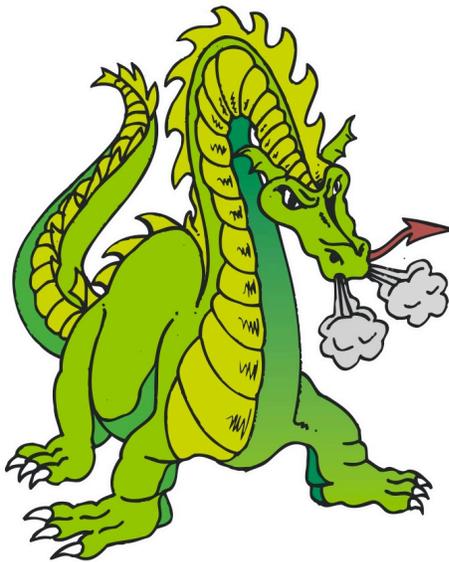


Student Code of Acceptable Behavior & Discipline



Harlan Independent School District
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INTRODUCTION

In our democratic society, laws are designed to protect the rights and freedoms of citizens. In the Harlan Independent School District, rules and policies are adopted to provide a safe learning environment and to ensure the right of students to learn and teachers to teach. The Harlan Independent Board of Education requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the policies and administrative procedures of the school district and the laws of the community and state. This code applies to all students in the district while at school, on their way to and from school, while on the bus or other district vehicle, and while they are participating in school-sponsored trips and activities. The Superintendent/designee is responsible for its implementation and application throughout the district. The Principal is responsible for administration and application of this Code within his/her school in a uniform and fair manner without partiality or discrimination.

Teachers and other instructional personnel are responsible for administering Code standards in the classroom, halls, and other duty assignment locations.

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

MISSION STATEMENT

It is the mission of Harlan Independent Schools to join in partnership with our families and the community to ensure that our students are prepared to compete successfully in the workplace and in life.

Together, we pledge to give them roots, by helping them value themselves and the lessons of their personal and collective history, and wings, by helping them to understand the importance of setting personal goals and accepting responsibility for their words and actions. We seek to prepare resilient, informed students who have problem-solving skills, a sense of purpose, good character, social competence, and an appreciation for life and learning, thus empowering them to meet the challenges of a changing society.

BELIEF STATEMENTS

As a school community, we believe that **education** is the future of our community. Education is the responsibility of the entire community and is a reflection of its pride and values. It is a lifelong journey that enriches our lives and prepares us for life beyond earning a living.

We believe that the **family** must be involved in a child's education in order to achieve success. **Parents** are a child's first teacher and, at heart, want what is best for their child. We must help parents overcome barriers, such as their own negative past school experiences and distractions such as television, that may hinder their child's school achievement. Parents must accept responsibility for their vital role in the success of their child. They must have high expectations of their children and convey their expectations to their children.

We believe that **learning** is the right of every child in our schools and that children must be active participants in their education. Because learning is a lifelong endeavor that requires us to grow until death, we believe that learning how to learn is the core of one's education.

We believe that **children** should be supported and loved as they develop. They must learn personal responsibility and self-discipline as well as moral values and ethics in order to be successful in our schools and our democratic society. Children should respect others and be respected in return.

Finally, we believe that **schools** should have high expectations and set high academic, moral, and behavioral standards. We believe that all children may not develop at the same rate or learn the same things in the same way, but all children can learn. Our schools must challenge all students by providing an appropriate curriculum that prepares them for their future career goals and reflects real life. Our schools must be the centerpiece of our community - a welcoming place for all.

STATEMENT OF NONDISCRIMINATION

The Harlan Independent Board of Education does not discriminate on the basis of age, color, disability, parent status, marital status, race, national origin, religion, sex, or veteran status in the programs, activities and services it provides, as required by law. Individuals who have questions concerning compliance with this requirement should contact David R. Johnson at the Central Office Building.

DISCIPLINE CODE REFERENCES

This code is part of the Board's policy on student behavior and discipline. Other related documents that are available for review include the Harlan Independent Board of Education policy manual, Harlan Independent School District's Safety Plan, Special Education Procedures Manual, Kentucky Revised Statutes and Administrative Regulations, School Council Policy, and school handbooks. Documents are available for inspection at each school and at the Central Office. CAUTION: After this code is distributed for the school year, changes to Board policy, including those affecting provisions in this Code, may be necessary due to revised statutes, regulations, and case law.

