

Hart County Schools

CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE 2023-2024

Hart County Board of Education

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Munfordville, KY 42765
(270) 524-2631

For questions and concerns:

Nathan T. Smith, Superintendent, Ext. 2003 or
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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.

Table of Contents

Introduction.....	2
District Mission	2
Statement of Nondiscrimination	2
Rights and Responsibilities	3
Required Standards.....	3
Compulsory Student Attendance	4
District Attendance Policy	4
Non-Resident Students	7
Reporting of Code Violations	7
Consequences of Violations	8
Search and Seizure	9
Physical Restraint/Corporal Punishment	9
Student Records.....	9
Reports to Law Enforcement Officials	9
Weapons	9
Suspension, Expulsion & Due Process	10
Grievances	10
Code Development.....	10
Student/Parent Form (Return signed form to school)	11

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.

DISTRICT ATTENDANCE POLICY

The progress of a student at school depends greatly on the punctuality and regularity of attendance. For this reason, Hart County students will be expected to be in class every day unless a personal or family emergency exists that would prevent them from attending school.

Compulsory Attendance: District policy requires, except as provided in KRS 159.030, that each parent, guardian, or other person residing in the district and having in custody or charge any child who has entered the primary school program or any child between the ages six (6) and eighteen (18) to send the child to a regular public school for the full term of the district in which the child resides or to the public school that the district makes provisions for the child to attend. All children residing in the district, except as provided in KRS 159.030, shall be subject to the local board's compulsory age policy. School counselors are required to conduct a one (1) hour counseling session with parents and child on potential problems for non-graduates.

Truancy: Kentucky law (KRS 159.150) states that any child who has been absent from school without valid excuse for three (3) days, or tardy on three (3) or more days is a truant. A student will now be considered a “habitual truant” if they have accumulated six (6) unexcused absences or is habitually truant as defined by the Hart County Board of Education. **This may result in court proceedings against the parent/guardian and/or the student depending on the student's age.** These students may be ineligible for field trips at the discretion of the school principal.

Excused Absences: Absence from school shall be deemed valid and excused if the student is too ill to be in attendance and the student presents a doctor's statement upon his/her return to school. **The doctor's statement must be presented to the proper school officials within three (3) days of return to school (hand delivered, faxed by a provider on the provider's letterhead, or emailed directly to the school attendance clerk from the Doctor's office).**

An excused absence or tardy is one for which work may be made up. Students shall have the same number of days to make up their work as the number of days they missed when making up school work for excused absences. All grades will be final at the end of the school year on June 30. Changes will only be made if it is determined an accounting error was made in computing the student's grade.

Parents/Guardians should contact their child's school whenever their child will not be in attendance. All absences are unexcused until written verification is returned to the school. Unexcused absences in excess of three (3) days, and, in which schoolwork cannot be made up include: truancy, indifference of parents, poverty, working, vacations, missed bus, distance.

Absences from school shall also be deemed valid and excused in the event any of the following apply:

1. Death in the student's immediate family (consists of the following for all Hart County students: Mother, Father, Son, Daughter, Grandfather, Grandmother, Sister, Brother, Aunt, Uncle, Niece, Nephew, Father-in-Law, Mother-in-Law, Guardian, Spouse),
2. Illness of the student (doctor's written verification of an office visit/examination for illness/injury shall be required),
3. Court appearance (written verification of attendance from court designated worker [CDW] or court clerk must be submitted),
4. Life Skills appointments (written verification of attendance from provider must be submitted),
5. Religious holidays and practices,
6. One (1) day attendance at the Kentucky State Fair (Admission ticket must be submitted),
7. Documented military leave,
8. One (1) day prior to departure of parent/guardian called to active military duty,
9. One (1) day upon return of parent/guardian from active military duty,
10. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave,
11. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces, or
12. Trips qualifying as educational enhancement opportunities, as determined by the principal/designee.

Notes from parents/guardians shall be accepted, and absences shall be excused for up to two (2) days per semester only for the valid reasons listed as acceptable excused absences. Illness accompanied by a health professional's statement will not be counted as one of the two (2) days.

School Activities: Students are not absent when they are participating in school activities that have been authorized by the Hart County Board of Education and are a definite part of the instructional program of the school. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance. Students who attend classes for moral instruction at

the time specified and for the period fixed shall be credited with the time spent as if they had been in an actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.

