

STUDENT DISCIPLINE GUIDELINES
OF THE
LEWIS COUNTY BOARD OF EDUCATION



P.O. BOX 159
VANCEBURG, KENTUCKY 41179

2023-2024

**Please sign and return the verification form on the back page of this code. –Thank you*

BOARD OF EDUCATION

MICHELLE SKIDMORE, CHAIRMAN
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CODE DEVELOPMENT

The Lewis County Board of Education at a regular board meeting in December 1984 approved a policy manual for Lewis County Schools. Included in this document were several sections relating to student discipline.

A committee to review this document was formed in March, 1985. Appropriate revisions and modifications were made to bring this code in line with State guidelines. At a regular scheduled meeting of the Lewis County Board of Education on May 13, 1985, the enclosed Student Discipline Guidelines were approved.

Appropriate certified personnel will administer the Lewis County Student Code of Conduct. All aspects of due process and appeal procedures will be adhered to by the appropriate personnel whenever administering this code of discipline. The Lewis County Board of Education demands that all students be treated equally. No student will be discriminated against on the grounds of race, creed, color, sex, national origin or handicapping condition.

Persons who are responsible for the administration of this discipline code must remember that each student is different. Cases must be evaluated on an individual basis with careful consideration to allow for extenuating circumstances.

This code of Conduct has been reviewed annually and changed whenever necessary since 1985.

2023-2024 LOCAL DISCIPLINE CODE COMMITTEE

Lori Ginn-O'Keefe, Chairman/Contact Person 796-2811
Michelle Skidmore, Board Member
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Paula Lewis, Director of Special Education
Laira Kennedy, Student
Daniel Miller, Student
Scott Osborne, Youth Service Center Coordinator
Stacy Kidwell, Principal
Jack Lykins, Principal
Whitney Freno, School Social Worker
Whitney Willis, Teacher

ANNUAL REVIEW

These guidelines are to be reviewed each summer by a committee made up of students, teachers, parents, and administrators. At that time additions and/or deletions will be completed, as they are deemed necessary, subject to Board approval.

This code review was completed 7/10/2023.

ANNUAL ORIENTATION

At the beginning of each school year all students and teachers will be made aware of the guidelines on discipline; orally at student meetings, and by teachers through classrooms units.

All students receive a copy of current guidelines upon initial enrollment in Lewis County Schools and at the beginning of each school year thereafter. In order to help notify parents and the general public, the Code will be published on the District web site at www.lewis.kyschools.us.

The Lewis County Schools' Student Code of Conduct was initially reviewed by Clayton Lykins, Jr., December 4, 1987, and is reviewed annually thereafter.

Application of Student Code of Conduct

The Lewis County School District Code of Student Conduct shall apply to all students enrolled in Lewis County Schools. The Code shall apply also:

1. During the normal school day,
2. At any extra-curricular/co-curricular activity and at all times during school-sponsored trips and activities,
3. During transportation provided by the local board to and from school, (Pursuant to KRS 161.180 and 158.150 this guideline may apply to students while in route to and from school, school bus stops, etc.)
4. On buildings and grounds owned or operated by the Lewis County Board of Education.

Rationale/Philosophy Statement

We believe the public schools are the foundation of democracy. A democratic nation depends upon its citizens to think clearly and intelligently; therefore our schools should afford our children the best opportunities for educational growth and development. In order to maintain a school climate in which all children and youth of our country can live, learn, and flourish, it is vitally necessary for all students to assume responsibility for their behavior.

LEVELS OF DISCIPLINARY ACTION

Informal Discipline

- Level I: Conference with teacher:
 Conference with principal
 Conference with assistant principal
 Conference with school staff member(s)
 Referral to agencies – assessment and/or Court Designated Worker
 (CDW)/criminal complaint

Formal Discipline

- Level II-A: Detention – Each detention may last up to 150 minutes. Detention may be before or after school.
 Notification of parent/guardian
 Referral to school counselor
 Referral to Court Designated Worker, criminal complaint, assessment
 Assignment of In School Supervision
 After School/Friday School/Saturday School – Each session may last up to 240 minutes.
 In School Detention—Alternative placement (outside of classroom) during the school day, time length may vary dependent upon violation
 Loss of privileges
- Level II-B: External Suspension - 1-3 days depending upon the infraction, 1-10 days for the following infractions: assault resulting in serious physical injury, a sexual offense, assault involving the use of a weapon, violation of the District’s weapon policy, possession of or trafficking of a controlled substance in violation of the law, damage to property and aggressive or threatening behavior and/or comments toward members of the school faculty, staff, school designees, the student body or toward school property.

Suspension for the above referenced infractions may be limited to five days for students who agree to undergo an assessment and recommended counseling through mental health providers acceptable to the school district. *Students committing drug or alcohol violations may be given the option to enroll in the Early Intervention Program.* Parents/guardians must contact principal before student returns to school. Court Designated Worker (CDW) plus assessment. Suspension may include, but not be limited to alternative placement.

Alternative placement (Alternative School): Placement in an alternative class outside of the regular school

Level III: Expulsion from school authorized by the Superintendent and the Lewis County Board of Education.

*Referral to Court Designated Worker and/or charges may be filed concerning all Level II-B and Level III offenses.

SERIOUS BREACHES OF DISCIPLINE (CONDUCT)

The Lewis County Board of Education considers each of the following to be a serious breach of discipline (conduct) determined as disruptive to the teaching/learning environment and may warrant immediate suspension/or decision to execute expulsion proceedings without consideration of alternative punishment:

KRS 158.154 states that when a principal has a reasonable belief that an act has occurred on school property or a school sponsored event involving assault resulting in serious injury, a sexual offense, kidnapping, assault involving a weapon, possession of a firearm, possession of a controlled substance or damage to the property the principal *shall* immediately report the act to the appropriate local law enforcement agency.

1. Weapons

Carrying, bringing, using or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property.

