Student Code of Acceptable Behavior & Discipline 2026-2027

Breathitt County Board of Education

420 Court Street ~ PO Box 750
Jackson, KY 41339
Telephone: 606-666-2491
www.breathitt.kyschools.us

Superintendent: Phillip Watts

Approved by the Breathitt County Board of Education
07/28/2026

In accordance with KRS 158.148, "A copy of the code of behavior and discipline adopted by the board of education shall be posted at each school. Guidance counselors shall provide copies for discussion with students. The code shall be referenced in all school handbooks. All school employees shall be provided copies of the code."
THE BREATHITT COUNTY BOARD OF EDUCATON DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, AGE, RELIGION, MARITAL STATUS, GENDER, OR DISABILITY IN EMPLOYMENT, EDUCATIONAL PROGRAMS, OR ACTIVITIES.
Hannah Watts, Title IX Coordinator, can be reached at the Breathitt County Board of Education, 420 Court Street, Jackson, Kentucky 41339, telephone 606-666-2491.

BREATHITT COUNTY SCHOOLS

Mr. Phillip Watts, Superintendent

Board of Education

Ruschelle Hamilton, Chairperson

Albert Little, Vice-Chairperson

Anna Morris

John Hollan

Tiffany Combs

Central Office Staff

Anthony Mullins: Transportation Director

Tim Wooton: Director of Curriculum/ Federal Programs

Felicia Johnson: Director of Pupil Personnel

Will Noble: Technology Coordinator/Facilities Coordinator/ Safe Schools Director

Hannah Watts: Director of Special Education/School Health Coordinator

Amanda Turner: Curriculum Specialist

Fannie Hall: Literacy Coach

Tabitha Napier: Food Services Director

Stacy McKnight: Personnel Director/Finance Officer

Sheretta Haddix: Administrative Assistant to Superintendent

Cathy Hayes: Accounting Supervisor

Lisa Lamb: Payroll Clerk/Insurance Coordinator

Stephanie Henson: Administrative Assistant to Food Service/Facilities Director

Patty Plummer: Administrative Assistant to the Director of Pupil Personnel

Brittany Sloas: Administrative Assistant/Federal Programs Assistant

Kendra Fisher: Administrative Assistant to Director of Special Education

SECTION 1. INTRODUCTION

The Breathitt County Board of Education (*hereinafter referred to as the **Board***) 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. In accordance with KRS 161.190, whenever a teacher or school administrator is functioning in his capacity as an employee of a board of education of a public school system, it shall be **unlawful for any person (including students and parents/guardians of students)** to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school.

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 the standards of the Code for Acceptable Behavior and Discipline (*hereinafter referred to as the **Code***) in a fair manner. Compliance with the standards is necessary to provide:

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

This Code applies to all students in the District while at school, on school property, 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. School property means any public school building, bus, public school campus, grounds, recreational area, or athletic field in the charge of the Principal. 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 the Code standards in the classroom, halls, and other duty assignment locations.

This Code establishes District 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.

SECTION 2. CODE FOR ACCEPTABLE BEHAVIOR AND DISCIPLINE REFERENCE DOCUMENTS (BOARD POLICY 09.42)

Below is a listing of Policies, Handbooks, Plans, Records, Statutes, and Regulations that are incorporated into and made a part of this Code by reference.

1. Other Board of Education policies and procedures
2. School Council policies
3. School handbooks
4. The District's Safety Plan
5. Student records information (Family Education Rights and Privacy Act – FERPA)
6. The District's special education policy and procedures
7. Kentucky Revised Statutes
8. Kentucky Administrative Regulations
9. Federal laws and Regulations
10. Attorney General's Opinions

This Code is part of the Board's policy on student behavior and discipline. 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, regulations, and/or case law.

A complete copy of the policy manual is available for inspection at each school and at the Central Office.

Students in Breathitt County Schools are provided the right to an education in the public schools. The United States Supreme Court has held that a student may not be deprived of the opportunity to a public education without good cause in which procedural due process is observed. It is the responsibility of each student to behave in a manner that does not threaten, interfere with, or deprive other students of their right to an education. Behavior that detracts from a student's ability to profit from instruction or that infringes upon the rights of others warrants disciplinary action. The intent of disciplinary actions should be to bring about a positive change in the student's behavior.

Professional judgment, devoid of anger or negative emotions on the part of the staff member, shall be used when determining the appropriate disciplinary action to be taken. In general, the concept of fitting the punishment to the seriousness of the violation of the rules shall apply at all levels. The student's right to due process procedures must be respected, especially in instances when possible suspension, expulsion or removal of the student is involved.

This Code shall be mandatory and enforced in a fair and equitable manner, without regard for race, color, national origin, age, religion, marital status, gender, or disability in all Breathitt County schools and at all school-related trips.

The authority of the District in matters of student behavior is not limited to school buildings and grounds or to times when the student is on his/her way to or from school but extends to any activity that is school-related.

This Code, on adoption by the Board, shall be furnished to every Principal, faculty member, staff member, parent, and student. The Principal in each school shall post, in a conspicuous place, a copy of this Code and a notice informing anyone entering the school where a copy of this Code may be obtained. It is the responsibility of all parents, students, and District personnel to become familiar with this Code.

Teachers and all school personnel shall be provided orientation of the Code each school year during a pre-school in-service program.

The Code shall be presented to all students in assembly meetings by the Principal and/or in homerooms by teachers in order to clarify the contents. These presentations will occur during the first week of the school year. Whenever a new student enrolls, the guidance counselor, or other school personnel as directed by the Principal, shall present the student and his/her parent(s)/guardian(s) with a copy of the Code and explain the contents with the student and the student's parent(s)/guardian(s).

