilities of the student, parent, teacher, counselor, and principal. However, an SBDM council's discipline policies must fall within the minimum and maximum parameters set out in this code.

## 2.0 EXPECTATIONS FOR STUDENT BEHAVIOR

The district has both the authority and the responsibility to maintain behavioral expectations that assist students in their selection of actions and behaviors that not only contribute to safe, positive and orderly learning environments, but also support high levels of student achievement as well [KRS 158.148, 158.440, 158.442, 158.645, 160.290 and 160.295; 704 KAR 7:050; FCPS 05.4 and 09.438]. Behavioral expectations for students shall apply at the district level, the school level and the setting level.

### 2.01 District Level

District- level behavioral expectations shall always apply on school grounds. For the purposes of the code, the term “on school grounds” means any of the following:

- While students are going to or from school or school-sponsored activities.
- While students are at school.
- While students are attending school-sponsored activities (e.g., field trips or sporting events).
- While students are on school property.
- While students are in school vehicles/buses.

District-level behavioral expectations may apply off school grounds as well when a student's actions or behaviors can be demonstrated to reasonably impact any of the following:

- The safety of the student.
- The safety of others (e.g., other students or school personnel).
- The orderly operation of the district.

For the purposes of the code, the term “off school grounds” means any location other than those listed for “on school grounds” above.

GENERAL EXPECTATIONS As a student, you are responsible for acting in the following manner:

SAFE
Behaving safely at all times
Keeping school doors closed and following proper check-in procedures
Informing school personnel immediately if you become aware of threats, weapons/dangerous instruments on school property or other safety concerns or violations of the Code
RESPONSIBLE
Knowing and following all school and bus transportation rules and procedures
Attending school and classes regularly and on time
Doing your best to participate and meet the requirements of each class

Earning credits or grades fairly without cheating or plagiarism
Protecting your belongings
<i>*Lost or stolen personal items are the responsibility of the student or parent/guardian and are not covered by the school district's insurance</i>
<b>RESPECTFUL</b>
Respecting personal or school property
Honoring reasonable requests made by school district employees and student teachers
Behaving in a way that does not create disruption, disorder, or infringe on the rights of others.

**2.02 School Level**

Additional behavioral expectations apply for students at each school and in other settings within the school. These will either be provided to students and parents by school personnel at the beginning of the school year or when a student is enrolled. In some cases, expectations may be posted when required by the Dawson Springs Board of Education.

**2.03 Setting Level**

Additional behavioral expectations apply for students in each classroom or participatory setting, including buses. These will either be provided to students and parents by school personnel at the beginning of the school year or when a student is enrolled. In some cases, expectations may be posted when required by the Dawson Springs Board of Education.

**2.04 Bus Expectations**

The Dawson Springs Board of Education has elected to provide transportation for pupils who are enrolled in the public schools. Pupils have the privilege of riding a Dawson Springs School bus to and from school provided they comply with the directions of the driver and the Regulations for Pupils Riding School Buses.

The following regulations have been developed in order to provide all pupils with the safest possible transportation. It is the responsibility of pupils to know and follow these regulations in order to maintain their privilege of riding the school bus.

The Dawson Springs Board of Education will be responsible for students when boarding, riding, and unloading from a bus.

<b>AT THE BUS STOP</b>
Arrive at the assigned bus stop 5 (five) minutes before bus time. The driver is not permitted to wait for students
Keep all articles off the roadway and remain clear of traffic.
Be respectful of personal property.
Keep noise level low to avoid disturbing surrounding residents.

Wait until the bus stops and then walk to the bus door in orderly fashion.

Wait on your side of the road until the bus arrives and the driver signals you to cross, if you live on the other side of the road.

Use only the stop nearest your residence to get on the bus, unless prior written permission is obtained from your principal and provided to the bus driver.

Avoid creating any unsafe condition which could result in injury to you or others.

Speak and behave respectfully toward students and adults at all times.

### **ON THE BUS**

Follow the directions of the bus driver or monitor at all times.

Sit in the seat assigned by the bus driver, if he or she assigns seats.

Share seats as directed by the driver.

Keep portions of your body and all other items inside the bus.

Avoid creating any unsafe condition which could result in injury to you or others.

Keep food or drink enclosed inside bags, backpacks, or containers (eating or drinking on the bus is a safety risk).

Speak and behave respectfully toward students and adults at all times.

Avoid bringing the following prohibited items onto the bus

- Tobacco, electronic cigarettes, or vapor products.
- Weapons, explosives, or any dangerous articles.
- Drugs, drug paraphernalia or alcohol.
- Animals or any items that might frighten other riders or distract the driver.
- Glass, balloons, large band items.

### **GETTING OFF THE BUS**

Leave the bus only at your designated bus stop, unless prior written permission is obtained from your principal and provided to the bus driver.

Go to a point approximately 10 (ten) feet ahead of the bus and wait for the driver to signal you before crossing the road if you live on the opposite side of the road from the bus stop. Stay clear of the bus at least 10 feet on all sides.

DO NOT cross to the rear of a stopped school bus.

### **BUS NOTE**

Students must possess a bus note anytime they are riding on a non-assigned bus from school to home. The bus note must be signed and dated by the school administrator or their designee. The note must contain the following:

- Student name
- Address
- Phone Number
- Student's date of birth
- Name of the person receiving the student at the drop off

### BUS EVACUATIONS

Avoid using the rear emergency exit except upon direction of the driver or other competent authority.

Avoid using a window to exit the bus.

Participate in evacuation drills as directed by the bus driver or other school personnel.

NOTE: Evacuation drills will be conducted 4 (four) times each year. Each drill will consist of an orderly use of the available exits on the bus and is designed to familiarize students with the proper safety procedures to be followed in case of emergency.

### DRIVING

Come to a full stop when required any time a bus is in the vicinity.

## **3.0 BEHAVIOR MANAGEMENT OVERVIEW**

School personnel are encouraged to use a wide variety of behavioral supports both to help students self-regulate their behavior and to pre-empt misconduct wherever possible. When it is evident that these supports have failed to prevent inappropriate or unacceptable behavior, it is essential that prompt, corrective action is taken as defined herein.

Students and parents can expect to be treated reasonably, fairly and consistently whenever action is taken by school personnel to address violations of this code. The remaining sections of this Statement of Expectations & Responsibilities: Student Code of Conduct detail the basis for the expectations summarized in this section.

### **3.01 Responsibilities (Administrators)**

Each school level administrator is responsible for:

- An administrator has the responsibility to conduct himself or herself, in speech, action, dress, personal appearance, and personal hygiene, in order to be worthy of the respect of students, teachers, and parents.
- Defining, teaching, reinforcing, modeling and reviewing school level behavioral expectations to achieve a safe, civil and respectful school environment that: 1) is conducive to learning; and 2) promotes the rights of others.

- Communicating with school personnel, parents, students and community agencies (where applicable) about: 1) school level behavioral expectations; 2) procedures and programs that teach, reinforce, model and review expectations for appropriate student behavior; and 3) evidence-based interventions that foster expected student conduct through targeted behavioral skill development.
- Encouraging all school staff, parents, visitors and volunteers to acknowledge and reinforce positive student behaviors.
- Notifying the Dawson Springs Law Enforcement as necessary to protect the safety, health and welfare of students and staff.
- Complying with the Individuals with Disabilities Education Act (IDEA), Section 504 and applicable Kentucky procedural safeguards for discipline of students with disabilities.
- Making reasonable efforts to meet with parents and giving consideration to their input.
- Documenting the actions taken to address student or staff misconduct.
- Using data to monitor and evaluate progress and effectiveness of behavior management strategies.

### **3.02 Responsibilities (Teachers/Staff)**

Each teacher is responsible for:

- A teacher has the responsibility to conduct himself or herself, in speech, action, dress, personal appearance, and personal hygiene, in order to be worthy of the respect of students, teachers, administration, and parents.
- Defining, teaching, reinforcing, modeling and reviewing setting level behavioral expectations to achieve a safe, civil and respectful classroom environment that: 1) Is conducive to learning; and 2) promotes the rights of others.
- Developing procedures to encourage and acknowledge these behaviors.
- Explaining inappropriate or unacceptable behaviors to students.
- Developing procedures to discourage inappropriate or unacceptable behaviors.
- Taking action to correct, redirect or resolve inappropriate or unacceptable behaviors.
- Following all school policies and procedures.
- Maintaining a positive, professional attitude toward all students.
- Documenting the actions taken to address student misconduct.
- Making reasonable efforts to communicate with parents/guardians.
- Using data to monitor and evaluate progress and effectiveness of behavior management strategies.

### **3.04 Responsibilities (SRO)**

The Dawson Springs Independent School Police Officer is responsible for:

- Building positive relationships with students to promote a healthy school environment that supports students.
- Collaborating with school staff to enhance safety for students, staff, families, and community members on all school properties.
- Developing safety protocols, procedures, and best practices at the school level that are nested in district level safety initiatives.
- Serving as a positive role model that contributes to overall student success.
- Providing an appropriate police response when faced with an imminent threat of harm in the school environment or when a law violation has occurred.
- For more information, see section 4.03 Related Notices (Law Violations)

### **3.04 Responsibilities (Parents/Guardians)**

As a parent, you are responsible for:

- Stressing to your child the importance of education and learning.
- Making sure your child attends school on time every day.
- Keeping the school aware of and providing documentation of any custody changes involving your child.
- Providing resources to help your child complete class work and homework.
- Being involved with school activities.
- Keeping in touch with the school about your child's progress.
- Communicating with school and district personnel in a civil manner.
- Participating in parent/teacher conferences and other school-requested meetings regarding your child's academic performance.
- Cooperating with the school if disciplinary action is necessary.
- Notifying the school when your child has any conditions or situations (e.g., medical problems, family issues or social concerns) that could threaten the safety of your child, other children, or school personnel.
- Remaining familiar with the DSIS Student Code of Conduct and policies of the school.

### **3.05 Responsibilities (Students)**

As a student, you are responsible for:

- A student has the responsibility to conduct himself or herself, in speech, action, dress, personal appearance and personal hygiene, in order to be worthy of the respect of students, teachers, and administrators.
- Acting safely at all times.
- Taking care to protect your belongings
- Keeping school doors closed to visitors and following proper visitor check-in procedures.
- Informing school personnel immediately if you become aware of threats, weapons/dangerous instruments on school property or other safety concerns or violations of this code.
- Attending school and classes regularly, and arriving on time with needed materials.
- Doing your best to meet the requirements of each class or course.
- Knowing your grades.
- Telling your parents about your grades.
- Being responsible for your grades and conduct.
- Earning grades fairly without cheating or plagiarism.
- Knowing all school rules and the consequences for violating them.
- Respecting and cooperating with teachers, school staff, and other students.
- Respecting the rights of others.
- Respecting personal or school property
- Honoring reasonable requests made by school district employees and student teachers
- Completing classroom work or school activities without creating disorder or invading the rights of others.

**\* Lost or stolen personal items are the responsibility of the student or parent and are not covered by the school district's insurance.**

### **3.06 Expectation Summary (Parents)**

As a parent/guardian, you can expect:

- To be respected as an individual regardless of race, color, national origin, sex, religion, disability, age, sexual orientation or gender identity.
- To be treated with courtesy by all members of the school staff.
- To be informed about academic requirements, school programs, grading, and promotion policies, and to have access to board and school-based decision making council policies and administrative procedures.
- To participate in parent/teacher conferences.
- To have access to your child's cumulative records, written work and student portfolios, request the removal or correction of any false or misleading information, or request the names and addresses of outside recipients of information about my child (see Section 9.01).
- To have information about programs for exceptional students and to participate in decisions regarding your child's placement in a special education class.
- To receive any available help to further the educational progress and improvement of your child.
- To expect classroom discipline to be maintained and to be informed of any documented disciplinary steps taken affecting your child.
- To receive prompt and appropriate communications about your child.
- To have the privilege of participating in school level groups (PTA, PTSA, SBDM, etc.) that deal with school policy, program development and evaluation and dissemination of information.

### **3.07 Expectation Summary (Students)**

As a student, you can expect:

- To be respected as a worthwhile person, regardless of race, color, national origin, sex, religion, disability, age, sexual orientation or gender identity and to be free from verbal, physical, or sexual abuse or threat of abuse by other students or Dawson Springs Independent Schools employees. You have an expectation to be treated with respect. All forms of discipline that are cruel and unusual, that tend to demean or humiliate, or that are excessive, unreasonable, or degrading are prohibited. Although, as a student, you are not to be subjected to physical abuse from other students or staff, teachers and administrators may use reasonable physical force allowed by law to restrain a student in self-defense, to protect another student from injury, or to preserve order.
- To receive a Free Appropriate Public Education (FAPE) through the 12th grade, upon graduation or until age 21 (twenty-one). This right may not be denied without due process.
- To receive grades based only upon academic performance, never to reflect punishment for misconduct. You are also entitled to an explanation of how grades are determined in each class.
- To be provided academic and behavioral interventions to promote success.
- To be told about all school rules and policies and procedures.
- To see your school record (in accordance with state and federal law) and have questions explained and mistakes corrected. Your school records are confidential. Other than school staff and certain other agencies approved by federal law, no person may inspect, review, or transfer your education records without your consent (if you are 18 years of age), or without the consent of your parent (if you are under 18 years of age or you are your parent's dependent), or without a properly issued court order or lawfully issued subpoena (See section 9.01.)
- To make up work upon returning to school from an absence (see Section 4.03). It is your (or your parent's) responsibility to contact teacher(s) concerning make-up work during planning periods or before or after school hours. Upon returning to school from one or more absences, you will receive the same number of days that you were absent, plus one additional day, to complete and turn in make-up work. Announced tests, major projects or term papers for which you had an adequate time to study or prepare shall be made up on the day of return.
- To exercise freedom of expression, including speech, assembly, appearance, publication, and the circulation of petitions, if the exercise of these rights does not disrupt the educational process of the school or threaten the health and welfare of staff and other students.

- In order to effectively participate in the democratic process as an adult, you must respect the rights of others and interact with them in a civil manner. Therefore, as a student, you must speak and behave in a civil manner toward students, staff, and visitors to the school. **The use of lewd, profane or vulgar language is prohibited.** In addition, you shall not engage in behaviors such as hazing, bullying, menacing, taunting, stalking, assault, verbal or physical abuse of others, or other threatening behavior. 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 opinion or debate protected under the federal and state constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process.
- You may organize or participate in assembly programs, public forums, club assemblies, and other such meetings as long as the school administration has agreed and the established policies of the school are followed. Groups or clubs must follow established board guidelines, may not disrupt the orderly educational process, and may not discriminate against any student because of race, color, sex, religion, national origin, economic status, age, disability, sexual orientation, or gender identity.
- You may wear, display, or distribute buttons and insignias as long as the message does not mock, ridicule, demean, or provoke others because of race, color, national origin, sex, religion, disability, age, sexual orientation or gender identity, contain obscenities, or contain materials of a slanderous, defamatory character; however, the exercise of this right shall not disrupt the educational process of the school, threaten the health and welfare of staff and other students, or otherwise violate the established student dress code. The school may establish rules and regulations regarding dress or appearance. Any such rules, however, must relate to a specific educational objective such as health, safety, full participation in classes or school activities, or prevention of disruption of the educational process.
- You have the right to distribute leaflets, newspapers, or other literature on school grounds and in the school as long as you follow the school regulations clearly describing the procedures for such distribution. Such distribution must not interfere with normal school activities and must not violate the rights of others. The school may establish policies for official school publications including policies concerning publication of libelous, disruptive, or obscene materials.

These policies shall be consistent with governing legal standards and must be consistent with the rules and regulations of the board. The student staff of a school publication is responsible for becoming aware of legal responsibilities and the consequences for failure to follow the policies.

- To be secure from unreasonable searches of person and property and from unreasonable seizure of property. School officials have the right to search you or your property if the officials have a reasonable suspicion that you may possess something that violates school rules or endangers others (see Section 8.04).
- To receive due process when any charge or accusation has been made against you. Due process is the right of all citizens. When any charge or accusation has been made, you are entitled to the protection of procedural due process where applicable. (See Section 6.0.)

***Note: Unless a provision of law or board policy requires otherwise, the term, parent, used throughout this code includes a legal guardian or custodian. In some contexts, the term, parent, also legally includes any person exercising custody/control over a student.***

### **3.08 Office Discipline Referrals**

Referrals may be made by school personnel to a school- level administrator. A referral shall be made:



- Whenever actions taken to address student misconduct have failed to correct the inappropriate or unacceptable behavior(s) involved; or
- Whenever the specific behavior(s) involved require other help.

Prior to any office referral or disciplinary measure, students should first be supported in learning the skills necessary to function in the school environment and to avoid negative social behavior. Guiding principles that set clear expectations and the development of tiers of support (MTSS) that increase in intensity according to the needs of the student enable staff to evaluate and address student misconduct more effectively. In response to student misconduct, an array of consequences focused on improving the behavior should be considered before action is taken. Whenever possible, positive interventions and/or corrective actions should be used before or instead of suspension.

In all cases, the referring person shall complete and submit an office discipline referral form in accordance with school policy.

Violation and resolution records, as indicated on the office discipline referral form, shall be kept by the assigned administrator, entered into the DSIS behavior database (Infinite Campus), and be made available upon request to the appropriate teachers, administrators, counselors, the student, or the parent in accordance with the provisions of FERPA and KFERPA.

Disciplinary action for elementary, middle, and high schools is to be administered by the principal or his/her designee according to the Behavior Management Matrices for Violations (see Section 5.03).

### **3.09 Exceptional Student Education Discipline**

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

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

1. A child with disabilities may be suspended temporarily without the special education change of placement procedures. (KRS 158.150 and dOAG 78-637 outlines due process requirements which must be followed in suspension of all children.)
2. A child with disabilities may be expelled as long as appropriate Admission and Release Committee procedures are followed with a committee determination that the child's disruptive behavior was not a result of the disability condition.
3. A child with disabilities may not be expelled if the committee determines that the child's disruptive behavior was a result of the disability condition.
4. Even if the child is expelled through the appropriate procedures, there must not be a complete cessation of education services. Therefore, if a child with disabilities is expelled, alternative services such as homebound instruction must be provided.

### **3.10 DISCIPLINE DEFINITIONS**

#### **BEHAVIORAL AGREEMENT**

A probation period may be established for students when a school administrator determines that it would benefit the student to remain in classroom rather than to incur an internal or out of school suspension, or after a suspension, to establish a level of behavior which will prevent additional problems. Possible consequences for the violation of a Behavioral Agreement are: Internal Suspension; Out of School Suspension; Alternative Placement (with required Superintendent approval); or Expulsion. When probation is used, an agreement will be drafted stating the names and titles of the persons entering into the agreement, the expected or required behavior of the student, and the possible consequences of violation of that required behavior. In addition, it shall require the signature of the persons who the teacher or principal deem necessary at the time.

#### **DETENTION (DET)**

Detention is extra time spent before school, during lunch (isolation), or after school while engaging in a constructive instructional activity relating to school course work.

There are two types of detentions that may be assigned:

1. School detention – this detention may be assigned by teachers or administrators, violations occurring outside the classroom and will be served from 7:30-8:00 a.m. or 2:50-3:20 p.m. with the assigned supervising teacher for that week.
2. Teacher detention – this detention will be assigned by individual classroom teachers for all minor violations that occur during their classroom instructional time and will be served with the individual classroom teacher before or after school.

A detention period is designed as an intermediate consequence to a violation of the Code of Acceptable Behavior.

The Detention Policy includes, but is not restricted to, the following provisions:

1. School detention will be assigned before or after school.
2. Teacher detentions may be assigned before or after school for students in K-6 & 7-12.
3. Students are responsible for taking necessary supplies to detention.
4. Students shall not have food or drinks in the detention room.
5. Students shall remain in the detention room while serving detention.
6. Students must be in their seats at the beginning of the detention period in order to receive credit for the detention being served.
7. Student must be engaged in a constructive learning activity while serving detention time or the detention will not count as served (talking, sleeping, or doing nothing will not count as completion of detention time).
8. Students who are not actively engaged in instructional activities related to coursework will be asked to leave detention for that day and their detention will be recorded as a no-show.
9. A maximum of 10 detention assignments can be administered during the school year. **After 10, students will begin escalated behavior code consequences (Level III).**
10. A specific supervisor and teacher of record and location for school detention shall be established by each school level administrator.

Records shall be kept of all detention time served. Detentions shall be served as soon as possible after their assignment, but not required earlier than the day following the infraction. Students shall be notified of the specific violation of which they are charged and the proper modification of their behavior that would keep them from having to serve more detention time.

Normal due process procedures shall be followed.

The school is *not* responsible for transportation following afternoon detention. Students serving afternoon detention may not ride any bus involved in extra or co-curricular activities.

