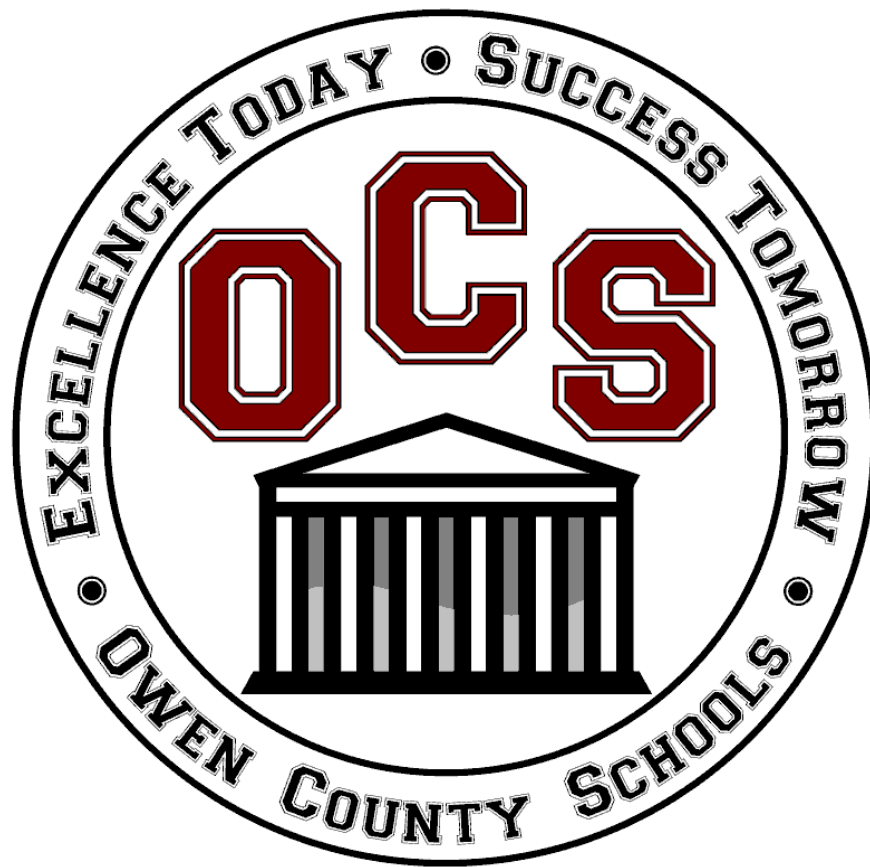


OWEN COUNTY SCHOOLS

Code of Acceptable Behavior And Discipline 2019 -2020

Robert Stafford, Superintendent



Owen County Schools 1600 Highway 22E Owenton, KY 40359 (502) 484-3934

Weather Cancellation Information: 502 484 3000

POLICY OF NON-DISCRIMINATION

Students, their parents, employees and potential employees of the Owen County Schools are hereby notified that the Owen County School System does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment programs, career and technical education programs, educational programs, or activities set forth in compliance with the Office of Civil Rights, Title V, VI, VII, IX, ADA and Section 504.

The Owen County School System offers the following vocational educational classes to students in grades 9-12: Agriculture, Business and Office, Computers, and Family and Consumer Science. The following courses are offered to students in grades 11-12 through the Carroll County Area Technology Center: Welding, Auto Technology, Carpentry, Health Sciences and Electronics Technology, Multi Tech Exploratory, Maintenance Technology and Industrial Chemical Technology. Adult Education classes are also offered to individuals pursuing a GED diploma.

Any person having inquiries concerning Owen County Schools compliance with the Office of Civil Rights Law, Title VI, VII, IX, ADA, and Section 504 is directed to contact Danny Osborne at the Owen County Board of Education, 1600 Highway 22E, Owenton, KY or by phone at 484-3934.

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Revised June 2020

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INTRODUCTION

The Owen County Schools Code of Acceptable Behavior and Discipline establishes minimum behavior standards and is meant to be a guide for all students, parents, and school personnel. It applies to all school-sponsored or related activities and on school buses. Each school may further amplify and detail its expectations, but this guide is intended to set the parameters and to serve as a standard of behavior (KRS 158.150).