Items which may be considered weapons or dangerous weapons may include but not be limited to:

- a. Guns of any type or model, including pellet or BB gun,
- b. Any knife,
- c. Billy club, nightstick or other club,
- d. Blackjack or slapjack,
- e. Nunchaku Karate sticks,
- f. Shuriken or death star,
- g. Artificial knuckles made from metal, plastic or similar hard materials,
- h. Explosive devices, including fire crackers or fireworks of any kind, and
- i. Any object, device, or material that is reasonably determined to be used or possessed for the purpose of intimidating, threatening, or injuring another person or destroying school property,
- j. Look-alike weapons which may have the effect of intimidating, threatening, or frightening another person
- k. Weapons of mass destruction

- Violation of this policy by students shall require that the Principal make a report to the Superintendent in a timely manner, who shall determine if charges for expulsion from the District schools should be filed.
- Under federal requirements, the penalty for students bringing a firearm or other deadly weapon or booby trap device to school or onto the school campus/property under jurisdiction of the District or who creates such a device on said property shall be expulsion for a minimum of twelve (12) months. However, the Board may modify such expulsions on a case-by-case basis.
- Any student who brings to school a firearm or other deadly weapon, destructive device or booby trap device or who intentionally alters school equipment or who purchases such devices while on school property shall be referred to the criminal justice or juvenile delinquency system.
- An exception shall be made for students properly participating in an authorized curricular or extracurricular activity or team involving the use of firearms, in a manner authorized by the instructor.
- In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

To comply with the existing requirement of the Individuals with Disabilities Act (IDEA) regarding discipline of students with disabilities, the Board will modify the expulsion requirements on a case-by-case basis for IDEA eligible students. IDEA eligible students may be expelled for behavior unrelated to their disabilities as long as procedural safeguards required by IDEA and KRS 158.150 is followed. Non-IDEA eligible students will also have their expulsion requirements modified on a case-by-case basis by the Lewis County Board of Education. Non-IDEA eligible students expelled for not less than one (1) calendar year from their regular school setting may be placed in an alternative school setting.

1A. KRS 158.155 states:

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i Carrying, possession, or use of a deadly weapon; or
 - ii Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

1B. KRS 158.156 requires:

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

Although KRS 158.156 does not require the district to report possible misdemeanors, appropriate disciplinary action will be taken for certain types of harassment violations that occur on school property and/or during school-sponsored activities, etc. Parents should be aware that they have the option to file complaints with law enforcement officials about certain types of harassment to which their child has been subjected under the following laws, including behaviors that occur off school property:

KRS 525.070 (1):

A person is guilty of harassment when with intent to intimidate, harass, annoy, or alarm another person he or she:

- (a) Strikes, shoves, kicks, or otherwise subjects him to physical contact; or
- (b) Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact; or
- (c) In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present; or
- (d) Follows a person in or about a public place or places; or
- (e) Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or
- (f) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:
 - 1. Damages or commits a theft of the property of another student;
 - 2. Substantially disrupts the operation of the school; or
 - 3. Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.

KRS 525.080 (1):

A person is guilty of harassing communications when with intent to intimidate, harass, annoy, or alarm another person he or she:

- (a) Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;
- (b) Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or
- (c) Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

- 1C. Any knife or instrument that may be used as a weapon is not permitted. The principal shall have discretion on disciplinary levels/recommendations for students in violation of this rule. Pocket knives are subject to this provision.

Level I, II, IIB or III may be imposed.

- 1D. Laser pointers have sufficient power to cause injuries under certain circumstances. Laser pointers are not permitted on school grounds, buses, etc.
1st offense – confiscate pointers, Level I or Level II A or B
2nd offense – Level II-B
3rd offense - Level II-B or Level III
2. Pushing, pulling, shoving, or fighting a staff member, volunteer, or chaperone.
1st offense - Level II-B including suspension, referral to Court Designated Worker (CDW), recommend assessment and/or Level III
Repeated offenses - Level III
3. Insubordination including the refusal to respond to or carry out reasonable and lawful directions of authorized school personnel.
1st offense - Level II-A or II-B or Level III
2nd offense - Level II B or Level III
4. Profanity, obscene, vulgar or abusive language or gestures or racial epithets directed at school staff members, volunteers or chaperones.
1st offense - Level II-A or B or Level III
2nd offense - Level II-B or Level III
5. Possessing, using, or selling alcoholic or intoxicating beverages or controlled beverages, narcotic, drug or controlled substances as defined by Kentucky law or possessing, using, or selling drug paraphernalia and/or look-alike substances or being under the influence of alcoholic or intoxicating beverages, narcotic, drug or controlled substances.
*1st offense - Level II-B, refer to Court Designated Worker (CDW), and possible loss of driving privileges, students will be required to undergo an assessment of the student’s alcohol or drug use from a licensed mental health provider or agency acceptable to the school district. Student is required to show a good faith effort to complete any and all treatment(s) as recommended from the findings of the assessment. Confirmation of the assessment appointment or written confirmation by the provider of the completed assessment is required when returning to school; Student agrees to meet all recommendations and other specified conditions pertaining to particular infraction as required by the school following review of the assessment findings or an additional five-day (5)suspension will be assigned.
2nd offense - Placement in an alternative setting or Level III
Repeated offenses - Level III
*Selling and/or possession with intent to sell may lead to academic placement in an alternative school setting.

No medication (prescription or otherwise) may be in the possession of a student or transferred from one student to another student. All medications must be brought to the office. Students will need to make arrangements with the principal

or his/her designee concerning how to transport medication to the school and how the medication will be administered.

6. Any unwanted verbal, physical, or social behavior (bullying) among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated that occurs on school premises, on school-sponsored transportation, or at a school-sponsored event or that disrupts the education process is **prohibited**.

Any harassment on the basis of race, color, national origin, age, religion, sex or disability is **prohibited**.

Any unlawful, intentional touching or application of force to another person, done in a rude insolent or angry manner is **prohibited** in the Lewis County School System.

Students shall report all incidents of inappropriate behavior to school personnel as soon as possible after each occurrence.

