

Hart County Schools

CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE 2022-2023

Hart County Board of Education

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For questions and concerns:

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This code is part of the Board's policy on student behavior and discipline. Please note that after this code is distributed for the school year, changes to Board policy, including those affecting provisions of this Code, may be necessary due to new/revised statutes and regulations and case law. A complete copy of the policy manual is available for inspection at each school, at the Central Office, and on the district website at www.hart.kyschools.us.

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The school district reserves the right to set forth those rules and regulations that are necessary and proper for carrying into execution the educational program of the schools, which are not specifically stated therein, as needs arise. Each building administrator may interpret and enforce these guidelines on the age group and situation within his/her building for the purpose of maintaining/improving the overall education of the students. Changes may occur at any time in instruction, school setting, and bus transportation per county and/or state emergency situations.

INTRODUCTION

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

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

- Orderly operation of the schools;
- A safe environment for students, district employees, and visitors to the schools;
- Opportunities for students to achieve at a high academic level in a productive learning environment;
- Assistance for students at risk of failure or of engaging in disruptive behavior;
- Regular attendance of students; and,
- Protection of property.

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

Each school council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook. Teachers and other instructional personnel are responsible for administering Code standards in the classroom, halls, and other duty assignment locations.

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

DISTRICT MISSION

The mission of the Hart County Board of Education is for all students to achieve or exceed expectations of established levels of success in order to demonstrate the district exit outcomes in the following areas:

- Commitment to excellence
- Communication
- Critical thinking
- Collaboration
- Teachers/school officials should involve parents at the earliest stage when a student shows signs of serious behavior problems.

STATEMENT OF NONDISCRIMINATION

The Board of Education does not discriminate on the basis of age, color, disability, parental status, marital status, race, national origin, religion, sex, or veteran status in the programs, activities and services it provides, as required by law. Individuals who have questions concerning compliance should contact Nathan Smith at the Central Office at 270-524-2631. **The following documents contain policies and procedures relating to this Code:**

- | | |
|--|--------------------------------------|
| ◆ Other Board of Education policies | ◆ Council policies |
| ◆ The District's Safety Plan | ◆ School handbooks |
| ◆ Student records information (FERPA) | ◆ KY Revised Statutes & Admin. Regs. |
| ◆ District Special Education Policy and Procedure Manual | |

RIGHTS AND RESPONSIBILITIES

As citizens of the United States of America, students may participate in activities that do not (1) materially or substantially disrupt the educational process, (2) present a clear and present danger to the health and safety of others or property, or (3) infringe on the rights of others.

Specifically, students have the right to:

- An orderly educational atmosphere conducive to learning.
- Personal safety and security while at school and school-sponsored activities.
- Academic grades based on academic performance, not on conduct.

Students have the responsibility to:

- Comply with district, school, and classroom rules and follow directions given by teachers and other school personnel.
- *Immediately* report student threats to harm others to a teacher, counselor, or school administrator.
- Give their best effort to tasks assigned by their teacher, coach, or other person who works with them.

REQUIRED STANDARDS

The Board expects employees, students, parents/ guardians, and others associated with the schools to apply the following standards in a reasonable and fair manner.

1. To promote the full implementation of conduct standards and maximize safety in the school environment, the Board requires *all* employees to make supervision of *all* students at *all* school activities a top priority among their assigned duties. The younger the child, the greater the need for adult guidance and protection.
2. A professionally planned and positive school atmosphere is necessary for academic progress and a safe environment. Therefore, students shall not interfere with the orderly environment of the school or school activity. Examples of prohibited behavior include, but are not limited to:
 - Actions such as harassment of, or discrimination against, other students on the basis of race, color, national origin, age, religion, marital status, political beliefs, sex, or disability
 - Insubordination (disobedient or defiant behavior)
 - Sale of items without prior approval of the Superintendent or Principal
 - Wearing apparel, accessories, or hairstyles that disrupt the educational process or threaten health or safety.
 - Possession of prohibited items, such as laser lights and paging devices (except for members of a volunteer fire fighting or emergency medical organization).
3. Regular and punctual school attendance is both a privilege and a responsibility of the student. Good attendance is necessary to satisfactory progress and high academic achievement. Attendance violations include absence from school without valid excuse and/or tardy without valid excuse.
4. Students shall exercise self-control as required by the particular situation and in keeping with school and district rules or be subject to removal from the regular classroom setting or transportation system. In addition, a student may be barred from participating in extracurricular activities, pending investigation that s/he has violated either the District's behavior standards or the school council's criteria for participation. Furthermore, to ensure the safety of students, spectators, and guests; students shall not loiter in hallways, lobbies, or other areas during extracurricular or athletic events. Students in attendance at such events should remain in the seating areas of the gymnasium, stadium, or other designated areas unless under the direct supervision of a parent/guardian. *All elementary students shall be supervised by parents/guardians at any extracurricular activity other than team members when supervised by their coach/sponsor.*