PHILOSOPHY

Owen County Schools consider appropriate behavior an integral part of the total school curriculum. The program attempts to make behavior and its modification positive rather than negative and reactionary. It is our belief that the most important prerequisite to learning is a structured, orderly, secure, humane atmosphere.

Schools must prepare students for their responsibilities as adults in a democratic society. To accomplish this goal, there must be respect and reciprocal trust among parent, teacher, and student.

The Code of Acceptable Behavior and Discipline should be consistent and reasonable and should strive to facilitate the development of students' self-control and self-discipline. In this regard, the Code of Acceptable Behavior and Discipline becomes an integral component of the education process and a symbol of the commitment of parents, students, teachers and administrators to the maintenance of an effective learning environment.

RIGHTS AND RESPONSIBILITIES DEFINED

A. STUDENTS

1. Students have the right to:
 - a. a meaningful public education, the maintenance of high educational standards, and a system of public education which meets the needs of the individual student;
 - b. reasonable and timely notice of rules, regulations, policies, and penalties to which they are subject;
 - c. consultation with teachers, counselors, administrators and other school personnel;
 - d. free election of their peers in student organizations in which all students have the right to seek and hold office;
 - e. respect from other students and school personnel.
2. Students have the responsibility to:
 - a. show consideration for the rights and property of others by following all rules and regulations of the school and/or Board of Education;
 - b. show respect for the educational process by taking advantage of every opportunity to further their education;
 - c. show respect and consideration for any and all people with whom they are in contact.

B. TEACHERS

1. Teachers have the right to:
 - a. the support of students, parents, co-workers and administrators;
 - b. work in an educational environment with a minimum of disruptions;
 - c. expect all students to have materials such as paper, pencil, books, gym clothes, etc., so that they can participate in the activities of the class;
 - d. expect all assignments, including homework, to be completed and turned in as assigned;
 - e. safety from physical harm and freedom from verbal abuse;
 - f. to be treated with respect by students and parents;
 - g. discipline any student whose conduct disrupts the educational process or property, or otherwise violates the Code of Acceptable Behavior and Discipline.
2. Teachers have the responsibility to:
 - a. present subject matter and experiences to students and inform students and parents or guardians of achievement and/or problems;
 - b. aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement;
 - c. follow rules and regulations set by the Board of Education and/or school administration;
 - d. exhibit professional behavior in action, dress and speech.

- e. administer such discipline as is necessary to maintain order and decorum without discrimination on any basis in a humane, compassionate, and consistent manner;
- f. show respect and consideration for any and all people with whom they are in contact;
- g. explain the Code of Acceptable Behavior and Discipline to students and consistently and fairly enforce same;
- h. administer discipline fairly and equally, following the guidelines set forth herein and using professional judgment.

C. PRINCIPALS

- 1. Principals have the right to:
 - a. the support of students, parents, teachers, and other administrators in carrying out the educational programs and policies established by the school system;
 - b. establish procedures and regulations that relate to the school;
 - c. safety from physical harm and verbal abuse;
 - d. take necessary action in emergencies to protect their own person or property, or the persons or property of those in their care;
 - e. discipline any student whose conduct disrupts the educational process or otherwise violates the Code of Acceptable Behavior and Discipline;
 - f. to be treated with respect by students and personnel.
- 2. Principals have the responsibility to:
 - a. create and foster an atmosphere of mutual respect and consideration among students and staff members;
 - b. administer discipline fairly and equally, following the guidelines set forth herein and using professional judgement;
 - c. explain the Code of Acceptable Behavior and Discipline to the school community;
 - d. adhere to the duties and responsibilities assigned to them by the local Board of Education;
 - e. exhibit professional behavior in action, dress, and speech;
 - f. show respect and consideration for any and all people with whom they are in contact.

D. BUS DRIVERS

- 1. Bus Drivers have the right to:
 - a. the support of students, parents, co-workers, and administrators;
 - b. safety from physical harm and freedom from verbal abuse;
 - c. to be treated with respect by students and parents;
 - d. expect all students to comply with School Board regulations for students riding school buses.
- 2. Bus Drivers have the responsibility to:
 - a. operate the school bus at all times in a manner that provides the maximum amount of safety and comfort for the students under the circumstances;
 - b. provide instruction in bus conduct and safety to all transported students.