The Principal/designee shall provide appropriate arrangements for all non-English speaking, blind, deaf, or non-readers to become familiar with the rights and responsibilities as specified in this Code.

SECTION 3. DISTRICT ATTENDANCE POLICY (BOARD POLICY 9.123)

Absences and Excuses

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 007:125.[1]

TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) 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.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

Any student who has been reported as a truant two (2) or more times is an habitual truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

EXCUSED ABSENCES

An excused absence or tardiness is one for which work may be made up, such as:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil, including mental or behavioral health;
3. Religious holidays and practices;
4. One (1) day for attendance at the Kentucky State Fair;
5. Documented military leave;
6. One (1) day prior to departure of parent/guardian called to active military duty;
7. One (1) day upon the return of parent/guardian from active military duty;
8. 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;
9. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces;
10. Students participating in any of the page programs of the General Assembly;[2]
11. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities; (i.e. job shadowing and college visits.)
12. Medical appointment for the student;
13. Court Appearances when the student's presence is required; of
14. Driver's license test or examination (only that portion of the day required).

EXCUSED ABSENCES (CONTINUED)

Students receiving an excused absence under this section shall have the reasonable opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence. It is the responsibility of the student to meet with teachers to get missed assignments.

A student who is participating in a school-related activity during school hours shall not be counted absent. However, the student shall be required to make up any assignments missed.

EDUCATIONAL ENHANCEMENT OPPORTUNITIES

Kentucky law specified that a student may be considered for an excused absence if the absence is deemed as an Educational Enhancement Opportunity. The following procedures will be followed to request approval:

1. Requests shall be submitted to the building Principal prior to the absence for consideration;

2. The proposed activity must have significant educational value, be intensive in nature and be directly related to the core subjects of English, Science, Mathematics, Social Studies, Foreign Language and/or Fine Arts;
3. A student may be approved up to ten (10) days per school year;
4. The building Principal shall use his/her judgment whether the request meets the criteria for approval;
5. Students will not be penalized academically for days approved as Educational Enhancement Opportunity;
6. Students shall be responsible to make arrangements with their teachers for all missed assignments;
7. Requests will not be approved during the state assessment window and/or the district-wide assessment window and extenuating circumstances may be left to the discretion of the Principal; and
8. A Principal decision may be appealed to the Superintendent and then to the Board.

NOTES REQUIRED

Unless the Principal determines extenuating circumstances exist, no more than three (3) parent or guardian notes will be accepted for each semester.

Health Care Provider Notes: A student who is absent due to illness and goes to the doctor shall present the health care provider's statement. The following information is required on the excuse statement:

NOTES REQUIRED (CONTINUED)

1) name of health care provider;
2) date and time of appointment;
3) date student can return to school;
4) health care provider’s signature.

Up to ten (10) days per school year may be excused with a health care provider's note. Any absence or tardy day due to medical reasons in excess of ten (10) health care provider’s notes will require the presentation of the Medical Excuse form before the absence will be excused. After ten (10) days of absence/tardiness in a school year for medical reasons, the Medical Excuse form shall be completed in order for the student to receive additional medical excuses. The Medical Excuse form is available at each school, the office of the Director of Pupil Personnel, on the official District website, and at parent request at some medical facilities.

SCHOOL HANDBOOKS

Each school handbook shall include specific attendance requirements.

UNEXCUSED ABSENCES

Work missed during unexcused days may be made up at the discretion of school teachers.

SECTION 4. RELEASE OF STUDENTS (BOARD POLICY 09.1231)

RELEASE OF STUDENTS

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the Principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

RELEASE PROCESS

If the student is to be picked up early, the custodial parent/guardian or designee shall report to the Principal's office and sign for the student's release.

Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (visual identification by an employee, driver's license, picture identification, etc.) to assure that they are authorized to pick up the student.

Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

EXCEPTIONS

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant or the person authorized by the Cabinet for Health and Family Services when the student is committed to the Cabinet or when the Cabinet is granted custody of the student by a court order. In such case, the student's parent shall be notified at the earliest opportunity except as otherwise provided by a court order or law.[1]

When custody of a student is granted to the Cabinet by a court order as a result of dependency, neglect, or abuse, the Cabinet shall notify the Principal, or any Assistant Principal, of the school in which the child is enrolled, and the District's Director of Pupil Personnel, of the names of persons authorized to contact the child at school or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and

b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

EXCEPTIONS (CONTINUED)

In addition, the Board authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

Section 5. TRUANCY DIVERSION PROGRAM (Board Policy 09.123)

A truancy diversion program will be implemented at BHS. The purpose of this program is to help students and families develop good attendance habits in order to enhance their success in school. This program will be administered by the Breathitt District Court Judge, Court Designated Worker, Director of Pupil Personnel, Principal, Counselor, Youth Service Center Coordinator and any other additional school personnel as may be necessary.

The truancy diversion program will consist to the following procedures:

Pre-Compliant Procedure

Students who are truant, meaning absent or tardy without a valid excuse for three (3) or more days, will be placed in the truancy diversion program. The student and his/her parent/guardian will attend a conference. The review, team consisting of the Court Designated Worker, Director of Pupil Personnel, Principal, Counselor, Youth Service Center Director, and any other necessary school personnel, will meet with the student and his/her parent/guardian to provide information about the legal requirements regarding truancy and habitual truancy, the purposes, procedures, and expectations of the truancy diversion program and the academic, attendance and disciplinary records of the student. The team will also identify any problems the student may be having which may be attributing to the student being truant.

Once a student has participated in the Truancy Diversion Program, the school staff and DPP will monitor the student's attendance. **Upon the 6th unexcused event, the student can be charged with truancy with the Court Designated Worker.** At that time, the CDW will contact the student and his/her parents/guardians to attend a meeting with him/her to discuss the requirements for the diversion program. If the CDW at any point during the diversion rules that the diversion has been unsuccessful, the student will then be sent to the Family Court Judge.