School Work: School work missed for club activities, college days (seniors only), field trips or any other school-related activity must be completed in a time equitable to the time missed in class. For example, 1 day missed equals 1 day to complete and turn in the missed school work; 2 days missed equals 2 days to complete and turn in the missed school work, etc. School work may be made up for all excused absences and for up to three (3) unexcused absences each semester. It is always the student's responsibility to request and complete the missed school work whether the absence is an excused absence or for club activities, college days, field trips, EHO opportunities, etc.

Unexcused Absences: After three (3) unexcused absences have accumulated, the principal/designee shall make a second contact with the parent/guardian to ascertain the cause(s) for the student's absences. In addition, the Director of Pupil Personnel shall then be notified and shall make contact with the student's parent/guardian to inform them of the consequences for violating the Compulsory School Attendance Law (K.R.S 159.010).

When a student accumulates six (6) days of unexcused absences, the Director of Pupil Personnel shall be notified and shall then issue a "Final Notice" to the parent/guardian that the student should attend school regularly. In the event that a student accumulates nine (9) days of unexcused absences, the Director of Pupil Personnel will make a referral to the juvenile court designated worker against the student and parent/guardian.

Those students who are beyond the compulsory school age (18 and above) will be treated as previously mentioned, with these exceptions:

1. When the 3rd day of unexcused absenteeism has occurred, the student will be asked to meet with the principal and/or assistant principal to determine means of improving attendance. The results of this meeting shall be documented and a copy given to the parent/guardian with explanation of the possibility of failing grades, being retained, or possible expulsion from school if attendance is not improved.
2. After the 6th day of unexcused absenteeism has occurred, the Director of Pupil Personnel shall issue a Final Notice to the student.
3. When the 9th day of unexcused absenteeism has occurred, the Principal shall notify the Director of Pupil Personnel who will contact the Superintendent to arrange a board hearing.

Perfect Attendance: Students shall be recognized for perfect attendance when they have accumulated no absences from school. Perfect attendance will not be considered for students with excused absences, unexcused tardies, or unexcused absences.

Truancy Defined: Any public school student, who has not reached his or her twenty-first birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant. A pupil who has been reported as a truant two (2) or more times is a habitual truant. In addition, a student will now be considered a "habitual truant" if they have accumulated six (6) unexcused absences or is habitually tardy as defined by the Hart County Board of Education. This may result in court proceedings against the parent and/or the student depending on the student's age.

Educational Enhancement Opportunities (EHO's): To request an absence to participate in an educational enhancement activity, an application must be completed and returned to the school's principal at least two (2) days prior to the anticipated event. The activity

must have significant educational value. If activities are approved by both the principal and superintendent/designee, the absence(s) will not count against perfect attendance. The EHO application forms (09.123 AP.2) are available in each school's office.

Suspension: Absences resulting from suspensions shall always be considered unexcused. Projects or homework assigned prior to suspension shall be accepted for credit. Students shall be responsible for submitting assignments that were assigned prior to and were due during the time of the suspension. Long-term projects assigned during the suspension but due after the suspension time shall be accepted. Work assigned and due during suspension shall not be accepted.

NON-RESIDENT STUDENTS

Any student not residing in the Hart County School District and desiring to attend school in Hart County shall complete a Nonresident Student Application, 09.12 AP.21, for approval by the Principal and Superintendent/designee. In the event this procedure is not followed, then the enrollment of said student shall be null and void.

- A. Any student not residing in the Hart County School District, who wishes to enroll in the Hart County School District, shall apply after July 1. Enrollment will be granted by Superintendent/designee approval provided that capacity as defined by board policy is not met (see Board Policies 09.12, 09.1222)
- B. Any student who is under suspension or expulsion from any school district and changes his/her residence to the Hart County School District shall be denied enrollment in the Hart County School District until the period of time of the suspension or expulsion has elapsed.
- C. Any student not residing in the Hart County School District but was enrolled in the District shall only be enrolled for the school year in which s/he applied. A request to re-enroll the following school year shall be considered after July 1. Hart County reserves the right to terminate services by transferring the student back to his/her home district at the conclusion of the school year if the student becomes disruptive and/or interferes with the educational and/or safety of students, teachers and/or instructional assistants who reside within the Hart County School District; if the student accumulates more than six (6) unexcused absences; or if the student fails more than two (2) classes.
- D. Any student enrolling in the Hart County School District while residing in another school district shall clear all financial obligations to the Hart County School System at the end of the school year in order to be reconsidered for enrollment as a student the following school year.

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 who are 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, referral to the Disciplinary Review Committee, or 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 15, 2023. 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 2023-2024 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