1st offense (or those events considered by the principal to be less than a major incident) - Level I or Level II-A

1st offense (major incident) or 2nd offense - Level II-A or B or Level III, refer to Court Designated Worker (CDW), recommend assessment

Repeated major offenses - Level III

7. The breaking and entering of a building, car, or room with the intent to illegally take property or money; the illegal taking of money or property; the taking of money or property from another by use of force or fear; the obtaining of money or property (something of value) from an unwilling person, or forcing any individual to act through use of force or threat of the use of force; and the unlawful receiving or storing of stolen property.

1st offense - Level II-A or B or Level III with parent/guardian conference

May refer to law enforcement depending upon the seriousness of the offense.

8. The willful and malicious burning or attempt to burn any part of any building or any property owned or maintained by the School Board (arson).

1st offense - Level II-A, or Level II-B, or Level III

2nd offense - Level II-B or Level III

Shall refer to law enforcement for first or subsequent offenses

9. The destruction or defacing of property or records belonging to, rented by, or on loan to the School System; or property, including vehicles, of persons employed by the School Board or persons in attendance at the school (vandalism or destruction of property).

1st offense - Level I, Level II-A or B, Level III

May refer to law enforcement for first or subsequent offenses

The child or parent/guardian shall be held responsible for the child's actions and for the replacement and repair of any damage.

10. Words, acts, or deeds that may threaten or incite others to do bodily harm to another student or school personnel or that may intimidate another person through fear of his/her personal safety (acts of threats of or incitement to violence or incidents of bullying resulting in serious injury. It is understood that bullying may be exhibited in various ways and circumstances. Threatening behavior and/or comments toward members of the school faculty, staff, school designees, student body or toward school property. Terroristic threatening may be considered a felony (KRS 508.080).
1st offense - Level I, II-A or B or Level III
2nd offense - Level II-B or Level III
Repeated offenses - Level III
May refer to law enforcement for first or subsequent offenses
11. The preventing or attempting to prevent school personnel from engaging in their lawful duties through threats, violence, or harassment (interference or intimidation of school personnel).
1st offense - Level II-B or Level III
2nd offense - Level II-B and recommend assessment or Level III
Repeated offenses - Level III
May refer to law enforcement for first or subsequent offenses
12. The activating of the fire alarm system in any school building or on school property and/or reporting a fire or bomb where none exists (false alarm).
1st offense - Level II-A or B
2nd offense - Level II-B, recommend assessment or Level III
Repeated offenses - Level III
It is a felony to make bomb threats and other threats of harm against schools, school buses, school employees, or school functions. These offenses will be referred to law enforcement and may constitute grounds for expulsion.
13. Offenses against common decency, morals and the like (indecent exposure – mooning; sexual acts).
1st offense - Level I, II-A or B
2nd offense - Level II-B plus recommend assessment or Level III
Repeated offenses - Level III

May refer to law enforcement for first of subsequent offenses
14. Continuous disruptive classroom behavior, improper or illegal actions, not listed in the foregoing, which are deemed by the administration to interfere with the education process.
1st offense - Level I, II-A or B

Repeated offenses - Level II-B plus recommend assessment, or Level III

HB 538 amended KRS 158.150 to require local boards of education to adopt policies “requiring the expulsion from school for a period of at least twelve (12) months for a student who:

1. Is determined by the board through clear and convincing evidence to have made threats that post a danger to the well-being of student, faculty, or staff of the district.
2. Is determined by the board to have brought a weapon to a school under its jurisdiction.

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the district transportation system pending any further disciplinary action that may occur. Each board of education shall adopt a policy to assure the implementation of this section and to assure the safety of the students and staff.

Except as described in subsection (10) of this section:

1. A principal may establish procedures for a student's removal from and reentry to the classroom when the student's behavior disrupts the classroom environment and education process or the student challenges the authority of a supervising adult. In addition to removal, the student shall be subject to further discipline for the behavior consistent with the school's code of conduct.
2. A student who is removed from the same classroom three (3) times within a thirty day (30) period shall be considered chronically disruptive and may be suspended from school in accordance with this section, and no other basis for suspension shall be deemed necessary.
3. At any time during the school year, for a student who has been removed from the classroom under this paragraph, a principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.
4. At any time during the school year, a principal may permanently remove a student from a classroom for the remainder of the school year if the principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.
5. When a student is removed from a classroom under this paragraph temporarily or permanently, the principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to: 1. Another classroom in that school; or 2. An alternative program or setting, which may be provided virtually, as approved by the superintendent.
6. Any permanent action by a principal under this paragraph shall be subject to an appeal process in accordance with a policy adopted by the board.

15. Possession of a paging device (excluding cellular or digital phones) while on school sponsored or school related activities on or off school property unless the student is in attendance in the capacity of an active member of a volunteer fire fighting organization or a volunteer emergency medical services organization. A paging device is a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. Volunteer fire fighters and first responders shall not carry paging devices, radios, or any other responder’s communication devices during school hours within the school buildings.

1st offense - Level II-A or II-B

2nd offense - Level II-B

Repeated offenses - Level III

May refer to the CDW or law enforcement officials for the first or subsequent offenses. School officials and/or law enforcement officials are empowered by law to confiscate paging devices, which are then forfeited to the school district.

Each school council may develop policy for staff and student cell phone use.

16. Unauthorized use of the Internet, e-mail or other types of school or personally owned technology or device including accessing or using this technology or device to produce vulgar, profane or threatening material or to disrupt the educational process. This includes web sites such as Facebook, Twitter, Instagram, Snapchat, YouTube, etc.
1st offense – Loss of privilege – Level I, II A or B
2nd offense – Level II-A or B
3rd offense – Level II B or Level III
Any malicious or threatening use of technology may result in Level III. Vulgar, profane or threatening use of technology directed against school personnel may result in violation of this section even if the technology originated outside the school environment.

