

Metcalfe County Schools Student Discipline Code 2026-2027

Development Procedures

A discipline code committee consisting of administrative staff of Metcalfe County Schools has been established to develop the student discipline code guidelines.

Annual Review Procedures

The local school district discipline code shall undergo an annual review by the local school administrative staff and district advisory committee. If amendments and revisions are recommended, the superintendent shall make such recommendations to the Board of Education.

Annual Orientation Procedures

Each school shall develop an effective distribution and orientation process by which students, parents, teachers, and administrators may become fully familiar with the code. Copies will be made available to each student at the beginning of the school year. All new students entering this system throughout the school year shall also receive a copy of this code. Any future amendments and revisions shall be distributed in the same fashion. Students are to receive orientation the first week of the school year.

Due Process/Appeal Procedures

Due process requires that the student be given oral or written notice of the charges of misconduct against him/her. If the student denies the charges the evidence supporting the charges must be explained. The student must then be given an opportunity to present his/her version. Site-Based Decision-Making schools may have additional policies pertaining to discipline. Parents shall receive this information from individual schools.

Where Discipline Code Applies

This code shall apply at school, on the way to and from school, and at all school-sponsored activities.

Under the United States Constitution certain individual rights are provided for the protection and safeguard of all people. In any relationship individual responsibilities are inherent in all rights.

The following, therefore, is given as the code of Rights and Responsibilities.

Student Rights and Responsibilities

Student Rights

1. To an appropriate education preparing the student (within the limit of abilities) to reach maximum potential for contributing to the individual's welfare and that of society.
2. To a reasonable and timely notice of all rules, regulations, policies and penalties to which they may be subject.
3. To request a conference, present complaints or grievances of disciplinary action or other matters to school authorities and receive replies from such matters in a reasonable length of time.
4. To freedom of speech and expression as long as the rights of others, within the educational environment, are not abridged, curtailed or interrupted.
5. To protection of persons and property.
6. To the respect of other students and school personnel.
7. To participate in any school-related program and activity within the limits of capabilities without regard to race, color, national origin, sex, religion, or disability.
8. To confidentiality of all personal school records.
9. To integrity in relationship to spoken word or written assignments.
10. To "due process" in regards to disciplinary action, including the right to hear charges and state his/her side and appeal decisions to higher authority.
11. To be secure from unreasonable searches of person and personal property and from unreasonable seizure of property.
12. To receive academic evaluation solely on academic performance.
13. To make up work after returning from excused absences.
14. To be represented by students in the decision making process on matters which relate to standards of achievement, conduct, elections, and participation where system-wide committees are appointed to address these matters.

Student Responsibilities

To show respect for the education process by attending school regularly and taking advantage of every opportunity offered to further his/her education and not to interfere with the rights of fellow students to an education.

To obey the rules and regulations of the Board of Education and/or school administration and to question them only for explanation not in an argumentative context.

To exercise courtesy and reason at all times, to accept punishment, to avoid unreasonable appeals, and to refrain from making false accusations.

To refrain from libel, slanderous remarks, obscenity and written expression. Includes all forms of clothing.

To refrain from actions which would endanger self or others including fighting, abusive language, and/or using threats or intimidation against other persons.

To respect the human worth and dignity of every individual and to refrain from behavior inconsistent with the good order of discipline of the educational system and process in all situations where improper behavior may affect the efficiency and enjoyment of any person participating therein.

To make the best contribution possible to support the school in all phases of the program or activity and to behave in such a way that participation will be a contribution and not a detriment, to be punctual and present regularly in the program or the activity.

To follow established procedure in requesting release of personal records.

To respect the truth in all school matters, to complete all assignments in accordance with teacher's instructions and to refrain from cheating on all school activities.

To exercise courtesy and reason at all times and accept just punishment.

To refrain from bringing any controlled substance, any contraband and/or dangerous items on school property.

To fulfill academic requirements.

To abide by the student attendance policy.

To become informed of and adhere to reasonable rules and regulations by the Board of Education and implemented by Board, administrators, and teachers.

Parents’/Guardians’ Rights and Responsibilities

Parent Rights

1. To send their child to a school with a positive educational attitude.
2. To expect that disruptions will be dealt with fairly, firmly, and quickly.
3. To enroll their child in regularly scheduled classes with minimal interruption.
4. To expect the school to maintain high academic standards.
5. To be informed of and to review the student’s academic progress and other pertinent information which may or may not be contained in the student’s personal records.

Parent Responsibilities

To prepare their child both physically and mentally to be receptive to a quality education. This includes informing the child of the value of an education and a sense of respect for educators.

To familiarize themselves and their child about the rules and disciplinary procedures of the school and emphasize the importance of following them.

To understand that unnecessary interruptions in the school are detrimental to the educational program for all students and to ensure that their child attends regularly and promptly.

To familiarize themselves with the educational program and their procedures.

To initiate requests for a conference with the teacher, counselor, or principal to review academic progress or other matters.