RIGHTS AND RESPONSIBILITIES

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

Students have the right to:

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

Students have the responsibility to:

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

REQUIRED STANDARDS

All students will comply with the following standards of behavior:

Students shall not interfere with the orderly environment of the school or school activity. Examples of prohibited behavior include but are not limited to:

- Actions such as harassment of, or discrimination against, other students, school personnel, and/or visitors on the basis of race, color, national origin, age, religion, sex, or disability
- Insubordination (disobedient or defiant behavior)
- Sale of items without prior approval of the Superintendent or Principal
- Wearing attire, cosmetics, or making presentation of extraordinary personal appearance or an unsanitary body condition which significantly disrupts school work, interrupts scholastic endeavors, or threatens the health of others

Students shall exercise self-control as required by the particular situation and in keeping with school and district rules, or be subject to removal from the regular classroom setting or transportation system. In addition, a student may be barred from participating in extracurricular activities pending investigation that s/he has violated either the District's behavior standards or the school council's criteria for participation. Examples of prohibited behaviors include, but are not limited to:

- Fighting and physical attacks
- Possession of a weapon
- Threats by verbal or written statements or gestures with intent to harm or demean others
- Use or possession of alcohol or prohibited drugs
- Use of prohibited tobacco products
- Hazing, bullying, menacing or abusing students or staff members

Students shall respect school property and the property of others. Examples of prohibited behavior include, but are not limited to:

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

Students shall be punctual and present in the school program. Examples of prohibited behavior include, but are not limited to:

- Absence from school or tardy without valid excuse

Students will obey the directions of teachers, be diligent in study, and be respectful to teachers and classmates. Students shall work cooperatively and productively with each other and with school personnel in a manner that is consistent with standards of respect and courtesy. Examples of prohibited behaviors that would detract from a safe and orderly learning environment include, but are not limited to:

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

The Board has included samples of prohibited behaviors to help the reader understand how the behavior standard will be enforced. Other behaviors not included in the examples may also be prohibited.

CONSEQUENCES OF VIOLATIONS

Elementary

Middle/High School

Violation of Standard		1st Time	Repeat	1st Time	Repeat
Tardiness	Minimal	Parent Contact		Parent Contact/ Detention	Parent Contact/ Detention
	Excessive	Referral to Dir. of Student Services		Parent Conference	School Service/Alternative Education/Community Work Service or Suspension
Unexcused Absences	Minimal	Parent Involvement		Parent Contact	Referral to Court System
	Excessive	Referral to Court System		Assignment to Alternative Education Services	
Insubordination	Minimal	Parent Contact	Loss of Privileges	Parent Contact and Alternative Classroom	
	Excessive	Alternative Education	Suspension	Suspension or Community Work Service	Expulsion or Alternative Education Services
Disrupting the Educational Process	Minimal	Warning Parent Contact	Loss of Privileges	Parent Contact/ Detention	Alternative Education
	Excessive	Alternative Education	Suspension	Suspension or Community Work Service	Expulsion or Alternative Education Services
Dress Code	Minimal	Parent Contact	Change Clothing	Detention	Alternative Education
	Excessive			Alternative Education	Suspension or Community Work
Tobacco Violation	Minimal	Parent Contact		Alternative Education/Parent Contact	
	Excessive	Counseling		Suspension or Community Work Service	
Alcohol and Drug Violation		See Description Below			
Assault		See Description Below			

According to Harlan Independent Board of Education policies, violating students shall be expelled for a period of not less than one (1) year for 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. Also, Board policy states that violating students may be disciplined up to and including suspension or expulsion for 1) possession, use, being under the influence of, selling, or transferring alcohol, drugs, and other controlled substances and 2) physically assaulting, battering, or abusing educational personnel or other students at a school or school function under the Board's jurisdiction. (The Board may modify the expulsion requirement for students on a case-by-case basis.)

According to KRS 158.150, pupils may be suspended or expelled for willful disobedience or defiance of authority of the teachers or administrators, use of profanity or vulgarity, assault or battery or abuse of other students, the threat of force or violence, the use or possession of alcohol or drugs, stealing or destruction or defacing of school property or personal property of students, the carrying or use of weapons or dangerous instruments, other incorrigible bad conduct, assault or battery or abuse of school personnel, stealing or willfully or wantonly defacing, destroying, or damaging the personal property of school personnel on school property, off school property, or at school-sponsored activities.