If detentions are assigned for an academic reason, the assigning teacher will keep the detention:

1. Failure to complete class assignments.

2. Lack of class materials (other than a pencil)
3. Failure to complete work assigned during class time.
4. Failure to complete assignments given to complete during detention time will result in a zero for that assignment.

At the end of detention, the supervising teacher will check the hallways to make sure all students have left the building. The teacher will then lock the downstairs doors and make sure the office door is locked. The supervising teacher will then check the MPR, gym and lobby for unsupervised students. All unsupervised students will be asked to leave the building. The MPR, lobby and office doors will be locked at 3:20pm.

### **IN-SCHOOL SUSPENSION (ISS)**

In-School-Suspension shall be defined as the removal of a student from the regular school program and placement in the in-school-suspension room as a disciplinary measure. In cases of serious offenses that may result in either an In-School Suspension, a brief and informal hearing will be held with the Principal, Assistant Principal or designee, at which time the student will receive specific notice of the rule violation, the names of the witness(es), a brief summary of the facts supporting the charge(s), and the opportunity to refute the charges and tell the student's side of the story. A good faith attempt will be made to contact the parent by phone on the day of the in-school suspension or the day preceding ISS. A parent contact must be made any time a student is assigned to in-school suspension four days or longer, or on the second or any subsequent suspension in the same school year.

In-School Suspension (ISS) is to be the first defense in lieu of out-of-school suspension. Assignment to ISS will be for a given number of days depending on infraction.

- Students who are assigned ISS will lose bus riding privileges while in ISS, except for the day of the initial assignment (if assigned after the start of school for the day).

-ISS students will be dropped off at the Transition Room, located beside the transportation department. ISS students will be dismissed at 2:50 each afternoon and students will report to their designated locations.

- A student assigned In-School Suspension cannot participate or be present at any school related activity, including extracurricular, co-curricular, and/or community/school activity on the day(s) of assignment.

- Any student possessing a cell phone or other electronic device must turn the equipment in to the ISS teacher at the start of the day. The student will be given the device back at the end of the school day.

ISS students are expected to earn 100 points for each day assigned. Failure to earn the necessary points will result in the student staying in ISS until total points are earned.

Points are earned in ISS for:

- Punctuality and attendance
- Successful completion of work
- Respect for self and others
- Following directions

Consequences for violating rules/expectations while in ISS are:

- a. Short Term Suspension – up to 5 days
- b. Long Term Suspension – 6 to 10 days
- c. Recommendation to the Superintendent for Alternative Placement or Alternative School.
- d. Recommendation to the Superintendent for board hearing regarding expulsion of the student.

### **OUT-OF-SCHOOL SUSPENSION (OSS)**

Out-of-School Suspension is defined as the removal of a student from instruction and school sponsored activities for up to ten (10) days as a disciplinary measure. Students are remanded to the custody of their parents. Out-of-school suspension is rarely used at the elementary level, and only after all other interventions have failed to improve behavior or a zero tolerance offense has been committed.

Out-of-School Suspension or In-School Suspension may be ordered by the principal or his/her designee for a serious breach of conduct including but not limited to willful disobedience, open defiance of school authority, use of profane or obscene language, and/or such other misconduct, determined to be disruptive to the school and/or to the learning environment. The maximum term of such assignment shall be ten (10) days. Only the principal/designee and the superintendent have the authority to suspend a child from attendance. Loss of privileges

may accompany an out-of school suspension. Lost privileges may include restrictions on attendance at school functions as determined by the principal/designee. (e.g. Homecoming, Prom, Window Painting, Senior Trip, etc. and/or loss of on-campus parking)

In cases of serious offenses that may result in an Out-of-School Suspension, a brief and informal hearing will be held with the Principal, Assistant Principal or designee, at which time the student will receive specific notice of the rule violation, a brief summary of the facts supporting the charge(s), and the opportunity to refute the charges and tell the student's side of the story.

Actual suspension begins immediately, or at the end of the school day, depending on the severity of the offense. The suspension ends at the beginning of the day following the last day of suspension. If out-of-school suspension occurs, the parent is contacted as soon as possible. Every effort will be made to hold a parent conference on the telephone or a copy of the out-of-school suspension form is given to the student to give to the parent prior to the day of the suspension or a copy is sent through the U.S. mail within 24 hours. In such case the student will be placed in ISS until sufficient parent contact is made. The parent has the right to appeal the suspension/placement decision to the Principal of the school.

A parent has the right to bring another adult to assist in communicating with school personnel at any meeting regarding the discipline of their child.

### **ALTERNATIVE PLACEMENT (AP)**

Alternative Placement is defined as the removal of a student from instruction and school sponsored activities for a disciplinary measure. The principal or designee may recommend to the Superintendent the alternative placement of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of the staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school including threats to cause serious bodily harm or physical damage. The principal shall conduct a brief and informal hearing after notice to the student and parents, during the suspension period, to consider whether to recommend the alternative placement. The student, parents, and guardian may attend this meeting. If alternative assignment is warranted, the Superintendent or designee shall notify the student's parent(s) in writing of the assignment. The student/parent may request an appeal to the District Alternative Reassignment Appeals Committee. The decision of the Committee shall be final and binding upon the student. As a result of this action, the student may not appear on any Dawson Springs Independent School site or at any school sponsored activity during the period of reassignment. Violation of this restriction will be reported to law enforcement officials immediately as illegal trespass.

Assignment to Alternative Placement will be a minimum of (20) days with a maximum period not to exceed the remainder of the current school year and one (1) additional year, for most major disciplinary infractions. Students assigned to AP will also be referred for counseling. If a student is in AP he/she is expected to follow the AP rules listed above under ISS. The number of days may be extended if the student does not earn the correct number of points for the extended stay.

### **EXPULSIONS (EXP)**

The principal shall conduct a brief and informal hearing after notice to the student and parents, during the suspension period, to consider whether to recommend the expulsion of a student. The student, parents, guardian, and attorney may attend this meeting. The principal or designee may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of the staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school including threats to cause serious bodily harm or physical damage. At the discretion of the Superintendent or his designee, students may be offered Alternative Placement in lieu of expulsion. As a result of this action, the student may not appear on any Dawson Springs Independent School District site (other than ISS/AP) or at any school sponsored activity during the period of expulsion. Violation of this restriction will be reported to law enforcement officials immediately as illegal trespass.

Expulsion shall be defined as prohibiting the attendance of a student in school for more than ten (10) days or separating a student from the school system, with Superintendent or School Board discretion, for a period not to exceed the remainder of the current school year and one (1) additional year, for most major disciplinary infractions.

However, students shall be recommended by the Principal to be expelled for at least the semester in which the infraction occurred and one additional semester or for two semesters if less than four weeks remain in the current semester. As stated in the Gun Free Schools Act Requirement, "Possession or use of a firearm requires a mandatory recommendation of expulsion for one full calendar year from the time the School Board takes action on the expulsion." Expulsion shall proceed before the School Board on the recommendation of the Superintendent.

If the Superintendent recommends expulsion of the student, the School Board may proceed and expel a student from school and/or an extracurricular activity for a period not to exceed the remainder of the current school year and one other. The following procedures shall be followed: The student will be given notice of the extension of suspension and notice of intention to conduct a hearing to consider the expulsion of the student. An informal expulsion administrative hearing will be held before the School Board. Testimony and exhibits may be offered by both the Superintendent and the student. The student will have the right to receive specific notice of the charges, the right to examine evidence and exhibits, the right to be represented by legal counsel at the student's expense, the right to present evidence, the right that the decision be based on a preponderance of the evidence and the right to a record of the proceeding. The decision of the School Board will be final.

The Superintendent has the authority to honor or reject the expulsion or dismissal of a student by another school district. If the expulsion is honored, the receiving district records a "final order of expulsion" and informs the applicant of this order. The School Board may place a student who is admitted in an appropriate educational program.

### **3.11 ATTENDANCE POLICY**

Attendance is a student-parent/guardian responsibility. The progress of a student depends upon the punctuality and regularity of attendance.

- A student who is absent for 36% to 84 % of a day will be recorded absent for .5 of the day and for 85% to 100% of the day will be recorded absent for one day. Students who are absent for 35% or less during the day, will be recorded as tardy.
- Any absence or tardy occurring during the school year will be recorded as either "excused" or "unexcused." In the case of an "excused" absence or tardy, the reason for the excuse will also be recorded. After a student has reached a maximum of four unexcused absences and/or tardies, disciplinary action may be taken as described. However, all students are still expected to use absences and tardies only for legitimate reasons, and this policy is not intended as a license to miss a particular number of days of school per year.

**A student is considered truant with 3 unexcused absent or tardy events and a habitual truant with 6 unexcused absent or tardy events.** Absences are cumulative for the year and include any absences transferred from another school district. Students who have become truant or habitual truants must submit all excuses within 24 hours and parent notes will not be allowed. We do understand that occasionally a student may have a medical condition or illness that requires him/her to miss more than six (6) days with a parental excuse. If this should happen to your child, please contact the Pupil Personnel Director at 797-3811.

#### **General Provisions**

Each student, regardless of grade level, may not accumulate more than a total of six (6) unexcused absent and/or tardy events during a school year. For grade 7 thru grade 12 the following applies: On the third (3<sup>rd</sup>) unexcused absence/tardy event, the parent/guardian will be sent a letter of reminder and a copy of the attendance profile. Upon the fifth (5<sup>th</sup>) unexcused absence or tardy event, the parent/guardian will be delivered a Final Notice in accordance with Kentucky truancy laws with a copy of the attendance profile. If a sixth (6<sup>th</sup>) unexcused absence or tardy event occurs, charges will be filed with the Hopkins County Family or District Court against the parent/guardian and/or student.

Perfect Attendance awards will be given only to those students who have been neither absent nor tardy.

Any out of district student who is attending the Dawson Springs School System must have an out of district application on file with the Director Pupil Personnel. All out of district students must adhere to the attendance policy

and the discipline code. Failure to do so may result in the student being required to attend school in the district where he/she resides.

No student shall be dismissed early from school without permission from the principal or their designee. Any student who leaves the school grounds without permission from the principal shall be subject to appropriate disciplinary action. The absence from class will be counted as unexcused. All students must comply with the sign out regulation. \*Refer to the attendance policy for definitions.

In accordance with District Board Policy 09.123, the designated person shall report to the Principal's office and sign the entry/exit log for the student's release.

### **Reporting Absences/Tardies**

All students must be in compliance with the Kentucky Compulsory Attendance laws and statutes. When a student must be absent from school, it is the responsibility of the parent/guardian to contact the school before 10:00 A.M. to report the absence and the reasons for the absence and send a note on the day the student returns.

It is important to understand that the primary purpose for calling is to make the school aware that the parent/guardian is aware that their child is not in school. **The telephone call alone does not mean the student will receive an excused absence.** Reported absences or tardies will be recorded as "unexcused" by the attendance clerk. These events will only be recorded as excused when a note is presented on the day following the last absence or tardy, that meets one of the criteria listed under the heading "Examples of Excused Absences" and contains the date, student name and reason. **All tardy students must obtain an admittance slip from the office before going to class.**

### **Examples of Excused Absences/Tardies Documentation**

**Parent Notes** - Note is required within 24 hours of returning to school. (Parent notes representing up to 4 days of absences will be accepted.)

1. Student's illness not severe enough to require medical attention, but still requiring, in parent's or guardian's judgment, absence from school.
2. Family emergencies (with prior notification) limited to immediate family (Mother, Father, Guardian, Brother, Sister, Grandparent, Aunt, Uncle)
3. Severe illness in the student's immediate family (Mother, Father, Guardian, Brother, Sister, Grandparent, Aunt, Uncle)
4. Death in the family when note is accompanied with Obituary or Funeral home publication.
5. Driver's license exam and Permit exam.
6. Any other event involving the student, or the student's immediate family, of such a serious nature that it, in the student's parent's or guardian's judgment, prevents the student from engaging in routine day to day activities such as school attendance.
7. Unforeseen circumstances as approved by the principal.

**School nurse** - Recommendation by school nurse that the student be sent home for illness will be excused.

**Doctor's note** – Submit a signed note from the treating doctor showing the date of treatment, time of treatment and the date they may return to school. Doctor's notes representing up to 4 medical events will be accepted. Medical notes may represent more than one day. Following the 4<sup>th</sup> doctor note, parents will need to secure a Medical Excuse Form from the attendance clerk in the Board Office and have it completed by the appropriate medical practitioner.

**Severe Illness. (Doctor's Note)** - Students having a chronic illness which requires multiple days out of school may submit documentation. Parents may receive a Statement of Severe Illness for the doctor to complete. This form will remain on file for one (1) year.

**Medical reasons (Doctor's Note)** – Provide an Emergency room or urgent care document (when accompanied by a signed note from the treating doctor and hospital form). These will count toward the four doctor notes.

**Court appearance by Student** – Submit a note from the student's attorney or a copy of the court document showing the required appearance.

**Head Lice** - School nurse/Staff member must approve return. (4 days per year)

School Sponsored Athlete Tournament Attendance - Students competing at regional or state events will be excused.

College day - Graduating Seniors may miss 2 days with approval of Guidance Counselor and documentation from the College.

Educational Enhancement - Prior approval is granted by the building principal. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, Science, Mathematics, Social Studies, Foreign Language, and the Arts. This opportunity will not be allowed during the State or District testing periods.

Armed Forces day - One (1) day prior to departure of parent/guardian called to active military duty and one (1) day upon the same persons return will be approved.

Religious Holiday/Instruction - An observance of an established religious holiday or for pre arranged religious instruction. Documentation of the religious affiliation of the student may be required by school officials.

#### **Examples of Unexcused Absences**

- Working
- Missed Ride
- Missed or suspended from bus
- Overslept
- Out-of-town
- Any other reason not noted in Examples of Excused Absences

#### **Unexcused Absences Procedures**

1. During the first week of school the DPP or designee will address the student body regarding Attendance, Truancy and the Educational Process.
2. Students who acquire three unexcused absences or tardies will receive a letter from the Board of Education. If a student has acquired four unexcused absences or tardies, they may meet with the Family Resource Coordinator for possible help and or services. Also, the student will be assigned one day of ISS.
3. Should a student obtain the fifth unexcused absence or tardy, they will receive a final notice from the Director or Pupil personnel by certified mail or personal delivery and every attempt will be made to make a home visit by the DPP to discuss the problem and make them aware of what will happen should they acquire the sixth unexcused absence or tardy.
4. When a student has reached their sixth unexcused absence or tardy, charges will be filed with the Hopkins County Attorney.

On each day of an absence, the school will attempt to reach the parent by phone. Once charges are filed, parents/students will not be allowed to sign the student out to home school or to allow them to drop out of school. Furthermore, no additional excuses will be accepted.

#### **Unexcused Tardy Procedures**

On the third unexcused tardy, a reminder letter will be sent from the Board of Education to the parents to warn of the consequences. On the fourth unexcused tardy, the Principal will conduct action that is deemed necessary (ISS, loss of driving privilege, etc.). On the fifth unexcused tardy, the parents will be sent a Final Notice by certified mail, return receipt requested or personal service by the Director of Pupil Personnel. Parent will have the opportunity to meet with the Director of Pupil Personnel to review the consequences. Upon the sixth unexcused tardy, charges will be filed with the Hopkins County Court System. Once charges are filed, parents/students will not be allowed to sign the student out to home school or to allow them to drop out of school.

#### **Early Vacation/Extended Time**

The school calendar is published early enough that parent are expected not to remove their children during school or school days preceding school breaks. Parents also need to be aware of the dates which mark the end of each grading period.

#### **Interventions**

1. Court Designated Worker

2. Cabinet for Social Services
3. Teacher
4. Assistant Principal
5. Director or Pupil Personnel
6. Family Resource/Youth Services Center

### **Office of Hopkins County Attorney**

- Parents of students ages 5-16 will be prosecuted by the County Attorney's office to include fines and a probation period of two (2) years. All subsequent violations will result in contempt of court resulting in additional fines and or jail time.
- Students ages 12-16 will be diverted to the Court Designated Worker on the first offense to include diversion a probation period of two (2) years. All subsequent violations will result in contempt of court with juvenile charges of detention, and parental charges of fines and or jail time.
- Students ages 17-21 will be prosecuted by the County Attorney as adults with charges including fines and/or detention time. Parents of these students may be prosecuted if reasons dictate.

### **Make-up Work**

Students with excused absences/tardies will be allowed to make up all missed work. All missed work during an excused event must be requested by the student or parent/guardian either during the event or on the day the student returns to school. All work assigned during a student's excused event may be submitted without penalty upon the student's return at a time agreed to by the teacher and student but no fewer than the number of consecutive days absent/tardy.

Students shall make up all graded class work and tests assigned during an unexcused event or out-of-school suspension. All missed work during an unexcused event/out-of-school suspension must be requested by the student or parent/guardian either during the event or on the day the student returns to school. A timeline for the completion of all missed work and/or tests will be determined by the teacher and the student and shall not exceed the number of days the student was out of school. In the case of out-of-school suspensions, graded class work/tests will NOT be accepted during the suspension (SBDM policy 6.4) In addition, the privileges of attending the Homecoming Dance, attending Prom, parking on campus, attending pep rallies, participating in window painting, attending the senior trip, and any other activity determined by the principal/designee may be withheld.

### **Home Hospital (Homebound)**

Students with an extended, non-contagious illness are encouraged to apply for homebound services to prevent excessive absences and maintain their schoolwork with a teacher assigned to meet with them twice each week. Students will not be allowed to attend any school activities (including, but not limited to ballgames, prom, homecoming/dances, window painting, etc.) while on HH.

### **Excessive Absences/Tardies**

Once a student has accumulated 10 or more unexcused events, the student's driving/parking privileges will be revoked. In addition, the privilege of attending Prom, Homecoming, pep rallies, window painting and any other activity determined by the principal will be withheld.

### **Appeals Procedure**

Once a student has exceeded the allowed number of absences and been notified of disciplinary action, the student and/or parent may appeal to the Director of Pupil Personnel within three days. A committee will be formed to review, in an informal hearing, if the absences are satisfactorily justified. If the student and/or parent are not satisfied with the results of the hearing, they may request to present their case to the superintendent for a final decision. It is suggested that the student/parent first meet with the school principal to resolve the attendance issue.

Notwithstanding any other provision of this Policy, students whose absence is determined to actually have "skipped" class or classes, with or without permission of their parent(s) or legal guardian, will be dealt with in accordance with the student discipline code.

### **References:**

KRS 36.396, KRS 38.470, KRS 158.070, KRS 158.183, KRS 158.293 KRS 158.294, KRS 159.035, KRS 159.140,



KRS 159.150, KRS 159.180  
702 KAR 007:125  
OAG 76-566, OAG 79-68, OAG 79-539, OAG 91-79, OAG 96-28

**Related Policies:**

09.122; 09.1231; 09.4281

**Addendum:**

KRS 159.051 (effective date – August 1, 2007). The “No Pass/No Drive” Statute results in the denial or revocation of a student’s driver’s license for 1.) Academic deficiency or 2.) Dropping out of school as a result of unexcused absences. Academic deficiency is defined as a student who does not have passing grades in at least four (4) courses, or the equivalent of four courses, in the preceding semester. A student is deemed to have dropped out of school when he/she has nine or more unexcused absences in the preceding semester. Any absences due to suspension shall be unexcused absences.

## **4.0 STUDENT CODE OF CONDUCT VIOLATIONS**

### **4.01 Definitions and Examples**

The definitions and examples of code violations are listed on the following pages. Where applicable, the definitions and examples provided are not intended to create the elements of a crime as set out in the Kentucky Penal Code. Violations are separated into four classifications ranging from relatively minor misconduct in Class I to relatively extreme misconduct in Class IV.

## **CLASS I MISCONDUCT**

A Class I code violation includes relatively minor misconduct that rarely, if ever, has the potential to result in consequences outside of the district:

### **1.1 DISRUPTIVE BEHAVIOR:**

This Class I violation means continuing to cause an interruption on the way to or from a class or activity or in a class or activity despite the corrective efforts of school personnel.

Examples:

- Continuing to talk at inappropriate times during a lesson or activity (e.g., while a teacher is talking or engaging in a side conversation with another student or group).
- Communicating in an inappropriate way (e.g., engaging in sustained loud talk, yelling or screaming; arguing with peers, making inappropriate noises either verbally or with materials; or mimicking/repeating a teacher’s words).
- Distracting other students while they are working.
- Engaging in other continued “off-task” disruptions despite the corrective efforts of school personnel (e.g., engaging in sustained out-of-seat behavior or calling out to others without permission).

### **1.2 DRESS CODE VIOLATION:**

This Class I violation means dressing in a manner that: 1) creates a distraction; 2) creates a disruption; or 3) otherwise violates the school dress code.