Educator Rights and Responsibilities

Educator Rights

1. To work in an environment free from excessive disruptions.
2. To implement appropriate disciplinary procedures within administrative guidelines.
3. To expect all assignments to be completed and turned in within acceptable time limits.
4. To take disciplinary and/or legal action against physical harm or verbal abuse on school property or in attendance at school functions.
5. To provide input in the formulation of policies related to students and school personnel.
6. To expect students to exhibit good conduct, neatness, cleanliness, personal dress and hygiene.
7. To expect the support and respect of fellow educators, students, and parents.

Educator Responsibilities

To maintain a positive learning atmosphere.

To assist in the administration of such discipline as is necessary to maintain order throughout the school and to be aware of disciplinary policies and laws.

To make the assignments clearly understood by the students and to evaluate and return student assignments within reasonable time limits.

To practice good judgment in antagonistic confrontations.

To support and administer the policies.

To show a good example of good conduct, neatness, cleanliness, personal dress and hygiene.

To exhibit an attitude of respect for students and to develop and exhibit professional competency.

Levels of Behavior and Responses

Levels	Examples	Responses
I. Classroom disturbances Also may include misuse of computer, internet and e-mail, and all electronic communications	• Tardiness • Behavior that disrupts the orderly educational process of the school or class • Behavior that shows disrespect to school setting • Behavior that shows disrespect to self or others	• Verbal Reprimand • Teacher-pupil conference • Withdrawal of class privileges • Isolation from situation causing disturbance • Counseling (in-school) • Parent Involvement
II. Continuous Level I behaviors Also may include misuse of computer, internet and e-mail, and all electronic communications	• Habitual tardiness • Continued pattern of class or school disruption (as defined in Level I) or inappropriate school behavior • Failure to follow school guidelines on signing in and out of school • Chatting • Non-educational email use • Sending a win popup • Visiting non-educational websites • Playing games • Pornography • Threatening/hateful speech • Upload of virus • Vandalism • Install/possession of hacking software • Logging on/using another student's account • Videoing a fight etc.	• Parent Involvement • Referral to administrative staff • Behavioral contract • Behavioral modification techniques • Modified school day • Modified class schedule • Explore alternative program • Detention (optional to each school) • Short term suspension • Alternative suspension program • 1day alternative classroom • Warning of computer privileges being canceled • 2 days alternative classroom • Computer privileges canceled for semester • Computer privileges canceled for year • Counseling (in-school)

III. Continuous Level II behaviors Acts that endanger the safety or health of others or cause damage to property, or continuous disruptive, harmful, mentally or physically demeaning, injurious or disrespectful behavior toward self or others Also may include misuse of computer, internet and e-mail, and all electronic communications	• Threats to others • Fighting • Possession of or use of unauthorized substances • Cutting class • Leaving school grounds without permission • Vandalism (minor) • Possession or use of tobacco products including e-cigarettes, vapor products, cowboy coffee chew and similar products • Gambling • Petty theft • Truancy • Profanity/Vulgarity • Possession of threatening lists • Pornography • Upload of virus • Logging on using another student's account	• Temporary removal from class • Alternative programs (in school or district) • School-parent involvement • Short term suspension • Hold child responsible for replacing or correcting minor damage • Detention (option to each school) • Alternative Classroom (Saturday school) • Alternative suspension program • Counseling (in-school)
IV. Acts that cause harm or inflict injury to self or others, major vandalism, continuous Level III behavior or criminal acts Also may include misuse of computer, internet and e-mail, and all electronic communications	• Theft • Habitual truancy • Possession, use and supplying a controlled or illegal substance, possession of drug paraphernalia, or "look alike drug" • Extortion • Setting off false fire alarms • Arson • Assault • Taser • Sexual abuse and/or harassment • Possession of weapons • Bomb threat • Paging device • Misuse of cellular phone • Other incorrigible conduct • Pornography • Upload of virus • Logging on using another student's account • Severe misuse of electronic media	• Administrative/staff involvement • Parental Involvement • Contact with local law enforcement • Alternative to suspension • Suspension • Court referral • Pre-Board expulsion hearing • Alternative school program • Day Treatment program • Recommend for expulsion • Counseling (in-school)

The responses listed above are not listed in any prioritized order. They are a list of options that may be used as a consequence for misbehavior. (The above levels of behaviors and responses are general in nature and are meant to serve as a guide. Persons administering the responses are given, and should use, flexibility in applying this code of discipline to allow for extenuating circumstances.)

Corporal Punishment

Corporal punishment is banned by the School District as a penalty or punishment for student misbehavior. Corporal punishment refers to the deliberate infliction of physical pain on a student by any means.

Telecommunication Devices

Definition of Personal Communication Device: A device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including but not limited to a paging device or a cellular telephone.¹

Telecommunication device does not include any device a student is authorized to use pursuant to the Individuals with Disabilities Education Act, the Americans with Disabilities Act, or the Rehabilitation Act of 1973.

Possession and Use: While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess personal telecommunications devices and other related electronic devices. Students are prohibited from using a personal telecommunication device during instructional time, except during an emergency, if directed to do so by a teacher for an instructional purpose, or if authorized by a teacher.

Students shall observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
 - a. Poses a threat to academic integrity, such as cheating;
 - b. Accesses social media unless authorized to do so by a teacher for an instructional purpose;
 - c. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of 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;
 - d. Is profane, indecent, or obscene;
 - e. Constitutes or promotes illegal activity or activity in violation of school rules; or
 - f. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

2. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.

3. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
4. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
5. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

Penalties for False Bomb Threats

Making a false bomb threat is a federal offense with a criminal penalty of up to ten years in prison, \$250,000 fine, or both. This penalty also applies to juvenile offenders. In addition to state and federal laws, there are district and school policies that prescribe penalties for bomb threats.

Assault and Threats of Violence

For purposes of this Policy, a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.

Dear Parent/Guardian,

Our most important function in Metcalfe County Schools is to provide the safest learning environment possible for all of our students and school staff members.

Unfortunately, in recent years, Kentucky's P-12 schools have experienced an escalation of terroristic threats being made by students with intent to do harm to either other students or school staff members. Plainly stated, these are threats being made to shoot people or detonate bombs with lethal intent. In fact, over time, Kentucky schools have experienced a number of terroristic threats that caused widespread fear throughout the school's community and resulted in total disruption to the educational process. In many of those cases, school officials and law enforcement officials were forced to close schools to investigate the threats that had been made. In other cases, school attendance plummeted for days after the threat was made. Many school leaders have said that the emotional, instructional, and financial impacts of these acts are incalculable.

Terroristic Threating in the second degree is defined in state law (KRS 508.078)

(1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:

b) Makes false statements by any means, including by electronic communication, for the purpose of:

- 1. Causing evacuation of a school building, school property, or school-sanctioned activity;**
- 2. Causing cancellation of school classes or school-sanctioned activity; or**
- 3. Creating fear of serious bodily harm among students, parents, or school personnel**

(For the complete text for KRS 508.078 please see the next page.)

Such threats to our students and school staff are totally unacceptable and will not be tolerated. As a result, the purpose of this letter is to notify all parents and guardians that school district officials (in coordination with responding law enforcement agencies) will **pursue immediate legal charges for felony terroristic threatening in the second degree, to the absolute fullest extent of the law, against anyone who makes such threats, including students.** Moreover, we will advocate to our highest ability that the prosecution of these individuals be swift and their punishment be severe.

Our approach to eliminating terroristic threatening in our school and district is strong and unwavering, and as a result, it is imperative that you discuss this critically important matter with your student as soon as possible. School and law enforcement officials are determined to put a halt to these willful acts of terrorism being made toward our students. Please do your part to ensure that your student never becomes a party to such an offense by educating him/her on the seriousness of its consequences.

Together we can prevent this unnecessary, dangerous, and disruptive crime from victimizing our schools. I appreciate your partnership in keeping our school the safest place for your student to learn and grow.

If you have any questions or concerns, please contact me at your convenience.

Sincerely,

Allen Trotter, Director of Pupil Personnel

PLEASE CAREFULLY REVIEW DETAILS OF KRS 508.078 ON FOLLOWING PAGE

Definitions of Terroristic Threatening:

508.078 Terroristic threatening in the second degree.

- (1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:

- (a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur;

(b) Makes false statements by any means, including by electronic communication, for the purpose of:

1. Causing evacuation of a school building, school property, or school-sanctioned activity;
2. Causing cancellation of school classes or school-sanctioned activity; or
3. Creating fear of serious bodily harm among students, parents, or school personnel;

(c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or

(d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.

(2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.

(3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.

(4) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.

(5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

Penalties

Violating a Class D felony (adult) 1-5 years imprisonment (KRS 532.020) and/or \$1,000-\$10,000 fine (KRS 532.020).

Violating a Class C felony (adult), 5-10 years imprisonment (KRS 532.020) and/or \$1,000-\$10,000 fine (KRS 532.020).

Violating a felony (juvenile) fine not to exceed \$500 (KRS 635.085), with fine assessed at the court's discretion in lieu of commitment to the Department of Juvenile Justice.

Principal's Duty to Report

The principal has a duty to report certain acts to local law enforcement. When the principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the principal shall immediately report the act to the appropriate law enforcement agency. School property means any public school building, bus, public school campus, grounds, recreational area, or athletic field in the charge of the principal.

Additional Reporting Duties

Criminal Violations

1. Any employee who knows or has reasonable cause to believe that a student has been the victim of a serious offense, including but not limited to assault, menacing, wanton endangerment, terroristic threatening, criminal abuse, or stalking, while on school

premises, on school-sponsored transportation, or at a school-sponsored event shall immediately report the incident to the principal of the school attended by the victim.

2. The principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of all students involved in an incident reportable under this section.
3. The principal shall file with the Board of Education and the local law enforcement agency, the Kentucky State Police, or the county attorney within forty-eight (48) hours of the original report a written report containing:
 - a. The names and addresses of the student victim and his or her parents, legal guardians, or other persons exercising custodial control or supervision;
 - b. The student's age;
 - c. The nature and extent of the violation;
 - d. The name and address of the student allegedly responsible for the violation; and
 - e. Any other information that the principal making the report believes may be helpful.
4. Any employee acting upon reasonable cause in the making of a report under this section in good faith shall have immunity from any liability, civil or criminal, that may otherwise be incurred or imposed.
5. The Board of Education and school personnel shall participate in any investigation reported under this section at the request of the agency to whom the report was made.
6. Retaliation against a complainant or a person making a report under this section is strictly prohibited. If a complainant or person making a report under this section feels that retaliation has occurred, they shall immediately inform their principal or the superintendent.