OTHER BREACHES OF DISCIPLINE

1. Use or possession of tobacco including but not limited to: electronic cigarettes, vapes, other Electronic Nicotine Delivery System (ENDS) etc.
1st offense - Level II-A
Repeated offenses - Level II-A or B
2. Participating in games of chance or skill for money or profit (gambling)
1st offense - Level I or Level II-A
Repeated offenses - Level II-A or B plus recommend assessment
3. Skipping class or leaving school grounds without permission
1st offense - Level II-A or Level II-B parent/guardian shall be notified
2nd offense - Level II-B - parent/guardian shall be notified
Repeated offenses - Level II-B plus recommend assessment or Level III
*May contact legal authorities.
4. The Lewis County Board of Education is required under KRS 159.051 (No Pass/No Drive Law) to report the names of 16 and 17 year old students who are deficient in the areas of academics or school attendance to the Kentucky Transportation Cabinet for possible revocation of their driver's license.
5. Improper use of any means of transportation on School Board property
1st offense - Level II-A or II-B (may lose driving to school privilege or bus riding privilege).
2nd offense - Level II-A or B depending upon the severity of the offense

Notwithstanding any other provision herein, any student who has been disciplined three (3) or more times in the same school year for any single violation under this discipline code, or for any combination of violations thereunder, and who stands charged with an additional new violation of this

code, shall be considered an habitual discipline violator, and shall be subject to Level II-A or B or Level III discipline and/or referral to an alternative setting.

This provision shall not limit the potential levels of discipline as set out herein above, but shall expand the potential levels of discipline by allowing expulsion for violations of offenses not previously punishable by expulsion.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (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 534.030.²

See KRS 508.078; KRS 532.060; KRS 534.030 on pages 38 & 39 of this document.

STUDENTS TO REPORT VIOLATIONS

- Students who are victims of bullying/hazing shall immediately report the incident to the Principal/designee.
- Students may report a violation of the District's code of acceptable behavior when the student as a victim and it concerns their personal safety or property or a possible criminal offense, including when they have been the victim of any felony offense committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event. They may report less serious code violations to a teacher.
- Students who believe they have been a victim of an act of harassment/ discrimination or who have observed incidents involving other students that they believe to be an act of harassment/discrimination shall, as soon as reasonably practicable, report it to the Principal, Superintendent, or District Title IX Coordinator.

In all the above situations, the Principal/designee will assist students in documenting the complaint or report and take appropriate action to investigate, respond to the report, and protect students from retaliation.

CONSEQUENCES

If it is determined that a student is to be suspended, he/she will not be allowed to participate in any extracurricular activity, club meeting, sports event, graduation, graduation practice, drama performance, band function, etc. from that time until such suspension is terminated and the student returns to the regular school on the next scheduled school day during the current school year.

In the event the suspension is for an offense that does not demand immediate removal from school and the student is scheduled to participate in academic testing or tests beyond school curriculum, such students will be allowed to participate in such testing of that school day.

DEFINITION OF TERMS

1. DUE PROCESS - Refers generally to those constitutionally guaranteed rights to fair notice, fair hearing, and fair procedures.
2. EXPULSION - Denial of all school privileges for a period of time to be determined by the Board.
3. EXTRACURRICULAR ACTIVITIES AND FUNCTIONS - Activities that are not part of the regular course of study such as field trips, athletic activities, dances, proms, etc.
4. INFRACTION - The act of breaking or violating a rule.

5. IN-SCHOOL ALTERNATIVE EDUCATION - A form of discipline whereby the student is denied the privilege of attending regular classes, but is placed in an alternative educational setting for a period time deemed appropriate for the modification of inappropriate behavior. During such placement, the student receives close supervision and instruction. Counseling referrals are available, per parent/guardian request.
6. SUSPENSION - Denial of all school privileges for a period of time not to exceed ten days per infraction.
7. TOBACCO PRODUCT - The dried leaves of a tobacco plant, prepared in various ways for smoking, chewing, or a snuff (e.g. cigars, cigarettes, chewing tobacco, and pipe tobacco).

SECURITY FEATURES

To promote a safe and secure learning environment for all students and staff, Lewis County Schools utilize cameras in most public areas such as: classrooms, hallways, offices, playgrounds, athletic fields, buses, etc.

The district also uses vaping detectors in some schools to ensure the health and well-being of all students.

RIDING THE SCHOOL BUS

The principal or designee may suspend any student transported to or from school at public expense from the privilege of riding on a school bus. Notice will be given in writing to the student's parent or guardian and to the Superintendent within a timely manner. If a child has been suspended from riding a school bus, it is still the parent's or guardian's responsibility to see that the student attends school regularly unless the student is suspended from both the bus and school in the same action. Bus driver will be notified by principal. Bus suspensions will be based on violations of the Lewis County Schools' Discipline Code or violations of appropriate behavior according to Lewis County Board Policy. A student suspended from his/her regular bus is considered suspended from all Lewis County Schools' buses including buses used for extracurricular activities.

LOCKER AND PERSONAL SEARCH

Student lockers or other storage areas are school property and subject to search by the school principal or his/her designee upon reasonable suspicion that prohibited or illegally possessed substance are contained therein.

For a student's locker, desk, or automobile to be searched by the principal and/or other persons designated by the school board, the following circumstances should prevail:

- the student shall be present if possible unless the health, safety, or welfare of others is endangered
- students shall be informed when they enter school that desks, lockers, and automobiles may be inspected if facts exist which give the administration reasonable belief that articles and materials might be stored there which would be injurious to other students
- facts shall exist which give the administration belief that articles and materials might be present, which would pose a threat to the maintenance of discipline and order in the school
- A witness shall be present during searches of property and lockers. The administration shall search a student's belongings, pockets, purse or person only in the event there is an immediate need such as a danger to the student or fellow students or if evidence of contraband or evidence of a violation of the code of conduct may be destroyed or hidden if the search is not performed immediately
- Canine units may be utilized for the purpose of providing a more safe and secure learning environment. Parents will be notified if the canine unit reacts to their child's property.

INTERVIEWING STUDENTS BY LEGAL AUTHORITIES

Police officers may be allowed in the schools. Board policy 09.4361 provides specifics concerning officers in the schools.

When a student is being questioned by an officer concerning activities that might lead to criminal charges being brought against that student, it is the responsibility of the officer to inform the student of the following:

- that he/she has a right to remain silent
- that any statement he/she makes may be used as evidence against him/her
- that he/she has a right to the presence of an attorney

School personnel shall cooperate with law officials in the apprehension of an individual or individuals responsible for breaking the law while on school property.