- c. follow rules and regulations set by the Board of Education and/or school administration;
- d. exhibit professional behavior in action, dress, and speech;
- e. administer discipline as is necessary to maintain order without discrimination on any humane, compassionate, and consistent manner;
- f. show respect and consideration for any and all people with whom they are in contact.

E. PARENTS/GUARDIANS

1. Parents/Guardians have the right to:
 - a. send their child to a school with an environment that fosters learning and respect;
 - b. expect classroom disruptions to be dealt with fairly, firmly, and quickly;
 - c. enroll students in the Owen County School District where they shall attend classes regularly and promptly with minimal interruptions;
 - d. expect the school to maintain high academic standards;
 - e. have information about programs for students and to participate in the child's placement in a special education class;
 - f. have access to the records of their child as defined by law;
 - g. expect teachers to assign appropriate homework assignments.
2. Parents/Guardians have the responsibility to:
 - a. instill in their children the values of an education;
 - b. instill in their children a sense of responsibility;
 - c. help children understand that disruptions in the school are detrimental to the educational program for all students;
 - d. become familiar with the educational program and the procedures;
 - e. see that children attend school regularly and promptly with necessary supplies and materials;
 - f. communicate with the school;
 - g. assist with disciplinary actions of the school personnel and reinforce the behavior expectations of the school;
 - h. demonstrate respect for the teachers, administrators, and school personnel at school and all school-related activities;
 - i. ensure that children exhibit neatness and cleanliness in their personal attire and hygiene, and notify school personnel of medical conditions or problems which may affect performance.

UNIFORM CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

The following classification of school policy infractions, misbehaviors, etc., and subsequent recommended penalties, are designed to (1) build consistency and fairness into the application of punishment by each administrator, teacher, and bus driver as it applies to each student; (2) eliminate, or at least lessen, accusations of unfair treatment because of race and sex; and (3) provide a substantive record and reference for administrators, teachers, parents, and students, clearly defining misbehavior and its consequences.

The Principal, Assistant Principal, or designee, reserves the right to alter the application of the penalties included in this Code of Acceptable Behavior and Discipline if, in his/her opinion, the behavior is resulting from unusual or extenuating circumstances.

DISCIPLINE PROGRESSION LEVELS AND PROCEDURES

- Level I** Teachers and/or bus drivers using counseling techniques along with warnings.
- Level II** Teachers using intervention strategies, behavior contracts, detention, extra written work and parental contact. Bus drivers using intervention strategies, e.g., assigned seat, cleaning bus, etc.
- Level III** Referral to Principal with discipline action including options of contacting parents, other designated classroom options, loss of privileges, or out of school suspension or suspension of riding privileges for up to ten (10) days.
- Level IV** Referral from Principal with a recommendation for the Superintendent to conduct a pre-expulsion hearing for possible referral to the Board of Education for expulsion. Student will be suspended until a pre-expulsion hearing before the Superintendent. The Superintendent may skip the pre-expulsion hearing and refer the student to the Board of Education for expulsion. In appropriate cases, law enforcement authorities will be notified. Bus discipline issues may also be referred to the principal with a recommendation for the Superintendent to suspend riding privileges for an extended period of time.

NOTE: Levels of consequences may be determined by grade level or age of student as expectations for primary, elementary, middle, and high school students may differ.

NOTE: Any student on probation, in-school or out-of- school suspension is ineligible for any extra-curricular activities during the suspension period.