Student Suspension/Expulsion

Serious or repeated misbehavior or violations of school rules may result in the suspension or the expulsion of a student. Kentucky Statutes declare that willful disobedience or defiance of authority, profanity or vulgarity, assault, battery or abuse of other persons, threat or force of violence, use or possession of alcohol or drugs, stealing, destruction or defacing of property, carrying or use of dangerous weapons, or other incorrigible bad conduct on school property as well as off school property at school sponsored activities constitutes cause for suspension or expulsion of students.

Suspension is exclusion of a student from school for a specified, brief period of time, usually not to exceed ten days. The superintendent, principals, or head teachers are empowered to suspend students but must report such action in writing immediately to the superintendent and to the parent or guardian. No student may be suspended until the following:

1. Oral or written notice of the charges, which constitute the cause for suspension, must be given to the pupil.
2. The evidence supporting the charges must be explained to the pupil if he or she denies the charges.
3. The pupil must be given the opportunity to respond to the charges.

There need be no delay between the notice of charges and the time of the informal hearing. As a general rule, the above procedures are to be followed prior to the removal of the pupil. However, if the superintendent or principal believes that immediate suspension is necessary to protect persons or property or to avoid disruptions of the academic process, the student may be suspended immediately and the necessary notice and hearing are to be held as soon as possible after the suspension is affected.

A conference should be held between the official who meted out the suspension and the student and his/her parents or guardian prior to readmission.

Exclusion from school for a period longer than ten (10) days, is usually considered to be an expulsion. Only the Board of Education may expel. However, the superintendent or principal may suspend for a period longer than ten (10) days pending a Board expulsion hearing.

Except in cases of serious misconduct, a student may be brought before the Board for expulsion only after the effort on the part of the school staff to cope with the situation has failed. This effort should include principal, teacher, parent, and student conferences and may use guidance and social agencies that are available.

In order for expulsion to take place, the student is entitled to a procedural due process hearing before the Board, including the following:

1. A written statement, setting forth the specific charges and grounds, which, if proven, would justify expulsion under the law, will be presented to the student and his/her parents or guardians. The statement will be of sufficient clarity and presented in advance of the hearing to allow the student to prepare a reasonable defense. The action of the Board will be based on those specific, written charges—no others.
2. The student will be fully informed of the manner in which the alleged violation(s) came to the attention of the Board.
3. During the hearing the student and his/her parents or guardians will be afforded the opportunity to present the Board with a defense to the charges by oral or written testimony, including the introduction of a reasonable number of witnesses on his/her own behalf.
4. Should the student and his/her parents or guardians desire, they may be accompanied by a lay advisor and represented by legal counsel at the parents' expense. If the student is to be represented by legal counsel, the Board must be notified of this intention so that the Board Attorney may also be present.
5. The student is entitled to an expeditious handling of his/her case and prompt decisions after the hearing, consistent with the requirements of mature and careful reflection by the Board.
6. The student will be given the Board's decision in writing.

7. The decision of the Board is final.

If the student and parents or guardians fail to appear at the scheduled hearing, the Board will take whatever action it deems appropriate according to the charges and evidence. If the student is expelled for a period less than the full school year, a conference should be held with the Board or its designees prior to readmission.

Search and Seizure

Any vehicle parked on school property, school property such as buses, lockers and desks, are jointly held by the school and the student. School authorities have the right to conduct general inspection of all such property on a regular basis. Students should not expect privacy to items left in such locations. A single desk or locker may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

No student's outer clothing, pockets or personal effects (e.g. handbooks, backpacks, etc.) shall be searched unless there are reasonable grounds to believe the search will reveal evidence that a student has violated or is violating either a school rule or the law. 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 through the Principal's office. Any prohibited item(s) which have been seized shall be turned over to the proper authorities and will not be returned to the true owner.

Canine searches of school facilities may be conducted as well as the use of stationary or mobile metal detectors (i.e., electronic wands) by school administrators or designees trained in the equipment's use.

Student Organizations

Secret societies shall be prohibited. Students are not allowed to participate in secret societies, and such organizations are not permitted to meet or carry on their activities in school buildings, school buses, or on school grounds.

Violation of this policy by a student may result in disciplinary action being taken as determined by the principal, including possible suspension or expulsion of the student from school.

All student organizations shall be open to all students regardless of sex, race, color, national origin, disability, or religion.

Student Demonstrations, Strikes, and Petitions

Demonstrations, marches, petitions, or other activities that would disrupt the planned instruction program will not be permitted. Students participating in demonstrations, marches and/or circulating petitions may be subject to suspension or expulsion.