Types of prohibited behaviors include, but are not limited to, the following examples listed below:

- Fighting and physical attacks
- Possession of a weapon
- Threats by verbal or written statements or gestures with intent to harm or demean others
- Use of alcohol or prohibited drugs, including synthetic substances
- Use of prohibited tobacco and/or vape products

5. School property belongs to the community and the state. It must be protected and preserved for educational and community use. Therefore, students shall respect school property and the property of others. Examples of prohibited behaviors include, but are not limited to, the following:

- Theft of school property or personal property of employees or other students
- Abuse of school or personal property to include intentional or careless damage or destruction
- Extortion of money or property
- Prohibited use of electronic media and other District technological resources.
- Littering

6. Students shall work cooperatively and productively with each other and with school personnel in a manner that is consistent with standards of respect and courtesy. Examples of prohibited behaviors that would detract from a safe and orderly learning environment include, but are not limited to the following:

- Making abusive and harassing statements regarding race, gender, disability, religion, or nationality
- Use of profanity
- Lying
- Cheating
- Ignoring or breaking rules and procedures established to maintain order
- Otherwise behaving in a manner disrespectful of others

COMPULSORY STUDENT ATTENDANCE

Students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.

REPORTING OF CODE VIOLATIONS

As provided in KRS 158.148 and 158.444, students wishing to report a violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action as defined by the code, and/or the student may report anonymously on the Stop Tip Line. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offense, or a report that may be required by law, including reports to law enforcement. In applicable cases, employees will report bullying and hazing to appropriate law enforcement authorities and complete documentation as required by the District's harassment/discrimination policies covering federally protected areas.

CONSEQUENCES OF VIOLATIONS

Please note that state and federal laws require special consideration and possible designation of alternative consequences when dealing with behavior and disciplinary issues involving students with disabilities.

| VIOLATION OF STANDARD | RESPONSE OPTIONS | | |
|--|--|--|---|
| | Scope | 1st Time | Repeat Offenses |
| Tardiness/Unexcused Absence | Minimal | Conference | Parent Involvement |
| | Excessive | Suspension* | Court Proceedings |
| Insubordination (defiance of authority) | Minimal | Conference | Parent Involvement |
| | Excessive | Suspension* | Alternative School/Expulsion |
| Disrupting the educational process (verbal abuse, profanity / vulgarity, unauthorized rallies, etc.) | Minimal | Conference | Parent Involvement |
| | Excessive | Suspension* | Alternative School/Expulsion |
| Dress Code | Minimal | Conference | Parent Involvement |
| | Excessive | Alternative School/Suspension* | |
| Forgery / Lying / Cheating | Minimal | Parent Involvement | |
| | Excessive | Alternative School/Suspension* | |
| Stealing | Minimal | Parent Involvement | |
| | Excessive | Suspension* | Alternative School/Expulsion |
| Tobacco Violation/Including Vapes and Vapor Products according to board policy | Minimal | Parent Involvement | Cessation Classes |
| | Excessive | Suspension* | Alternative School/Expulsion |
| Telecommunication Device Violation | Minimal | Warning; device confiscated for day | Detention, ISS, etc.; Device Confiscated for remainder of school year |
| | Excessive | Warning and other appropriate discipline; device confiscated for 1 day or more | Detention, ISS, etc.; Device Confiscated for remainder of school year |
| Distribution of Inappropriate Material (including electronic distribution) | Confiscation of device(s) for remainder of school year and Alternative School/Suspension* | | |
| Distribution of Inappropriate Products (including vapes/vapor products) | Confiscation of product(s) for remainder of school year and Alternative School/Suspension* | | |
| Alcohol & Drug Violation (including synthetic substances) | Alternative School/Suspension*/Expulsion | | |
| Fighting/Assault | Alternative School/Suspension*/Expulsion | | |
| Threats to the safety of other students or school staff | Alternative School/Suspension*/Expulsion | | |
| Continued pattern of disruptive behavior | Alternative School | | |

*Suspension may be in-school or out-of-school. Students suspended out-of-school may not attend or participate in extracurricular activities.