SECTION 6. ZERO TOLERANCE

The Breathitt County School District has adopted a Zero Tolerance policy in the areas of Drugs, Alcohol, Weapons (as defined by the Criminal Code of Kentucky), and Violence. No student while in or on the premises owned, leased, rented or controlled by the Board of Education or at any school-sponsored activity shall dispense, distribute, manufacture, sell, traffic in, transfer, possess, consume, be under the influence of, or use any controlled substances or alcoholic beverages in violation of KRS Chapter 218 A, or in any other way dispense, distribute, manufacture, sell, traffic in, transfer, possess, consume, be under the influence of, or use any controlled substance or alcoholic beverage in violation of laws, ordinances or regulations of the United States of America, the State of Kentucky, the County of Breathitt, or the Board of Education of Breathitt County, or any of their respective agencies.

Alcohol, Drugs, and Other Prohibited Substances (See Board Policy 9.423)
No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

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

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

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion form school and suspension or dismissal from athletic teams, extracurricular activities and/or other school-sponsored activities. Students who drive on campus shall have their driving privileges terminated. Principals shall report promptly to the local police department, sheriff, or Kentucky State Police if they have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within 1,000 feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

Drug Testing Policy See Board Policy 9.423 (continued)
Any member of an athletic team or extracurricular activity sponsored by the middle school or high school shall be subject to random drug testing through urine specimen testing for controlled substances performed by the Drug Coordinator. A positive test result (with no medical cause) will be reported to the identified Drug Coordinator. The Drug Coordinator shall inform the Principal of the student's school, who will then inform the parents/guardians of the student. Failure to submit to random testing or comply with the terms of this policy shall result in the immediate suspension of all athletic or extracurricular activities. Please refer to the Board Policy (9.423) for consequences of violations to this policy.

Weapons and Knives Policy (See Board Policy 5.48.)
Students shall *never* bring a weapon, knife, or dangerous instrument of any kind 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 Federal and State laws prohibit the carrying, bringing, using, or possessing of any weapon or dangerous instrument in any school building, on school grounds, in any school 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 report the matter 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.

SECTION 7. TOBACCO FREE CAMPUS (BOARD POLICY 09.4232)

Tobacco, Alternative Nicotine, or Vapor Products

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 on or in all Board property at all times, including any vehicle, owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity.

Evidence-based, age-appropriate nicotine prevention and cessation material shall be distributed to all students at the beginning of each school year, and students shall have access to the material throughout the school year.

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the Code of Acceptable Behavior and Discipline.

PENALTIES

If a student under the age of twenty-one violates this policy, then the District will confiscate the alternative nicotine products, tobacco products, or vapor products and:

1. For the first incident, the school counselor or other school-based mental health services provider shall provide to the parent or guardian and the student evidence-based, age-appropriate nicotine cessation information to include but not be limited to materials, programs, and referrals for treatment;
2. A second incident shall result in providing information listed above and disciplinary action as determined by the Board and included in the District Code of Acceptable Behavior and Discipline; and
3. Third and subsequent incidents may result in an in-school or out-of-school suspension. The school shall provide the opportunity for a student to complete an evidence-based, age-appropriate nicotine education program during an in-school suspension.

REPORTING

No later than August 1 of each year, the Board shall submit a report to the Kentucky Department of Education that includes:

a. The number of behavior incidents for each alternative nicotine product, tobacco product, and vapor product, listed by school and grade; and

b. The number of incidents for which medical intervention was provided, listed by school, grade, and product.

SECTION 8. BULLYING/HAZING (BOARD POLICY 09.422)

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

ACTIONS NOT TOLERATED

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.[1] This policy extends to any/all student language or behavior, on school premises, on school-sponsored transportation (per policies 06.34 and 09.2261), or at school-sponsored events including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

BULLYING DEFINED

Per KRS 158.148, "bullying" is defined 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:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

HAZING DEFINED

Per KRS 508.180, "hazing" is defined as a direct action which substantially endangers the physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization, including but not limited to actions which coerce or force a minor or a student to:

a) Violate federal or state criminal law;

b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of serious physical injury;

c) Endure brutality of a physical nature, including whipping, beating or paddling, brandingor exposure to the elements;

d) Endure brutality of a sexual nature; or

e) Endure any other activity that creates a reasonable likelihood of serious physical injury to the minor or student.

Per KRS 508.180, "organization" is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

REPORTS

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811

SECTION 9. HARASSMENT AND DISCRIMINATION (BOARD POLICY 09.42811)

The Breathitt County School District is governed by federal, state, and local anti-discrimination laws that ensure that students do not suffer harassment or discrimination. No discrimination is allowed on the basis of age, color, disability, marital or parental status, national origin, race, gender, political opinion or affiliation, and/or region.

Harassment/Discrimination

DEFINITION

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex (including sexual orientation or gender identity), or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions in this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to suspension and expulsion.

GUIDELINES

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

   The Superintendent/designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within ten (10) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
   - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
   - such other measures as determined by the Superintendent/designee.

   Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.
4. Age-appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation

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

NOTIFICATIONS

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.[1]

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

APPEAL

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

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

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

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

FALSE COMPLAINTS

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

OTHER CLAIMS

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

The District's Title IX Coordinator (TIXC) is:

Hannah Watts

420 Court St.

Jackson, KY 41339

606-666-2491

Hannah.watts@breathittt.kyschools.us

SECTION 10. GRIEVANCES (BOARD POLICY 09.4281)

Any student or parents wishing to express an educational concern or individual grievance shall observe the following order of appeal:

1. Teacher;
2. Principal;
3. School Council (where appropriate);
4. Superintendent;
5. School Board.

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel.