Guidelines for Student Activities

1. No student or student organization shall engage in any school-sponsored activity which:
 - a. Violates any city, county, state, or federal statutes or regulations.
 - b. Violates the Metcalfe County Board of Education Policies.
 - c. Is libelous or slanderous.
 - d. Incites students so as to create a clear and present danger of imminent commission of unlawful acts or of the violation of lawful school regulations or the substantial disruption of the orderly operation of the school.
 - e. Expresses or advocates racial, ethnic, or religious prejudice so as to create a clear and present danger, imminent commission of unlawful school regulation, or the substantial disruption of the orderly operation of the school.
2. Local school-sponsored organizations which are affiliates of national and state organizations shall be granted the authority to abide by the state and national rules and regulations insofar as they do not conflict with the policies of the Metcalfe County Board of Education.
3. Rules and guidelines that are set forth by local school organizations shall be consistent with board policy.
4. Grievances concerning membership in a school-sponsored student activity shall be considered by the school SBDM council. The decision of the SBDM council shall be final.

Medical Information

Medication taken during school hours: Parents must obtain a permission form from their child's school in order to take any type of medication during school hours. There will be two (2) separate forms: one for over the counter and one for prescribed medications. These permission forms must be signed by the child's guardian and on file at the school. All medication must be in the original container. All prescription medications and over-the-counter medications must be turned in to the office for dispensing by authorized personnel. Students are not permitted to transport medicines to school or to carry medications of any type on their person while at school or during any school-sponsored activity unless medical documentation is provided by the parent/guardian supporting the need for a student to carry a medical device and/or medication on their person due to a pressing medical need. Under these circumstances, the principal or assistant principal may grant permission.

Although school authorities are required to immediately report all known or suspected cases of communicable disease to the local health department, diseases to be reported shall not include those considered confidential, such as HIV/AIDS.

Provided the parent/guardian and physician file a written statement/authorization each year, a student under treatment for asthma, diabetes, or at risk for having anaphylaxis shall be permitted to self-administer medication.

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program (IEP), Section 504 Plan or Health Plan.

Parents are required to notify the student's principal if the student has any medical condition that threatens the safety of the student or others in the school.

Each student must pass an annual medical examination performed and signed by a medical practitioner as a prerequisite to eligibility for interscholastic athletics.

Use of Alcohol, Drugs, and Other and Prohibited Substances

Use, Receipt, Sale, Transfer, Possession, or Being Under the Influence of Alcohol, Drugs, Narcotics, Mood Altering Substances and Controlled Substances is Prohibited

No pupil shall receive, possess, use, be under the influence of, sell or transfer alcoholic beverages, narcotics, drugs, controlled substances, mood altering substances such as inhalant(s) substances (including gases, solvents and solvent-based products, butane propane, adhesives and similar products), drug paraphernalia and/or assist another pupil in the receipt, sale or transfer of alcoholic beverages, narcotics, drugs, controlled substances, mood altering substances (such as inhalants) or drug paraphernalia on school property, in any school vehicle, at any school-sponsored or sanctioned activity or event, or in route to or from school property or a school-sponsored or sanctioned activity or event. The products mentioned here are contraband, and will be collected and destroyed.

Drugs, Narcotics and Controlled Substances Defined

Controlled substance means any substance or immediate precursor listed as a drug, narcotic or controlled substance in Chapter 218A of the Kentucky Revised Statutes or any regulations promulgated thereunder and/or any other provisions of the Kentucky Revised Statutes or Regulations promulgated thereunder and/or any Federal Laws or Regulations.

Counterfeit, Look-Alikes and Simulated Drugs, Narcotics and Controlled Substances

No pupil shall receive, use, sell, possess or transfer any counterfeit, look-alike or simulated narcotics, drugs, controlled substances and/or assist another pupil in the receipt, sale or transfer of any counterfeit, look-alike or simulated narcotics, drugs or controlled substances on school property, in any school vehicle, at any school-sponsored or sanctioned event or activity or in route to or from school property or a school-sponsored or sanctioned event or activity, with the representation or the creation of an impression that the substance which is received, used, possessed, sold, or transferred is a narcotic, drug or controlled substance.

Authorized Medication

Use of a drug, narcotic, or controlled substance prescribed and authorized for a pupil by a physician or dentist and administered in accordance with a prescription shall not be considered in violation of this policy.

Penalties

Violation of this policy shall constitute reason for disciplinary action, including, but not limited to, suspension and/or expulsion from school.

Penalty for Sale, Receipt or Transfer or Assistance in the Sale, Receipt or Transfer

For the sale, receipt or transfer of alcoholic beverages, narcotics, drugs, controlled substances or counterfeit, look-alike or simulated narcotics, drugs or controlled substances and/or assistance in the receipt, sale or transfer of alcoholic beverages, drugs, narcotics, controlled substances, drug paraphernalia, counterfeit, look-alike or simulated alcoholic beverages, narcotics, drugs or controlled substances, the student will immediately be suspended, and a recommendation for expulsion could be made.

Penalty for Possession, Use or Being Under the Influence

For a first offense for possession, use, or being under the influence of alcoholic beverages, narcotics, drugs or controlled substances or for the possession or use of counterfeit, look-alike or simulated narcotics, drugs or controlled substances for possession or use of drug paraphernalia (where the possession, use or being under the influence does not result from the sale, receipt or transfer on school property, in any school vehicle, at any school sponsored or sanctioned activity or event or in route to or from school property or a school sponsored or sanctioned activity or event) that student will receive an immediate suspension of no less than five (5) days and no more than ten (10) days (10 days for MCHS) at the discretion of the building principal based on individual circumstances and the Superintendent may recommend expulsion.

