

CARTER COUNTY SCHOOL DISTRICT

***Code of Acceptable
Behavior and Discipline***

INTRODUCTION

The Board of Education requires a high standard of personal conduct from each student to promote respect for the rights of others and to accomplish the purposes of the schools. The Board also requires compliance with established standards and rules of the district and the laws of the community, state and nation.

The central purpose of the school system is to educate each student to the highest level possible. To support the success of the educational program, the Board directs employees to hold each student accountable to Code standards in a fair manner. Compliance with the standards is necessary to provide:

Orderly operation of the schools,

A safe environment for students, district employees and visitors to the schools,

Opportunities for students to achieve at a high academic level in a productive learning environment,

Assistance for students at risk of failure or of engaging in disruptive behavior,

Regular attendance of students, and

Protection of property.

This Code applies to all students in the District while at school, on their way to and from school, while on the bus or other district vehicles, and while they are participating in school-sponsored trips and activities. The Superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administration and implementation of this Code within his/her school in a uniform and fair manner without partiality or discrimination.

Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook.

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

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

MISSION STATEMENT

The mission of the Carter County school system is for all students to Collaborate, Achieve, and Relate in order To Exemplify Readiness for College or a Career.

DISTRICT BELIEFS

We believe a strong work ethic is a necessary ingredient for success.

We believe a feeling of self-worth is essential.

We believe communication is vital to a successful society.

We believe high expectations and standards promote greater results.

We believe learning is a life long process.

We believe problem-solving skills are essential for everyday living.

We believe the family is a primary influence in a person's development.

We believe any job is treated with dignity when it results in self-satisfaction, pride, and productivity.

We believe the community shares responsibility for its own future.

We believe commitment to purpose is necessary for success.

We believe being a responsible citizen is key for a productive society.

We believe a clean, safe, and secure environment is essential.

STATEMENT OF NONDISCRIMINATION

Students, their families, employees and potential employees of the Carter County School System are hereby notified that the Carter County School System does not discriminate on the basis of race; color; national origin; age; religion; marital status; sex; pregnancy, childbirth or related medical conditions; or disability in employment, vocational programs, or activities and provides equal access to the Boy Scouts and other designated youth groups as set forth in compliance with federal and state statutes and regulations. Any persons having inquiries concerning Carter County Schools' compliance with Title II, Title VI, Title IX and/or Section 504 may contact:

Ryan Tomolonis, Director of Personnel
Carter County Schools
228 South Carol Malone Blvd.
Grayson, KY, 41143
(606) 474-6696
ryan.tomolonis@carter.kyschools.us

RIGHTS AND RESPONSIBILITIES

As citizens of the United States of America, students may participate in activities that do not (1) materially or substantially disrupt the education process, (2) present a clear and present danger to the health and safety of others or property, or (3) infringe on the rights of others.

Specifically, students have the right to:

An orderly educational atmosphere conducive to learning.

Personal safety and security while at school and school-sponsored activities.

Academic grades based on academic performance, not on conduct.

Students have the responsibility to:

Comply with district, school and classroom rules and follow directions given by teachers and other school personnel.

Immediately report student threats to harm others to a teacher, counselor or school administrator.

Give their best effort to tasks assigned by their teacher, coach or other person who works with them.

REQUIRED STANDARDS

The Board expects employees, students, parents/guardians and others associated with the schools to apply the following standards in a reasonable and fair manner:

1. To promote the full implementation of conduct standards and maximize safety in the school environment, the Board requires *all* school activities a top priority among their assigned duties. The younger the child, the greater the need for adult guidance and protection.

A professionally planned and positive school atmosphere is necessary for academic progress and a safe environment. Therefore, students shall not interfere with the orderly environment of the school or school activity. Examples of prohibited behavior include, but are not limited to:

Actions such as harassment of, or discrimination against, other students on the basis of race, color, national origin, age, religion, marital status, political beliefs, sex or disability.