PROCEDURES

Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

EXCEPTIONS

Harassment/Discrimination allegations shall be governed by Policy 09.42811.

Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

SECTION 11. VISITORS (BOARD POLICY 10.5)

Visitors to the Schools

The Board encourages parents, professional educators, and others who have legitimate educational interests pertaining to the District's public school program to visit the schools. Persons visiting the District's school shall do so under the following guidelines:

1. Visits shall not interrupt the instructional program for students; i.e., teaching, testing, etc., and shall be scheduled in advance unless authorized by the Principal/designee; and
2. Visitors shall report immediately to the Principal's office upon entering the school to identify themselves and declare their purpose for visiting.

REGISTRANTS

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on, loiter within one thousand (1,000) feet of, or work in or operate any mobile business within one thousand (1,000) feet of the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
   a. A sex crime; or
   b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

Per KRS 17.545, "loiter" is defined as remaining in or about the clearly defined grounds of a District school, while not having any reason or relationship involving custody of or responsibility for a minor or any other specific legitimate reason for being there.

Per KRS 17.545, "mobile business" is defined as any business that operates from a motor vehicle or wheeled cart that can be operated, pushed, or pulled on a sidewalk, street, or highway where food, goods, or services are prepared, processed, or sold or dispensed to the public.

A registrant who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state
4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the Board Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305, is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and in the presence of a student or students.[1]

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by law[2], are subject to verbal warnings to refrain from use of the subject product. Refusal to refrain from such use or repeated instances of prohibited use after prior warnings may subject the individual to a ban from school property as permitted by law and corresponding civil and criminal penalties.[3]

ACCOMMODATION

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

ACCOMMODATION (CONTINUED)

- Effective communication
- Use of power driven mobility devices

- Event ticket sales accommodation
- Use of service animals
- Companion seating at events

The District shall notify the public of any requirements and/or deadline for requesting such accommodation.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

SECTION 12. REGULATIONS FOR STUDENTS RIDING SCHOOL BUSES (BOARD POLICY 09.226)

Conduct on School Bus

PUPILS' RESPONSIBILITIES

Pupils shall conform to transportation rules and regulations prescribed under state statutes[1] and under state and local regulations.

INSTRUCTION IN BUS CONDUCT AND SAFETY

Instruction in bus conduct and safety shall be provided all transported students. Instruction shall include the following rules:

PUPILS TO WAIT AT ASSIGNED STOP

Pupils shall wait at their assigned bus stop off the roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.

CROSSING ON DRIVER'S SIGNAL

Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver.

CROSSING IN DRIVER'S VISION

When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order that they may be seen by the bus driver.

SEATING

When pupils enter the bus, they shall proceed directly to a seat.

SEATED UNTIL COMPLETE STOP

Pupils shall remain seated until the bus has come to a complete stop.

BODY NOT TO PROTRUDE FROM WINDOW

Pupils shall not extend their arms, legs, or heads out the bus windows.

CHANGING SEATS

Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.

PUPIL NOISE

Pupils shall not create noise on the bus to the extent that it might distract the bus driver or to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.

SECTION 13. NO PASS NO DRIVE (Board Policy 09.4294)

Driver's License Revocation

Students who are fifteen (15) or (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.[1] The District shall report at the accumulation of nine (9) unexcused absences.

ACADEMIC AND ATTENDANCE DEFICIENCIES

Academic and attendance deficiencies for students age fifteen (15) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they accumulate nine (9) unexcused absences for the preceding semester. Suspensions shall be considered unexcused absences.

REINSTATEMENT OF DRIVING PRIVILEGE

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency.

SECTION 14. STUDENT SEARCHES (BOARD POLICY 09.436)

Search and Seizure

REASONABLE SUSPICION

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.[1] Search of a pupil's person shall be conducted only with the express authority of the Principal/designee. However, nothing herein will 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.

AUTHORIZED PERSONNEL

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the Principal/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

WITNESS

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. No search of a pupil shall be conducted in the presence of other students.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

STRIP SEARCHES

No strip searches of students shall be permitted.

FAILURE TO COOPERATE

Students who fail to cooperate with school authorities when requested to shall be subject to other disciplinary action.

REGULAR INSPECTION

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the District are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

ILLEGAL ITEMS

Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school official

USE OF METAL DETECTORS

School administrators or designees trained in the equipment's use are authorized to use stationary or mobile metal detectors. Metal detectors may be used in the following circumstances;

1. To search an individual student or his/her personal belongings when there is reasonable suspicion to believe the specific student is concealing a weapon.
2. To search all students or their personal belongings upon entering the premises.
3. To search students or their personal belongings on a random basis, provided adequate procedures are adopted and followed to ensure a random selection process.

Procedures setting guidelines for the use of metal detectors shall be developed and presented to the Board for review. All procedures for the use of metal detectors shall conform to applicable legal standards.2 Students shall be notified that metal detectors may be used and the circumstances and procedures for their use.

OTHER DISRUPTIVE ITEMS

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the Principal's office.

DISPOSITION OF ITEMS

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

USE OF TRAINED DOGS

Subject to the following conditions, the Board shall authorize the Superintendent to use trained dogs to locate contraband (prohibited items) on school grounds:

1. The dogs shall be certified as never having been trained as attack dogs.
2. The Principal or the Principal's designee shall be present.
3. Searches involving dogs shall be conducted only when students are in classrooms or other designated safe area; no student shall be in the vicinity of the site being searched.
4. All dogs shall be on a leash and will not be allowed to come in close proximity to any student.