RECOMMENDED DISCIPLINARY ACTIONS

CONDUCT VIOLATION	LEVEL(S)
Abuse of a Teacher	3 or 4
Academic Cheating/Plagiarism	1, 2, 3 or 4
Arson or Attempted Arson	3 or 4
Assault and Battery (School Personnel or Student)	3 or 4
Attendance Policy Violation	1, 2 or 3
Breaking and Entering	3 or 4
Bringing Non-Class Items to School	1, 2, 3 or 4
Bullying/Hazing	1, 2, 3 or 4
Bus Safety Violation	1, 2, 3 or 4
Criminal Trespass	3 or 4
Defiance	1, 2, 3 or 4
Disorderly Conduct	3 or 4
Display of Affection	1, 2 or 3
Disrespectful Behavior	1, 2, 3 or 4
Disruption of the Educational Process	1, 2, 3 or 4
Dress Code Violation	1, 2, 3 or 4
Extortion	2, 3 or 4
Failure to Attend Class	1, 2, 3 or 4
Failure to Attend Detention	1, 2, 3 or 4
Failure to Honor School Rules	1, 2, 3 or 4
False Fire Alarm	2, 3 or 4
Fighting	2, 3 or 4
Forgery/Fraud	1, 2, 3 or 4
Gambling	2, 3 or 4
Harassment	2, 3 or 4
Leaving Campus or School Without Permission	1, 2, 3 or 4
Littering	1, 2 or 3
Loitering	1, 2, 3 or 4
Out of Area	1, 2 or 3
Pornographic Literature/Drawings/Electronic Media	2, 3 or 4
Possession of Telecommunications and/ or Electronic Devices	1, 2, 3 or 4
Possession, Distribution and/or Use of Alcoholic Beverages	3 or 4
Possession, Distribution and/or Use of a Controlled Substance (illegal drugs and narcotics)	3 or 4
Possession and/or Distribution of Prescription and Non-Prescription (OTC) Drugs	1, 2, 3 or 4
Possession of Stolen Property	1, 2, 3 or 4

RECOMMENDED DISCIPLINARY ACTIONS, CONTINUED

CONDUCT VIOLATION	LEVEL(S)
Possession, Distribution and/or Use of Tobacco (includes E-cigarettes and look alike products)	1, 2, 3 or 4
Possession, Distribution and/or Use of Weapons or Potentially Dangerous Instruments	3 or 4
Profanity/Malicious Remarks	1, 2, 3 or 4
Safety Violation	1, 2, 3 or 4
Sales	1, 2, 3 or 4
Sexual Activity on School Property or During School Related Events	3 or 4
Skipping Class	1, 2, 3 or 4
Skipping School	1, 2, 3 or 4
Spectator Fighting	1, 2, 3 or 4
Tardy to Class or School	1, 2, 3 or 4
Theft (Burglary or Robbery)	3 or 4
Threat of Force or Violence/Terroristic Threatening	2, 3 or 4
Vandalism	1, 2, 3 or 4
Verbal Altercation	1, 2, 3 or 4
Violation of Acceptable Use Policy	1, 2, 3 or 4

Repetition of the above offenses will result in student being referred to the Principal, or Assistant Principal for appropriate actions. **There are certainly acts of misbehavior or violation of criminal laws or school regulations that are not included in this list. In such instances, disciplinary action will be at the professional judgment of the Principal, or of the Assistant Principal and/or the Superintendent.**

DEFINITIONS OF DISCIPLINARY ACTIONS

ABUSE OF A TEACHER (KRS 161.190)

Level 3 or 4

Direct speech or conduct toward a teacher, classified employee or school administrator that will disrupt normal school activities or will undermine order or discipline of the school.

ACADEMIC CHEATING/PLAGIARISM

Level 1, 2, 3 or 4

Process of taking other people's words and/or ideas and pretending that they are your own. Copying or securing answers from another by secretive/deceptive means. The act of falsely using the name of another person.

ARSON OR ATTEMPTED ARSON (KRS 513.030)

Level 3 or 4

Starting, assisting, or attempting to start a fire within the school or on school grounds for any purpose that results in destruction or disruption.

ASSAULT AND BATTERY (School Personnel or Students) (KRS 508.010)

Level 3 or 4

Physical contact towards students or school employees with the probable consequence of doing bodily harm by a student or group of students.

ATTENDANCE POLICY VIOLATION (KRS 159.150, Board Policies 09.122 and 09.123)

Level 1, 2 or 3

Student who is absent or tardy without a valid excuse.

BREAKING AND ENTERING

Level 3 or 4

Student(s) entering any room, or area that is locked and secured by school personnel.

Student(s) entering without approval from school personnel.

BRINGING NON-CLASS ITEMS TO SCHOOL

Level 1, 2, 3 or 4

Students are not to bring non-educational items and other distracters to school unless requested by a teacher for a project.