Examples include, but are not limited to, the following:

- Wearing items associated with illegal or prohibited organizations, including any type of attire that references, demonstrates support for, symbolizes, or suggests involvement in gang activity, affiliation with gangs, or organizations/group that promote illegal or prohibited activities (e.g., “colors”, bandanas, flags, hair nets, or certain types of jewelry).
- Wearing items that reference activity that is either illegal outright or prohibited for minors (e.g., clothing that promotes the use of drugs, alcohol, sex, tobacco or other criminal activity).
- Wearing items that display or promote messages considered offensive by community standards, including any type of attire that contains violent, sexual, racial, or offensive language (e.g., language, phrases, slogans, pictures, diagrams, drawings, flags, or symbols).
- Wearing items that display messages of bias, including any type of attire that contains language which advocates or demonstrates approval of discrimination based on ethnic background, color, race, national origin, religious belief, sexual orientation, genetic information, age, sexual orientation, gender identity, or disability.
- Wearing items that are overly revealing, suggestive, obscene or lewd, including any type of attire that is likely to expose parts of the body with movement, those that expose body contours or regions of the body (e.g., tube tops, cut off shirts, sagging pants, “bare midriff” tops, low cut tops), and those that are tailored from transparent materials (fish nets, see through material) or improperly maintained.
  - Shirts must meet the following guidelines: top must meet the top of the pants, shirt must extend to the outside part of the shoulder, shirt must not scoop down to reveal cleavage, shirt cannot show any excessive skin.
  - Pants must meet the following guidelines: no holes 5” above the knee, no sagging pants,
  - Shorts/skirts/dresses must be below 5” above the knee
- Wearing items that may conceal the condition or identity of the student within a building, classroom or on a bus (e.g., hats, coats or sunglasses)

### **1.3 Unauthorized Items or Objects/PERSONAL TELECOMMUNICATIONS DEVICE:**

This Class I violation means possessing or using (turning on) a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor [KRS 158.165(2)] either during a restricted time or in a manner that has disrupted the setting.

*\* Note: Students in grades 6-8 attending Middle School are prohibited from having in their possession a cell phone or any other electronic device between the hours of 7:50 am and 2:45 pm. Phones will be surrendered to their first period teacher and kept in safe possession until 2:45 p.m.*

Examples:

- Using a cellular phone, digital tablet, laptop, e-reader or netbook (e.g., a ChromeBook), smart watch or paging device without permission.
- Using a wireless accessory for such device without permission (e.g., Bluetooth and other headsets).
- Using a mobile consumer electronics device (e.g., laptops, iPads, iPods, MP3 players CD players, smartwatches, radios, pagers or “walkie-talkies”) without permission.
- Bringing cameras (e.g., 35mm cameras, box cameras, or digital cameras), electronic gaming consoles or games (e.g., “Gameboys” and PSPs) or other toys of any kind to school without permission.

### **1.4 PUBLIC DISPLAY OF AFFECTION:**

This Class I violation means touching, hugging, kissing or fondling in public that is beyond casual contact and that creates, or has the potential to create, a disturbance of the setting or school.

Examples:

- Engaging in consensual non-verbal conduct of an intimate nature that disrupts the learning environment in view of one or more bystander(s) (e.g., sitting on the lap, massaging, groping, inappropriate touching, or kissing another student).
- Touching another student in a suggestive manner (e.g., “grinding”, or “twerking” while dancing).

## **CLASS II MISCONDUCT**

A Class II code violation includes relatively moderate misconduct that occasionally has the potential to result in consequences outside of the district:

### **2.2 Out of Assigned Area (Tardy):**

Unexcused Excessive Tardy to Class: This Class II violation means tardiness to any class or activity without the authorization of an administrator or staff member

### **2.3 Out of Assigned Area (Skipping):**

Skipping Class: This Class II violation means being on campus but missing any portion of class or assigned activity without knowledge and authorization of an administrator or staff member.

*NOTE: Refer to individual school policy on class tardiness and skipping.*

Examples:

- Arriving late to a class or activity already in session.
- Arriving back to class late after an activity.
- Missing the entire class or activity
- Leaving class without permission
- Failing to have appropriate hall pass when required
- Being in a place that is “off limits” or other room or area that requires permission from staff
- Moving from a classroom, playground, lunchroom to another area on campus at an inappropriate time or without the permission of the area supervisor.
- Failing to arrive at an assigned class, program, or activity after arriving on campus without knowledge or permission of a teacher.

### **2.4 BUS DISTURBANCE:**

This Class II violation means any behavior that: 1) may create a safety problem on a bus; or 2) otherwise violate the district bus disturbance policy.

\* Note: See 4.3 related notice

Examples:

- Engaging in sustained loud talk, yelling, screaming, making noise with materials or sustained out of seat behavior.
- Engaging in any other action or behavior that interferes with, or has the potential to interfere with, the safe operation of a school bus.
- Throwing object from the bus

## **2.5 DISHONESTY (NON-CRIMINAL)**

- **Dishonesty; Non-Criminal Cheating:** This Class II violation means copying/plagiarizing another's work and submitting it as one's own.
  - Examples include but are not limited to: Looking at someone else's answers, holding a paper for another student to read and/or copy, opening book to answers, using electronic devices for answers, writing on the desk, submitting work that is not yours (ie. Plagiarism or AI), passing answers from one student to another, or altering answers.
  - Stealing tests, answer keys, or another student's work is considered THEFT. The offense will fall under the THEFT penalty of the code book.
- **Dishonesty; Non-Criminal False Reporting:** This Class II violation means: 1) Providing false information to a school official; or 2) Tampering with, altering or destroying an unofficial document, note or signature.
- **Dishonesty; Non-Criminal Failing to Report:** This Class II violation means withholding information about an unofficial matter from a school official.

Examples:

- Using a cell phone to transmit test items, test answers or other secured information to others or obtaining material or work from a teacher or another student in a dishonest or unauthorized way.
- Copying assignment/homework responses of another student.
- Requesting, offering, giving or receiving information during a quiz.
- Presenting the labor, language, structure or concepts of others as one's own original work.
- Obtaining unauthorized/undocumented material from the Internet.
- Disseminating, distributing, copying, printing or creating derivatives of the intellectual property of others works without authorization).
- Failing to be truthful when questioned by a school official.
- Making a false accusation of non-criminal activity.
- Signing a parent's name on a progress report or a teacher's name on an eligibility report; changing the expiration time of a hall pass.

## **2.6 DISREGARD FOR SAFETY:**

This Class II violation means any action or behavior with the potential to injure the student or others.

Examples:

- Initiating a prank (e.g., pushing, shoving, shucking/pantsing, or tripping).
- Engaging in "horseplay" or "roughhousing" (e.g., wrestling or running in high traffic areas).
- Possessing potentially dangerous items (e.g., matches or lighters).
- Leaving an external door propped open during school hours.

## **2.7 INSUBORDINATION; FAILURE TO FOLLOW STAFF INSTRUCTIONS:**

This Class II violation means any verbal, physical or symbolic: 1) Refusal to comply with reasonable requests of school personnel; 2) Refusal to obey classroom and school rules in a manner more severe than disrespect; or 3) Failing to accept school imposed disciplinary measures.

Examples:

- Refusing to follow classroom rules or the directives of school personnel.
- Ignoring instructions to remain quiet on a school bus.
- Disregarding a warning to leave an area.
- Verbally refusing to participate in an assigned lesson or activity.
- Refusing to identify oneself or to display an ID when requested.
- Questioning a teacher's authority in front of a class.
- Actively refusing to complete an assignment.
- Failing to participate in a state-mandated test.
- Missing a detention after being made aware of the consequence.

### **2.8 NON-CONTROLLED SUBSTANCE POLICY VIOLATION:**

This Class II violation means the possession, use, distribution or sale of any over-the-counter (OTC) product or non-controlled prescription medication in a manner inconsistent with established procedure.

Examples:

- Keeping any OTC remedy (e.g., aspirin, Tylenol, antihistamines such as Benadryl or laxatives) or non-controlled prescription (e.g., an antibiotic or decongestant) in a backpack or locker.
  - Life saving prescriptions (inhaler, epi pen, etc.. must have a nurse authorization on file in order to carry)
- Use of an OTC substance without prior notification of, and authorization by, school officials.
- Providing, selling, offering or obtaining any such item to/from another student (no evidence of misrepresentation as a drug).

### **2.9 OFFENSIVE SPEECH/ACTIONS**

**Offensive Speech/Actions; Gang Activity (Promoting):** This Class II violation means displaying signs, signals or gestures indicative of affiliation or advertisement of an organized gang, group or organization which advocates disruption or violence or has a history of group violence or disruption.

**Offensive Speech/Actions; Profanity or Vulgarity:** This Class II violation means using profanity, not directed at a person, that includes swearing or the use of vulgar or inappropriate words, objects or gestures in a way that causes disruption or alarm.

Examples:

- Using offensive (but non-discriminatory/non-threatening) words (e.g., verbal or written swearing, foul language, profanity or obscenity during an outburst of anger or exclamation) that are not directed toward another person.
- Using a symbolic (but non-discriminatory/non-threatening) gesture (e.g., hand signs with specific connotations) in a similar manner.

### **2.10 TECHNOLOGY POLICY VIOLATION:**

This Class II violation means any failure to use district-owned hardware, software, electronic devices, Web pages or networks for intended educational uses as described in the DSIS Acceptable Use Policy (AUP). Students who violate their school's

AUP are subject to the same disciplinary actions as prescribed by the Student Code of Conduct for similar offline behaviors and are at the discretion of the school administration.

Examples:

- Using the Internet without permission.
- Taxing resources for non-educational purposes (e.g., spamming or visiting chat rooms or gaming/messaging or eCommerce sites).
- Accessing or transmitting offensive content (e.g., downloading, uploading, posting, publishing or distributing violent, sexually explicit, hate-oriented, harassing or discriminatory content).
- Creating a conflict of interest (e.g., running a commercial website).
- Bypassing security measures (e.g., using an account of another person or spoofing a website).
- Engaging in computer trespass (e.g., trying to determine a login password of another person, accessing messages belonging to someone else, releasing personal information of others or acting in violation of a third-party privacy policy).
- Using a computer to infringe upon the intellectual property (IP) rights of others (e.g., making file copies without permission, downloading copyrighted material without permission or sharing protected or confidential information without permission).
- Conducting activities via the Internet that constitute violations of criminal or civil law (e.g., using network resources to commit an act that would be prohibited by any other means).

## **CLASS III MISCONDUCT**

A Class III code violation includes relatively serious misconduct that often has the potential to result in consequences outside of the district:

### **3.2 UNEXCUSED ABSENCE VIOLATION**

**Unexcused Absence: Closed Campus Violation:** This Class III violation means leaving school campus at which you are enrolled without the principal's permission (see Section 4.03).

**Unexcused Absence: Skipping School:** This Class III violation means being absent from school without parental or school authorization.

Examples:

- Refusing to attend school.
- Leaving campus after arriving but before being reported as present.
- Leaving campus without obtaining administrative authorization before the end of the school day (e.g., at lunch).
- Leaving campus without following the proper checkout procedure.

### **3.3 DISHONESTY (CRIMINAL)**

**Dishonesty; Criminal (False Fire Alarm):** This Class III violation means [KRS 519.040(1)]: 1) Knowingly causing a false alarm of fire or other emergency to be transmitted to or within any organization, official or volunteer, that deals with emergencies involving danger to life or property; or 2) Initiating or circulating a report or warning of an alleged occurrence or impending occurrence of a fire or other emergency under circumstances likely to cause public inconvenience or alarm when he knows the information reported, conveyed or circulated is false or baseless.

**Dishonesty; Criminal (False Report):** This Class III violation means [KRS 519.040(1)]: 1) Reporting to school personnel or law enforcement authorities an offense or incident within their official concern knowing that it did not occur; 2) Furnishing school personnel or law enforcement authorities with information allegedly relating to an offense or incident within their official concern when the student knows he has no information relating to such offense or incident; or 3) Knowingly giving false information to any school personnel or law enforcement officer with intent to implicate another.

**Dishonesty; Criminal (Forgery):** This Class III violation means falsely making, completing or altering a written instrument with intent to defraud, deceive or injure [KRS 516.020 through 516.040].

**Dishonesty; Criminal (Fraud):** This Class III violation means obtaining money or property by false pretenses.

**Dishonesty; Criminal (Obstruction):** This Class III violation means intentionally impairing or hindering the performance of a governmental function by using or threatening to use violence, force or physical interference [KRS 519.020(1)].

Examples:

- Creating a false fire threat (e.g., pulling a fire alarm when there is no fire).
- Failing to make an official report (e.g., neglecting to make staff aware of a criminal code violation by another student).
- Making a false official report (e.g., being dishonest when questioned by police; making a false accusation; or using false ID).
- Making, completing or altering a written instrument (e.g., creating false identification; or signing a parent's signature on a check).
- Obtaining money or property by false pretenses (e.g., using a teacher's credit card; or using a "skimming" device to extract personal identification numbers from passersby).
- Tampering with an official document (e.g., changing an attendance sheet; or altering/deleting a grade or transcript).
- Interfering with official proceedings (e.g., concealing evidence, tampering with a witness or otherwise interfering with an investigation; or attempting to bribe a school official).

### **3.4 DISORDERLY CONDUCT:**

This Class III violation means being in a public place and with intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk thereof [KRS 525.060(1)]: 1) Engaging in fighting or in violent, tumultuous or threatening behavior; 2) Making unreasonable noise; 3) Refusing to obey an official order to disperse issued to maintain public safety in dangerous proximity to an emergency; or 4) Creating a hazardous or physically offensive condition by any act serving no legitimate purpose.

Examples:

- Participating in a disruptive event (e.g., running hallways and kicking doors, walk-outs, sit-downs or picketing).
- Advising, counseling or inciting others to create or contribute to a disruptive event (e.g., a riot).
- Failing to disperse from a crowd after being requested to do so by a school official or police officer.
- Failing to comply with administration, police, and/or the SRO

### **3.5 ENDANGERING OTHERS**

**Endangering Others; Hazing:** This Class III violation means advising, counseling or compelling someone to participate in an act that injures, degrades or disgraces the participant or other person.

**Endangering Others; Wanton Endangerment:** This Class III violation means engaging in conduct that creates a substantial danger of death or physical injury to another person [KRS 508.060(1) and 508.070(1)].

Examples:

- Creating a hazardous situation with equipment (e.g., Bunsen burners, glassware or paint solvents).

- Chasing another student with a dangerous object (e.g., scissors).
- Organizing, conducting, or participating in an initiation into a secret society, club, or organization that puts participants or others in danger.

### **3.6 FIGHTING:**

This Class III violation means engaging in mutual aggressive physical actions, involving physical contact where some injury may occur.

**NOTE: Self-defense is determined solely by the school administrator.**

Examples:

- Engaging in mutual combat (e.g., any physical contact between at least two students involving hitting, scratching, kicking, pulling of hair, wrestling for leverage, or the use of fists).
- Engaging in an altercation between multiple students or any other act involving imminent or actual physical violence in which two or more sides have contributed to the altercation either verbally or physically regardless of who initiated it.

### **3.7 GAMBLING:**

This Class III violation means staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device that is based upon an element of chance, in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome, on school property or at a school-sponsored event.

**NOTE: This violation does not include school-sanctioned activities of chance.**

Examples:

- Organizing or engaging in any game, activity, event or simulation based on skill or chance that traditionally requires participants to risk money or property for the possibility of gain regardless of whether or not a wager is formally placed.
- Engaging in a game of skill or chance (e.g., craps or poker).
- Acting as a sports book (e.g., holding bets until an event is over for the payment of winners or keeping score for later settlement).

### **3.8 HOSTILE ENVIRONMENT (NON-SEXUAL)**

**Hostile Environment; Bullying:** This Class III violation means intentional, repeated hurtful acts, words or other actions or behaviors that involve an imbalance of power.

**NOTE: Bullying- KRS 158.148 defines bullying as "any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated."**

**Hostile Environment; Harassment (Non-Sexual):** This Class III violation means performing any of the following with intent to intimidate, harass, annoy or alarm another person [KRS 525.070(1)]: 1) Striking, shoving, kicking or otherwise subjecting a person to physical contact; 2) Attempting or threatening to strike, shove, kick, or otherwise subject a person to physical contact; 3) Making an offensively coarse utterance, gesture, display, or address containing abusive language to any person present in a public place; 4) Following a person in or about a public place or places; 5) Engaging in a course of conduct or repeatedly committing acts that alarm or seriously annoy such other person and that serve no legitimate purpose; or 6) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:



- Damaging or committing a theft of property;
- Substantially disrupting the operation of the school; or
- Creating a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation or embarrassment.

**Hostile Environment; Harassing Communication:** This Class III violation means performing any of the following with intent to intimidate, harass, annoy or alarm another person [KRS 525.080(1)]: 1) Communicating with a person, anonymously or otherwise, by telephone, telegraph, mail or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication; 2) Making a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or 3) Communicating, while enrolled as a student in a school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, mail, or any other form of electronic or written communication in a manner which a reasonable person should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and that serves no purpose of legitimate communication.

**Hostile Environment; Menacing:** This Class III violation means intentionally placing another person in reasonable apprehension of imminent physical injury [KRS 508.050(1)].

**Hostile Environment; Stalking:** This Class III violation means engaging in an intentional Course of Conduct directed at a specific person or persons that: 1) Seriously alarms, annoys, intimidates or harasses the person or persons; and 2) Serves no legitimate purpose.

**Hostile Environment; Physical Aggression:** This Class III violation means a domineering, forceful, or assaultive physical action, by other than accidental means, which hurts another person or animal. All non-accidental behavior that causes physical injury to another person is intended to be encompassed by this definition or the statutory definitions of "assault" [KRS 508.010 through 508.030]; those definitions shall be read expansively to include all such behavior.

**Hostile Environment; Threat or Intimidation:** This Class III violation means using verbal messages or physical actions that convey the threat of physical contact where some injury may occur.

**Hostile Environment; Verbal Abuse:** This Class III violation means using abusive and demeaning language using words that: 1) Attack or injure an individual; 2) Cause one to believe an untrue statement; or 2) Speak falsely of an individual.

*NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, marital status, parental status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts may represent serious violations of civil and/or criminal law (see Section 4.02 for harassment/discrimination complaints concerning denial of equal educational opportunities).*

Examples:

- Name-calling, teasing in a cruel manner, threatening or social exclusion of another student.
- Abusing, intimidating or threatening another student.
- Engaging in the "cyberbullying" of another student (e.g., on social media, on a blog or by sending a text message)..
- Drawing a picture, writing a note or making a gesture conveying a meaning of harm known to the recipient).
- Making comments about another student based on race, color, national origin, sex, religion, disability, age, sexual orientation or gender identity, or any other reason not related to the student's individual capabilities, which may hinder his or her health, safety, welfare or right to attend school or participate in school activities.
- Pushing, pulling, punching near or striking near a person in a way that: 1) Creates a climate of abuse; 2) Causes psychological or physical injury; or 3) Conveys an intent to use violence against another person or to damage his or her property.
- Grabbing, touching, slapping or pulling hair (e.g., attempting to draw an unwilling participant into combat).
- Demonstrating power (e.g., shoving a person against a wall, cornering/blocking his/her movement or invading personal space).
- Engaging in conduct of a threatening nature that either conveys the intent to use force, power or physical attack to commit violence or arouses a reasonable fear by the victim that such an attack is imminent because of the "present ability to succeed" of the perpetrator (e.g., raising and drawing back of a hand or fist in order to make the other

individual believe he/she is about to be slapped or punched; or swinging/jabbing a hand toward someone to cause the person to flinch, duck or raise his or her hands in anticipation of being struck).

- Acting in a violent and/or unpredictable manner in close proximity to another person (e.g., picking up a chair and throwing it across a room).
- Using disrespectful language (e.g., using language that is reasonably perceived by a receiving student or a bystander as belittling, disrespectful or attacking; using words that insult someone or causes him/her to believe an untrue statement; speaking to staff in a combative manner; participating in a socially rude interaction; communicating with a teacher as if he or she were a peer; or “talking back” to a staff member).
- Using offensive or profane words toward another person.
- Making offensive written statements (e.g., hand-written notes or drawings; typewritten letters; newspaper editorials; drawings or graffiti; emails, text messages; web pages; or blog entries).
- Making personal attacks e.g., engaging in abusive or malicious criticism of another student or a staff member).

### **3.9 HOSTILE ENVIRONMENT; HARASSMENT (SEXUAL):**

This Class III violation means any non-mutual, non- consensual conduct involving gender or sex that is perceived by the recipient, a third party or a reasonable disinterested person to be so severe and/or pervasive, unwelcome, unsolicited, undesirable, abusive, sexually discriminatory or offensive.