SECTION 15. BEHAVIOR VIOLATIONS (BOARD POLICY 09.4 AND 09.42)

Code of Acceptable Behavior and Discipline
The Board requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school district and the laws of the community and state.[1]

Discipline problems are less likely to occur in classes which are well taught and which maintain a high level of student interest and expectation. However, teachers have the authority and responsibility to use reasonable methods to maintain classroom control without having to refer students to the school principal. The Superintendent/designee shall be responsible for overall implementation and supervision of the Board's Code of Acceptable Behavior and Discipline, and each Principal shall be responsible for the administration and implementation of the Code within each school. The Principal shall apply the Code uniformly and fairly to each student without partiality or discrimination.

The SBDM and Principal of each school shall set school policy concerning the selection and implementation of appropriate discipline and classroom management techniques necessary to carry out the Code. Students at different ages and grade levels are expected to assume varying degrees of responsibility for their actions. Therefore, different disciplinary measures have been developed to reflect different levels of maturity and self-discipline. In determining the appropriate disciplinary option, consideration needs to be given to the number of times a student has had to be disciplined and how many times a particular option has been used. **Repeated violations may require more severe consequences.**

Special Education Students – In cases involving students with disabilities, the procedures mandated by federal and state laws, and the students' Individual Education Plan, will be followed.

A behavior matrix for behaviors and consequences can be found on the last page of this handbook. The Schools' Student Handbooks may address more offenses. If an offense is not address, the consequences will be determined on an individual basis, as consistently and fairly as possible.

Level I Offenses
These are minor misbehaviors which require immediate intervention by the staff member who is supervising the student or who observes the violation. These misbehaviors may include, but are not limited to, the following

1. Disrupting and/or interfering with the normal operations in a classroom.
2. Tardy on a regular basis.
3. Failure to carry out a reasonable request from teacher or other school official.
4. Failure to comply with school based dress codes (Board Policy 09.427).
5. Any other violations which are expressly listed in the written school rules and related procedures that fall within this category.

Response Options for Level I Offenses: verbal reprimand, a behavioral contract, counseling, withdrawal of privileges, strict supervised study, school or teacher assigned detention, referral to In School Suspension, notification of parent, Saturday School.

Level II Offenses
These are actions which disrupt the learning climate of the school. These misbehaviors may include, but are not limited to the following

1. Repeated violations of Level I offenses.
2. Not attending an assigned class without a valid excuse.
3. Forging notes or willfully providing misinformation concerning absences, truant behavior.
4. Disrespectful behavior including use of profanity, and/or an obscene gesture or back talking towards another person(s).
5. Failure to follow the procedure for prescribed and over the counter medications.
6. Possession and/or displaying of obscene material.

Response Options for Level II Offenses: teacher/schedule change, referral to ISS, behavior intervention plan, social probation, referral to an outside agency, strict supervised study, extra assignments, detention, revocation of bus privileges, suspensions, notification of parent, Saturday School.

Level III Offenses

These are acts against a person(s) or property which may indirectly endanger the health or safety of others. These violations require administrative action. Depending on the circumstances, some of these offenses may require notification of appropriate law enforcement authorities. These behaviors may include, but are not limited to, the following

1. Repeated violations of Level I and/or Level II offenses.
2. Fighting
3. Assault by striking, shoving, kicking or otherwise subjecting another person to offensive physical contact with another person resulting in physical or emotional damage.
4. Threatening to assault another person, to inflict significant physical or emotional damage.
5. Encouraging or inciting discord or a civil disturbance including bomb threats or false fire alarm activation.
6. Vandalism (defacing or disfiguring school and personal property), trespassing, unlawful entry, criminal mischief, burglary or larceny.
7. Interfering with school personnel in impeding their ability to carry out their responsibilities.
8. Possessing and/or using a lighter, matches, or tobacco products at school (Board Policy 09.4232).
9. Gambling.
10. Speeding, reckless driving, or improper use of motor vehicle on school property.
11. Sexual contact, sexual harassment.
12. Computer hacking or disruptive use of electronic devices.
13. Threatening, extortion, blackmail or coercing another student.

Response Options for Level III Offenses: Temporary removal from class, referral to ISS, behavior plan, referral to outside agencies, suspensions, revocation of bus privileges/driving privileges, notification of parent, Saturday School.

Level IV Offenses

These are serious violations, which require administrative actions, notification of appropriate law enforcement authorities and result in the immediate removal of the student from the school. A request for a hearing with the Superintendent or his/her designee is mandatory with a Level IV violation. These misbehaviors may include, but are not limited to the following

1. Repeated violations of Level II and/or Level III offenses.
2. Arson, the intentional setting of a fire.
3. Assault, by striking, shoving, kicking or otherwise subjecting another person(s) to physical contact resulting in significant physical injury or physical threat of life or violence to another person(s).
4. Possession, use, or transfer of dangerous weapons: explosives, gun, rifle, knife, leaded cane, blackjack, metallic knuckles, razor/cutter, mace, pepper gas, or martial arts weapons (including using or threatening to use any blunt or sharp-pointed instrument which may be capable of inflicting bodily injury).
5. Possessing, exchanging, selling, distributing or, under the influence of alcohol, drugs or any substance purported to be an illegal drug, possession of related drug paraphernalia.
6. Interfering with school personnel by force or violence in impeding their abilities to carry out their responsibilities.

Response Options for Level IV Offenses: These are serious violations, which require administrative actions, notification of appropriate law enforcement authorities and result in the immediate removal of the student from the school. A request for a hearing with the Superintendent or his/her designee is mandatory with a Level IV violation. Parent notification will occur.

At any time that a student is questioned by law enforcement or a School Resource Officer, that student will be read their Miranda Rights prior to being questioned.