In the case of a first offense for possession, use, or being under the influence of alcoholic beverages, narcotics, drugs, controlled substances or the possession or use of counterfeit, look-alike or simulated narcotics, drugs or controlled substances or drug paraphernalia under the terms of the preceding paragraph, a recommendation for expulsion, at the discretion of the Superintendent, may be waived if the student and his/her parent(s) or guardian(s) obtain, at their expense, an evaluation of the student's alcohol, drug, narcotic, or controlled substance use from a qualified chemical dependency counselor acceptable to the district and complete any and all counseling or other treatment recommended in the evaluation.

A second violation of such possession, use or being under the influence of alcoholic beverages, narcotics, drugs or controlled substances or counterfeit, look-alike or simulated narcotics, drugs or controlled substances during the student's enrollment will result in immediate suspension and a recommendation for expulsion. May be referred to a Pre-Board Expulsion Committee.

The Superintendent shall establish a drug-free/alcohol-free awareness program for all students, which may include:

Awareness Program

1. The dangers of drug/alcohol abuse in the schools;
2. The district's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the district's established standards of conduct, including those that prohibit use of alcohol, drugs, and other controlled substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for drug/alcohol violations.

Tobacco, Alternative Nicotine, or Vapor Products

Students shall not be permitted to use or possess any tobacco products, alternative nicotine products, or vapor products as defined in KRS 438.305 on or in all Board property at all times. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline. We reserve the right not to return confiscated items. These products are considered to be contraband, and will be collected and destroyed.

Dangerous Instrument/Deadly Weapons

Dangerous Weapons Prohibited

A student carrying, bringing, using, or possessing any dangerous or deadly weapon in any school building, on school grounds or within 1,000 yards of school grounds, in any school vehicle, or at any school-sponsored activity will be immediately reported to the Superintendent, who shall bring charges to the Pre-Board Expulsion Committee or to the Board for expulsion from the District schools. Expulsion shall be for a minimum of one calendar year. Modification may be made on a case-by-case basis.

Students participating in an authorized extracurricular activity or team involving the use of firearms are exempt.

Students are not to be in possession of pocketknives on school property.

Dangerous Weapons Defined

“Dangerous instrument” means any instrument, including parts of the human body when a serious physical injury is a direct result of the use of that part of the human body, article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury.

“Deadly weapon” means any of the following:

- A weapon of mass destruction;
- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged;
- Any knife other than an ordinary pocket knife or hunting knife;
- Billy, nightstick, or club;

Blackjack, slapjack or taser;
 Nunchaku karate sticks;
 Shuriken or death star; or
 Artificial knuckles made from metal, plastic, or other similar hard material.

General Statement of Policy Prohibiting Discrimination, Harassment and Bullying

Everyone in the Metcalfe County School District has a right to feel respected and safe. Consequently, the Metcalfe County School District prohibits discrimination and harassment because of sex, race, color, national origin, disability, religion, or age. Bullying is also prohibited.

A harasser may be a student or an adult. Harassment may include, but not be limited to, the following when related to sex, race, color, national origin, disability, religion, or age:

- a. name calling
- b. pulling on clothing
- c. graffiti
- d. notes or cartoons
- e. unwelcome touching of a person or clothing
- f. offensive or graphic posters or book covers; or
- g. violent acts

Bullying definition is codified in KRS 158.148 subsections (1) (a) and (b):

(1) (a) As used in this section, “bullying” means 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.

(b) 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 educational process.

Bullying is also a form of harassment and occurs when someone keeps hurting, frightening, threatening, or leaving someone out on purpose. Examples of bullying include:

- a. Hurting someone physically by hitting, kicking, tripping or pushing
- b. Stealing or damaging another person’s things
- c. Ganging up on someone
- d. Teasing someone in a hurtful way
- e. Using put-downs, such as insulting someone’s race or making fun of someone for being a boy or girl
- f. Spreading rumors about someone

g. Leaving someone out on purpose or trying to get other students not to play with someone

If any words or actions make you feel uncomfortable or fearful, you need to tell the school principal, the District Coordinator for Title VI, Title IX, and Section 504, or the District Superintendent.

You may also make a written report. It should be given to the school principal, the District Coordinator for Title VI, Title IX, and Section 504, or the District Superintendent.

Your right to privacy will be respected as much as possible.

We take seriously all reports of discrimination, harassment, and bullying and will take all appropriate action to investigate such claims, to eliminate such conduct, and to discipline any persons found to have engaged in such conduct.

The School District will also take action if anyone tries to intimidate you or take action to harm you because you made such a report.

This is a summary of the School District's policy against discrimination, harassment, and bullying. A complete copy of the policy is available at the principal's office upon request.