Examples:

- Engaging in prohibited physical actions or behaviors (e.g., making unwelcome sexual advances or lingering touches).
- Engaging in prohibited verbal actions or behaviors (e.g., making unwelcome requests for sexual favors or propositions/pressure for sexual activity; continuing to request a date or social time after disinterest has been made clear; making unwanted or offensive flirtations or jokes; making suggestive remarks; making sexual innuendos or double meanings; inquiring about someone’s sexual preferences; or pressuring someone for sexual activity as a condition of participation in an unrelated activity).
- Engaging in prohibited non-verbal actions or behaviors (e.g., displaying pornographic or sexually suggestive images, objects, materials, emails, text-messages or faxes; leering; whistling; or making sexually suggestive gestures or facial expressions).
- Engaging in prohibited gender-specific actions or behaviors (e.g., making degrading remarks about a person’s body).

### **3.10 OFFENSIVE CONDUCT**

**Offensive Conduct; Inappropriate Sexual Behavior:** This Class III violation means engaging in any mutual, consensual sexual activity.

**Offensive Conduct; Indecent Exposure:** This Class III violation means intentionally exposing genitals under circumstances in which he/she knows or should know that his/her conduct is likely to cause affront or alarm to a person under 18 (eighteen) years of age or older [KRS 510.148(1) and 510.150(1)].

**Offensive Conduct; Obscene/Pornographic Material:** This Class III violation means possessing or accessing any material, whether written, printed or electronic, that: 1) depicts or describes nudity or sexual conduct; and 2) lacks serious literary, artistic or other value.

Examples:

- Exposing oneself or someone else to one or more other persons (e.g., revealing breasts, buttocks or genitals; or “de-pantsing”).
- Possessing, exhibiting, transmitting, distributing or creating pornography (e.g., bringing erotic content to school; downloading erotic content; or creating erotic material in an art class).

- Engaging in conversations about sexually suggestive content using electronic devices such as phones, Chromebooks, etc.

### **3.11 PROPERTY DAMAGE OR VANDALISM; Criminal Mischief:**

This Class III violation means a person [KRS 512.020 to 512.040]: 1) Intentionally or wantonly defaces, destroys or damages any property without having the right to do so or any reasonable ground to believe that he or she has such right; or 2) tampers with property so as to knowingly endanger the person or property of another.

Examples:

- Defacing school grounds or facilities (e.g., “tagging”).
- Demolishing signs, foliage, sprinklers, windows or doors.
- Damaging furnishings (e.g., engraving desks), fixtures (e.g., toilets) or equipment (e.g., storage cases).
- Engaging in an act of sabotage (e.g., plumbing).
- Destroying consumable materials (e.g., defacing textbooks).
- Disconnecting network components, changing hardware configurations without authorization or loading unauthorized software.
- Conducting network port scans, introducing viruses or changing user permissions.
- Altering computer programs or data without permission.

### **3.12 THEFT; Stealing:**

This Class III violation means the unlawful taking, possessing, carrying, leaving with, or riding away with property of the district or another person without threat, violence, or bodily harm.

**Theft; Possession of Stolen Property:** This Class III violation means buying, selling, receiving, or otherwise possessing property stolen from the district or another person.

*NOTE: All personal property is brought onto DSIS campus at the risk of its owner. The district is not responsible for personal property brought onto school campuses.*

Examples:

- Taking personal property of others (e.g., stealing music, electronics, wallets, purses, backpacks, collectibles, electronic devices such as cell phones, iPads®, laptops, MP3 players and CD players).
- Removing property from the control, custody or care of the school or district, a staff member, a student or a third-party victim under non-confrontational, covert, or deceptive circumstances.
- Taking school or district property (e.g., leaving a computer lab with a hard drive in a backpack or removing equipment from a locker room).
- Taking personal property belonging to another student or staff member (e.g., driving off campus with a car owned by a teacher or another student without advance permission, taking money from a teacher’s wallet left in a filing cabinet during recess, copying personal information to engage in identity theft; or the misrepresentation of an item sold, exchanged or bartered).
- Assisting another student in such an activity (e.g., storing a stolen cell phone in a locker for a friend or storing stolen property in a car for his or her removal from campus after school).

*NOTE: Acts motivated by race, color, national origin, sex, religion, disability, age, sexual orientation, gender identity, or any other reason not related to the student’s individual capabilities may hinder the other party’s health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts may represent serious violations of civil and/or criminal law (see Section 4.02 for harassment/discrimination complaints concerning denial of equal educational opportunities)*

### **3.13 TRESPASSING**

**Trespassing; Loitering:** This Class III violation means [KRS 525.0901(1)]: 1) Remaining in a public place for the purpose of gambling with cards, dice, or other gambling paraphernalia; or 2). Remaining in a public place for the purpose of unlawfully using a controlled substance; 3). Remaining in or about a school building or grounds, without having any reason or relationship involving custody of or responsibility for a student or any other specific legitimate reason for being there and not having written permission from anyone authorized to grant the same.

**Trespassing; Unauthorized Entry:** This Class III violation means entering school outside of established hours of operation without administrator permission.

**Trespassing; Violation of Suspension Regulations:** This Class III violation means being on school grounds, on buses or at a school-sponsored activity without administrator permission while a suspension is in force.

Examples:

- Remaining on school property after being directed to leave.
- Entering a restricted school area or district facility.
- Entering a school building when school is not in session, or permission has not been granted.
- Possessing or installing an eavesdropping device.

### **3.14 TOBACCO/VAPE/NICOTINE POLICY VIOLATION:**

Possession or Use: This violation means the possession or use of any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305, by any students.

Examples:

- Possessing or using smoked forms of tobacco (e.g., cigarettes, cigars, pipe tobacco, vapor product, matches, and/or lighters).
- Possessing or using “smokeless” forms of tobacco (e.g., chewing tobacco or snuff)

## **CLASS IV MISCONDUCT**

**A Class IV code violation includes relatively extreme misconduct that virtually always has the potential to result in consequences outside of the district:**

### **4.2 ALCOHOL AND INTOXICANT POLICY VIOLATION:**

Alcohol or Intoxicant; Possession or Use of. This violation means possessing or using a prohibited substance as defined in district policy (see Section 4.02).

*NOTE: Use of medications prescribed or ordered by a physician or dentist shall not be considered a violation of this policy (see Section 4.02).*

**Alcohol or Intoxicant; Transfer or Sale.** This violation means transferring or selling a prohibited substance as defined in district policy (see Section 4.02).

**Alcohol or Intoxicant; Under the Influence.** This violation means exhibiting noticeable behaviors, physical appearance or odors consistent with use of alcohol, drugs or other intoxicating substances (includes all offenses of intoxication with the exception of driving under the influence).

*NOTE: In Kentucky, this offense equates to alcohol intoxication and/or public intoxication, which occurs when a person appears in a public place manifestly under the influence of a drug, alcohol or intoxicating substance.*

Examples:

- Possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, using or being under the influence of items such as the following:
- Naturally fermented beverages (e.g., beer, malt liquor, wine), their derivatives (e.g., “fortified” wine) or distilled spirits (e.g., vodka or whiskey).
- Inhalants with intoxicating properties (e.g., glues, paint thinners, hair spray and other products containing volatile materials and/or propellants).
- An over-the-counter (OTC) product containing an alcohol (e.g., cough syrup).
- Other natural compound with potentially intoxicating properties (e.g., powder alcohol, bath salts, salvia, K2 or “Spice”).

#### **4.3 ARSON:**

This Class IV violation means an unlawful act that involves intentionally starting or attempting to start a fire in a school building or on school property.

Examples:

- Setting or attempting to set fire to school or district property (e.g., lighting books, papers, or trash on fire, tossing an incendiary device containing an accelerant into a room, or detonating an explosive device that produces a subsequent fire).
- Setting or attempting to set fire to personal property (e.g., using a lighter to start a fire inside a parked car).

#### **4.4 ASSAULT or BATTERY:**

This Class IV violation means an unlawful act that causes serious physical injury to another person by other than accidental means. All non-accidental behavior that causes physical injury to another person is intended to be encompassed by the statutory definitions of “assault” [KRS 508.010 through 508.030] or the definition of “Hostile Environment; Physical Aggression” and the definitions shall be read expansively to include all such behavior. NOTE: Victims of assault have the right to self-defense. Victims also have the right to press charges against the person who committed assault.

Examples:

- Inflicting bodily injury upon students or school personnel.
- Deliberately releasing bodily fluids onto another individual (spitting, urinating, etc)
- Injuring a third party while engaged in a fight (e.g., hitting a teacher who is attempting to stop the fight).
- Engaging in bystander battery (i.e., entering a fight as a third party after it has started).
- Retaliating physically for a non-physical conflict.
- Exposing a person to a health risk (e.g., spitting, biting, or exposing another person to bodily fluids).
- Committing an aggravated assault (i.e., an assault using a deadly weapon or dangerous instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, that the victim was a peace officer or a school staff member engaging in a school-related activity).

*NOTE: Acts motivated by race, color, national origin, sex, religion, disability, age, sexual orientation, gender identity, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts may represent serious violations of civil and/or criminal law (see Section 4.02 for harassment/discrimination complaints concerning denial of equal educational opportunities).*

#### **4.5 BURGLARY:**

This Class IV violation means knowingly entering or remaining unlawfully in a building (or vehicle) with the intent to commit a crime [KRS 511.020 to 511.040].

Examples:

- Engaging in burglary to take possession of school or district or personal property (e.g., hiding on campus until late in the afternoon for the purpose of stealing money left in an unlocked file cabinet or forcing open the door of a car left in the parking lot to remove a purse left in the front seat).
- Engaging in burglary to conduct property damage (e.g., entering a utility room during the school day that is "off-limits" to tamper with phone lines or using bolt cutters on a gate over a winter holiday to create extensive graffiti in an outside locker bay).
- Engaging in burglary to commit another crime (e.g., entering a building before school hours to change a grade or shattering a window at night to vandalize the inside of a school).
- Breaking into property belonging to third parties (e.g., disabling the lock on a vending machine and taking the change inside).

#### **4.6 DANGEROUS INSTRUMENT:**

This Class IV violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting or using any instrument, including parts of the human body (when a serious physical injury is a direct result of the use of that part of the human body), article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury [KRS 500.080(3)] (see Section 4.02).

*NOTE: This violation includes possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting or using fireworks (see Section 4.02).*

Examples:

- Ammunition for a firearm (e.g., a bullet, shotgun shell or other round).
- Sporting or recreational equipment without authorization (e.g., a BB gun, Air Soft gun, paintball gun, pellet gun, flare gun, starter gun, slingshot, bow or crossbow).
- Fireworks or other flammable items (e.g., sparklers, "pop bottle" rockets or Black Cats®).
- Combustibles (e.g., road flares or flammable liquids).
- Objects which emit noxious gasses (e.g., tear gas, a smoke bomb or stink bomb).
- Bladed instruments (e.g., a hunting or pocket knife).
- Stun devices (e.g., a Taser®).
- Utility tools (e.g., a razor blade or box cutter).
- "Look-alikes", simulations or facsimiles (e.g., a rubber knife).
- Defensive repellants (e.g., mace, "pepper spray", other a similar chemical spray).
- Office implements (e.g., a letter opener or a pen).

#### **4.7 DEADLY WEAPON:**

This Class IV violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting or using any instrument described in KRS 500.080(4) or elsewhere in state statute (see Section 4.02).

**Deadly Weapon; Look-Alike:** This Class IV violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing or exhibiting any look-alike or facsimile of a deadly weapon as defined above.

Examples:

- Any weapon of mass destruction [KRS 500.080(4)(a)] including, but not limited to, a “destructive device” (i.e., an explosive, incendiary or poison gas bomb, grenade, mine, rocket, missile, or similar device and includes the unassembled components from which such a device can be made) [KRS 237.030(1)] or a “booby trap device” (i.e., a device or substance designed to surreptitiously or covertly take life, endanger life or destroy or damage property) [KRS 237.030(2)].
- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged [KRS 500.080(4)(b)] including, but not limited to, a handgun (i.e., a pistol or revolver originally designed to be fired by the use of a single hand, or any other firearm originally designed to be fired by the use of a single hand) [KRS 237.060(1) and 527.010(5)], a rifle, a shotgun or other firearm [KRS 237.060(2) and 500.010(4) and 527.010(4)].
- Components of these weapons (e.g., a stock, barrel, frame or receiver).
- Certain accessories for these weapons (e.g., a muffler/silencer).
- Any item(s) that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter.
- Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
- Items represented as such weapons (e.g. a concealed object shaped like a gun or referred to as a gun or any object such as a stick or finger concealed under clothing and is being portrayed as a firearm).
- Commercial explosives (e.g., dynamite, blasting caps or chemical oxidizing agents).
- Simulations or facsimiles of such weapons (e.g., toy guns).
- Any knife other than an ordinary pocket knife or hunting knife KRS 500.080(4)(c)].
- Billy, nightstick, or club [KRS 500.080(4)(d)].
- Blackjack or slapjack [KRS 500.080(4)(e)].
- Nunchaku karate sticks [KRS 500.080(4)(f)].

#### **4.8 DRUG POLICY VIOLATION:**

**Drug; Possession or Use of.** This Class IV violation means possessing or using a prohibited substance as defined in district policy (see Section 4.02).

*NOTE: Using a medication prescribed or ordered by a physician or dentist as directed shall not be considered a violation of this policy.*

**Drug; Transfer or Sale.** This Class IV violation means transferring or selling a prohibited substance as defined in district policy (see Section 4.03).

**Drug; Under the Influence.** This Class IV violation means exhibiting noticeable behaviors, physical appearance or odors consistent with use of alcohol, drugs or other intoxicating substances (includes all offenses of intoxication with the exception of driving under the influence).

*NOTE: In Kentucky, this offense equates to alcohol intoxication and/or public intoxication, which occurs when a person appears in a public place manifestly under the influence of a drug, alcohol or intoxicating substance.*

Examples:

- Possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, using, or being under the influence of items such as the following:

○ Any natural or manufactured compound on the United States Drug Enforcement Agency (DEA) schedule of regulated substances or listed in KRS 218A or any other substance that may be added by the Kentucky Cabinet for Families and Children under regulations pursuant to KRS 218A.020 or 217.900(2) that typically affects mood, perception or behavior, either without a legitimate prescription or for which no prescription may legally be written, such as:

- Opiates (e.g., heroin or morphine) and opioids (e.g., oxycontin or codeine).
- Hallucinogens and psychedelics (e.g., Marijuana, LSD, and MDMA or “ecstasy”).
- Depressants (e.g., barbiturates and benzodiazepines).
- Stimulants (e.g., amphetamines, methamphetamines, cocaine and “crack”).
- Anabolic steroids (e.g., dehydroepiandrosterone or DHEA).
- THC Devices (Vapor products containing THC)
- Synthetic Drugs that alter a person's mood and/or perception. (Dap pens, etc)

☐ Representing some other substance (e.g., sugar or oregano) as such a drug. (Bath salts, Spice, etc)

#### **4.9 EXTORTION:**

This Class IV violation means intentionally obtaining property of another by threatening to [KRS 514.080(1)]: 1) Inflict bodily injury on anyone or commit any other criminal offense; 2) Accuse anyone of a criminal offense; 3) Expose any secret tending to subject any person to hatred, contempt, or ridicule, or to impair his credit or business repute; 4) Use wrongfully his position as a public officer or servant or employee by performing some act within or related to his official duties, either expressed or implied, or by refusing or omitting to perform an official duty, either expressed or implied, in a manner affecting some person adversely; 5) Bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act; or 6) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense.

Examples:

- Threatening to hurt another student unless he or she voluntarily gives up a possession.
- Threatening to physically attack a student's girlfriend if he does not give up a possession.
- Threatening to make a false accusation against a teacher unless he or she changes a grade.

#### **4.10 KIDNAPPING OR FALSE IMPRISONMENT:**

This Class IV violation means unlawfully restraining another person with the intent [KRS 509.040(1)]: 1) To hold him or her for ransom or reward; 2) To accomplish or to advance the commission of a felony; 3) To inflict bodily injury or to terrorize the victim or another; 4) To interfere with the performance of a governmental or political function; 5) To use him or her as a shield or hostage; or 6) To deprive the parents or guardian of the custody of a minor, when the person taking the minor is not a person exercising custodial control or supervision of the minor as the term "person exercising custodial control or supervision" is defined in KRS 600.020.

Examples:

- Confining another student off campus until a ransom payment is made.
- Preventing a teacher or student from leaving a room or vehicle by physically restraining him or her.
- Taking another student out of state without the knowledge or consent of his or her parent or guardian.

#### **4.11 ROBBERY:**

This Class IV violation means using or threatening the immediate use of physical force upon another person with the intent to accomplish theft [KRS 515.020 and 030].

Examples:

- Robbing a person using force (e.g., demanding a peer's iPod® and removing it from his pocket upon refusal).



- Robbing a person using a threat (e.g., shoving a peer up against a wall to force a student to or turn over his iPad®).
- Robbing a person using physical assault (e.g., striking a peer several times after he refuses to give up his or her iPad®).
- Robbing a person using a weapon (e.g., using a weapon or “look-alike” to force money from a teacher or student).

#### **4.12 SEXUAL OFFENSE:**

**Assault or Abuse:** This Class IV violation means unlawful conduct as defined in KRS 510: 1) That involves subjecting another person to sexual contact (touching intimate parts) by forcible compulsion; or 2) With a person who is incapable of consent because of his or her age or disabling condition.

Examples:

- Touching or removing clothing covering the intimate body parts of a person; fondling or groping a person’s intimate body parts (e.g., genitalia, groin, breast, or buttocks); rubbing a person with one’s own intimate body parts; forcing another person to touch one’s intimate body parts.
- Forcing another person to engage in a sexual act.

**SEXUAL OFFENSE; Prostitution:** This Class IV violation means engaging in or agreeing to offer to exchange in sexual conduct with another person in return for a fee [KRS 529.020].

Examples:

- Engaging in sexual activity at school, on the way to or from school, or at a school-sponsored activity.

#### **4.13 TERRORISTIC THREAT:**

This Class IV violation means [KRS 508.080(1)]: 1) Intentionally making false statements about placing a weapon of mass destruction on the real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education, a school bus or other vehicle owned, operated, or leased by a school, or the real property or any building public or private that is the site of an official school sanctioned function, or the real property or any building owned or leased by a government agency [KRS 578.075(1)(a)]; 2). Intentionally and without lawful authority, placing a counterfeit weapon of mass destruction at any location or on any object specified in KRS 508.078(1)(a) [KRS 578.075(1)(b)]; 3). Intentionally, with respect to a school function, threatening to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to his or her employment by a school, or work or attendance at school, or a school function [KRS 508.078(1)(a)]; 4). Intentionally making false statements about placing a weapon of mass destruction at any location other than one specified in KRS 508.075 [KRS 508.078(1)(b)]; 5). Intentionally, without lawful authority, placing a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075 [KRS 508.078(1)(c)]; 6). Threatening to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person [KRS 508.080(1)(a)]; or 7). Intentionally making false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation [KRS 508.080(1)(b)].

*NOTE: A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur [KRS 508.078(1)(a)].*

Examples:

- Delivering a written terroristic threat (e.g., a letter/hand-written note/email containing a death or bodily harm threat).
- Creating a terroristic threat involving arson (e.g., a blog entry indicating that arson will occur.)
- Creating terroristic threat involving a bomb (e.g., the placement of an actual or “look-alike” explosive, incendiary, letter, straight, concealed, or time delayed device along with a note accompanying that threatens detonation).

- Creating a similar threat (e.g., any other act that threatens large scale violence to students, staff, or the interests of the school or district accompanied or unaccompanied by verbal, written, or symbolic communication indicating that an action is imminent or in progress).

#### **4.02 Related Notices: Law Violations**

##### **CRIMINAL VIOLATIONS**

Students may be charged with criminal violations in addition to violations of this code. Prosecution and court proceedings of criminal violations shall be outside the authority of this code and may proceed simultaneously with school sanctions for the same violations.

School or board employees who know or have reasonable cause to believe that a student has been the victim of a felony criminal violation under KRS Chapter 508 (assault, menacing, wanton endangerment, terroristic threatening, or stalking) committed by another student while on school property, on school- sponsored transportation or at a school sponsored event are required to make an immediate report (oral or in writing) to the principal of the school attended by the victim.

The principal shall notify the parents, legal guardians, or others exercising custodial control over the student, the school director and the Dawson Springs Department of Law Enforcement. Within 48 (forty-eight) hours, the principal shall follow the original report with a written report containing the name and address of the student believed to be a victim of the crime and the name and address of his/her parents, the student's age, the nature of the incident and the name and address of the student believed to be responsible for the criminal violation.

To the extent practicable, the school and board employees should take steps to protect the identity of the complainant while reporting, investigating or disciplining a student for violation of the code.

In addition to the above, the school principal shall proceed with appropriate disciplinary actions consistent with the provisions of this code.