SECTION 16. SUSPENSION and EXPULSION– (Board Policies 09.434 and 09.435)

Suspension

WHO MAY SUSPEND

In accordance with KRS 158.150, the Superintendent, Principal or assistant Principal may suspend a student up to a maximum of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

PRIOR DUE PROCESS REQUIRED

A student shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)[1], unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

IMMINENT DANGER

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

WRITTEN REPORT REQUIRED

The Principal or assistant Principal shall report any suspension in writing[1] immediately to the Superintendent and to the parent of the student being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

EXTRACURRICULAR ACTIVITIES

A student on suspension shall not be allowed to participate in any extracurricular activity sponsored by the school.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed.[2]

Expulsion

BOARD MAY EXPEL

The Board may expel or extend the expulsion of any student from the regular school setting for misconduct as defined by law. 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 posed a threat to the safety of other students or school staff and could not be placed a**n appropriate alternative program or setting.**[1]

The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District;
2. To have brought a weapon to a school under its jurisdiction per Board Policy 05.48 or
3. **Is in grade six (6) to twelve (12) and is determined by the Board to have recklessly, with a deadly weapon or dangerous instrument, or intentionally caused or attempted to cause physical injury to a District employee on school property or at a school function under the Board's jurisdiction. In considering the actions of a student a Board shall use the definitions of "dangerous instrument," "deadly weapon," and "physical injury" in KRS 500.080 and "intentionally" and "recklessly" in KRS 501.020.**

School personnel does not include a student who is employed by the school or enrolled in any school-based apprenticeship program.

The Board may expel a student for longer than twelve (12) months.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of **school personnel or other students** on or off school property **including bus stops and school functions** (and the incident is likely to substantially disrupt the educational process); the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students. **Educational services provided shall not include transportation from the student's residence to, or returning from, an appropriate alternative program setting.**

An expelled student shall not participate in any school-sponsored extracurricular or interscholastic activity while the student is expelled.

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

HEARING AND RECORDS REQUIRED

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board.[1] The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.[3]

Within thirty (30) days prior to the end of a student's expulsion, the Board shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance under KRS 159.010.

BOARD DECISION FINAL

The Board may establish an appeals committee and delegate authority to hear appeals to the committee. Otherwise, the Board's decision shall be final.[1]

Within five (5) days of a student being expelled the District shall enter the expulsion in the student's record within the student information system.

RETURN TO SCHOOL

An expelled student shall be allowed to return to school in accordance with KRS 158.150.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)[1&3]

EXPULSION

An expelled student shall not participate in any school-sponsored extracurricular or interscholastic activity while the student is expelled.[2]

TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.[2]

SECTION 17. ELECTRONIC MAIL / ELECTRONIC (COMPUTER) ACCEPTABLE USE POLICY (AND MONITORING) (BOARD POLICY 08.2323)

The Breathitt County Board of Education supports reasonable access to various information formats for students, staff, and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

SAFETY PROCEDURES AND GUIDELINES

The Superintendent shall develop and implement appropriate procedures to provide guidance for student, staff and community member access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including but not limited to, the Internet, e-mail and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit use of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all District-owned devices with Internet access or personal devices that are permitted to access the District's network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking' and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors' access to materials harmful to them.

A technology protection measure may be disabled by the Board's designee during use by an adult to enable access for bona fide research or other lawful purpose.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate, its initial Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District's code of acceptable behavior and discipline including appropriate orientation for staff and students.

PERMISSION/AGREEMENT FORM FOR STUDENTS

A written parental request shall be required prior to the student being granted access to electronic media involving District technological resources.

Access to Electronic Media

PERMISSION/AGREEMENT FORM FOR STUDENTS (CONTINUED)

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

AGREEMENT FORM FOR STAFF AND COMMUNITY

A written request/agreement shall be required prior to the staff and/or community members being granted access to electronic media involving District technological resources.

The required request/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations, must be signed by the staff and/or community user. This document shall be kept on file as a legal, binding document.

EMPLOYEE USE

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own password.

Employees are encouraged to use electronic mail and other District technology resources to promote student learning and communications with the home and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities.

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

District employees and activity sponsors may set up blogs and other social networking accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.

Networking, communication and other options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for District employees and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Superintendent/designee.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
    a. Monitoring and managing the site to promote safe and acceptable use; and
    b. Observing confidentiality restrictions concerning release of student information under state and federal law.

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

COMMUNITY USE

On recommendation of the Superintendent/designee, the Board shall determine when and which computer equipment, software and information access systems will be available to the community.

Upon request to the Principal/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

STAFF/STUDENT OWNED MOBILE COMPUTING DEVICES

The District appreciates and welcomes the fact that staff and students are willing to bring personally owned computer equipment into the schools to be used for assignments and educational purposes. This policy applies to any use on District/School property.

Students in grades K-12 may utilize the wireless guest network on a personally owned computing device with teacher permission if they have earned a Digital Drivers License which is not currently suspended. Students may not utilize a personal computing device that has been blocked from the network due to activity which violates the District Acceptable Use Policy.

STAFF/STUDENT OWNED MOBILE COMPUTING DEVICES (CONTINUED)

Students and/or employees who bring to school privately owned laptops or other mobile technology devices, including but not limited to, iPod Touch, iPad, etc., are responsible for the equipment. Further, use of such devices shall adhere to all guidelines in the District AUP and accompanying procedure(s).

DEFINITION

Any device that runs Palm OS, Windows CE, Pocket PC, Mac OS, or a like product is considered a computer. Any device that connects to the Internet via wireless connectivity is considered a computing device.

LIABILITY

A student or staff member who brings a privately owned laptop or other mobile technology device (e.g. iPod Touch, iPad, etc.) to school is personally responsible for the equipment. Responsibility for the maintenance and repair of the equipment rests solely with the student/staff member. Any damage to the equipment is the responsibility of the individual.