The School District's Coordinators for Title VI, Title IX, and Section 504 are:

Rachel Dial, Director of Instruction, Allen Trotter, Director of Pupil Personnel/District-wide Operations, Matt Shirley, Director of Innovative Learning, & Jamie Moss, Director of Exceptional Children/Title IX
Metcalfe County Board of Education
709 West Stockton Street
Edmonton, KY 42129
270-432-3171

Notice to Individuals Regarding Title IX Sexual Harassment/Discrimination

The District is committed to providing a working and learning environment that is free from discrimination based on sex, including sexual harassment and sexual violence. The District does not discriminate on the basis of sex in any of its education or employment programs or activities. Title IX of the Education Amendments of 1972 ("Title IX"), its regulations, and certain other federal and state laws prohibit discrimination in such a manner. Under Title IX, discrimination on the basis of sex includes sexual harassment.

Title IX's requirement not to discriminate in any of the District's education programs or activities applies to both students and employees and extends to both admission

and employment. Inquiries about the application of Title IX and its regulations to the District may be referred to the District's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both:

Title IX Coordinator

Matt Shirley

709 West Stockton St.

Edmonton, KY 42129

Matt.shirley@metcalfe.kyschools.us

(270) 432-3171

Assistant Secretary for Civil Rights

U.S. Dept. of Education Office for Civil Rights

400 Maryland Ave., SW

Washington, D.C. 20202-1100

1-800-421-3481; 1-800-877-8339 (TDD)

202-453-6012 (Fax)

OCR@ed.gov

The District is committed to fostering an environment free from discrimination on the basis of sex. To the extent that any District policy or procedure regarding discrimination or harassment on the basis of sex (as defined by Title IX) conflicts with the Title IX regulations effective August 14, 2020, Title IX and its regulations will control.

Title IX of the Education Amendments of 1972

Title IX is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." The U.S. Department of Education's Office for Civil Rights (OCR) enforces Title IX.

Although Title IX is best known for breaking down barriers in sports for women and girls, Title IX and its regulations also require that schools adopt specific grievance procedures to address formal complaints of sexual harassment (as that term is defined by Title IX.)

The District's policies and procedures for addressing reports and complaints of sex-based discrimination (including sexual harassment) are intended to comply with Title IX and its regulations. To the extent that they conflict with Title IX or its regulations, Title IX and its regulations will control.

Title IX Coordinator

Who is the Title IX Coordinator?

The District has appointed a Title IX Coordinator to coordinate the District's efforts to comply with its responsibilities under Title IX and its regulations. The Title IX Coordinator's name and contact information are as follows:

Title IX Coordinator

Matt Shirley
709 West Stockton St., Edmonton, KY 42129
Matt.shirley@metcalfe.kyschools.us
(270) 432-3171

Who can contact the Title IX Coordinator?

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator, regardless of whether the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

How can I contact the Title IX Coordinator?

Any person can contact the Title IX Coordinator in person, by mail, telephone, or by electronic mail, by using the contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. A report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Sexual Harassment Under Title IX

What is sexual harassment?

Title IX defines sexual harassment as conduct on the basis of sex that satisfies one or more of the following:

- A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking.

How does the District respond to reports of sexual harassment?

All students and employees are encouraged to report sexual harassment to the Title IX Coordinator. Upon receiving a report of sexual harassment in an education program or activity, the Title IX Coordinator will contact the complainant (the individual alleged to be the victim of conduct that could constitute sexual harassment) to discuss the availability of supportive measures and explain the process for filing a formal complaint of sexual harassment.

The District also reserves the right to remove a respondent (the alleged perpetrator of conduct that could constitute sexual harassment) from its education program or activity on an emergency basis, subject to the requirements of Title IX and its regulations.

What is a formal complaint of sexual harassment?

Either a complainant or the Title IX Coordinator can file a formal complaint alleging sexual harassment against a respondent.

To qualify as a formal complaint, the document must be filed by a complainant (a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint) or signed by the Title IX Coordinator. The document must allege sexual harassment against a respondent and request that the District investigate the allegation of sexual harassment.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education program or activity.

How does the District respond to formal complaints of sexual harassment?

Formal complaints of sexual harassment trigger the grievance procedures prescribed by Title IX and its regulations. The District's grievance procedures for formal complaints of sexual harassment and complaints including allegations of sexual harassment are set forth in District Procedure 09.428111 AP.11 referenced below.

Title IX Policies and Procedures

- District Policy 03.113 (Equal Employment Opportunity – Certified Personnel)
- District Policy 03.212 (Equal Employment Opportunity – Classified Personnel)
- District Policy 09.13 (Equal Educational Opportunities – Students)
- District Policy 03.1621 (Title IX Sexual Harassment – Classified Personnel)
- District Policy 03.2621 (Title IX Sexual Harassment – Certified Personnel)
- District Policy 09.428111 (Title IX Sexual Harassment – Students)
- District Procedure 09.428111 AP.1 (Notice to Individuals Regarding Title IX Sexual Harassment/Discrimination)
- District Procedure 09.428111 AP.11 (Title IX Sexual Harassment Grievance Procedures)
- District Procedure 09.428111 AP.21 (Title IX Sexual Harassment Reporting Form)

Copies of these policies and procedures can be accessed online at www.metcalf.kyschools.us or be requested from the Title IX Coordinator.