Representatives of the Department for Human Resources may interview students as needed based on **KRS 620.030**.

DRESS CODES

The wearing of any attire, cosmetic, presentation of extraordinary personal appearance, or any unsanitary body condition that may disrupt schoolwork, interrupts scholastic endeavors, or threatens the health or safety of the wearer or of other students is prohibited.

Schools will print their dress code in the school handbook or information packet given to each student.

Principals shall enforce the dress code in their schools.

Lewis County Schools will follow the CDC and Health Department guidelines. All masks must follow dress code rules. No inappropriate pictures or sayings will be permitted.

STUDENTS FROM OTHER SCHOOL DISTRICTS

Students living in other school districts must first be approved for admittance to any Lewis County School. Students may be returned to their district of residence. Principals shall notify the student's parents of the reason for return.

BEHAVIOR MANAGEMENT OF EXCEPTIONAL CHILDREN

When considering behavior management of special education students, the Office of Education for Exceptional Children has taken the position that Kentucky schools should analyze student behavior and follow the analysis by "nonaversive interventions" such as:

1. differential reinforcement procedures
2. shaping, and
3. stimulus change

The discipline problems of exceptional students shall be referred to the building principal.

Special education students may be suspended or expelled following currently existing legal procedures concerning those students.

APPENDIX

PUPIL SUSPENSION AND HEARING PROCEDURES

A good faith effort shall be made by the principal to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions that require immediate suspension.

If a student is suspended, and a parent/guardian can be contacted by telephone, the parent/guardian will be requested to make the arrangements for the release of the student to his/her custody. However, if a school administrator cannot contact the parent/guardian and the administrator determines that the student is no threat to others, he/she shall be allowed to attend the remainder of that day and the suspension shall become effective on the following day. If the administrator feels the student constitutes a threat to himself/herself or others, it is the administrator's responsibility to place this student in a

controlled environment for the remainder of the school day. Verbal and/or physical contact with the parent/guardian will be required before student may return to school.

APPEAL PROCEDURES

Parents/Guardians desiring to question action taken by school personnel may follow this procedure:

1. The parent/guardian will contact the principal as soon as possible to discuss the problem. The principal may, at his discretion, convene a conference with the parent/guardian and any teacher, student or other person being acquainted with or having knowledge of the facts or events which led to the disciplinary action.
2. If step #1 does not result in a solution satisfactory of the problem to the parent/guardian, the said parent/guardian, shall set forth his/her complaint in writing and may request conference with the Superintendent or the Superintendent's designee. The Superintendent shall grant any reasonable request for a conference within ten (10) days after receipt of the request.
3. During this conference either party may have present individual(s) having knowledge relative to factors involved.
4. The Superintendent or his/her designee will advise the parent(s) in Writing of the disposition within fourteen (14) days after the conference.
5. The parents/guardians may appeal in writing to the Superintendent who will arrange a meeting with the Board of Education if the parents/guardians are not satisfied with the decision of the Superintendent or his/her designee.

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 7:125.¹

TRUANCY DEFINED

Any pupil who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant. A pupil who has been reported as a truant two (2) or more times is a habitual truant. (KRS 159.150)

For the purpose of this policy, the number of absences shall be based on the cumulative number of days of unexcused absences, rather than the number of absence incidents. The numbers of tardies shall be based on the number of tardy incidents.

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, as listed below, is one for which work may be made up if proper documentation is received within three (3) school days of the student's return to school:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil;
3. Student court appearance (only for the student summoned and for the portion of the day required and with documentation from the court);
4. Religious holidays and practices as pre-arranged with Principal/designee;
5. Student doctor or dentist appointments (only for the portion of the day required and with documentation from the physician, dentist, or other appropriate health professional);
6. Student driver's permit or license tests (only for the portion of the day required and with documentation from the examiner);
7. Student participation in school-related activities including, but not limited to, 4H and participation in or attendance at the Kentucky State Fair, as approved by the Principal/designee;
8. Documented military leave;
9. One (1) day prior to departure of parent/guardian called to active military duty;
10. One (1) day upon the return of parent/guardian from active military duty;
11. 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.
12. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces.

13. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

Students receiving an excused absence under this section shall have the 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.

WRITTEN DOCUMENTATION

Written documentation from the student's parent/guardian or verification by a doctor, dentist or other appropriate health professional shall be required for all absences. Documentation is to be presented to the school in order to determine the status of the absence. The validity of all written excuses or statements shall be determined by the Principal or their designee.

The number of accumulated days of absence that may be excused by parent notes shall be six (6) per year. The number of tardies that may be excused by parent notes shall be six (6) per year.

Students who are enrolled or transfer during the second semester will be allowed three (3) parent notes for absences and tardies. These documents may be accepted for illness of the pupil, death or severe illness in the pupil's immediate family, religious holidays and/or family trips. Advanced written notice to the faculty and administration shall be required for family trips, and days missed will constitute a portion of the cumulative absence provision. Parents/guardians must accept the responsibility for helping the student make-up missed work.

Parents/guardians are encouraged to acquire verification from a doctor, dentist or appropriate health professional to help avoid exhausting the allotment of parent/guardian notes. Unless otherwise approved by the Principal, or designee, verification from a doctor/dentist/other appropriate health professional shall be required for absences in excess of the number of parent documents presented.

Health Care Provider Notes: A student who is absent due to illness and goes to the doctor or other health care provider shall within (3) days of returning to school present the health care provider's statement. The following information is required on the excuse statement:

- a. Name of health care provider;
- b. Date and time of appointment;
- c. Reason for visit; and
- d. Date student can return to school.

Up to ten (10) days per school year may be excused with a health care provider's note. During the school year, ten (10) days may be excused for medical reasons, which included but are not limited to, physician, dental, or eye care visits. After the tenth (10) medical excuse has been submitted a conference may be requested by the Principal or Director of Pupil Personnel.

The District may review the excuses and any supporting documentation/information as submitted and may take steps to address attendance issues, including but not limited to: requiring more extensive documentation/information in support of future excused absences, exercising interventions, corrections regarding any absences determined to be supported by incorrect or fraudulent information, or making appropriate referrals.