Insubordination (disobedient or defiant behavior)

Sale of items without prior approval of the Superintendent or Principal

Wearing apparel, accessories or hairstyles that disrupt the educational process or threaten health or safety.

Possession of prohibited items.

Regular and punctual school attendance is both a privilege and a responsibility of the student. Good attendance is necessary to satisfactory progress and high academic achievement. Examples of attendance violations include, but are not limited to:

Absence from school without valid excuse

Tardy without valid excuse

2. 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 of alcohol or prohibited drugs

Use of prohibited tobacco products

School property belongs to the community and the state. It must be protected and preserved for educational and community use. Therefore, students shall respect school property and the property of others. Examples of prohibited behaviors include, but are not limited to:

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

3. 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

MILDLY DISRUPTIVE BEHAVIOR:

Examples of Mildly Disruptive Behavior include: inappropriate dress, unauthorized driving, tardiness to class, leaving the classroom without permission, being in unauthorized areas, failure to complete assigned work, speaking without permission, and other behaviors deemed similarly disruptive by the school staff.

Appropriate disciplinary measures to deal with Mildly Disruptive Behavior include: verbal reprimands, written reprimands, after-school detention, loss of privileges, notification of parents and conferences with parents, and other measures deemed appropriate by the school staff.

SERIOUSLY DISRUPTIVE BEHAVIOR:

Examples of Seriously Disruptive Behavior include: Mildly Disruptive Behavior that persists, possession or use of tobacco products, skipping school, benign (unaggressive, unthreatening) insubordination, and other behaviors deemed similarly disruptive by the school staff.

Appropriate disciplinary measures to deal with Seriously Disruptive behavior include: all measures listed as appropriate for Mildly Disruptive Behavior, ISAE, suspension from school, required family and individual counseling, and other measures deemed appropriate by the school staff. (Suspended students may not be denied cumulative grades. Ex. Portfolios, final exams, notebooks).

STRICTLY PROHIBITED BEHAVIOR:

Examples of Strictly Prohibited Behavior include: Seriously Disruptive Behavior that persists, sale of an illegal substance, gross insubordination, behavior that has the effect of creating a safety hazard, serious criminal behavior of any kind, improper use of technology, and other behavior that the school staff believes should be prohibited.

Appropriate disciplinary measures to deal with Strictly Prohibited Behavior include suspension from school with a recommendation to the school board for expulsion, and/or other measures deemed appropriate by the school staff.

SUBSTANCE ABUSE POLICY

The use/possession/under the influence of/transfer/sale/purchase of any controlled or illegal substance (including alcohol) while on school property or while attending any school function at home or away is strictly prohibited.

Sale

First Offense: Students that sell any controlled or illegal substances (including alcohol) while on school property or while attending any school function at home or away will be recommended to the Board of Education for expulsion.

Use/Possession

First Offense: Students that use/possess/are under the influence/transfer/purchase any controlled or illegal substance (including alcohol) while on school property or while attending any school function at home or away will be suspended from school for ten days. The suspension may be reduced to five days if the student successfully completes a district approved substance abuse assessment and treatment program.

Second Offense: Students that use/possess/are under the influence/transfer/purchase any controlled or illegal substance (including alcohol) while on school property or while attending any school function at home or away a second time during the school year will be recommended to the Board of Education for expulsion.

VIOLENT, THREATENING, OR HARASSING BEHAVIOR:

The Carter County Board of Education will not tolerate any violent, threatening or harassing behavior on the part of students. The following prohibitions against violent, threatening or harassing behavior pertains to all acts that occur in school, on school grounds, at school-sponsored activities or trips, in school buses or other school owned vehicles, regardless of location.

Students who engage in acts of physical violence against school employees or other students will be removed from school. Possession of a weapon or an explosive device shall be considered an act of violence.

Students who sexually harass school employees or other students will be removed from school.