Behavioral violations of a minor nature should be handled by the classroom teacher, who may choose from a variety of response options to include, but not be limited to . . .

- ♦ Verbal warning
- ♦ Teacher-student conference
- ♦ Notification of parents
- ♦ Alternative assignment
- ♦ Classroom isolation
- ♦ Behavior contract
- ♦ Referral for counseling/mediation
- ♦ Other techniques established by council policy
- ♦ Loss of privileges
- ♦ Detention

The response options above supersede guidelines which may have been developed at the school level. For repeat or more serious violations, administrators may also use these options: Suspension (up to 10 days), Expulsion, Police Referral, Juvenile Court Petition, Court-Designated Worker Referral, In-School Suspension, and other techniques established by council policy.

SEARCH AND SEIZURE

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

PHYSICAL RESTRAINT

Employees are authorized by law to physically restrain students as necessary as specified in board policy and state regulation. The Board does not permit use of corporal punishment as a disciplinary technique.

STUDENT RECORDS

Records containing student information shall be made available to the parent of the student, guardian, or eligible student upon written request. Eligible students include those 18 years of age or older or those enrolled in a post-secondary school program.

For information concerning access or corrections to student records, contact the Principal or the Superintendent at the Central Office address and telephone number listed on the front cover.

REPORTS TO LAW ENFORCEMENT OFFICIALS

When principals have reasonable belief that certain violations have taken place, they are required by law to immediately report those violations to law enforcement officials. Violations on school property or at a school-sponsored function requiring a report to law enforcement officials include:

- assault resulting in serious physical injury
- a sexual offense;
- kidnapping;
- assault involving the use of a weapon;
- possession of a firearm in violation of the law;
- possession of a controlled substance in violation of the law; or
- damage to school property.

In addition to violations of this Code, students may also be charged with criminal violations.

WEAPONS

Students are *never* allowed to bring a weapon to school. The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons. Both Board policy and the law prohibit the carrying, bringing, using, or possessing of any weapon or dangerous instrument in any school building, on school grounds, in any school or student vehicle, or at any school-sponsored activity. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property.

When a student violates the prohibition on weapons, the Principal shall immediately make a report to the Superintendent, who shall determine if charges for expulsion are to be brought before the Board. The penalty for students bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be **expulsion for a minimum of twelve (12) months.** (The Gun-Free Schools Act of 1994 and KRS 158.150)

District employees must also report to law enforcement officials if they know or have reasonable cause to believe that conduct has occurred that constitutes the carrying, possession, or use of a deadly weapon on the school premises, on a school bus, or at a school-sponsored or sanctioned event.

SUSPENSION, EXPULSION & DUE PROCESS

For certain violations, administrators, such as the Superintendent and Principal, may remove (suspend) a student from school for up to ten (10) days per incident.

Unless immediate suspension is necessary to protect persons or property or to avoid disruption of the educational process, students shall not be suspended until they have been given due process (required by law). Due process must be given before educational benefits are taken away and shall include the following:

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

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

Following legally required due process, the Board may expel any pupil from the regular school setting for misconduct as defined by law for periods longer than ten (10) days. In cases of expulsion, provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program. Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board.

GRIEVANCES

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

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

Information on filing a formal complaint or grievance is available at each school and at the Central Office.

CODE DEVELOPMENT

This Code was developed by a committee representing schools, the Central Office, the Board of Education, students, and parents. The Hart County Board of Education adopted this code on April 15, 1999, and reviewed it on June 16, 2022. Schools have distributed copies of the Code to all students and employees of the district and to parents of students, including those who enroll after the beginning of the school year. The Superintendent has directed that the Code be posted in each school, with the Principal being responsible for seeing that guidance counselors and other personnel discuss its contents with students in a timely and age-appropriate manner. In addition, each school will reference the Code in the school's handbook(s). On request, the Principal shall provide help for limited-English speaking, sight-impaired, hearing-impaired, or non-reading students and parents so that they can have access to the information contained in this Code.

Each year, the code will be reviewed in preparation for the coming school year. Suggestions as to how to improve this document are welcome. Individuals may send written comments to the contact person(s) listed on the front cover.

CONFIRMATION OF RECEIPT OF CODE

School Name

Grade

Student First Name

Student Middle Name

Student Last Name

***I have received a copy of the Parent-Student Handbook
that includes the Code of Acceptable Behavior and Discipline
for the 2022-2023 school year.***

I realize it is my responsibility to abide by its content.

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

Parent / Guardian Signature

Date

Student Signature

Date

Date Form Received by School