BULLYING (Board Policy 09.422)

Level 1, 2, 3 or 4

Bullying includes behavior commonly understood as bullying, as well as cyber bullying, hazing, menacing, harassment, harassing communications, stalking and other abusive behavior toward students or staff members. This behavior will not be tolerated because every student and staff member deserves a safe environment in which to work and learn. This school district is committed to dealing with bullying behaviors in our schools to create a safe environment.

Bullying: Bullying encompasses a continuum of behavior that involves the attempt to gain or assert power and dominance over another, with no legitimate purpose. Bullying involves repeated negative behavior, carried out over time with a purpose to harm another person physically or mentally, or to benefit oneself through behavior which causes such harm to the other person. Bullying involves either taking advantage of a real or perceived imbalance of power, or is used to create an imbalance of power. Bullying may involve an attempt to cause fear. Examples of behaviors that fall into this category include, but are not limited to inappropriate and unwanted physical contact (including hitting, kicking, shoving, and pushing); intimidating and threatening comments (oral, written, or electronic); name calling or put-downs (selecting or using a nickname which is intended to embarrass or humiliate); manipulation or coercion of another student to do something he/she does not want to do; setting someone up to be bullied or encouraging a student to engage in bullying; sharing or starting rumors or gossip; hurtful teasing or making fun of someone; hiding or destroying someone's belongings; or shunning or excluding someone from a group or activity in order to embarrass or humiliate the person.

Cyberbullying: Cyberbullying involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging, personal Web sites, blogs, online games and online personal polling Web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others by communicating threats, by revealing private or embarrassing information, by conveying false information which can be reasonably anticipated to cause embarrassment, or to accomplish any of the purposes of bullying.

This can include the use of any device which records audio, video, or still images of another person for no legitimate purpose, or the use of audio, video, or still images of another person for purposes prohibited by this Code of Acceptable Behavior and Discipline.

Hazing: Hazing involves behavior used as a way of initiating new members into a group. It usually consists of some ritualistic test involving the new member being required to perform a task or series of tasks which are intended to be demeaning, degrading, harmful, or embarrassing to the new member or which require the new member to engage in conduct toward others which is demeaning, degrading, harmful, or embarrassing. Hazing can include the forced or coerced consumption of drugs or alcohol or the forced or coerced performance of lewd or suggestive acts.

Menacing: Menacing involves actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury. Menacing is exemplified by the raising and drawing back of a hand or fist in order to make the other individual believe he/she is about to be slapped or punched, or the swinging or jabbing of a hand toward someone to cause them to flinch, duck, or raise their hands in anticipation of being struck.

Stalking: Stalking involves intentional conduct which is directed at a specific person or person: which seriously alarms, annoys, intimidates or harasses the person or person; which serves no legitimate purpose, and which would cause a reasonable person to suffer substantial mental distress. Stalking does not involve merely following another person or regularly observing another person's actions, but includes behavior which conveys a threat of harm to the other person or which can be reasonably anticipated to cause the other person to fear harm.

BUS SAFETY VIOLATION

Level 1, 2, 3 or 4

Any behavior that disrupts (or poses a safety threat) to the transportation process.

CRIMINAL TRESPASS

Level 3 or 4

Unauthorized persons, which include suspended or expelled students, should not be on school property.

DEFIANCE

Level 1, 2, 3 or 4

Refusal to comply with reasonable request of school personnel and school rules.

DISORDERLY CONDUCT (KRS 525.070)

Level 3 or 4

Offensive or disruptive behavior that creates a disturbance.

DISPLAY OF AFFECTION

Level 1, 2 or 3

No display of affection such as kissing and caressing will be allowed on school property or during school events.

DISRESPECTFUL BEHAVIOR

Level 1, 2, 3 or 4

Being impolite and arguing with those in authority.

DISRUPTION OF THE EDUCATIONAL PROCESS

Level 1, 2, 3 or 4

Any behavior that disrupts the instructional/educational process.

DRESS CODE VIOLATION

Level 1, 2, 3 or 4

Failure to follow school defined dress code requirements. Each principal shall develop specific guidelines for student dress and appearance and distribute the guidelines to all students at the beginning of each school year.