##### **OFFENSES AGAINST SCHOOL DISTRICT PERSONNEL**

No student shall assault, threaten to assault, or physically or verbally abuse school district personnel or steal or willfully or wantonly deface, destroy, or damage the personal property of school personnel on school property, off school property, or at school-sponsored activities [KRS 158.150(1)(b), 161.190 and 508.025].

##### **THREATS OF VIOLENCE, ASSAULT AND TERRORISTIC THREATENING**

The Dawson Springs Board of Education has adopted policies to protect students, teachers and other school personnel from being subjected to assaultive or threatening behavior from students. Any student who threatens, assaults, batters or abuses another student/school board employee shall be subject to appropriate disciplinary action, which may include suspension or expulsion from school, and/or legal action.

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

- Verbal or written statements or gestures by students indicating intent to harm themselves, others or property (including creating a "hit list").
- Physical attack by students so as to intentionally inflict harm to themselves, others or property.
- The act of threatening force or violence on another person.

- Making, or being involved in making, a threat that a bomb or chemical, biological or nuclear weapon has been placed in or is about to explode in a school building, on school grounds, in a school bus, at a bus stop or at any school-sponsored activity.

When a student is believed to have made a threat of harm towards another student, a teacher or other school personnel, the school or district shall take appropriate steps to investigate the alleged incident and take appropriate disciplinary and/or legal action. Procedures for investigating and responding to potential threats of harm may include, but are not limited to:

- Removal of the student from the classroom setting and/or from the district's transportation system pending further investigation or disciplinary action.
- Investigation of the alleged incident by the principal or his/her designee.
- Referral for threat assessment as detailed in the WCPS threat assessment protocol. The threat assessment may include the student and others being interviewed by the school psychologist, school counselor, or other qualified school personnel, and/or district personnel as needed.
- Notification of, and possible further investigation by, Law Enforcement.
- Notification of parents and others as required by state law and this Code.
- Risk Assessment Protocol

### **DEADLY WEAPONS AND DANGEROUS INSTRUMENTS**

Because of the differences in maturity of elementary students, elementary principals may enforce deadly weapon and dangerous instrument policies in a less restrictive manner than is outlined herein; otherwise, students engaged in the following offenses shall be recommended for expulsion:

- **Firearm/Explosive Device:** In compliance with the Gun-Free Schools Act, for the purpose of this section, firearm/explosive device is defined as follows:
  - Any weapon that will or is designed to or may be readily converted to expel a projectile by the action of an explosive.
  - The frame or receiver of any weapon described above.
  - Any firearm muffler or firearm silencer.
  - Any explosive, incendiary, or poison gas:
    - Bomb.
    - Grenade.
    - Rocket having a propellant charge of more than four ounces.
    - Missile having an explosive or incendiary charge of more than one-quarter ounce.
    - Mine or similar device
  - Any weapon that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2" (one-half inch) in diameter.
  - Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Students who bring a firearm/explosive device onto school property or to a school activity shall be suspended from school for 10 (ten) days and the superintendent shall report the incident to the board for expulsion for a minimum of 1 (one) calendar year (365 days). The board may modify these recommendations on a case-by-case basis.

The principal shall report any incident, including those involving elementary students, to the superintendent. The superintendent's designee shall determine whether the student or students involved have identified disabilities. Students without such disabilities shall be referred to the board for an expulsion hearing. Cases concerning students with disabilities shall be reviewed by the appropriate Admissions and Release Committee (ARC) and

determined on a case-by-case basis according to law. Additionally, the principal shall file a complaint/offense report with Law Enforcement for each such incident.

- **Deadly Weapon (Other than Firearm/Explosive Device):** In consideration for the safety of all students and staff, possession of a deadly weapon is considered a serious offense. Any middle or high school student in possession of such a weapon shall be suspended from school for 10 (ten) days per incident.

The principal shall report any incident, including those involving elementary students, to the superintendent. The superintendent's designee shall determine whether the student or students involved have identified disabilities. Students without such disabilities shall be referred to the board for an expulsion hearing. Cases concerning students with disabilities shall be reviewed by the appropriate Admissions and Release Committee (ARC) and determined on a case-by-case basis according to law. Additionally, the principal shall file a complaint/offense report with Law Enforcement for each such incident.

- **Dangerous Instrument:** Any student in possession of a dangerous instrument which includes an ordinary pocket knife, may be suspended from school for up to 10 (ten) days per incident and may be recommended for expulsion.
- **NOTE:** *In addition to the disciplinary consequences outlined above, students may be subject to criminal prosecution for being in possession of deadly weapons or dangerous instruments on school property or on a school sponsored field trip, whether openly displayed or concealed per KRS 527.070.*

## **HARASSMENT/DISCRIMINATION**

The Dawson Springs Board of Education has adopted policies prohibiting harassment and denial of equal educational opportunities for students. No discrimination is allowed on the basis of race, color, national origin, sex, religion, disability, age, sexual orientation or gender identity.

### **Prohibited Conduct:**

Conduct and/or actions prohibited under this policy include but are not limited to:

- Name calling, stories, jokes, pictures, or objects that are offensive to one's race, color, national origin, sex, religion, disability, age, sexual orientation or gender identity.
- Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
- Members of one gender being subjected to sexual remarks of the other gender in the context of the classroom;
- Impeding the progress of a student by questioning the student's ability to do the required work based on the aforementioned categories.
- Limiting student access to educational tools, such as computers, based on the aforementioned categories.
- Teasing about a student's subject choice or assignment based on any of the aforementioned categories.

When a student or parent believes the student has been harassed or discriminated against, a complaint may be filed using Dawson Springs Board of Education Harassment/Discrimination Complaint Procedure. A copy is available in the principal's office of each school, in the school directors' offices, or at [www.dawsonsprings.kyschools.us](http://www.dawsonsprings.kyschools.us)

## **BULLYING**

Bullying refers to intentional, repeated hurtful acts, words, or other behaviors that involve an imbalance of power. These may include, but are not limited to, name calling, teasing, threatening, social exclusion, and cyber bullying. Cyberbullying refers to the use of Information and Communications Technology (ICT), particularly mobile phones

and the Internet, deliberately to upset someone else. Cyberbullying is a sub- set or method of bullying. Cyberbullying can include a wide range of unacceptable behaviors, including harassment, threats and insults, and like face-to-face bullying, cyber-bullying is designed to cause distress and harm. Bullying may be physical, verbal, emotional, or sexual in nature.

In addition to bullying, students shall not engage in behaviors such as hazing, menacing, taunting, verbal or physical abuse of others, including staff, or other behavior that disrupts a student's access to an education or is harmful to his/her well-being. 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. However, students who violate this policy shall be subject to appropriate disciplinary action. Any student who feels that he or she has been the victim of bullying/hazing or any other violation of this code should immediately report the incident to any teacher, counselor or administrator in the student's school. Allegations of harassment or discrimination shall be managed in accordance with Dawson Springs Board of Education policies.

### **ALCOHOL, DRUGS, SYNTHETIC DRUGS & INTOXICATING SUBSTANCES**

No student shall possess, use, be under the influence of, sell, or transfer alcoholic beverages, narcotics, drugs, counterfeit drugs, look-alike drugs, or other intoxicating substances, nor possess, sell, or transfer drug paraphernalia on school property, en route to or from school, or at any location of a school- sponsored activity. **Because of the differences in maturity of elementary students, elementary principals may enforce drug, alcohol, intoxicating substance policies in a less restrictive manner than is outlined in this section.**

**Drugs Defined:** Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance that may be added by the Kentucky Cabinet for Families and Children under regulations pursuant to KRS 218A.020 or KRS 217.900(2). Drugs shall also refer to any intoxicating substance, including synthetic drugs or other substances however taken or used, including by inhaling, ingesting, and/or injecting. Drugs shall also refer to any prohibited volatile substance as defined in KRS 217.900 used or intended for an abusive or intoxicating purpose. **Use of medications prescribed or ordered by a physician or dentist as directed by the physician or dentist shall not be considered a violation of this policy.**

### **POSSESSION, USE OR UNDER THE INFLUENCE:**

**First Offense:** A first offense for possession, use, or being under the influence of drugs/drug paraphernalia, alcohol or an intoxicating substance shall result in a 10 (ten) day suspension and a referral for expulsion or alternative placement to the superintendent from the principal/disciplinary committee. Five (5) days of this suspension shall be postponed and not enforced for the remainder of the school year, if the family, at its expense:

- o Seeks or consents to referral for evaluation of the student's alcohol or drug usage from a qualified chemical dependency counselor acceptable to the school district, and the student completes or shows a good faith effort to complete any and all treatment as recommended in the evaluation.
- o Written confirmation by the provider of the completed evaluation or evaluation appointment is required when returning to school; **and**
- o Agrees to meet other specified conditions as required by the school following the evaluation. Failure to complete the conditions shall result in the reinstatement of the postponed 5 (five) days of suspension. Recommended evaluation shall be completed within 10 (ten) calendar days of the first day of suspension. The days a student is in treatment for chemical dependency at recognized facilities shall be excused absences.

- o Clean submitted test completed within the 10 (ten) calendar days will result in the 5 (five) suspension days being counted as excused days.

**Second Offense - Possession, Use, or Under the Influence:** A second offense for possession, use, or being under the influence of drugs/drug paraphernalia, alcohol or an intoxicating substance shall result in an immediate 10 (ten) day suspension and a referral for expulsion or alternative placement to the superintendent from the principal/disciplinary committee. In addition, the family, at its expense should:

- o Seek or consent to referral for evaluation of the student's alcohol or drug use from a qualified chemical dependency counselor acceptable to the school district, and completes or shows a good faith effort to complete any and all treatment as recommended in the evaluation; **and**
- o Written confirmation by the provider of the evaluation or evaluation appointment when returning to school; **and**
- o Agrees to meet other specified conditions as required by the school following the evaluation.
- o Clean submitted test completed within the 10 (ten) calendar days will result in the 5 (five) suspension days being counted as excused days.

**NOTE:** *Subsequent offenses are not required to occur during a single school year, but are cumulative throughout enrollment in the district*

**SALE OR TRANSFER:**

The sale or transfer of, or the intent to sell or transfer, alcoholic beverages, narcotics, drugs, counterfeit drugs, look-alike drugs, or other intoxicating substances shall result in an immediate suspension of 10 (ten) days and a referral for expulsion to the superintendent from the principal. Suspension days may be waived upon placement in an alternative education program and approval by principal.

Parents and students are encouraged to participate in education sessions specific to the offense, at the parents' expense. For information about specific education sessions, contact the school.

**4.03 Related Notices: Policy Violations**

**PERSONAL ELECTRONIC DEVICES OR LASER POINTER DEVICES**

Personal electronic devices may be used by students during the school day with teacher permission, for instructional purposes. Sharing data between students via cable, peer-to-peer networking or infra-red during a classroom activity is permitted only with teacher approval. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Exceptions to this policy may be made by the principal on a case-by-case basis.

**Bring Your Own Device/Digital Driver's License**

Since DSIS will have Wi-Fi access, students will have to complete an online course where they learn how to be a good digital citizen and earn their DDL or Digital Driver's License. The DDL is required to access the Wi-Fi on campus. Any student may begin the process of completing the course by contacting the technology department for updated technology instruction.

The principal or his/her designee may confiscate the devices, including any SIM card. The following consequences may be used as a guide for violations of this policy:

1 Violation: Teacher will confiscate electronic device. After the teacher confiscates the device, the student will be able to pick up the device from the front office at the end of the day.

2 Violation: Parents/Guardians will be contacted by the administrative staff. Device will be returned to Parents/Guardians at the end of the school day.

3 Violation: Parents/Guardians will be contacted by the administrative staff. Electronic devices will be confiscated and released to Parents/guardians after three (3) days.

4th Offense - Consequences for insubordination. Student will be required to turn electronic device into front office each day.

Failure to turn device over when requested shall be considered failure to follow staff instructions and subject to disciplinary consequences.

At no time shall a student have possession of a laser pointer device while on school property, school bus, or while attending a school-sponsored or school-related activity.

### **DISPENSING OF MEDICATION BY SCHOOL PERSONNEL**

No student shall share any prescription, over-the-counter medication, or any supplement with another student. The principal shall confiscate the substance and contact the student's parent. The substance shall be given to the appropriate authorities.

School personnel selected by the principal shall dispense medication to students only if the medication has been prescribed or ordered by a physician, dentist, or Advanced Practice Registered Nurse (APRN). Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

**Parent Permission:** Students may take medicine brought from home with written parental request, provided the following conditions are met.

- Medication shall be brought to school in the original prescription container, which includes the physician's, dentist's, or APRNs directions for dispensing, or in the original over-the-counter medicine container with the written orders of the physician, dentist, or APRN attached.
- Information listed on the container shall include the student's name and the name and prescribed dosage of the medicine.

**Storage:** All medications dispensed to students by authorized school personnel shall be kept in the school in a safe, secure place designated by the principal. In addition, authorized school personnel shall document on approved forms the dispensing of medications to students.

In certain situations, a written health care provider's authorization shall allow a student to responsibly carry self-administered medication (e.g. Epi-pen or asthma inhaler). (KRS 158.834 and KRS 158.836)

### **TOBACCO FREE SCHOOLS**

Based on a concern for the health of students and staff required to attend and work in the Dawson Springs Independent School District, the Dawson Springs Board of Education has adopted a tobacco-free policy which

includes any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305.. That policy prohibits the use of all tobacco products in buildings, on grounds, or on field trips. Tobacco products may not be used in any school building or on any school grounds at any time. The Student Code of Conduct is designed to enforce this policy (See Section 5.03).

### **BUS RULES AND VIOLATIONS**

The privilege of riding a school bus is extended to students who qualify according to the policies of the Dawson Springs Board of Education. Students found to be in violation of these rules may be subject to disciplinary action, including, but not limited to, suspension of bus riding privileges on either a temporary or a permanent basis.

As a student, you are expected to:

#### **At the Bus Stop:**

- Arrive at the assigned bus stop 5 (five) minutes before bus time. The driver is not permitted to wait for students.
- Keep all articles off the roadway and remain clear of traffic.
- Refrain from damaging personal property.
- Refrain from making excessive noise that might disturb surrounding residents.
- Wait until the bus stops and then walk to the bus door in orderly fashion.
- Wait on your side of the road until the bus arrives and the driver signals you to cross, if you live on the other side of the road.
- Use only the stop nearest your residence to get on the bus, unless prior written permission is obtained from your principal and provided to the bus driver.

#### **On the Bus:**

- Sit in the seat assigned by the bus driver if he or she assigns seats.
- Share seats as directed by the driver.
- Avoid creating any unsafe condition which, if permitted to continue, could result in injury to you or others, such as:
  - Failing to carry out instructions from the driver.
  - Failing to remain properly seated.
  - Making excessive noise (as determined by the bus driver).
  - Placing any item or object (e.g., a backpack) in the aisle where it could hamper evacuation in case of emergency.
  - Throwing items inside or out of the bus.
  - Extending any portion or your body outside of the bus when the bus is in motion.
  - Engaging in horseplay or fighting.
  - Exiting the bus improperly.
  - Damaging any part of the bus.

*NOTE: Whenever the bus driver determines the existence of an unsafe condition, the driver will take what is determined to be reasonable action under the circumstances to address the condition. This may include, but is not limited to: 1) Stopping the bus if the driver determines a rider's conduct makes it unsafe for the bus to continue on its route; 2) Requesting assistance from the transportation division whenever the unsafe condition is beyond the capability of the driver to correct; or 3) Requesting removal of any student(s) responsible for the unsafe condition.*

- Refrain from eating or drinking on the bus.
- Avoid bringing or use tobacco products on the bus (this includes bus drivers).
- Avoid bringing the following prohibited items onto the bus:



- o Weapons, explosives or any dangerous articles.
  - o Drugs, drug paraphernalia or alcohol.
  - o Animals of any kind.
  - o Other items that might frighten other riders or distract the driver.
- Refrain from using profanity, obscene gestures or any language or action that might embarrass, intimidate or harass another student.

**Getting Off the Bus:**

- Leave the bus only at your designated bus stop, unless prior written permission is obtained from your principal and provided to the bus driver.
- Go to a point approximately 10 (ten) feet ahead of the bus and wait for the driver to signal you before crossing the road if you live on the opposite side of the road from the bus stop.
- Avoid crossing to the rear of a stopped school bus.

**Bus Notes:**

Students must possess a bus note anytime they are riding on a non-assigned bus from school to home. The bus note must be signed and dated by the school administrator or their designee. The note must contain the following:

- Student name
- Address
- Phone Number
- Student's date of birth
- Name of the person receiving the student at the drop off

**Driving:**

- Come to a full stop when required any time that a bus is in the vicinity.

*NOTE: All traffic must stop for the purpose of loading or unloading students. School buses stopped for the purpose of loading and unloading students will have their side "stop arms" activated and lights will be flashing. It is not permissible, even on school property, to pass a school bus while it is loading or unloading students. An exception is when the bus is on a multi-lane highway, traffic going in the opposite direction does not have to stop. School bus drivers are encouraged to file complaints with the local police department whenever the stop arm is violated. Convictions for stop arm violations normally result in an assessment of six points on the driver's license, along with a fine and court costs.*

**Bus Evacuations:**

- Avoid using the rear emergency exit except upon direction of the driver or other competent authority.
- Avoid using a window to exit the bus.
- Participate in evacuation drills as directed by the bus driver or other school personnel.

*NOTE: Evacuation drills will be conducted 4 (four) times each year. Each drill will consist of an orderly use of the available exits on the bus and is designed to familiarize students with the proper safety procedures to be followed in case of emergency.*

**Bus Disturbances:**

Students are required to behave responsibly on school buses to permit the driver to drive safely without distraction. Students are required to comply with rules posted on the school buses. The school bus drivers and monitors have direct supervision over the student riders. Misconduct reports covering unacceptable student

behavior shall be made by the driver or monitor to the principal. Unacceptable behavior may include, but is not limited to, violation of bus riding rules posted in the bus and student conduct at bus stops

The school bus driver or monitor, upon observing a rule violation, will first instruct the student to correct the behavior. If the behavior is not corrected, the driver or monitor may request immediate removal of the student from the bus. Students removed from the bus in this manner may be transported by another bus to the transportation terminal. The parent/guardian is notified to pick up the student and a misconduct report is prepared by the driver and provided to the principal.

\*Riding the school bus is a privilege, if students cannot behave on the bus, they will be removed from the bus.

*NOTE: The application of the code to matters of student behavior is not limited to times when the student is in route to or from school, but extends to any activity that is school related or school sponsored, either on or off the school campus. The code also applies to behavior occurring off school grounds that affects the safety and wellbeing of students or staff and directly affects the school's ability to ensure a safe learning environment for all students.*

### **CLOSED CAMPUS**

Students shall remain on the school campus at which they are enrolled and in assigned areas from the time they arrive until the close of the school day. Permission for a student to leave the school campus may be given only by the principal or his/her designee. Students may be present during school hours on a school campus at which they are not enrolled only with permission from that school's principal. Student parking permits may be revoked for violation of the closed campus policy.

### **EXCUSED ABSENCE FROM SCHOOL**

All students are expected to attend school regularly. Students who are absent from school are required to have a legitimate excuse. Within 3 (three) days of a student's return to school after an absence, he/she shall present a written note signed by his/her parent/guardian or medical professional to the designated school personnel. The note should include:

- The current date;
- The student's (printed) first and last name;
- The date(s) of the absence(s) (not just the days of the week);
- The reason for the absence(s); and
- The parent/guardian written signature (a parent /guardian may submit via email or Parent Square App, a picture or scanned attachment of their signed parent note).
- The parent/guardian must submit the original medical excuse (a copy may be requested for the parent/guardians records). Faxed medical excuses from the medical/professional will be accepted and parents are responsible for checking with school for receipt of excuse.

If a signed note is not received within 3 (three) days, the absence shall be deemed unexcused.

The same note requirements apply to students who arrive late or who leave school early.

If a student is sent home for illness by the school, the student will be excused for that day, however, if the student is absent for additional days a parent note or medical note is required.

If a child has a chronic illness, the parent/guardian may request additional parent notes by contacting the attendance office at your child's school or Director of Pupil Personnel.

An “absence event” is defined as:

- A tardy (less or equal to 35% of the school day); or
- An absence (half-day is 36% to 84% of the school day or full day is greater or equal to 85% of the school day).