The Principal of each school, or school council in schools with SBDM, shall develop specific rules of conduct and classroom management techniques for each school in order to carry out the Code. School councils may select from the following list of disciplinary options to be used in each school:

Verbal Reprimand	Loss of Privileges	Isolation of Students
Parent Conference	Lowered Conduct Grade	Detention
Alternative Classroom	Student Work Service	Parent/Student Observation
Suspension	Alternative Education	Alternative Education Services
Community Work Service	Referral to Criminal Justice System	

Conduct violations, including behavior in a violent/threatening manner, that occur on a school bus may result in immediate removal from the bus and/or suspension of transportation privileges. Discipline of exceptional students shall comply with all federal and state laws and regulations as well as Board policy and the individual's Individual Education Plan. Loss of physical activity periods shall not be used as a disciplinary consequence.

ALCOHOL, DRUGS, AND USE OF OTHER CONTROLLED SUBSTANCES

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

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

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

The Harlan Independent Board of Education has identified three levels of violations under this policy. They are:

Level A - Possession of drug paraphernalia

The definition of drug paraphernalia in the District includes all equipment, products, and materials of any kind including the constituent parts thereof that are either designed or are intended by the student for use in packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body marijuana or a controlled substance. This includes but is not limited to rolling papers, syringes, clips, smoking pipes, and prescription drug bottles

Level B - Use, possession, or being under the influence

The definition of substance abuse in the District includes 1) the purchase, use, possession, attempt to possess, or being under the influence of illegal drugs, prohibited substance, intoxicant or alcohol, on school property or while engaged in or attending a school activity and 2) being present on school grounds after having consumed or used a controlled substance, marijuana, illegal drugs, or intoxicants, including alcohol.

Level C - Involvement in distribution of controlled or illegal substances

The definition for involvement with the distribution of controlled or illegal substances in the District includes distributing, selling, or attempting to sell marijuana, any controlled substance, illegal drugs, intoxicants, including alcohol, limitation controlled substances, prescription drugs, or drug paraphernalia on school property while engaged in or attending any school activity.

Students assigned to Alternative Placement must attend a duration of time compliant with the guidelines and regulations of the school.

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

When they have reasonable belief that a violation has taken place, school principals shall immediately report to parents and law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law. Violations of the district's alcohol, drug and controlled substance policy will result in the following disciplinary actions:

Category	First	Second	Third	Fourth
Level A	3 days suspension and 5 (five) days of Alternative Education	5 (five) days of suspension plus 10 (ten) days of Alternative Education	Alternative Education Services	Expulsion
Level B	5 (five) days of suspension plus 10 (ten) days of Alternative Education	Alternative Education Services	Expulsion	N/A
Level C	Alternative Education Services	Expulsion	N/A	N/A

If available, students will be required to participate in community/school service during times of suspension from school for violation of this policy.

Penalties for violations of this policy are cumulative over the course of a student's career at the Harlan Independent School District. For example, a student that commits an offense during his/her 7th grade year will be punished as a second offense for a violation at the same level as a junior.

Any student suspended for five (5) or more days as a result of this policy shall be considered for Alternative School for any other violations of this policy. Also, any student previously placed in Alternative School as a result of this policy shall be considered for expulsion for any other violations of this policy.

Newly enrolled students, who have been punished for or are subject to punishment for documented drug violations at any previous school of enrollment, will be placed at the appropriate offense level and will be subject to all requirements and penalties of this policy in the event of future violations while a student of the District.

During their suspension from classes or assignment to Alternative Education, students are not allowed to attend any extra/co-curricular activities such as athletic events or dances. Upon completion of the suspension/assignment, students may attend such activities.

Any student that is guilty of violating this policy must attend a drug education program provided or approved by the District. Services provided by the District will be at the District's expense. These sessions must be taken during the suspension period or as soon available.

Any student that is guilty of violating this policy will not be permitted to participate in any extra/co-curricular activities and non-instructional field trips as outlined below:

Category	First	Second	Third	Fourth
Level A	20 school days or 30 calendar days (whichever is longer)	60 school days or 90 calendar days (whichever is longer)	One calendar year	N/A
Level B	60 school days or 90 calendar days (whichever is longer)	One Calendar Year	N/A	N/A
Level C	One Calendar Year	N/A	N/A	N/A

School days shall be defined as actual student attendance days. Days missed for dismissal of school and summer school shall not count as school days for the purpose of this policy.

During a suspension from extra/co-curricular activities, students are not allowed to participate in any extra/co-curricular activities, such as, but not limited to, club meetings, music rehearsals/performances, and athletic practices, workouts, and competitions outside of the regular school day. Furthermore, students will attend a reinstatement hearing before the Superintendent and/or the Superintendent's designee(s).

RANDOM DRUG TESTING PROGRAM

The Harlan Independent Board of Education has established a random drug testing program for all middle/high school students participating in cocurricular and extracurricular activities, including athletics. The Board of Education believes that its drug testing policy and procedures are a reasonable means of furthering the district's important interest in preventing and deterring drug use among its school children.