Students who threaten school employees or other students with physical violence, or verbally harass school employees, whether directly, through a third party or via written or electronic means, whether explicitly or impliedly, will be removed from school.

Except as below, “removal from school” means the immediate suspension of a student’s school attendance and a recommendation to the school board for an expulsion hearing.

If an employee or student is threatened, verbally harassed, or sexually harassed by another student, and if the threat or harassment is the first instance of threatening, or harassing behavior on the part of the offending student, the offending student, depending on the seriousness of the offense, may receive one

warning and may be required to attend counseling sessions prescribed by school officials. If additional threats or harassment are directed either toward the same student or another student, the offending student will be recommended to the school board for an expulsion hearing.

On the first offense of student against student violence, removal from school may be construed to mean a suspension of the student's attendance for a period up to ten days with no recommendation for expulsion as determined on a case by case basis by the school administration.

In the case of some special education students, and always in the case of special education students for whom the offending behavior is judged to be related to a handicapping condition, "removal from school" may be construed to mean a change in the student's educational placement.

* This section applies directly to middle schools and secondary schools. Due to the nature of elementary students, the administration of the elementary schools will decide on a case by case basis how to deal with violent, threatening, or harassing behavior.

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 violations of this Code, students may also be charged with criminal violations.

PHYSICAL RESTRAINT

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 objects; or to protect property from serious harm.

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 of 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, EXPLUSION & DUE PROCESS

For certain violations, administrators, such as the Superintendent, Principal or Assistant 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:

Oral or written notice of the charge(s) against them,

An explanation of the evidence, if the student denies the charge(s).

An opportunity to present their own version of the facts concerning the charge(s).

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

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

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

HAZING ACTIONS NOT TOLERATED

Hazing, bullying, menacing or abuse of students or staff members will not be tolerated. Any student or employee who engages in an act that injures, degrades or disgraces another student or staff member shall be subject to appropriate disciplinary action.

DRESS AND APPEARANCE

The wearing of any attire, cosmetics, presentation of extraordinary personal appearance, or any unsanitary body conditions which in the judgment of the Principal significantly disrupts school work, interrupts scholastic endeavors, or threatens the health or safety of other pupils, is prohibited.

SAFETY PROCEDURES

To help insure a safe environment the following procedures apply to middle schools and high schools:

1. Prohibit the wearing of all trench coats, overcoats, and excessively loose clothing by students to and in the schools.
2. Insure that all duffel bags, book bags, and backpacks are scanned and/or inspected. Provide a designated storage area for all athletic duffels for storage while school is in session. The school will not be responsible for the loss or theft of these items.
3. Periodically check all lockers in sweep style.
4. Provide an anonymous reporting system, such as a drop box, for students to report incidents of harassment, threats, etc.
5. Utilize advisor/advisee programs within the school with an emphasis on discussing items related to school safety and student feelings of well-being.
6. Regularly monitor all parking lots, outer grounds and vehicles.

TOBACCO

USE OF TOBACCO PROHIBITED

The use of any tobacco product by a student is prohibited in any building owned or operated by the Board.

Students shall not possess, smoke, or use tobacco products at school, on a school bus, or at any school-related activity on school grounds. Nor shall any student possess, smoke, or use tobacco products at any school sponsored or endorsed activity while said student is a participant in such activity.

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 on a regular basis. All searches will be conducted in accordance with Board policy.

In accordance with procedures reviewed by the Board, school administrators are authorized to use stationary or mobile metal detectors in the following circumstances:

1. When the school administration has reasonable cause to believe that students possess weapons at school.
2. When weapons have been found at school;
3. When violence involving weapons has occurred at school; or
4. When conditions exist in the community that may result in students bringing weapons to school.
5. When the school administration believes scanning is necessary to create a safe learning environment.

In the enforcement of these provisions, Principals may authorize:

1. Unannounced inspections of pupils' desks and lockers;
2. Inspections of pupils' automobiles driven to school; and
3. Students' personal belongings if suspected to contain weapons.