**Permissible excuses with parent note are:**

- Death in the student’s immediate family: This includes parents/guardians, step-parents, grandparents, step-grandparents, siblings, step-siblings and other members of the student’s household (documentation required by parent or guardian).
- Illness of the student: **Parents have a total of 6 (six) parent notes to write for student illness.** After a total of 6 (six) cumulative absences due to illness, students are required to present a written statement from a medical professional (doctor, dentist, psychologist, etc.) for each additional absence for the school year in order to be excused. *One day absent equals one parent note.*
- Tardies due to illness: **Parents have a total of 6 (six) parent notes to write for student tardiness due to illness.** After a total of 6 (six) cumulative tardies due to illness, students are required to present a written statement from a medical professional (doctor, dentist, psychologist, etc.) for each additional tardy for the school year in order to be excused.
- Religious holidays and practices: Documentation by parent or guardian is required.
- Medical and dental appointments (times and dates shall be verified by the physician’s or dentist’s original signed statement faxed or scanned directly from physician’s or dentist’s office). Students will be excused only for the length of time of a scheduled doctor’s appointment and a reasonable amount of travel time.
- Physician’s or dentist’s excuses shall state the date(s) and/or number of days for which the student will be excused.
- Family emergencies requiring immediate attention are limited to 3 (three) absent events per school year, as approved by the principal.
- Two (2) visits to colleges or universities are restricted to seniors. Documentation from the college/university visited will be required.
- One (1) day for attendance at the Kentucky State Fair [KRS 158.070(6)]
- Court appearance requiring the student’s attendance: Students will be excused for only the length of time of the scheduled court appearance, including travel time to and from court.
- Documented military leave: Students are granted excused absences for up to 10 days to visit a parent or legal guardian serving in the U.S. military and stationed out of the country who is on leave.
- One (1) day prior to and day of departure of parent/guardian called to active military duty.
- Day of and 1 (one) day upon the return of parent/guardian from active military duty.
- Up to 2 (two) days for student athletic competition in a regional or state tournament on regular scheduled school day [KRS 158.070(7)].
- Educational Enhancement Opportunity (EHO) [KRS 159.035 (2)]: Up to 10 (ten) school days to pursue an educational enhancement opportunity determined by the principal and or designee to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts. An application form obtained from the school must be completed and returned to the principal at least 5 (five) days prior to the absence. The principal and or designee will review application to assure they meet the curriculum requirements. The parent will be notified of the decision. Unless the principal and or designee determines there are extenuating circumstances, requests for dates falling within state or district testing periods shall not be granted.
- Other valid reasons as determined by the principal.

**UNEXCUSED ABSENCE FROM SCHOOL AND MAKE-UP WORK**

All absences except those with permissible excuses are unexcused absences. For students with unexcused absences, make-up work may be permitted if the principal (after consultation with the teacher) approves the make-up work. For students with unexcused absences due to suspension, work shall not be accepted.

## **TRUANCY AND HABITUAL TRUANCY**

Any public school student, who has not reached his or her 21st (twenty-first) birthday and who has been absent from school without a valid excuse for 3 (three) or more days or tardy to school without a valid excuse on 3 (three) or more days, is considered truant. A student who has been reported truant 2 (two) or more times is considered habitually truant (6 or more unexcused events).

School personnel shall follow these procedures regarding truancy and habitually truant students:

### **Absences:**

- When a student is absent a parent/guardian may receive a text, phone call or email from the electronic attendance messenger.
- When a student is determined to have 3 (three) unexcused absences, schools are encouraged to contact parents/guardians informing them of current school district policy concerning attendance.
- When a student is determined to have 3 (three) unexcused absences, a letter shall be sent from the school informing the parent/guardian of the absences and the consequences of the accumulated unexcused absences.
- When a student is determined to have 6 (six) unexcused absences, a letter shall be sent from the school informing the parent/guardian of the absences and the consequences of the accumulated unexcused absences.
- When a student is determined to have 6 (six) or more unexcused absences, the DSIS Pupil Personnel Office shall send a final notice to the parent/guardian informing him/her of the possible legal consequences of the accumulated unexcused absence events.
- A truancy referral may be sent from the school to the DSIS Pupil Personnel Office when a student has become habitually truant and the school has documentation detailing the interventions to resolve the attendance issue.

### **Truancy Diversion Program**

The Truancy Diversion Team may consist of the DPP, CDW, Principal/Assistant Principal, Counselor, and Teacher(s). The purpose of the Truancy Diversion Program is to identify students who are at risk of being referred to Family Court or District Court for truancy charges. These are students who have missed the allotted number of days and who are at risk of court involvement. This program is designed to help students, with the assistance of their families, develop good attendance habits which enhance their potential for success in school.

### **Home/Hospital Instruction:**

Students who anticipate absence for at least five consecutive school days for medical purpose may apply for Home/Hospital to help minimize learning disruptions caused by lengthy school absence. **Please note to applicant that this type of instruction is not a tutoring service nor designed to take the place of a more appropriate school placement.**

- Purpose: Home/Hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or other physical, health or mental conditions.
- **An application for mental health reasons may be considered if completed by a licensed psychologist or psychiatrist.**

- Pursuant to 704 KAR 7:120, the condition of pregnancy is not to be considered physical or health impairment in and of itself, and the nature and extent of any complication shall be delineated prior to consideration of home/hospital instruction for this condition.
- Pursuant to KRS 159.030, Section (2), before granting an exemption under paragraph (d) of subsection (1) of this section, the board of education shall require satisfactory evidence, in the form of a signed statement of a licensed physician, advanced nurse practitioner, psychologist or psychiatrist, chiropractor or public health officer, that the condition of the child prevents or renders inadvisable attendance at school or application to study. Any child who is excused from school attendance more than six (6) months must have two (2) signed statements from two different local health personnel.
- **If student is unable to attend school while application is being processed, then it is the parent(s)/legal guardian(s) responsibility to follow school attendance procedures and request work from classroom teachers until a home instruction placement decision has been reached.**

### **Applications for Home/Hospital**

Applications may be picked up in the office of the Director of Pupil Personnel located at the Dawson Springs Board of Education.

### **TARDINESS TO SCHOOL**

A student is considered tardy if he or she arrives after the designated start time or leaves before the end of the instructional day. Students must be checked in or out of school by a parent, guardian or authorized adult. Late arrivals or early dismissals will be counted as an absence or tardy according to the arrival/departure time.

An “absent event” is defined as:

- A tardy (less or equal to 35% of the school day); or
- An absence (half-day is 36% to 84% of the school day or full day is greater or equal to 85% of the school day).

Parents have a total of 6 (six) parent notes to write for student tardies to school related to illness. After a total of 6 (six) tardies due to illness, students are required to present a written statement from a medical professional (doctor, dentist, psychologist, etc.) for each additional tardy for the school year in order to be excused.

The reasons for determining whether tardiness to school is excused or unexcused are identical to that for excused and unexcused absences.

### **Tardies:**

- When a student is tardy a parent/guardian may receive a text, phone call or email from the electronic attendance messenger.
- When a student is determined to have 6 (six) unexcused tardies, schools are encouraged to contact parents/guardians informing them of current school district policy concerning attendance.
- When a student is determined to have 6 (six) unexcused tardies, a letter shall be sent from the school informing the parent/guardian of the tardies and the consequences of the accumulated unexcused tardies.
- When a student is determined to have 9 (nine) unexcused tardies, a letter shall be sent from the school informing the parent/guardian of the tardies and the consequences of the accumulated unexcused tardies.

- When a student is determined to have 12 (twelve) unexcused tardies, the school or DSIS Pupil Personnel Office shall send a final notice to the parent/guardian informing him/her of the possible legal consequences of the accumulated unexcused tardies.
- A truancy referral may be sent from the school to the DSIS Pupil Personnel Office when a student has become habitually truant and the school has documentation detailing the interventions taken to resolve the attendance issue.

#### **Truancy Referrals:**

- After parents are mailed or delivered the final notice and the unexcused events continue to accumulate or students are identified as being truant/habitually truant, the Pupil Personnel Office and or school personnel may conduct a home visit or document an inability to do so. If attendance does not improve, the school or Pupil Personnel Office may proceed under KRS 159.180 or 922 KAR 1:330 to seek legal recourse for the resolution of the problem.

#### **Students 18 (eighteen) or Older:**

- A student who has attained the age of 18 (eighteen), but who has not reached his or her 21<sup>st</sup> birthday may be held accountable if the student fails to comply with school truancy laws.
- A parent, guardian, or custodian of a student who has not reached his or her 18th birthday may be held accountable if the student fails to comply with school truancy laws.
- A court-appointed guardian of a student, who has not reached his or her 21st birthday may be held accountable if the student fails to comply with school truancy laws.

#### **Penalties for Failure to Comply with Truancy Laws:**

- **Criminal Complaint:** Any parent, guardian, or custodian who intentionally fails to comply with school truancy laws shall be fined \$100 (one hundred dollars) for the first offense and \$250 (two hundred- fifty dollars) the second offense. Each subsequent offense shall be a Class B misdemeanor.
- **Juvenile Petition** (KRS 610.010): Actions can be brought against any student who fails to attend school and becomes truant.
- **Educational Neglect:** An Educational Neglect Report may be filed with the Cabinet for Families and Children.

## **5.0 BEHAVIOR MANAGEMENT OPTIONS**

### **5.01 Resolutions: Response to Behavior Violations**

**Resolutions:** Strategies for Teaching and Supporting Positive Behavior

**STUDENT-STAFF BEHAVIORAL CONFERENCE:** A conversation between the student and teacher and/or administrator to ensure the student knows and understands the rules or expectations of the setting in which he/she experienced a problem, as well as the potential consequences of violating the rules or expectations.

**BEHAVIORAL INSTRUCTION:** Teaching the skills necessary for the student to be successful in the setting in which he/she experienced a problem. This instruction may be provided individually or in small group settings.

**BEHAVIORAL CONTRACT:** A voluntary, written agreement about how an individual will behave. The agreement outlines in detail the expectations of the student, the teacher, and sometimes the parents. All parties have input into the agreement. Behavioral contracts typically include targeted behaviors, reinforcers to be used for successful compliance and consequences for not adhering to the agreement. The contract provides students with structure and self-management.

**BEHAVIOR INTERVENTION PLAN:** A systematic plan of action focused on reducing specific problem behaviors and increasing positive behaviors. Behavior intervention plans typically include targeted behaviors, goals, environmental supports, description of interventions/staff responses, positive feedback, and procedures for monitoring and evaluating the success of the plan.

**SCHOOL-BASED MENTORING:** Structured plans for forming peer-to-peer or adult-to-student relationships to positively influence students' lives and success in school.

**REFERRAL TO SCHOOL SERVICES: School Counselors, Social Workers, and Family Resource and Youth Service Center (FRYSC) Coordinators:** School-based staff that work with students and their families to identify and address physical, emotional, or educational needs or situations that might interfere with student learning and success in school and in life.

**REFERRAL TO SCHOOL-BASED INTERVENTION TEAM/ SCHOOL PROBLEM - SOLVING TEAM:** A school team that uses a positive, problem-solving intervention process to explore possibilities and strategies that will best meet the educational needs of students. The team typically includes administrators, teachers, support personnel, and specialists, along with the parent, and sometimes the student.

**REFERRAL TO MENTAL HEALTH AND OTHER AGENCIES/SERVICES:** Community service providers that specialize in the treatment of children and adolescents with health, behavioral and emotional needs.

**RESTORATION/RESTITUTION:** A problem-solving approach that focuses on repairing harm that has been done to people, property, and relationships. This might include voluntarily replacing/restoring damaged or stolen property, participating in mediation or school/community service work.

**Resolutions:** Traditional Consequences

**CLASSROOM DISCIPLINE:** This resolution refers to consequences such as removal of privileges provided by the classroom teacher before an office discipline referral is made. However, classroom discipline may also be applied as a response to an office discipline referral when deemed appropriate by the administrator.

**IN- SCHOOL DISCIPLINE (PRINCIPAL- IMPOSED):** This resolution means the administrator will choose a consequence other than those listed below which may include, but is not limited to, changing the student's schedule, removing a school privilege, or assigning the student to after school detention. The administrator will consider the age and development of the child as well as disability status and any other circumstance that may have influenced the behavior before deciding on the response to the violation. Students should be provided with instruction and support strategies before or in combination with traditional consequences.

**DETENTION:** This resolution means requiring a student to report to a location for a designated period of time. Students are supervised by staff and are required to complete written assignments during this time.

**IN-SCHOOL ALTERNATIVE PLACEMENT, IN-SCHOOL SUSPENSION:** This resolution means any temporary removal of a student from the student's normal educational environment during instructional time.

**ALTERNATIVE PLACEMENT RECOMMENDATION: Alternative Education Program:** This resolution means referral to a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience [KRS 160.380(1)(a)].

**OUT-OF-SCHOOL SUSPENSION:** This resolution means the temporary removal of the student from all classes of instruction on public school grounds and all other school-sponsored activities, for a period not to exceed 10 (ten) school days cumulatively per incident

**EXPULSION RECOMMENDATION:**

- **Expulsion; Receiving Services:** This resolution means removal of a student from his/her school and placement in an alternative setting where educational services are continued.
- **Expulsion, Not Receiving Services:** This resolution means removal of the right and obligation of a student to attend public school, under conditions set by the board, for a period not to exceed the remainder of the term or school year and one additional year of attendance.

**5.02 Related Notices**

***In-School Suspension ROOM***

Included among an administrator's disciplinary actions is referral to the In-School Suspension room. As an alternative to suspension, referral to I.S.S. room is the most serious in-school disciplinary consequence. It is a short-term removal of a student from the regular school schedule.

Students in I.S.S. are supervised at all times and are required to complete written work or projects related to their classes and/or their behavior. Additionally, the ISS teacher or other staff and student shall discuss the behavior that caused the referral and the necessary interventions that will take place to correct the behavior.

***CORPORAL PUNISHMENT***

Corporal punishment is defined as the deliberate infliction of physical pain on a student by any means but does not include spontaneous physical contact which is intended to protect the child or others from immediate danger. This practice is prohibited within the Dawson Springs Independent School District.

***PARTICIPATION REQUIREMENTS FOR ATHLETIC ACTIVITIES***

Representing a school within the Dawson Springs Independent School District in an extracurricular activity is a privilege that demands that all participants conduct themselves in a manner that brings credit to themselves, the school, and the district. (See also Dawson Springs Athletic Handbook for additional information.)

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics and clubs. Note that the district may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

**Academic Requirements.** Unless a school's SBDM council adopts a different policy concerning academic requirements, the following shall apply:



- o Students in grades 5 (five) through 12 (twelve) will be eligible to participate in extracurricular activities when they have achieved an overall 2.0 average for the preceding appropriate grading period.
- o In addition, students in grades 9 (nine) through 12 (twelve) must be passing 240 instructional minutes weekly; students in grades 5 (five) through 8 (eight) must be passing 5 (five) classes.

· **Conduct Requirements.** SBDM council policies must fall within the following parameters:

- o In middle schools, weekly conduct checks may be instituted by the principal due to violations in the Code of Conduct. Any student receiving 2 (two) code of conducts shall have a conference with the principal, sponsor, parent, and teachers involved to determine if the student will continue to represent the school in the current activity.
  - After this conference, the student shall have 2 (two) weeks to show improvement in conduct. If needed improvement does not occur, the participant shall be declared ineligible for a minimum of 2 (two) weeks. After the 2 (two) week period, teachers must certify that the student's conduct has improved before eligibility is restored.
  - Any participant receiving 3 (three) code of conducts in a weekly report is ineligible for a minimum of 4 (four) weeks.
  - A student under suspension from school shall not be permitted to participate in practice sessions or any other activities during the suspension period (see Section 6.02 for additional information).

· **Athletic Participation at the High School Level for 7<sup>th</sup> , and 8<sup>th</sup> Graders**

- o Only those students in grades 7 (seven) and 8 (eight) are eligible to try out for a high school team. To be eligible to try out they must also meet all Kentucky High School Athletic Association (KHSAA) requirements and provide the following documents to the high school athletic director:
  - Completed Physical Form
  - Signed Parent Permission Form
  - Grade report from the prior school year, indicating that passing grades were received in 80% (eighty percent) of all classes taken.
  - Current grade report indicating, that passing grades meet the middle school or high school Grade Point Average (GPA) requirement (the higher requirement will be used) to be eligible to participate at the high school.
  - Middle school game and practice schedule, if applicable.
- o Athletic directors shall maintain a file for the school year of the items listed above for each middle school student participating on a high school team.
- o Students in middle school shall at no time be absent from any part of the school day to participate with a high school team other than district, regional, or state competition or with prior approval of the middle school principal.
- o Athletic participation for students in grades 7 (seven) and 8 (eight) are categorized as sports offered at both middle school and high school (basketball and cheer), team sports offered only at the high school (baseball, softball, soccer) and individual sports offered only at the high school (cross country, golf, tennis, track). A student's participation in an individual sport offered only at the high school will be determined by that student's ability to exhibit a performance level that will enable the student to compete in a meet and/or match depending on KHSAA's definition of event.
- o Middle school students shall not miss middle school practice or games to participate in high school practice or games. Middle school participation both practice and game is the first priority. A middle school student who misses a middle school practice and/or game to participate at the high school will be removed from participation at the high school.
- o Students in grades 6 (six), 7 (seven) and 8 (eight) who repeat a grade may not participate in athletics during the repeating year.

- o Initial eligibility and weekly grade checks shall be the responsibility of the high school athletic director for as long as the middle school student participates on the high school team.

Athletic director shall give a list of middle school students participating at the high school level to the middle school students' principals.

Middle school athletic director shall send current weekly grades of each participating athlete to the high school athletic director. The high school athletic director shall use the higher weekly grade requirement (middle school or high school) to determine the eligibility of middle school students participating in high school athletics.

Middle school athletic director shall notify the high school athletic director of any disciplinary action taken against a middle school student participating at the high school. The high school athletic director shall enforce the disciplinary action taken against the middle school student as it pertains to participation at the high school level.

High school athletic director shall notify the middle school principal/athletic director of any disciplinary action taken against a middle school student participating on a high school athletic team.

*NOTE: Extracurricular activities that are mandated through legislation are exempted from the provisions herein.*

### **REVOCATION OF DRIVER'S LICENSE**

All students must present a verification of enrollment to apply for a driver's license, intermediate license, or learner's driving permit. The school administrator shall notify the superintendent of any student under 18 (eighteen), who has either dropped out of school, has 9 (nine) or more unexcused absences, or is academically deficient. Academically deficient means the student has not received passing grades in at least 4 (four) courses, or the equivalent of 4 (four) courses, taken in the preceding semester. The superintendent or his/her designee is mandated to report those names and Social Security numbers to the Kentucky Transportation Cabinet. The Cabinet can revoke the student's driving privileges, which include a driver's license, an intermediate license, a driver's permit, or the application for a driver's permit.

### **5.03 Behavior Management Matrices**

Students at different ages and grade levels are expected to assume varying degrees of responsibility for their actions. Therefore, a variety of disciplinary measures have been developed to reflect levels of maturity and self-discipline. Each of the following pages outlines the range of behavior management options (resolutions) that may be used by school personnel to address code violations both initially and upon repeat violations. These lists are included for the elementary, middle and high school grades. Each list separates the violations by class from minor (Class I) behaviors to the most serious (Class IV) behaviors.

When responding to behavior violations school personnel will consider a wide range of options that include both supportive, positive interventions and traditional consequences. Suggested strategies for supporting positive behavior are included along with traditional disciplinary consequences. The traditional disciplinary consequences listed increase in severity and are to be administered by the principal or his/her designee.

Although consequences may be more restricted or severe for serious behaviors or behaviors that have been unresolved using prior measures, schools should strive to limit the amount of time that students are removed from their regular educational environment as well as providing additional instruction and support to students who violate this code. Administrators will use the handbook/code of conduct as a guide and will consider other factors such as age, developmental level, and disability when determining responses to misconduct.

### ***Class I Violations***

- o Disruptive Behavior
- o Dress Code Violation
- o Personal Electronics/Possession or Use
- o Public Display of Affection

### ***Class II Violations***

- o Out of Assigned Area/Unexcused Excessive Tardy to Class
- o Out of Assigned Area: Skipping Class
- o Bus Disturbance
- o Dishonesty (Non-Criminal)
- o Disregard for Safety
- o Non-Controlled Substance Policy Violation
- o Offensive Speech/Actions
- o Technology Policy Violation
- o Tobacco Products, Poss./Use

### ***Class III Violations***

- o Dishonesty (Criminal)
- o Disorderly Conduct
- o Endangering Others, Hazing, Wanton Endangerment
- o False Report, Forgery, Fraud, Obstruction (Criminal Dishonesty)
- o Fighting
- o Gambling
- o Harassment, Harassing Communications, Bullying, Stalking, Menacing, Intimidation, Threatening, Physical Abuse, Verbal Abuse (Hostile Environment)
- o Sexual Harassment, Inappropriate Sexual Behavior, Indecent Exposure, Obscene/Pornographic Material
- o Physical Aggression
- o Property Damage/Vandalism
- o Stealing, Theft, Possession of Stolen Property
- o Trespassing, Loitering

### ***Class IV Violations***

- o Arson
- o Assault
- o Assault or Physical Abuse of Staff Member
- o Burglary
- o Dangerous Instrument, Fireworks, Ammunition
- o Deadly Weapons, Possession (10 day suspension & expulsion recommendation)
- o Drugs, Prescription Drugs, Intoxicating Substances or Alcohol, Under influence, Possession/Use
- o Drugs, Prescription Drugs, Intoxicating Substances or Alcohol, Sale or Transfer
- o Extortion
- o Kidnapping, Imprisonment
- o Robbery
- o Sexual Abuse/Assault
- o Terroristic Threat

## **Suggestions for Supporting Positive Behavior**

- Student-Teacher Behavioral Conference/Behavioral Instruction
- Behavioral Contract/Intervention Plan
- School-based Mentoring
- Referral to School Counselor/FRYSC/Social Worker
- Referral to School-based Intervention Team
- Mental Health Agency/Service Referral

## **Guidelines for Disciplinary Consequences**

- Restitution/Resolution
- Classroom Discipline (teacher imposed)
- In-School Discipline (principal imposed)
- Detention
- ISS room, In-School Suspension
- Suspension (out of school)
- Alternative Placement
- Expulsion Recommendation

## **6.0 Behavior Management Procedures**

Students against whom disciplinary action is taken by school personnel to address code violations are entitled to due process where applicable in accordance with state statute and/or Dawson Springs Board of Education policy.