Each semester at least one (1) educational seminar on alcohol and drug abuse shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all Harlan Middle/High School students but shall be offered for all participants in extracurricular, including athletics, and cocurricular activities. Educational seminars for parents/guardians that will address alcohol and other forms of drug abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information for drug prevention.

All student participants in extracurricular, including athletics, and cocurricular activities and their parents/guardians must read Policy 09.423 and accompanying procedures and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures. Failure to agree will result in a student's ineligibility to participate in any and all cocurricular and extracurricular activities, including athletics. One signed agreement shall be required of students per year.

Athletic teams ,extracurricular activities, and cocurricular activities covered by this policy shall apply to all middle- and high-school varsity and subvarsity athletic, extracurricular, and cocurricular activities, including, but not limited to, baseball, boys' basketball, girls' basketball, cheerleading, cross-country, football, softball, tennis, track,

volleyball, golf, as well as all clubs, choirs, and bands. The subsequent addition of any extracurricular activity, cocurricular activity, varsity or subvarsity sport shall immediately be subject to this policy.

Students may enroll in a cocurricular activity and participate in the class during the regular school day without agreeing to drug testing. Such students shall not be penalized academically for such a decision. However, students enrolled in cocurricular classes will not be allowed to participate in any activities outside of the regular school day without agreeing to submit to drug testing.

Administrators shall not use information obtained in the course of administering the policy for disciplinary purposes other than those set forth herein. This policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities, other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under 18 years of age, the administrator shall not release any student's test results to any person other than those described within this policy or as required by law or a lawfully issued subpoena or court order.

All student participants and their parents/guardians must sign the "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form before the student shall be permitted to participate on any athletic team, become a member of an extracurricular activity at the middle- and high-school levels, or participate in cocurricular activities other than regular class participation.

Testing shall be accomplished by the analysis of urine specimen obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Randomness of selection procedures
2. Proper student identification
3. Identification of each specimen with the appropriate student participant
4. Maintenance of the unadulterated integrity of the specimen
5. Integrity of the collection and testing process, as well as the confidentiality of test results.

Student participants who refuse or decline to be tested when selected for the random sampling will forfeit the eligibility to participate in all cocurricular and extracurricular activities, including athletics, for one (1) calendar year.

Sanctions:

First Violation

A student testing positive will be suspended for the next 60 school days or 90 calendar days, whichever is longer, from athletic/extracurricular/cocurricular participation. **Suspension from cocurricular activities will not impact student participation in a class and will not impact a student's academic grade.** The suspension will begin the date that the results are received. If necessary, the suspension shall carry over to the next school year. During the suspension, the student will not be allowed to try out for a sport or enroll in another extracurricular/cocurricular activity. Before reinstatement after the first violation, the student participant, at his/her cost, must receive an assessment or evaluation for chemical dependency. Prior to readmission to participation to the athletic team, extracurricular and/or cocurricular activities, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing at the expense of the student. A positive result shall be treated as a second violation. Furthermore, students will attend a reinstatement hearing before the Superintendent and/or the Superintendent's designee.

Second/Third Violation

For a second or third violation, the student participant shall be suspended one (1) calendar year. **Suspension from cocurricular activities will not impact student participation in a class and will not impact a student's academic grade.** The suspension will begin the date that the results are received. If necessary, the suspension shall carry over to the next school year. During the suspension, the student will not be allowed to try out for a sport or enroll in another extracurricular/cocurricular activity. Before reinstatement to the activity after a second or third violation, the student participant must successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to that effect issued by a treatment counselor. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing at the expense of the student. A positive result shall be

treated as a third or fourth violation. Furthermore, students will attend a reinstatement hearing before the Superintendent and/or the Superintendent's designee.

Fourth Violation

The student participant shall be excluded from participation in any extracurricular/ cocurricular activity, including athletics, for the remainder of the student's eligibility.

A fourth violation shall disqualify the student's involvement in all extracurricular/ cocurricular activities, including varsity and subvarsity athletics, for the remainder of his/her enrollment in the District.

Notice to Participants. Effective upon adoption of this policy and procedures, the Head Coach/sponsor shall provide all students choosing to participate in the athletic team/extracurricular/cocurricular activity and their parents/guardians with a written copy of this policy and its procedures. Each student who chooses to participate and a parent/guardian of that student shall be required to sign a statement indicating that they have received, read, and understand and fully agree to be bound by the terms, conditions, and procedures under this policy.