EXCEPTIONS: Parent/guardian of chronically ill students or students with disabilities shall notify the Principal in writing by submitting the Chronic Illness/Ongoing Treatment Verification Form (09.123 AP.21) for those students to receive special consideration concerning the ten (10) day limitation.

OTHER ABSENCES

- Treatment for Lice - The initial day a student is sent home for contracting lice (first occurrence) will be considered an excused absence. Any further absence(s) will be unexcused.
- Suspension - Suspensions are unexcused absences. However, students may submit assignments made before the suspension and due during the suspension at the first class meeting following the student's return to school. Assignments made during the suspension and due after the suspension will be accepted on the due date.
- Unexpected Illness - If the school nurse, health aide, Principal or designee determines that a student should not be in school, this will be considered an excused absence for the remainder of that day and will not be counted against the parent and/or guardian absence notes.

SPECIAL CIRCUMSTANCES

It is understood that Principals or designee will be faced with special circumstances and should use their professional judgment in these cases. The age of the student and normal childhood and adolescent illnesses and conditions (e.g., chicken pox, mononucleosis, pneumonia, etc.) must be taken into consideration. Upon the request of the Principal, the

DPP may appoint an attendance committee to review any possible misuse/abuse of the attendance policy.

HOMEBOUND

For long-term illnesses of five (5) school days or more, the parent/parent may request a doctor's verification for the student to participate in homebound instruction. Upon presentation of a completed homebound application, a committee will determine approval/denial of the physician's recommendation for homebound services.

MAINTENANCE OF RECORDS

At each school, the Principal will designate the person(s) responsible for coordinating contacts with parents and/or guardians and maintaining documentation of absence notification and student conferences. Each school shall strive to make contact with the family of truant students regarding concerns related to attendance.

The DPP will be responsible for any possible court action.

Bullying/Hazing

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 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

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.

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.²

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 (SEE PAGE 9). 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.

Access to Electronic Media

(Acceptable Use Policy)

The Board supports reasonable access to various information formats for students, employees 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 access to electronic media and use of technology. 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 utilization 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 minor's 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

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources. The signature sheet with this code of conduct serves as permission and notification.

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.

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.

RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

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.

STUDENTS 09.14 AP.111

Notification of FERPA Rights

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

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

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

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

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

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

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him\her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

Exceptions that permit disclosure without consent include:

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

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the District.

This may include contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions.

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

Designated Kentucky State agencies may be permitted access to student record information, which will depend on the authority granted to their particular agency.

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

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

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

Unless the parent or student who has reached age 18 requests in writing that the District not release information, the student’s name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605
Review/Revised:7/11/2016

Notificación de Derechos FERPA

(Notification of FERPA in Spanish (español))

Distribuya este aviso anualmente a los padres y estudiantes.

La Ley de Privacidad y Derechos Educativos de la Familia (FERPA) otorga a los padres y a los "estudiantes elegibles" (estudiantes mayores de 18 años o estudiantes que asisten a una institución postsecundaria) ciertos derechos con respecto a los registros educativos del estudiante. Están:

1. El derecho a inspeccionar y revisar los registros educativos del estudiante dentro de los cuarenta y cinco (45) días posteriores al día en que el Distrito recibe una solicitud de acceso.

Los padres o los estudiantes elegibles deben enviar al director de la escuela o a la persona designada una solicitud por escrito que identifique los registros que desean inspeccionar. El director hará los arreglos para el acceso y notificará al padre o estudiante elegible sobre la hora y el lugar donde se pueden inspeccionar los registros.

2. El derecho a inspeccionar y revisar los registros que documentan las divulgaciones de los registros educativos del estudiante.

Excepto por la divulgación a los funcionarios escolares, las divulgaciones relacionadas con algunas órdenes judiciales o citaciones emitidas legalmente, las divulgaciones de información de directorio y la divulgación a los padres o al estudiante elegible, las regulaciones de FERPA requieren que el Distrito registre la divulgación.

3. El derecho a solicitar la modificación de los registros educativos del estudiante que el padre o el estudiante elegible crea que son inexactos, engañosos o que violan la privacidad del estudiante u otros derechos.

Los padres o estudiantes elegibles pueden pedirle al Distrito que enmiende un registro que creen que es inexacto, engañoso o que viola la privacidad u otros derechos. Deben escribir al director de la escuela, identificar claramente la parte del registro que quieren cambiar y especificar por qué es inexacto, engañoso o viola su privacidad u otros derechos.

Si el Distrito decide no enmendar el expediente según lo solicitado por el padre o el estudiante elegible, el Distrito notificará la decisión al padre o estudiante elegible y le informará sobre el derecho a una audiencia con respecto a la solicitud de enmienda. Se proporcionará información adicional sobre los procedimientos de la audiencia al padre o estudiante elegible cuando se le notifique el derecho a una audiencia.

4. El derecho a proporcionar consentimiento por escrito antes de la divulgación de información de identificación personal contenida en los registros educativos del estudiante, excepto en la medida en que FERPA autorice la divulgación sin consentimiento.

Las excepciones que permiten la divulgación sin consentimiento incluyen:

una. Divulgación a funcionarios escolares con intereses educativos legítimos. Un "funcionario escolar" es una persona empleada por el Distrito como administrador, supervisor, instructor o miembro del personal de apoyo (incluido el personal médico o de salud y el personal de la unidad policial); una persona que sirve en la Junta Escolar; un voluntario, o una persona o empresa externa a quien el Distrito ha contratado para realizar una tarea especial (como un abogado, auditor, consultor médico o terapeuta); o un padre o estudiante que se desempeña en un comité oficial, como un comité disciplinario o de quejas, o que ayuda a otro funcionario escolar a realizar sus tareas.

Un funcionario escolar tiene un interés educativo legítimo si el funcionario necesita revisar un expediente educativo para cumplir con su responsabilidad profesional ante el Distrito.