### **6.01 Due Process (Informal Actions)**

For minor offenses where corrective measures are taken by a teacher or staff member with student supervisory responsibilities, no specific steps are required; however, the following procedure is suggested.

The teacher or staff member should:

- Provide the student with oral or written notice of the allegation(s) against him or her.
- Conference with the student within a reasonable timeframe.
- Discuss the allegation(s) with the student.
- Offer the student a chance to respond to the allegation(s).
- Decide on the action to be taken, if any, to resolve the incident.
- Communicate the action to be taken, if any, to the student and the parent (if deemed appropriate).
- Document the action.

For minor offenses where corrective measures are taken by the principal or his/her designee, no specific steps are required; however, the following procedure will be used to resolve a discipline referral.

The principal or his/her designee will:

- Conference with the student within a reasonable timeframe.
- Discuss the allegation(s) contained in the referral with the student.
- Offer the student a chance to respond to the allegation(s).

- Decide on the action to be taken, if any, to resolve the referral.
- Communicate the action to be taken, if any, to the referring person, the student and the parent.
- Document the action in Infinite Campus.

### **6.02 Due Process (Suspensions)**

A principal, assistant principal or the superintendent may suspend a student for offenses outlined in [Section 4.01](#) of this code. An informal hearing shall be given to a student before he or she may be suspended.

The length of the suspension may be as long as 10 (ten) school days per incident. Suspensions longer than 10 (ten) school days shall only be made by the superintendent.

Due process shall be given before a suspension unless immediate suspension is required to protect persons or property. In such cases, the hearing shall be held as soon as possible, but in any case no later than 3 (three) days after the suspension.

The following procedure will be used when a student faces suspension:

- A good-faith effort shall be made to contact a parent by telephone
- The student shall be given oral or written notice of the charge(s) involved.
- If the student denies the charge(s), he/she shall be given a clear explanation of the evidence supporting the charge(s).
- The student shall be given a fair chance to give his/her side of the facts in response to the charge(s).
- The student and parent shall be informed of the suspension immediately.
- A suspension letter shall be provided by the administrator to the student.
- A copy of the suspension letter shall be sent to the parent.

Any suspension given by a principal may be reviewed by the school director or the superintendent in accordance with the appeals procedure of this code.

**NOTE: See subsection 6.04 below for Suspension/Expulsion Procedures for Students with Disabilities.**

The terms of a suspension shall include the following:

- A suspended student shall not be allowed to enter any grounds or buildings of the Dawson Springs Independent School District, including technology centers, unless accompanied by a parent and with permission of an administrator.
- The student shall not attend or participate in any school program or function, during or after school, and shall not be permitted to ride a school bus.
- Any and all make-up work must be completed in the same time frame as other make-up work specified in [Section 4.03](#).

**NOTE: Breaking the conditions of the suspension may result in further disciplinary action.**

### **6.03 Due Process (Expulsions)**

Discipline Committee

- Any regular education student enrolled in the Dawson Springs School System who commits a Class IV Code of Acceptable Behavior and Discipline violation shall appear for a meeting with the Dawson Springs Discipline Committee.
- The discipline committee shall be made up of the referring assistant principal, instructional supervisor, and the safe schools coordinator.
- The student will be asked to appear with his/her parents/guardians and the committee will meet with the student and parents/guardians to review the allegations resulting in a Class IV violation along with the student's discipline history, attendance, and grades to determine what appropriate consequences should be applied. The discipline committee's decision as to the appropriate consequence shall be final, with the exception of recommendation for expulsion.
- If the discipline committee recommends expulsion given the nature of the violation and/or other factors, a student discipline hearing will be scheduled before the Dawson Springs Board of Education as soon as reasonably possible.
- All decisions of the discipline committee are appealable to the Dawson Springs Board of Education.

Only the Dawson Springs Board of Education may expel a student with or without services. Any such expulsion shall be made upon recommendation of the superintendent, and referrals for expulsion may be made by the principal, school director, student personnel director, or the chief academic officer to the superintendent.

For cases involving students who bring firearms/explosive devices to school, expulsion shall be for a minimum of 1 (one) calendar year (365 days), unless modified by the board on a case-by-case basis. (See [Section 4.02](#).) Expulsions for other offenses may extend for up to the number of days that constitute one 1 (one) school year, not to exceed 2 (two) semesters.

The following procedure will be used when a student faces expulsion:

- The recommendation shall be written and supported by all facts and materials related to the grounds for expulsion.
- The case shall be discussed with the Director of Pupil Personnel.
- After review of the recommendation by the superintendent, a recommendation may be made to the board for expulsion.
- If such a recommendation is made, the superintendent shall send a letter to the parent of the student who is under 18 (eighteen) years of age that includes: 1) each charge against the student; and 2) the assigned date, time, and location for a hearing with the board.
- The student and parent may be present at this hearing and may be represented by an attorney during the proceedings. If the student and parent(s) want to be represented by a representative or an attorney in the hearing, the name and telephone number of that person must be provided to the superintendent prior to the hearing.
- If a student and parent desire to admit the conduct and accept expulsion as the consequence for the student's conduct, in lieu of a full expulsion hearing before the board, a process is available for this purpose. Inquiries regarding this process can be made to the school principal, director of pupil personnel,, or superintendent.

## **6.04 Related Notices**

### **PARENT CONFERENCES**

When a student continues to misbehave at school or on a bus, the administrator shall call and chair a meeting with the student, parent, and appropriate school staff. The meeting shall be set at a time convenient for the parent. If the parent cannot attend the meeting, either the meeting can be rescheduled or the parent may discuss the referral with school staff some other way (i.e., by telephone or in a separate meeting). When a student is

referred for several violations in a short time, one meeting with the parent may be satisfactory. Every effort shall be made to assure parent participation in conferences.

The purpose for the conference is to determine the reason the student misbehaved, to arrive at fair, helpful solutions, and to improve the student's behavior. During the meeting, the student shall be given a chance to explain the problem and to suggest solutions. The parent and school staff shall be given the same opportunity. The student's academic and disciplinary records shall be available for review during the conference. A short written statement of the decisions made during the conference shall be placed in the student's discipline record. All decisions shall include follow-up to determine if progress has been made toward the goals set for the student.

In cases of misconduct endangering the safety of others, it may be necessary to hold the conference after disciplinary action has been taken.

### ***RIGHT TO COUNSEL***

Any person against whom disciplinary action has been taken has the right to be represented by an attorney at his/her own expense.

### ***SUSPENSIONS/EXPULSIONS FOR STUDENTS WITH DISABILITIES***

Special consideration should be given when dealing with disciplinary problems of students with disabilities. Frequently, such students might have discipline problems due to the nature of their disabilities. In this case, students may have an individual behavior intervention plan (BIP).

If further consequences are needed for inappropriate behavior, then principals are to use those outlined in this code. Alternatives to out-of-school suspension include In-School Suspension (WILL room), detention, Saturday school, and other such options as needed and appropriate.

Suspension may be used with students with disabilities or with a 504 Plan in accordance with regulations. If a student with a disability accumulates 10 (ten) days of suspension, an Admissions and Release Committee (ARC) or a 504 Committee shall meet to discuss the student's behavior needs.

## **7.0 GRIEVANCES AND APPEALS**

When a student or parent has an educational concern, a complaint may be filed using the Dawson Springs Board of Education's Grievance Procedure (09.4281 AP.1). A copy of the procedure for filing a complaint against school personnel is available at the local school, or in the school board office. For allegations of harassment or discrimination, refer to Section 4.02 of this code. Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

1. Teacher\*
2. Principal
3. Director
4. Superintendent
5. Board

Upon receipt of the grievance, these steps shall be followed:

1. The student or parent shall discuss the issue with the teacher\*. The teacher shall make a decision made in writing and give that decision to the grievant within 5 (five) school days after the discussion.
2. The decision of the teacher may be appealed to the principal within 5 (five) school days after receipt.

3. The principal shall give a written decision to the grievant within 5 (five) school days.
4. The principal's decision may be appealed by filing a formal written complaint with the appropriate school director within 5 (five) school days.
5. The decision of the school director may be appealed by filing a formal written complaint with the superintendent within 5 (five) school days of receipt of the decision.
6. The student or parent may appeal to the board in writing within 5 (five) school days of the receipt of the superintendent's decision.

At each level of the above procedure, the designated administrator shall notify the student or parent of his/her decision within 5 (five) school days of receipt of the grievance. If the student or parent and the administrator meet to discuss the issue, the administrator may notify the student or parent of his/her decision at the end of the meeting.

### **7.01 Appeal of Suspension**

When a student or parent appeals a suspension, the appeal shall be made in writing within 5 (five) school days of the suspension letter. **The student shall serve the suspended days.** When a student or parent makes a written appeal to the next level, all previous written appeals and responses shall be attached. Should the suspension be overturned at any appeal level listed above, all record of the suspension shall be removed from the student's files, and the days will be treated as an excused absence.

***\*Appeal of a suspension does not include the teacher.***

## **8.0 OTHER INFORMATION**

Other information that may relate either directly or indirectly to the behavior management process within the Dawson Springs Independent Schools include, but are not limited to, the following:

### **8.01 Enrollment by a Guardian or Non-Custodial Parent**

For school purposes, a child's residence is not necessarily the residence of the child's parent(s), and if the child has assumed a permanent home with some other person standing ***in loco parentis*** to the child, then the residence of the child for school purposes is the same as that person.

All students shall be assigned by geographic attendance areas and will attend the school designated to serve their area of residence. In cases of joint custody, the student will be assigned to the area serving the residence of the parent with whom the child primarily resides. If pursuant to a court order the child's time is split exactly in half between parents, the parents may choose which of the 2 (two) assigned schools the child will attend.

A Notarized Statement of Non-Custodial Parent or Non-Parent Guardian Enrolling a Student in the Dawson Springs Independent School District (Notarized Statement at Enrollment) is for use when the custodial parent allows a child to reside with the non-custodial parent or a person who is not the parent of the child. Because compulsory attendance laws require enrollment of a school-age children by any person having "custody or charge" of that student, this Notarized Statement at Enrollment will be honored for the purpose of educating the child as long as he/she resides with the non-custodial parent or the individual with custody or charge of the child. The person with custody, charge or guardianship will have the power to make any and all educational decisions related to the child, which power shall include, but not be limited to, enrollment, medical care, academic matters, extracurricular activities, delivery of this student, pick-up of the student, emergency form preparation, field trip decisions, transportation decisions, disciplinary actions, attendance issues and any and all other educational matters. Consistent with this authority, it is mandatory that the child reside with the individual having custody, charge, or guardianship, if the child is to attend the assigned school of the guardian's residence. The person



assuming custody, charge or guardianship of a student not only makes all legal and educational decisions, but is legally responsible for any legal consequences associated with medical or educational decision-making and for truancy issues.

The Notarized Statement at Enrollment may be invalidated by the custodial parent, the student upon reaching the age of eighteen or by the existence of other legal circumstances. In addition, the person having custody or charge of the student may notify the school that he/she no longer has custody or charge of the student at any time by completing and signing a Renunciation of Custody or Charge and having the renunciation placed in the student's cumulative folder. The child would then be required to attend the school assigned for the residence of the child's custodial parent(s) or subsequent person assuming custody or charge of the student. Completion of the Notarized Statement at Enrollment requires that school census files identify the individual with custody or charge, rather than the parent.

### **8.02 Out-of-Area Assignments**

All students are assigned to schools by geographic attendance areas and students are expected to attend the school designated to serve their area of residence.

The Dawson Springs Board of Education has provided for exceptions to this by offering parents the out-of-area process. Out-of-area assignments shall be granted only when placement does not cause overcrowding at the receiving school above established capacity percentages. The following is an overview of the out-of-area process and any in-depth questions should be addressed to the WCPS Department of Pupil Personnel (639-5083).

Principals shall evaluate annually whether students who have been granted out-of-area assignments/ open contract/ and non-residential, are in compliance with specified conditions including regular daily attendance, acceptable behavior, and adequate academic progress before a renewal is granted.

Out-of-area authorization will only be considered for approval under the following conditions:

**School Demographics:** The change in school attendance does not create overcrowding at the requested school.

#### **If Families Move:**

- A elementary grade student who moves from one school attendance area to another school attendance area may continue in the school of his/her former residence until the completion of that grade level. Students are required to have an out-of-area request agreement on file.
- A family whose child moves from one attendance area to another within the district may finish the school year in the school in which he/she is currently enrolled. During the following school year the student must enroll in the school that serves his or her residence. Students are required to have an out of area request agreement on file.
- A student whose family will be moving from one attendance area to another within the district prior to October 31 may be permitted to begin the school year in the school serving the location to which the family expects to move.

**School District Employees:** A student whose parent is a half-time employee of the Dawson Springs Independent School District or more may attend the school or campus where the parent is employed.

### **8.03 Support for Students Living in Transition (Homeless)**

The mission of Dawson Springs Independent Schools is “to educate, equip, and empower every student to be transition ready, college and/or career ready, and life ready.”

- Immediate school placement and assistance with registration and transportation
- Assistance coordinating medical and other school records
- Start-up School Supplies, materials, books, & personal items as needed
- Referral services to local service organizations
- Coordination of tutoring, counseling and mentoring as needed
- Scholarships towards academic camps and educational programs
- Equal access to extracurricular and enrichment activities during and after school

The Transitional Student Services Program works with teachers, guidance counselors, family resource staff, local service organizations, and shelters to insure that every child is equipped for academic success.

### **8.04 Searches of Property and Person**

School officials must be concerned with safeguarding the rights of students, teachers and administrators. For this reason school officials at times may be forced to search students, purses, bags of various types, and lockers. Automobiles may also be the target of searches, but stricter guidelines must be enforced. Following are the guidelines for student search and seizure in the Dawson Springs Schools.

1. A search by school officials is generally reasonable if it bears a relationship to a legitimate educational interest and is based upon reasonable suspicion. All parked vehicles/automobiles could be subject to search and seizure.

A search is reasonable “when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.”

2. Only the principal, or a certified person under the authority of the principal will search and that person will always be in the presence of another certified person.

3. Search and seizure will be conducted in the event of a reasonable suspicion of possession of illegal drugs, weapons, stolen property, fireworks or other illegal contraband.

4. Parents will be contacted if any of the above items are found.

5. In the event an automobile search is warranted, the principal and another certified person will accompany the student to the vehicle. If the vehicle

is unlocked, it will be searched. If the student refuses to open any portion of the vehicle for examination, a law enforcement official will be called, the student will lose his or her driving privileges and be subject to Code consequences.

6. Trained dogs may be utilized to locate controlled substances in school buildings and/or on school grounds in an ongoing effort to keep Dawson Springs drug free. The alert of a trained dog to an item or area shall qualify as reasonable grounds on which to base a further search.

Nothing herein shall preclude a student from being subjected to a fixed or handheld electronic screening detector. An affirmative signal or response from a detector will serve as reasonable suspicion for a more intrusive search.

***NOTE: The school official must be able to articulate the reasonable suspicion.***

### **8.05 Electronic Surveillance**

Video surveillance may be used to promote the order, safety and security of students, staff and property. Areas that may be subject to electronic surveillance within the district include, but are not limited to, the following:

- **Schools:** Surveillance video may be in use in or around school buildings. Footage is maintained by each participating school.

### **8.06 Physical Restraint**

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team Crisis Prevention Intervention training may physically restrain students, but shall summon core-trained school personnel as soon as possible.

### **8.07 Crisis Prevention Intervention**

Crisis Prevention Intervention (CPI) is a technique used to de-escalate potentially unsafe conditions and assist students who exhibit behaviors that are dangerous to themselves or others. Specifically, CPI techniques shall only be used by CPI-certified staff members when a student is at risk of injuring self, injuring others, or other circumstances covered by School-Based Decision Making (SBDM) council policy and/or agency policy. Student non-compliance does not warrant exclusive use of CPI physical assists.

**Use of physical restraint in the public schools:** When implementing a physical restraint, school personnel shall use only the amount of force reasonably believed to be necessary to protect the student or others from imminent danger of physical harm (see 704 KAR 7:160).

**Staff training:** All school personnel will be trained annually to use an array of positive behavioral supports and interventions to: 1) Increase appropriate behaviors; 2) Decrease inappropriate or dangerous student behaviors; and 3) Respond to dangerous behavior.

**Core team:** A core team of selected personnel shall be trained in CPI to respond to dangerous behavior and physically restrain students. The core team, except sworn law enforcement officers, shall receive yearly training.

**Documentation and parent notification:** All physical restraints shall be documented by a written record of each use of physical restraint and be maintained in the student's education records. Each record of a use of physical restraint shall be informed by an interview with the student. If the student is not an emancipated youth, the parent shall be notified of the physical restraint through electronic communication, if available to parent, as soon as possible within 24 (twenty-four) hours of the incident. If the parent cannot be reached within 24 (twenty-four) hours, a written communication shall be mailed to parent via U.S. mail.

**Debriefing session:** If the parent or emancipated youth requests a debriefing session, a debriefing session shall be held after the imposition of physical restraint upon a student. The following persons shall participate in the debriefing session: 1) The implementer of the physical restraint; 2) At least 2 (two) of any other school personnel who were in proximity of the student immediately before or during the physical assist; 3) The parent of an

un-emancipated student; 4) The student (if the parent requests or if the student is an emancipated youth); and 5) Appropriate supervisory and administrative school personnel, which may include appropriate Admission and Release Committee (ARC) members, Section 504 team members, or response to intervention team members. All documentation utilized in the debriefing session shall become part of student's education records.

### **8.08 Student Withdrawal Requirements**

A student 18 (eighteen) years of age who wishes to withdraw from school and end his/her education, may withdraw only after taking all of the following steps:

- Written notice of withdrawal from the student's parent must be received by the school.
- The parent and student must attend a 1 (one) hour counseling session with a school counselor.
- A standard form must be completed for the withdrawal from school of any student.
- Upon withdrawal, 1 (one) copy of the form shall be placed in the student's cumulative folder.

### **8.09 Sanctioned vs. Non-Sanctioned Sports**

- The interscholastic athletics currently sanctioned and managed by the Kentucky High School Athletic Association (KHSAA) and the Dawson Springs Board of Education include baseball, basketball, cross country, golf, fast-pitch softball, track, and cheerleading, ("sanctioned sports teams").
- While there are club/sports teams that may appear to be connected to the high/middle schools and many or even all of the players on the team may attend the high/middle school or another school in Dawson Springs Independent Schools, and sponsors or coaches may be employees of the board, the team itself operates independently of the high/middle school and of the district, as well as the KHSAA and players are not covered by student athletic insurance or KHSAA catastrophic insurance.
- A player's participation on the team may include contact with, or supervision by, individuals who purport to be skilled and/or knowledgeable about the sport, but who may or may not have expertise in the particular sport.
- The individuals associated with team may not be subject to a background check, including a criminal records check, prior to associating with team members, in contrast to the background/criminal records checks required of DSIS employees or volunteers prior to being permitted to be in contact with or supervise students.
- The sport may be a rough, physical contact sport and that, as with all contact sports, the possibility of injury to a player, be it serious or minor, always exists. While the sport may not necessarily be a contact sport per se, it may encompass various known and unknown inherent risks related to practice and/or association. There may not be a required medical examination for player or any players of the team nor a medical physician or trainer at the team's games or practice sessions.
- Participation may be on or off school grounds and may include, but is not limited to, practice sessions, games, meetings and other functions, parties, fund-raising activities, and the like, transportation to and from these activities, and overnight trips.
- For information concerning a specific school, please contact the principal.