ASSAULT AND THREATS OF VIOLENCE

Any pupil who threatens, assaults, batters, or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion. Any pupil who threatens, assaults, batters, or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action up to and including expulsion from school and/or legal action. Threatening or violent behavior shall include, but not be limited to 1) verbal or written statements or gestures by students indicating intent to harm themselves, others or property or 2) physical attack by students so as to intentionally inflict harm to themselves, others or property. Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

HARASSMENT/DISCRIMINATION

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex 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. Harassment/Discrimination is prohibited at all times on school property and off school property grounds during school-sponsored activities. Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex. Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in Board policy, examples of conduct and/or actions that could be considered a violation of this policy include but are not limited to:

- 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 Board policy;
- Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
- 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;
- Impeding the progress of a student in class by questioning the student's ability to do the required class work based on the gender, race, color, religion, national origin, or disability of the student;
- Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
- 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.

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. Students who believe they have been a victim of such 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. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent.

Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent, or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination. Upon notification, an investigation will begin. 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. Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

SEARCH AND SEIZURE

Students have the right to be secure from unreasonable searches of their person and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating this Code or a school rule or the law. Also, school authorities may conduct general inspections of jointly held property, such as school lockers and desks, on a regular basis. All searches will be conducted in accordance with Board policy.

PHYSICAL RESTRAINT/CORPORAL PUNISHMENT

Employees are authorized by law to physically restrain students as may be necessary for the following reasons: to protect themselves, students, or others from physical injury; to get possession of a weapon or other dangerous object; or to protect property from serious harm.

Corporal punishment is not allowed as a disciplinary technique in Harlan Independent Schools.

STUDENT RECORDS

Records containing student information shall be made available to the parent of the student, guardian, or eligible student on written request. Eligible students include those 18 years of age or older or those enrolled in a post-secondary school program. For information concerning access or corrections to students' records, contact the Principal or the Superintendent.

GRIEVANCES

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

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

REPORTS TO LAW ENFORCEMENT OFFICIALS

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

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

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

WEAPONS

Students are **never** allowed to bring a weapon to school. The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons.

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

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

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

SUSPENSION, EXPULSION AND DUE PROCESS

For certain violations, administrators, such as the Superintendent and Principal, may remove (suspend) a student from school for up to ten (10) days per incident. Unless immediate suspension is necessary to protect persons or property or to avoid disruption of the educational process, students shall not be suspended until they have been given due process (required by law). Due process must be given before educational benefits are taken away and shall include:

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

A report of the suspension shall be made in writing to the Superintendent and to the parent/guardian of the student being suspended.

Suspension of primary program students shall be considered only in exceptional cases where there are safety issues for the child or others.

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

BULLYING/HAZING

Bullying refers to any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.

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. Acts by any student or employee that injures, degrades, or disgraces another student or staff member, disrupts the educational process, or interferes with a student's opportunity to obtain an education or to participate in school activities will not be tolerated. 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, including but not limited to suspension or expulsion. Students that believe they are victims of bullying/hazing should report such actions to their teacher and/or school principal for appropriate action.

RETALIATION PROHIBITED

Employees and other students shall not retaliate against a student because s/he reports a violation of the code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Harlan Independent

Schools will take appropriate steps to protect students from retaliation that may include alternative placement, changing classes, and other measures as necessary.

REPORTING

Students wishing to report a violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action as defined by the code. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offenses, or a report that may be required by law, including reports to law enforcement.

Any employee 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 a written report.

DISTRICT DIRECTORY

CENTRAL OFFICE.....573-8700

- ◆ Charles Morton, Superintendent
- ◆ Emily Clem, Director of Student Services
- ◆ Jennifer Parsons, Supervisor of Instruction
- ◆ Shannon Lawson, Director of Special Education
- ◆ Frank Shope, District Technology Coordinator

SUNSHINE PRESCHOOL.....573-8714

- ◆ Jennifer Parsons, Director
- ◆ Jennifer Brock, Teacher

HARLAN ELEMENTARY SCHOOL (K-4).....573-8715 or 8716

- ◆ Vickie Anderson, Principal
- ◆ Cathy Estep, Counselor

HARLAN HIGH SCHOOL (GRADES 5-12).....573-8750 or 8751

- ◆ Britt Lawson, Principal
- ◆ Candida Banks, Counselor

FAMILY RESOURCES YOUTH SERVICES CENTER.....573-8713

- ◆ Debby Howard, Director

CONFIRMATION OF RECEIPT OF CODE

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

I have received a copy of the Code of Acceptable Behavior and Discipline and I have read the Code and agree to abide by its content.

Parent Date

Student Date

Date Form Received by School