The school administrator or teacher is the sole judge of appropriate attire at school.

EXTORTION

Level 2, 3 or 4

The solicitation of money or something of value from another student, regardless of the amount, in return for protection or in connection with a threat to inflict harm.

FAILURE TO ATTEND CLASS

Level 1, 2, 3 or 4

Not reporting to an assigned class or teacher as designated by student's schedule.

FAILURE TO ATTEND DETENTION

Level 1, 2, 3 or 4

Refusal to honor consequence(s) from teacher and/or principal.

FAILURE TO HONOR SCHOOL RULES

Level 1, 2, 3 or 4

Failure to comply with school established rules.

FALSE FIRE ALARM (KRS 519.040)

Level 2, 3 or 4

Falsely alerting the fire department or school to a non-existent fire. (Safety violation)

FIGHTING (KRS 508.010) (KRS 508.030)

Level 2, 3 or 4

Students who engage in physical contact by inflicting harm on the other person.

FORGERY/FRAUD

Level 2, 3 or 4

Producing a copy of a signature or other document; intending to deceive others.

GAMBLING

Level 2, 3 or 4

Participating in games of chance.

HARASSMENT (KRS 525.070) (KRS 525.080)

Level 2, 3 or 4

A person is guilty of this charge when he/she harasses, annoys, or aggravates another person, he/she:

1. Strikes, shoves, kicks or otherwise subjects a person to physical contact or attempts or threatens to do the same; or
2. In a public place, makes an offensive/obscene coarse utterance, gesture or display, or addresses any person abusively; or
3. Engages in a course of conduct or repeatedly commits acts which aggravate, intimidate or seriously annoy other persons.

LEAVING CAMPUS/SCHOOL WITHOUT PERMISSION

Level 1, 2, 3 or 4

Students are not permitted to leave campus or school without permission from either the teacher, principal or principal's office.

LITTERING

Level 1, 2 or 3

Throwing trash items on school property.

LOITERING

Level 1, 2, 3 or 4

Being on school grounds or in the school without authority or permission of school personnel. This would include students on shortened programs or students remaining after the school activities have ended.

OUT OF AREA

Level 1, 2, 3 or 4

Students must be in designated areas at all times unless granted permission by the teacher, principal or principal's office.

PORNOGRAPHIC LITERATURE/DRAWINGS/ELECTRONIC MEDIA

Level 2, 3 or 4

No pornographic literature or drawings will be permitted at school, school functions, or on school property.

POSSESSION OF TELECOMMUNICATIONS AND/OR ELECTRONIC DEVICES

Level 1, 2, 3 or 4

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law, and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of

another individual. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day.

2. When students violate this prohibition, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
3. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
4. Students shall comply with any additional rules developed by the school concerning the appropriate use of telecommunication devices.
5. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

Telecommunication device is defined as a device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor.

POSSESSION OF AND/OR DISTRIBUTION AND/OR USE OF ALCOHOLIC BEVERAGES (KRS 224. 180)

Level 3 - **First Offense:** For possession, use, distribution and/or sale, or being under the influence of alcohol, illegal drugs and/or possession of drug paraphernalia, the student will receive an immediate suspension up to ten (10) days (all ten (10) suspension days shall be served consecutively) with consideration for expulsion. Parents and appropriate law enforcement authorities will be immediately notified when violation of laws governing use, possession or sale of alcohol or illegal drugs has occurred.

The recommendation for expulsion may be waived to a suspension, by the Superintendent/Designee, if:

1. The parent(s) or guardian(s) agree(s) to seek, at their expense, a substance abuse evaluation conducted of the student's alcohol or drug use from a qualified individual/counselor, not at the expense of the Owen County Public Schools. Written proof of the substance abuse evaluation must be provided to the principal prior to reinstatement from the suspension.
2. The student complies with the recommendations of the evaluation. Written confirmation from the qualified individual/counselor must be provided to school administration.

If no treatment as such is recommended in the evaluation, the school principal may also require that the student either agree to meet with the school counselor a designated number of times to qualify for waiver of the recommendation for expulsion.

Level 4 - **Second & Following Offenses:** A second and following offenses of the policy will result in immediate suspension and recommendation for expulsion.