## **9.0 ANNUAL STATEMENTS AND NOTICES**

### **9.01 FERPA/KFERPA**

As governed by the Family Educational Rights and Privacy Act of 1974 (FERPA) and KRS 160.700 (KFERPA), each student 18 (eighteen) or older or his/her parent, if the student is under 18 (eighteen) or is the parent's

dependent, has a right: 1). To inspect and review the student's education records; and 2). To challenge any misleading or inaccurate statement contained in records and request such statements be removed or corrected. For purposes of access to student records, "parent" is defined as: "natural parent, guardian, lawful custodian, or an individual acting as a parent of a student in the absence of a parent or guardian." Either natural parent has the authority to exercise the rights inherent in this policy unless the schools have been provided with a court order that provides expressly to the contrary.

The term "education records" means documents and other materials directly related to a student that are collected, maintained, or used by the Dawson Springs Independent School District. This includes records maintained by other agencies and individuals who have performed services for students on behalf of the district. Educational records include, but are not limited to: 1) Personal and family data; 2) Evaluation and test data, including aptitude, achievement, intelligence, personality, behavior observation, and other diagnostic information; 3) Medical, psychological, and anecdotal reports (if shared with others); 4) All records of school achievement and progress reports; 5) Student portfolios; 6) All discipline records; 7) Records of conferences with students and/or parents; 8) Copies of correspondence about the student; 9) Any photographs or video recordings of a student; and 10) Other information or data that is used in working with the student or required by federal and state regulations.

Other than school staff, authorized volunteers, contractors and vendors, and certain other agencies approved by federal law, no person may inspect or review a student's education records without the consent of the student, if he or she is 18 (eighteen) years of age or older; or parent, if the student is under 18 (eighteen) or is the parent's dependent; or without a properly issued court order.

Upon request, the district will disclose records without consent to officials of another school district in which the student seeks or intends to enroll.

The term "directory information" means the student's name, address, telephone listing, date and place of birth, participation in school recognized sports and activities, height and weight of members of athletic teams, dates of attendance, awards received, major field of study, and the most recent previous educational agency or institution attended by the student, contained in the education records in the custody of the public schools [KRS 160.700(1)]. Directory information does not include the education records.

Directory information shall be released, upon written request, to the news media, athletic associations, higher education providers, scholarship or college entrance committees, or official organizations only if the need for data is connected with a legitimate educational interest and purpose. Directory information may be released to official law enforcement agencies with permission of the superintendent or his/her designee. The district may disclose directory information unless notified in writing to the contrary by October 1 of each school year or within 30 (thirty) days of enrollment if after October 1. Directory information may include a student's: 1) Name, address, telephone number and date of birth; 2) Participation in officially recognized activities and sports (including weight and height); 3) Dates of attendance within the Dawson Springs Independent Schools; 4) Awards of credits, diplomas, and special recognitions (including but not limited to, honor roll and proficient/distinguished test scores); and 5) Last educational institution of enrollment prior to enrollment in the Dawson Springs Independent School District. Directory information does not include education records.

**Military Recruiters:** Under current law, U.S. military recruiters have access to the names, addresses and telephone numbers of secondary school students. A parent, guardian or student may choose not to have this information released. To request that recruiters not receive information on a student, a Release of Information to Military Recruiters Opt-Out Form must be completed and sent to the superintendent's office. The opt-out request will remain in effect unless revoked by the parent/guardian or student.

Each parent and eligible student has the right to file a written complaint with the U.S. Department of Education if he/she feels the right to inspect the student's records, as set forth in Dawson Springs Board of Education policy 09.14, has been wrongfully denied.

Each parent and eligible student may examine a copy of Dawson Springs Board of Education policy 09.14 concerning student records.

**Challenge to Content/Accuracy of Records:** In the event of a challenge to the content or accuracy of a student's records upon the basis that the information contained therein is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, a written request presented to the principal must be completed and the parent of the student or the eligible student must be given the opportunity for a hearing to be conducted by the appropriate administrator appointed by the superintendent, who shall be designated as the "hearing official." The hearing will be held within a reasonable period of time after the superintendent has received a request for such a hearing and the parent of the student and/or the eligible student shall be given notice of the date, place, and time of the hearing reasonably in advance of the same.

The parent of the student or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice, including an attorney, at his or her own expense.

If, as a result of the hearing, the board, through its hearing official, decides that the information is not inaccurate, misleading, or otherwise in violation of privacy or other rights of students, it shall inform the parent or eligible student of the right to place in the education records of the student a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the hearing official.

Any such explanation placed in the education records of the student shall be maintained by the board as part of the education records of the student as long as the records or contested portion thereof are maintained by the board. If the education records of the student or the contested portion thereof are disclosed by the board to any party, the explanation shall also be disclosed to that party.

The hearing official shall make his/her decision in writing within a reasonable period of time after the conclusion of the hearing [34 CFR 99.22(e)].

The decision of the hearing official shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

Parents and eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue SW Washington, D.C. 20202 (202) 260-3887 (VOICE) (800) 877-8339 (TDD)

## **STUDENTS 09.14 AP.111**

### ***Notification of FERPA Rights***

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

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

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

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

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

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

Parents or eligible students may ask the district to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise him/her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

Exceptions that permit disclosure without consent include:

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

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the district. This may include contractors, consultants, volunteers, and other parties to whom the district has outsourced services or functions.

- a) Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.
- b) Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.
- c) Disclosure to state and local educational authorities and accrediting organizations, subject to requirements of FERPA regulations.
- d) Designated Kentucky State agencies may be permitted access to student record information, which will depend on the authority granted to their particular agency.

5. *The right to notify the district in writing to withhold information the board has designated as directory information as listed in the annual directory information notice the district provides to parents/eligible students.*

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

6. *The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U. S. armed forces and its service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard.*

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

7. *The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA.* The name and address of the office that administers FERPA is:

*Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202-4605*

## **9.02 Protection of Pupil Rights Amendment**

Parents and eligible students shall be notified of and given opportunity to opt out of participation in surveys, analyses, invasive physical exams or screenings (excluding hearing, vision or scoliosis screenings), or evaluations that disclose protected information. This also applies to the collection, disclosure, or use of student information by third parties for marketing purposes. Parents and eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

The PPRA affords parents and eligible students (those who are 18 or older or who are emancipated minors) certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. These include the right to:

- Consent before students are required to submit to a survey that concerns 1 (one) or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education:
  - Political affiliations or beliefs of the student or student's parent;
  - Mental or psychological problems of the student or student's family;
  - Sex behavior or attitudes;
  - Illegal, anti-social, self-incriminating, or demeaning behavior;
  - Critical appraisals of others with whom respondents have close family relationships;
  - Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
  - Religious practices, affiliations, or beliefs of the student or the student's parents; or
  - Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- Receive notice and an opportunity to opt a student out of:
  - Any other protected information survey, regardless of funding;



- o Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law); and
  - o Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use:
    - o Protected information surveys of students;
    - o Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
    - o Instructional material used as part of the educational curriculum.

The district shall also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. Notification will provide an opportunity to opt a student out of participating in those activities.

Parents and eligible students who believe their rights have been violated may file a complaint with:

*Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue SW Washington, D.C. 20202-4605*

### **9.03 Non-Discrimination**

It is the policy of the Dawson Springs Independent School District not to discriminate on the basis of race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, marital status, parental status, or any other basis in federal or state law as required by Titles VI and VII of the *Civil Rights Act of 1964*, Title IX of the *Education Amendments of 1972*, the *Individuals with Disabilities Education Act of 1997 and 2004* ("IDEA"), Section 504 of the *Rehabilitation Act of 1973* ("Section 504"), the *Americans with Disabilities Act of 1990* ("ADA"), the *ADA Amendments Act of 2008* ("ADAAA") and the *McKinney- Vento Homeless Assistance Act of 1987*.

Inquiries may also be directed to:

*Office of Civil Rights U.S. Department of Education 400 Maryland Ave. SW Washington, DC 20202-4605*

### **9.04 Special Education and Child Find**

In compliance with federal and state law, a *Free and Appropriate Education* (FAPE) in the *Least Restrictive Environment* (LRE) is provided by the Dawson Springs Independent School District to all pre-school aged children and school-aged children with certified disabilities within the jurisdiction of the district. Also in compliance with federal and state law, the school system maintains a comprehensive Child Find program to identify, locate and evaluate all children with disabilities residing within the attendance boundaries of the school system, including children with disabilities who are homeless children, wards of the state or children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services.

Referrals for special education and related services may be made by parents, school personnel or members of the community. For further information, contact the classroom teacher, special education teacher, counselor, principal or the Director of Special Education.

Other helpful resources for parents can be found at:

Kentucky Department of Education Special Education Services

<http://education.ky.gov/specialed/excep/Pages/default.aspx>

### **9.05 Annual Notice of Parent Consent for School District's Use of Public Benefits or Insurance (Medicaid) under 34 CFR §300.154(d)(2)(iv)**

The federal special education law known as the Individuals with Disabilities Education Act (IDEA) gives parents of IDEA students certain rights related to the school district's use of public benefits or insurance, such as Medicaid.

School districts sometimes ask parents if the district may use their public benefits or insurance to help pay for certain services provided at school. IDEA provides parents with the following rights in this area:

❖ **Parents have the right to receive this notice in an understandable language.**

This means that the annual notice must be written in clear language. It also means that the notice is provided in the parents' native language or other manner of communication used by the parents, unless it is clearly not practicable to do so.

❖ **Parents must provide consent before their child's confidential information is disclosed.** The school district must obtain parent consent under the Family Educational Rights and Privacy Act (FERPA), at 34 CFR Part 99, and IDEA, found at 34 CFR 300.622, before the school district may disclose the child's personally identifiable information to the agency in charge of the State's public benefits or insurance program (Medicaid).

❖ **A child covered by IDEA has the right to special education and related services at no cost to the parents.**

For any service required to provide a Free Appropriate Public Education (FAPE) to a child eligible for IDEA, the school district:

- o May not require parents to sign up for public benefits or insurance programs for the child to receive FAPE.
- o May not require a parent to pay an out-of-pocket expense, such as the payment of a deductible or copayment amount, for services provided at school. However, the district may pay the cost that the parent would otherwise be required to pay for the service.
- o May not use the child's public benefits or insurance if using it would:
  - ✓ Decrease available lifetime coverage or other benefits;
  - ✓ Require the family to pay for services normally paid by public benefits or insurance, that the child needs outside of school;
  - ✓ Increase premiums or lead to discontinuation of public benefits or insurance; or,
  - ✓ Risk the child's eligibility for home and community –based waivers, due to the total amount of health care expenditures.

❖ **Parents may withdraw consent for disclosure of the child's confidential information at any time.**

❖ **If parents refuse consent or withdraw consent, the school district must still provide the required services to the child at no cost to the parents.**

The school district is still responsible for providing the child with a FAPE and must provide needed services, even if the district is no longer allowed to use the parents' public benefits or insurance.

### **9.06 Student Free Speech and Religious Liberty Rights**

KRS 158.186 requires that school based decision making councils receive copies of the below listed statutes as it relates to student free speech and religious liberty rights.

#### **Legislative findings**

- 1) The General Assembly finds the following:
  - a) Judicial decisions concerning religion, free speech, and public education are widely misunderstood and misapplied;
  - b) Confusion surrounding these decisions has caused some to be less accommodating of the religious liberty and free speech rights of students than permitted under the First Amendment to the United States Constitution;
  - c) Confusion surrounding these decisions has resulted in needless conflicts and litigation;
  - d) The Supreme Court of the United States has ruled that the establishment clause of the First Amendment to the United States Constitution requires that public schools neither advance nor inhibit religion. Public schools should be neutral in matters of faith and should treat religion with fairness and respect;
  - e) Neutrality to religion does not require hostility to religion. The establishment clause does not prohibit reasonable accommodation of religion, nor does the clause prohibit appropriated teaching about religion;
  - f) Accommodation of religion is required by the free speech and free exercise clauses of the First Amendment of the United States Constitution; and
  - g) Setting forth the religious liberty rights of students in a statute would assist students and parents in the enforcement of the religious liberty rights of students and would provide impetus to efforts in public schools to accommodate religious belief in feasible cases.
- 2) The purpose of KRS 158.181 to 158.187 is to create a safe harbor for schools desiring to avoid litigation and to allow the free speech and religious liberty rights of students to the extent permissible under the establishment clause.

#### **Prohibited acts by students- Rights of student- Administrative remedies**

- 1) A student shall have the right to carry out an activity described in any of paragraphs (a) to (d) of subsection (2) of this section, if the student does not:
  - a) Infringe on the rights of the school to:
    1. Maintain order and discipline;
    2. Prevent disruption of the educational process; and
    3. Determine educational curriculum and assignments;
  - b) Harass other persons or coerce other persons to participate in the activity; or
  - c) Otherwise infringe on the rights of other persons.
- 2) Subject to the provisions of subsection (1) of this section, a student shall be permitted to voluntarily:
  - a) Pray in a public school, vocally or silently, alone or with other students to the same extent and under the same circumstances as a student is permitted to vocally or silently reflect, meditate, or speak on nonreligious matters alone or with other students in the public school;
  - b) Express religious viewpoints in a public school to the same extent and under the same circumstances as a student is permitted to express viewpoints on nonreligious topics or subjects in the school:

- c) Speak to and attempt to discuss religious viewpoints with other students in a public school to the same extent and under the same circumstances as a student is permitted to speak to and attempt to share nonreligious viewpoints with other students. However, any student may demand that this speech or these attempts to share religious viewpoints no be directed at him or her:
  - d) Distribute religious literature in a public school, subject to reasonable time, place, and manner restrictions to the same extent and under the same circumstances as a student is permitted to distribute literature on nonreligious topics or subjects in the school; and
  - e) Be absent, in accordance with attendance policy, from a public school to observe religious holidays and participate in other religious practices to the same extent and under the same circumstances as a student is permitted to be absent from a public school for nonreligious purposes.
- 3) No action may be maintained under KRS 158.181 to 158.187 unless the student has exhausted the following administrative remedies;
- a) The student or the student's parent or guardian shall state his or her complaint to the school's principal. The principal shall investigate and take appropriate action to ensure the rights of the student are resolved within seven (7) days of the date of the complaint;
  - b) If the concerns are not resolved, then the student or the student's parent or guardian shall make a complaint in writing to the superintendent with the specific facts of the alleged violation;
  - c) The superintendent shall investigate and take appropriate action to ensure that the rights of the student are resolved within thirty (30) days of the date of the written complaint; and
  - d) Only after the superintendent's investigation and action may a student or the student's parent or legal guardian pursue any other legal action.

**Construction favoring establishment clause, religious liberty, and free speech**

- 1) Nothing in KRS 158.181 to 158.187 shall be construed to affect, interpret, or in any way address the establishment clause.
- 2) The specification of religious liberty or free speech rights in KRS 158.181 to 158.187 shall not be constructed to exclude or limit religious liberty or free speech rights otherwise protected by federal, state, or local law.

**Construction prohibiting school employee from leading, directing, or encouraging religious or anti-religious activity in violation of establishment clause**

Nothing in KRS 158.181 to 158.187 shall be construed to support, encourage, or permit a teacher, administrator, or other employee of the public schools to lead, direct, or encourage any religious or anti-religious activity in violation of the portion of the First Amendment of the United States Constitution prohibiting laws respecting an establishment of religion.

**10.0 General Forms**

**DAWSON SPRINGS INDEPENDENT SCHOOLS**

118 E. Arcadia Ave

Dawson Springs, Kentucky 42408

Ph# 270-797-3811 Fax 270-797-5204

Dawson Springs Elementary School	317 Eli Street Dawson Springs, KY 4248	270-797-3811
Dawson Springs Jr./Sr. High School	317 Eli Street Dawson Springs, KY 4248	270-797-381

## Acknowledgement of Receipt and Permission to Access the Internet

I acknowledge that I have received the Dawson Springs Schools Statement on Expectations and Responsibilities: Student Code of Conduct. My signature below does not necessarily indicate agreement with the Student Code of Conduct but I understand the Dawson Springs Board of Education will hold all students accountable for the standards referenced therein.

Student's Name: Print \_\_\_\_\_

Parent/Guardian's Name: Print \_\_\_\_\_

Parent/Guardian's Signature: \_\_\_\_\_

Student Signature: \_\_\_\_\_

I also understand and agree to the Acceptable Use Policy (AUP) adopted by the SBDM council at my child's school. **I grant permission for my child to access the Internet and electronic mail through the Dawson Springs Schools Network and have conveyed to my child the standards outlined in the AUP in my child's school.**

Student's Name: Print: \_\_\_\_\_

Parent/Guardian's Name: Print \_\_\_\_\_

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

Student Signature: \_\_\_\_\_

- Please check the circle if you would like to receive a hard copy of this document

**Please sign this form, remove it from the booklet and return it to your child's school as soon as possible.**

# Media Coverage Opt-Out Form

Complete this form to exercise your right to not have your child or their work shown on the Dawson Springs Independent Schools educational website, or Facebook page, or in the local news media.

Students in the Dawson Springs Independent Schools have tremendous talent and achieve remarkable accomplishments in academics, performing and visual arts and athletics. Throughout the year, there may be opportunities for positive publicity related to the accomplishment of individual students, school related groups and schools. Examples of this type of positive public relations opportunities include, but are not limited to, school newsletters, feature stories, announcements and photographs on school district publications, and coverage by local print, broadcast and radio media outlets.

If you do not want your child or their work to appear publicly in photographs, articles, audio/video broadcasts, and/or interviews, ***the student or parent/guardian must sign this form and return it to the school office within one month after enrollment. This opt-out request will remain in effect for the current school year only.***

Student's Name: \_\_\_\_\_

Parent/Guardian's Name: \_\_\_\_\_

Parent/Guardian's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# FERPA Directory Information Opt-Out Form

## For All Students

Complete this form to exercise your right to privacy.

The district has designated a student's **name, address, email address, telephone number, date and place of birth, information about the student's participation in officially recognized activities and sports, student's weight and height (if a member of an athletic team), student's dates of attendance, grade level, honors and awards, photograph (excluding video records), and major field of study** as directory information which means under the Family Education Rights and Privacy Act ("FERPA") that this information can be released without your consent. If you do not want this information released to people requesting directory information, **the parent/guardian or eligible student (18 years of age or older) must sign this form and return it to the school office within one month after enrollment. This opt-out request will remain in effect for the current school year only.**

I hereby exercise my rights under state and federal law and hereby request that the **name, address, email address, telephone number, date and place of birth, information about the student's participation in officially recognized activities and sports, student's weight and height (if a member of an athletic team), student's dates of attendance, grade level, honors and awards, photograph (excluding video records), and major field of study** for

\_\_\_\_\_ (student name), currently a student at

\_\_\_\_\_ (school name), **not** be released without prior written consent.

**I understand and acknowledge that this opt-out request will remain in effect for the current school year only. I understand it will exclude my student from publications such as photo/directory information and that my student's information will not be published in any form including district publications such as playbills, yearbooks, websites, newsletters, newspapers, etc.**

Signed by (Check one.):  Eligible student  Parent/Guardian

\_\_\_\_\_ Signature

\_\_\_\_\_ Name (Please print.)

\_\_\_\_\_ Address

\_\_\_\_\_ City/State/ZIP

For an explanation of the state and federal laws applicable to this form, see Section 9.0 of this code.



# Military Recruiter Opt-Out Form

## For High School Students Only

Under current law, U.S. military recruiters have access to the names, addresses, and phone numbers of secondary school students. A parent, guardian or student may choose not to have this information released. To request that recruiters not receive information on a student, please notify the Dawson Springs Independent School District by sending this form to Superintendent's Office of Dawson Springs Independent Schools, Attn: Todd Marshall, 317 Eli Street, Dawson Springs, KY 42408. The opt-out request will remain in effect unless revoked by the parent/guardian or student.

### **Military Recruitment Opt-Out Parent Form**

I wish to opt-out of having information on my son or daughter released to military recruiters. I understand that this will remain in effect until I revoke this option by notifying Dawson Springs Independent Schools in writing of my decision.

Date: \_\_\_\_\_

Student's Name: \_\_\_\_\_

Current Grade: \_\_\_\_\_

Student's School: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Signature: \_\_\_\_\_

### **Military Recruitment Opt-Out Student Form**

I wish to request my information not be released to military recruiters. I understand that this will remain in effect until I revoke this option by notifying Dawson Springs Independent Schools in writing of my decision.

Date: \_\_\_\_\_

Student's Name: \_\_\_\_\_

Current Grade: \_\_\_\_\_

Signature: \_\_\_\_\_

**Parent/Guardian Note for Excused Absence**

**Dawson Springs Schools**

**Current date:** \_\_\_\_\_

**Students Name (printed): first** \_\_\_\_\_

**Last name:** \_\_\_\_\_

**Date of Absence:** \_\_\_\_\_

**Reason for absence:** \_\_\_\_\_

**Parent/Guardian signature:** \_\_\_\_\_