HARASSMENT/DISCRIMINATION

Definition

Harassment/Discrimination is intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility, or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual.

Prohibition

Harassment/Discrimination due to an individual's race, color, national origin, age, religion, marital status, political beliefs, sex or disability 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 may be committed by persons of the same sex 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 as directed by the Superintendent.

Prohibited Conduct

Examples of conduct and/or actions prohibited under this policy include, but are not limited to:

1. Name calling, stories, jokes, pictures, or objects that are offensive to one's gender, race, color, national origin, religion, or disability;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Members of one gender in a class being subjected to sexual remarks of the other gender in the context of the classroom'
4. Impeding the progress of a student in class by questioning the student's ability to do the required classwork based on the gender, race, color, religion, national origin, or disability of the students;
5. Limiting students access to education tools, such as computers, based on the student's gender, race, color, religion, national origin, or disability; and
6. Teasing a student's subject choice or assignment based on the gender, race, color, religion, national origin, or disability of the student.

Grievance Procedures

Students who believe they have been a victim of an act of harassment/discrimination or who have observed other students being victimized shall, as soon as reasonably practicable, inform their teacher or, principal/designee, or superintendent/designee of the incident.

Conditions

1. Students who believe they have been a victim of an act of harassment/discrimination or who have observed other students being victimized shall, as soon as reasonably practicable, inform their principal who shall provide a form for the student to complete and then notify the superintendent and/or Title IX Equity Coordinator, as appropriate. When sexual harassment is alleged, the district Title IX Coordinator shall be notified.
2. Students with disabilities or who may need accommodations may get help filing a complaint by calling the Title IX Coordinator directly at the Carter County Schools Central Office in Grayson, Kentucky.
3. If the principal is the subject of the complaint, the student may contact the superintendent and/or Title IX Equity Coordinator first.
4. All grievances are individual in nature and must be brought by the individual grievant.
5. Grievance proceedings may be conducted outside the regular school day and at a time and place mutually agreed upon.
6. The grievant shall be permitted to have not more than two (2) representatives.
7. All attendant records shall be filed in the office of the Principal and/or Superintendent and shall be considered private information and separate from the student's educational records. All records will be kept for a minimum of three (3) YEARS.
8. No reprisal shall be taken against any aggrieved student because of the filing of a grievance.

Time Limits

1. Days referred to in the grievance initiation form shall be school days.
2. The time limits stated in various sections of these procedures may be extended by mutual consent of the Board, its authorized agents, and the grievant.
3. If no extension occurs and the grievant does not file an appeal to the next level within ten(10) school days of receiving a response, the grievance shall be considered to have been settled and terminated at the previous level, and the answer given at that level shall stand.

Superintendent's Designee's Involvement

1. When appropriate, the grievant shall give his/her communication directly to the Superintendent, thus bypassing the Principal. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Superintendent.
2. The Superintendent reserves the right to redirect the communicator to the appropriate level.

Board of Education's Involvement

1. If the student, after reviewing the Superintendent's response, desires direct communication with the Board of Education, the student may present his/her written communication to the Superintendent ten (10) school days prior to the meeting of the Board at which the student wishes the grievance presented. Students contacting Board members individually about a grievance shall be advised to communicate with the entire Board.
2. If the Board decides to review the grievance, the student will then be afforded an opportunity to appear before the Board at the next regular meeting for relevant discussion of the student's communication. If the student does not wish to make a verbal presentation, the student's right to refrain from such activity will be respected.
3. The Superintendent or the grievant shall present the communication to the Board of Education at its next regularly scheduled meeting.
4. The Board of Education will consider the grievance, and will provide the student a written response within ten (10) school days after the next regularly scheduled meeting of the Board, following the meeting of the Board at which the grievance was initially presented. The decision of the Board of Education shall be final.

False Complaints

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