SOFTWARE AND HARDWARE

Software residing on privately owned computers must be personally owned. Licenses for Microsoft Windows 7 and Office2010 are available at affordable prices through the Kentucky Department of Education for all students and staff. All computer devices must include current anti-virus software.

No internal components belonging to the District shall be placed in any personal equipment, whether as enhancements, upgrades or replacements. If personal software or hardware interferes with the District network software or hardware, a technician may remove the computing device from the network. Any damage caused by use in the District is the responsibility of the owner.

TERMS AND CONDITIONS

A privately owned mobile computing device may be connected to the District's network, including access to the Internet, under the following conditions:

- The connection has been approved and performed by the District technology department or a school technology resource teacher.
- Use of the computer adheres to the Breathitt County School District Acceptable Use Policy (AUP).

- All Internet traffic goes through the District proxy or filtering system as directed in Kentucky statutes (Senate Bill 230; 701 KAR 005:120).
- A USB flash drive is used to transfer files to the staff/student work station for network storage.

PRIVACY

All privately-owned computers attached and/or connected to the District's network are treated as the District's computers/devices for networking purposes. The District reserves the right to:

1. Monitor all activity and log network use.
2. Make determinations on whether specific uses of the computer are consistent with the District's AUP and the Schools' Code of Conduct/Handbook Policy.
3. Install any additional management software or apply any permission/security policies to the equipment.
4. Remove the user's access to the network and suspend the right to use the privately owned computer in District/School facilities and on District/School property if at any time it is determined that the user is engaged in unauthorized activity or is violating the AUP.

The District does not guarantee the privacy or security of any item stored on or transmitted by any privately owned computers. Staff and students are NOT allowed to attach to any other wireless networks that may be unsecured in the neighborhood of the schools. Failure to comply with this policy will result in the termination of rights to use a wireless device in the schools.

DISREGARD OF RULES

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems or other computing and telecommunications technologies.

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

RESPONDING TO CONCERNS

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

AUDIT OF USE

Users with network access shall not utilize District resources to establish electronic mail accounts through third party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters Internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least ten (10) years after the last day of service in a particular funding year.

SECTION 18. ALTERNATIVE PLACEMENT (BOARD POLICY 09.4341)

Alternative Education

DEFINITION

Alternative Education Program means 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. Alternative education programs do not include career or technical centers or departments.[1]

PURPOSE

The purpose of the Board's Alternative Education Program is to provide:

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the regular school assignment, when possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student.

ALTERNATIVE EDUCATION IN LIEU OF EXPULSION

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

The alternative program or setting may be provided virtually. Students placed in an alternative program or setting shall be subject to compulsory attendance requirements under KRS Chapter 159 and applicable Board policy.

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board. Following the initial alternative placement of a student, the Board shall review the alternative program or setting placement at least once per year and determine if the placement should be continued.[4]

NOTE: Students do not have a right to assignment to alternative programs or services except as specifically provided by law.

As required by Kentucky Administrative Regulation the District shall ensure:

- That each Alternative Education Program is not limited in scope or design and is aligned to the academic program of the District.
- A student enrolled in an Alternative Education Program may be eligible to participate in one (1) or more types of programs to address student learning needs that may include an alternative digital learning environment, credit recovery, or an innovative path to graduation.
- The Board shall review this policy and accompanying procedure(s) annually.[2]

ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at all grade levels.

Placement may be voluntary or involuntary, and the program may be offered either on-site or off-site.

An ILP shall exist for a student in grade six (6) and above as required by regulation prior to placement in a District Alternative Education Program. Criteria for involuntary assignment by District personnel in the Alternative Education Program may include one (1) or more of the following:

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.
- Documentation that there are specific academic and/or behavioral performance areas that require intensive assistance best provided in alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that the student needs intensive support in the areas of social and personal issues that are impeding academic performance and/or behavioral expectations.
- The student has been assigned for code of conduct or Board policy violations for which assignment to an alternative program is authorized under the code or policy.
- The student has been identified as being at risk of academic failure and/or dropping out of school.
- The student has previously dropped out of school, but has requested to return to school via enrollment in an alternative education setting.
- The student is assigned to an alternative school or program for other reasons as provided in the code of conduct, Board policy, or other program standards adopted by the Board.
- Other reasons related to safety concerns and educational needs of the student referenced in 704 KAR 019:002.

A student's parent/legal guardian or a student who is eighteen (18) years of age or older may request voluntary placement in the Alternative Education Program.

NOTIFICATION

The Principal or other designated administrator shall notify the parents by letter of their child's assignment to the Alternative Education Program. The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

The duration of the alternative assignment shall be as provided in applicable Board policy, code of conduct, or other alternative program standards adopted by the District or as decided by the team and approved by the Superintendent/designee.

Attainment of a High School Equivalency Diploma

Students enrolled in a District-operated alternative education program shall be eligible to seek attainment of a High School Equivalency Diploma if the student:

- Is at least seventeen (17) years of age;
- Is not on track to graduate*; and
- Has previously attained a passing score on an official readiness test for a High School Equivalency Diploma.

*Not on track to graduate – At the fourth (4th) school year, cumulative grade point average of less than 2.5 and/or not at the 75% mark to obtain the minimum twenty-two (22) credits to graduate.

A student who has attained a High School Equivalency Diploma shall be exempt from compulsory attendance.[3]

ILPA TEAM

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students with long term placements in grades six through twelve (6-12) assigned to an alternative school or program. The team may consist of the lead administrator/designee of the student's current

school/program, the lead administrator/designee of the alternative school/program, counselors, teachers and other staff as appropriate.

The Superintendent/designee shall chair the team and invite the guardians, and as appropriate, the student to participate.

After consideration of input of the team, the counselor or the designated administrator shall prepare or revise the ILPA to address, as appropriate, academic and behavioral needs, criteria for re-entry into the traditional program and review of student progress.