Esto puede incluir contratistas, consultores, voluntarios y otras partes a las que el Distrito haya subcontratado servicios o funciones.

b. Previa solicitud, la divulgación de registros educativos sin el aviso o consentimiento de los padres/estudiante elegible a funcionarios de otro distrito escolar o institución postsecundaria en la que un estudiante busca o tiene la intención de inscribirse o ya está inscrito o a otras entidades autorizadas por la ley siempre que el la divulgación es para fines relacionados con la inscripción o transferencia del estudiante.

C. Divulgación de información a aquellos cuyo conocimiento de dicha información es necesario para responder a una amenaza real, inminente o inminente articulada y significativa para la salud/seguridad.

d. Divulgación a las autoridades educativas estatales y locales y organizaciones de acreditación, sujeto a los requisitos de las regulaciones de FERPA.

A las agencias designadas del estado de Kentucky se les puede permitir el acceso a la información del expediente del estudiante, lo que dependerá de la autoridad otorgada a su agencia en particular.

5. El derecho de notificar al Distrito por escrito para retener información que la Junta ha designado como información de directorio como se indica en el aviso de información de directorio anual que el Distrito proporciona a los padres/estudiantes elegibles.

Para ejercer este derecho, los padres/estudiantes elegibles deberán notificar al Distrito antes de la fecha límite designada por el Distrito.

6. El derecho a prohibir la divulgación de información de identificación personal sobre el estudiante a representantes de reclutamiento de las Fuerzas Armadas de los EE. UU. y sus academias de servicio, la Guardia Nacional Aérea de Kentucky, la Guardia Nacional del Ejército de Kentucky e instituciones de educación superior.

A menos que el padre o el estudiante que haya cumplido los 18 años solicite por escrito que el Distrito no divulgue información, el nombre, la dirección y el número de teléfono

del estudiante (si está incluido) se divulgarán a los reclutadores de las Fuerzas Armadas y a las instituciones de educación superior cuando lo soliciten.

7. El derecho a presentar una queja ante el Departamento de Educación de los EE. UU. con respecto a las supuestas fallas del Distrito en cumplir con los requisitos de FERPA. El nombre y dirección de la Oficina que administra FERPA es:

Oficina de Cumplimiento de Políticas Familiares

Departamento de Educación de EE. UU.

400 Maryland Avenue, SW

Washington, DC 20202-4605

Revisión/Revisado:7/11/2016

Notification of PPRA Rights

Distribute this notice annually to parents and students.

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

- ◆ **Consent before minor students are required to submit to a survey, analysis, or evaluation** that concerns one (1) or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
7. Religious practices, affiliations, or beliefs of the student or the student’s parents; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- ◆ **Receive notice and an opportunity to opt a student out of:**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for any physical exam or screening permitted or required under state law); and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. **NOTE:** If the parent/eligible student has indicated no directory information is to be provided to third parties or if the marketing activity involves provision of social security numbers, consent form 09.14 AP.122 should be used.

- ◆ **Inspect, upon request and before administration or use:**

1. Protected information surveys to be used with students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The District shall annually provide parents and eligible students notice of these rights under law in the Student Handbook, the District *Code of Acceptable Behavior and Discipline*, or other avenue designated by the Superintendent/designee.

The District shall also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. A new or supplemental notice shall be given as necessary to provide the opportunity to consent or opt out under the standards set forth above. Parents/eligible students who believe their rights have been violated may file a complaint with:

***Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., SW
Washington, D. C. 20202-8520***

Review/Revised:7/9/07

Highly Qualified Teacher—Parent notification

Dear Parent or Guardian:

The educators in the Lewis County Schools are committed to providing a quality instructional program for your child. This letter is just one of the ways of keeping you informed of the educational commitment of our schools and our district.

Our district receives federal funds for Title I programs as a part of the No Child Left Behind Act (NCLB). Under NCLB, you have the right to request information regarding the professional qualifications of your child's teacher(s). If you request this information, the district will provide you with the following:

1. Whether the teacher has met the state requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction;
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
3. The college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
4. Whether your child is provided services by paraeducators, and if so, their qualifications.

If you would like to request this information, please contact Woody Underwood by phone at 606-796-2811 or by email at

woody.underwood@lewis.kyschools.us.

Please include your child's name, the name of the school your child attends, the names of your child's teacher(s) and an address or email address where the information may be sent. Thank you for your interest and involvement in your child's education.

Sincerely,

Jamie Weddington, Superintendent
Lewis County Schools

Anti-Harassment Statement- Parent Notification:

Dear Parent or Guardian,

The Lewis County School District does not tolerate acts of discrimination or harassment based on race, color, national origin, age, religion, marital status, sex, or disability.

Any individual who believes he or she has been subjected to harassment shall report the harassment to the district by contacting a member of the administrative team (i.e. principal, assistant principal, counselor) at their school.

The District will conduct a prompt investigation. If students are found to have engaged in harassment, they will be promptly disciplined. Discipline could include, if warranted, suspension and/or expulsion. The Lewis County Board of Education policies relating to harassment can be found in the following 3 pages of this document.

The Lewis County School District encourages all students, parents, and staff to work together to prevent harassment of any kind.

Jamie Weddington, Superintendent

The Lewis County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex or disability in employment, educational programs, or activities as set forth in Title IV, Title IX, and Sec. 504.

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 of 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.

Harassment/Discrimination

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.
 1. The Superintendent/designee may take interim measures to protect complainants during the investigation.
2. A process to identify and implement, within five (5) 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.
 1. 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.

Harassment/Discrimination

GUIDELINES (CONTINUED)

1. 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

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.

APPEAL (CONTINUED)

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.