Special Education Discipline Procedures

Student Behavior

The behavior of exceptional education students, and other students who have been referred for evaluation for possible special education placement and related services, should be considered during Admissions and Release Committee (ARC) meetings and addressed through the IEP. Since behaviors of an exceptional student may be related to or caused by the student's disability, the role of exceptional education includes the instruction of appropriate behavior. It is the intent of the Metcalfe County Public Schools that discipline and instruction for exceptional education students is designed to maximize the use of methods that enhance a sense of self-worth and competency. The following standards will be utilized in the implementation of disciplinary methods:

1. Intervention techniques should focus not only on eliminating a certain undesirable behavior, but also upon determination of the purpose of that behavior, and the provision/instruction of a more acceptable behavior.
2. A variety of positive reinforcers and opportunities for the development of self-control shall be utilized prior to the consideration of negative interventions.

Negative Reinforcement

The use of negative reinforcement should be applied in accordance with a study of the behavior and in conjunction with positive reinforcement procedures. These standards will be followed in the implementation of negative reinforcement.

1. Disciplinary techniques used with regular education students may also be used as short-term disciplinary methods with exceptional students in conjunction with any modifications indicated in the IEP. "Short-term" is defined as any method, or combination of methods, that results in an interruption of the IEP for no more than a total of ten (10) school days.
2. In-school alternative programs may be used as a short-term disciplinary method with exceptional students as long as services continue to be provided according to individual education plans and do not exceed ten school days. Any change that occurs that constitutes a change of placement, requires due process procedures to assure the continuous implementation of the specially designed instruction as stated in the IEP and will be determined by the ARC.
3. Crisis intervention methods, including physical restraint/seclusion, will be employed according to the Board Policy on restraint and seclusion. Parents will be notified of any restraint that occurs. District policy and related procedures addressing physical restraint and seclusion may be accessed by contacting the Director of Pupil Personnel or the Director of Special Programs at the Metcalfe County Board of Education.

Suspension and Expulsion

Students who create a dangerous or disruptive situation may be suspended from school. The due process procedures for short-term suspensions are the same as for all students and are outlined in the Student Discipline Code. Students may not be suspended from school for more than a total of ten (10) days per school year without services being provided according to the IEP. Admissions and Release Committee (ARC) must convene prior to the eleventh (11th) day of suspension to decide upon a change of placement and determine method(s) of service delivery. Parents will be given prior written notification of an ARC meeting to be held. At this ARC meeting, a statement shall be included on the Conference Summary Report (signed by all present) that the parents have received a copy of and understand their rights, including the right to a due process hearing if they disagree with the committee's determination. All ARC actions are documented on the Conference Summary Report.

The ARC must consider current evaluation data and other pertinent information in order to determine:

- a. If the IEP and placement are responsive to evaluation data, and being fully and correctly implemented, and
- b. whether or not the behavior or misconduct was related to or caused by the student's disability (manifestation determination).

If the ARC finds that the IEP and placement are not appropriate or not being fully and correctly implemented, appropriate modifications should be determined at the ARC meeting and documented on the IEP and Conference Summary Report. No further disciplinary action beyond the suspension should occur.

If the ARC finds that the IEP and placement are appropriate and being fully and correctly implemented, they must then consider whether or not the misconduct was related to or caused by the student's disability through a Manifestation Determination.

Misconduct Related to Disability

If the ARC finds that the student's misconduct was caused by or had a direct substantial relationship to the child's disability, this should be documented on the Conference Summary Report and ARC will amend IEP accordingly to meet the needs of the student in the current setting. Change of placement can be made if guardians are in agreement or for 45 days if a student brings a drug or weapon to school or causes substantial harm to another person. If expulsion is being considered, a copy will be transmitted by the principal directly to the Superintendent. If this determination is made, the Superintendent may not recommend expulsion to the board of education.

If the ARC finds that the student's misconduct was not caused by or had a direct and substantial relationship to the child's disability, an explanation will be documented on the Conference Summary Report and the student can be disciplined as any other student to include a change in placement with services. If expulsion is being considered, a copy will be transmitted directly to the Superintendent. If this determination is made, the Superintendent may recommend expulsion to the board of education. Even if the student is expelled, educational services may not cease. Therefore, the ARC will meet within three (3) days of the date of the expulsion to determine a

plan to continue educational services; this plan will be documented on a new IEP and Conference Summary Report.

Due Process Hearing Request

If parents disagree with any ARC decision, they may request a due process hearing. If they do so, once the fixed term of the disciplinary suspension expires, the student returns to his previous educational placement unless parents agree to a different placement. Once the hearing decision is reached, the ARC resumes at that point in the process.

Temporary Court or Hearing Officer Exclusion

In instances of extremely serious misconduct in which it appears that maintaining a student in his/her current educational placement is substantially likely to result in injury to self or others, the school district may choose to pursue through the judicial system a temporary exclusion of the student from school. This action is initiated only when parents refuse a change of placement, and is designed to allow a “cooling off” period for planning purposes. In order to initiate this district court action, the principal will contact the Director of Special Education after the ARC has determined that the student’s behavior is related to or caused by his/her disability, and after the parents have refused to accept a change in placement. While all ARC determinations must be made prior to the initiation of court proceedings, it would not be necessary to pursue due process hearing procedures first.