EXCEPTIONS:

- Such decisions for individual students with disabilities under the IDEA shall be made when required through the Admissions and Release Committee process and changes in service delivery required under the IDEA shall be made to the student's IEP.
- Such decisions for students identified under Section 504 shall be made through the team process as required under federal law and corresponding District policies and procedures.

EXTRACURRICULAR PARTICIPATION

Students assigned to alternative schools or programs shall be eligible to access extracurricular activities including, but not limited to sports activities, as allowed under applicable Board policy, code of conduct, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

CONTINUING SUPPORT

Opportunities shall be provided for students to continue regular school work as appropriate under the supervision of Alternative Education Program staff. Students participating in an alternative program shall continue to be able to access tutoring, transportation, library and media services, specialty course work, intervention, counseling, and other resources and services already available in the District as determined through the development of the ILPA.

TRANSITION

Students may transition to a regular classroom setting in accordance with any criteria for re-entry established by the ILPA Team and in accordance with the following process:

1. The lead Alternative Education Program administrator/designee shall invite the student (age 18 or older) or the parent/legal guardian to meet to discuss the proposed transition.

   If the parent/legal guardian or adult student do not attend, written notification shall be provided to explain the proposed re-entry.

   For IDEA or Section 504 students, the IEP or Section 504 team shall determine placement of students as required by law.

2. Strategies shall be documented to promote successful transition to include specific staff responsibilities and how follow-up monitoring will occur.

3. Should the transition not be successful for the student, reassignment to the Alternative Education Program may be considered, and the ILPA Team may be reconvened accordingly.

COLLABORATION WITH OUTSIDE AGENCIES

The coordinator or lead administrator of the Alternative Education Program shall establish a process to collaborate with outside agencies involved with involuntary placements, including courts or other social service agencies to address student transitions between programs. Release of protected information about students involved in the program shall be in compliance with the Family Educational Rights and Privacy Act (FERPA).

NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.

Student Rights and Responsibilities

Students have the right to:

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

Students have the responsibility to:

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

Staff Rights and Responsibilities

School Staff has the right to:

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

School Staff has the responsibility to:

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

Parent/Guardian Rights and Responsibilities

Parents/Guardians have the right to:

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

Parents/Guardians have the responsibility to:

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

Breathitt County Facilities

Breathitt County Central Office
420 Court Street/PO Box 750
Jackson, KY 41339
606-666-2491

Breathitt County High School
Principal – David K. Abner
2307 Bobcat Lane
Jackson, KY 41339
606-666-7511

Sebastian Elementary
Principal – Jeremy R Hall
244 LBJ Road
Jackson, KY 41339
606-666-8894

Highland-Turner Elementary
Principal –Jeremy J. Hall
10355 Highway 30 West
Booneville, KY 41314
606-295-7128

Breathitt Elementary
Principal – Jason Fugate
90 LBJ Road
Jackson, KY 41339
606-666-7775

Breathitt County Area Technical Center
Principal – Joe Mayabb
2303 Bobcat Lane
Jackson, KY 41339
606-666-5153

Breathitt County Regional School
Head Teacher – Elisha Allen
2725 Highway 30 West
Jackson, KY 41339
606-295-2350

Breathitt County Day Treatment Center
Head Teacher – Vacant
2665 Highway 30 West
Jackson, KY 41339
606-295-2267

Title I Parent/Teacher/Student Compacts

Compact Agreement: It is a declaration of all parties who sign the receipt of this compact to help each other achieve the mutual objectives below. These are voluntary commitments.

As a Teacher, I promise to…

- believe that each student can learn
- have high expectations for myself, students, and other staff
- demonstrate professional behavior
- have a positive attitude
- come to class prepared to teach
- communicate and work with families to support students' learning
- involve parents in school programs
- provide a safe environment conducive for learning
- enforce school and classroom rules fairly and consistently
- prepare my students to be college and career ready

As a Student, I promise to…

- attend school regularly
- have high expectations for myself
- believe that I can learn and will learn
- ask for help when I need it
- obey the school rules
- come to school prepared
- take pride in my school
- treat adults, fellow students, and school property with respect
- participate in my education

As a Parent/Guardian, I promise to…

- help my child attend school daily and be on time
- have high expectations for my child
- encourage responsibility for my child
- communicate and work with teachers to support and challenge my child
- attend activities and opportunities to help parents become a partner in their child's education
- give praise to my child for hard work
- participate in decision making related to the education of my child

Family Educational Rights and Privacy Act (FERPA)
Notice for Directory Notification

The *Family Educational Rights and Privacy Act (FERPA)*, a Federal law, requires that Breathitt County School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's educational records. However, the Breathitt County School District may disclose appropriately designated "directory information" without written consent unless you have advised the District to the contrary in according with District procedures. The primary purpose of directory information is to allow the Breathitt County School District to include this type of information from your child's educational records in certain school publications. Examples include:

- Graduation programs;
- Annual yearbook;
- Recognition lists; and
- Sports activity sheets.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require Local Education Agencies (LEA's) receiving assistance under the *Elementary and Secondary Education Act of 1965 (ESEA)* to provide military recruiters, upon request, with the following student information: names, addresses, and telephone listings. This information will be provided to military recruiters unless parents advise the District they do not want their child's information disclosed without their prior written consent. If a parent does not want the Breathitt County School District to disclose directory information from their child's educational record without their prior written consent, the parent must notify the district in writing.

If you do not want the Breathitt County School District to disclose directory information from your child's educational records without your prior consent, you must notify the District in writing within thirty (30) days of the date on the notification letter.

The Breathitt County School District has designated the following information as directory information:
Student's name, address, telephone number, school email address, photograph/picture, date and place of birth, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational agency or institution attended.