REFERENCES:

¹KRS 158.156
42 USC 2000e, Civil Rights Act of 1964, Title VII
Racial Incidents and Harassment Against Students at Educational Institutions;
Investigative Guidance (U.S. Department of Education)
U. S. Supreme Court - Franklin vs. Gwinnett County
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)
Regulations Implementing Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX
Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)
Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)
Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICIES:

03.162; 03.262
09.13; 09.2211; 09.227
09.422; 09.426; 09.438

Public Notice

Lewis County Board of Education

Notice of Non-Discrimination

Students, their families, employees and potential employees of the Lewis County Schools are hereby notified that the Lewis County School System does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.¹

Any persons having inquiries concerning Lewis County Schools compliance with Title II, Title VI, Title IX, and/or Section 504 may contact:

Timothy Underwood, Director of Federal Programs
Lewis County Schools
65 Central Elementary
Vanceburg, KY 41179
(606) 796-2811;

The Lewis County School System offers the following Career and Technical Education programs for all students regardless of race, color, national origin, including those with limited English proficiency, sex or disability, and provides equal access to the Boy Scouts and other designated youth groups.¹ For students in grade 9-12: Agriculture, Business and Office Technology, Health Sciences, Carpentry, Welding, and Engineering. Persons seeking further information concerning the vocational education offerings and the specific pre-requisite criteria should contact:

Jeremy Ruckel, Director
Foster Meade Career and Technical Center
79 Lions Lane
Vanceburg, KY 41179
(606) 796-6106;

The Lewis County Board of Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.¹ The following person has been designated to handle inquiries regarding the non-discrimination policies:

Timothy Underwood, Director of Federal Programs
65 Central Elementary Vanceburg, KY 41179
606-796-2811

KRS 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 a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
 - (b) 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
 - (c) 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) Terroristic threatening in the second degree is a Class D felony.

KRS 532.060 Sentence of imprisonment for felony — Postincarceration supervision.

- (1) A sentence of imprisonment for a felony shall be an indeterminate sentence, the maximum of which shall be fixed within the limits provided by subsection (2), and subject to modification by the trial judge pursuant to KRS 532.070.
- (2) Unless otherwise provided by law, the authorized maximum terms of imprisonment for felonies are:
- (a) For a Class A felony, not less than twenty (20) years nor more than fifty (50) years, or life imprisonment;
 - (b) For a Class B felony, not less than ten (10) years nor more than twenty (20) years;
 - (c) For a Class C felony, not less than five (5) years nor more than ten (10) years; and
 - (d) For a Class D felony, not less than one (1) year nor more than five (5) years.
- (3) For any felony specified in KRS Chapter 510, KRS 530.020, 530.064(1)(a), or 531.310, the sentence shall include an additional five (5) year period of postincarceration supervision which shall be added to the maximum sentence rendered for the offense. During this period of postincarceration supervision, if a defendant violates the provisions of postincarceration supervision, the defendant may be reincarcerated for:

- (a) The remaining period of his initial sentence, if any is remaining; and
 - (b) The entire period of postincarceration supervision, or if the initial sentence has been served, for the remaining period of postincarceration supervision.
- (4) In addition to the penalties provided in this section, for any person subject to a period of postincarceration supervision pursuant to KRS 532.400 his or her sentence shall include an additional one (1) year period of postincarceration supervision following release from incarceration upon expiration of sentence if the offender is not otherwise subject to another form of postincarceration supervision. During this period of postincarceration supervision, if an offender violates the provisions of supervision, the offender may be reincarcerated for the remaining period of his or her postincarceration supervision.
- (5) The actual time of release within the maximum established by subsection (1), or as modified pursuant to KRS 532.070, shall be determined under procedures established elsewhere by law.

534.030 Fines for felonies.

- (1) Except as otherwise provided for an offense defined outside this code, a person who has been convicted of any felony shall, in addition to any other punishment imposed upon him, be sentenced to pay a fine in an amount not less than one thousand dollars (\$1,000) and not greater than ten thousand dollars (\$10,000) or double his gain from commission of the offense, whichever is the greater.
- (2) In determining the amount and method of paying a fine for commission of a felony, the court shall consider, among others, the following factors:
- (a) The defendant's ability to pay the amount of the fine;
 - (b) The hardship likely to be imposed on the defendant's dependents by the amount of the fine and the time and method of paying it;
 - (c) The impact the amount of the fine will have on the defendant's ability to make reparation or restitution to the victim; and
 - (d) The amount of the defendant's gain, if any, derived from the commission of the offense.
- (3) When a defendant is convicted of two (2) or more felonies committed through a single act and is sentenced to fines pursuant to subsection (1), the aggregate amount of the fines shall not exceed ten thousand dollars (\$10,000) or double the amount of the defendant's gain from commission of the offenses, whichever is the greater.
- (4) Fines required by this section shall not be imposed upon any person determined by the court to be indigent pursuant to KRS Chapter 31.
- (5) This section shall not apply to a corporation.

Lewis County School District
65 Central Lane
Vanceburg, KY 41149

Dear Parent or Guardian:

Sections 1112(e)(2)(A)-(B) of the Every Student Succeeds Act (ESSA) requires the following regarding testing transparency.

(2) TESTING TRANSPARENCY.—

(A) IN GENERAL. – At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

(B) ADDITIONAL INFORMATION. – Subject to subparagraph (C), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency’s website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

- (i) the subject matter assessed;
- (ii) the purpose for which the assessment is designed and used;
- (iii) the source of the requirement for the assessment; and
- (iv) where such information is available—(I) the amount of time students will spend taking the assessment, and the schedule for the assessment; and (II) the time and format for disseminating results.

Information about these requirements can be found on the Kentucky Department of Education’s Assessments webpage

(<https://education.ky.gov/AA/Assessments/Pages/default.aspx>). For further questions or to obtain a hard copy of this material please direct your inquiry to [name and contact information of the District Assessment Coordinator or other preferred contact person].

Sincerely,

Woody Underwood-Director of Federal Programs

**LEWIS COUNTY SCHOOLS
STUDENT/PARENT ACKNOWLEDGEMENT
of
POLICIES, PROCEDURES AND GUIDELINES**

I hereby acknowledge that I have been given copies of and understand the following items:

*Student Code of Conduct
Lewis County Absence and Excuse Policy
Harassment and Discrimination Policy
Acceptable Use Policy
Notification of FERPA Rights
Highly Qualified Teacher Notification
Anti-Harassment Statement*

NOTE: Please contact the school if you wish to not allow student information to be released such as photographs(newspapers, yearbooks, websites) or for high school students, this may include information for military recruiters and universities(specifically names and mailing addresses).

Student

Date

Parent

Date

This sheet is a required form that must be returned to the school in a timely manner.