Sale or Distribution: For sale or transmission of alcohol and illegal drugs, the student will receive an immediate suspension and recommendation for expulsion.

The use of, in any manner or to any extent, sale of, possession of, or being under the influence of alcoholic beverages is prohibited on school property or during school functions. Alcoholic beverages include items found in the locker assigned to the student, in vehicles, or any other place where deposited by the student. The building principal may request a law enforcement officer administer a breathalyzer test if student is suspected of drinking or being intoxicated.

POSSESSION OF AND/OR DISTRIBUTION AND/OR USE OF A CONTROLLED SUBSTANCE (KRS 218A)

Level 3 - **First Offense:** For possession, use, distribution and/or sale, or being under the influence of alcohol, illegal drugs and/or possession of drug paraphernalia, the student will receive an immediate suspension up to ten (10) days (all ten (10) suspension days shall be served consecutively) with consideration for expulsion. Parents and appropriate law enforcement authorities will be immediately notified when violation of laws governing use, possession or sale of alcohol or illegal drugs has occurred.

The recommendation for expulsion may be waived to a suspension, by the Superintendent/Designee, if:

1. The parent(s) or guardian(s) agree(s) to seek, at their expense, a substance abuse evaluation conducted of the student's alcohol or drug use from a qualified individual/counselor, not at the expense of the Owen County Public Schools. Written proof of the substance abuse evaluation must be provided to the principal prior to reinstatement from the suspension.
2. The student complies with the recommendations of the evaluation. Written confirmation from the qualified individual/counselor must be provided to school administration.

If no treatment as such is recommended in the evaluation, the school principal may also require that the student either agree to meet with the school counselor a designated number of times to qualify for waiver of the recommendation for expulsion.

Level 4 - **Second & Following Offenses:** A second and following offenses of the policy will result in immediate suspension and recommendation for expulsion.

Sale or Distribution: For sale or transmission of alcohol and illegal drugs, the student will receive an immediate suspension and recommendation for expulsion.

The use of, in any manner or to any extent, sale of, possession of, or under the influence of drugs, illegal controlled or dangerous substances or any type of drug paraphernalia. Illegal substances may include glue, dangerous drugs, narcotics, marijuana, barbiturates, amphetamines, and any other material that has harmful or unnatural effect on the person using them. Age and grade may be taken into account for elementary students too immature to realize the severity of the offense. (E-cigarettes may be included in this offense based on the substance contained within the e-cigarette).

POSSESSION OF AND/OR DISTRIBUTION OF PRESCRIPTION AND NON-PRESCRIPTION (OVER-THE-COUNTER) DRUGS

Level 1, 2, 3, 4

Failure to register and store drugs at main office. The possession and/or distribution of prescription and/or non-prescription (over-the-counter) medication. (E-cigarettes may be included in this offense based on the substance contained within the e-cigarette).

POSSESSION OF STOLEN PROPERTY

Level 2, 3 or 4

Individual has bought, been given or acquired stolen goods.

POSSESSION OF AND/OR DISTRIBUTION AND/OR USE OF TOBACCO ON SCHOOL GROUNDS (includes E-cigarettes and look a likes) (KRS 160.340)

Level 2, 3 or 4

The possession of tobacco, in any form, on school property is prohibited. This includes e-cigarettes. Possession of e-cigarettes may fall under drug offense depending on substance it contains.

POSSESSION OF AND/OR DISTRIBUTION AND/OR USE OF WEAPONS OR POTENTIALLY DANGEROUS INSTRUMENTS (KRS 527.070) (KRS 158.150)

Level 4 (Guns)

Possession of firearms that could be used to inflict bodily injuries to another person.

Possession of a gun in a gun free school zone is a Federal offense.

Level 3 or 4 (Other potential weapons or explosives)

Threatening, or attempting to use, or using a dangerous weapon or instrument on another person.

Knives of any kind should not be brought to school or found in the possession of students at any time.

Age and grade may be taken into account for elementary students too immature to realize the severity of the offense.

PROFANITY/MALICIOUS REMARKS

Level 1, 2, 3 or 4

Cursing. To intimidate, insult, or in other manner abuse verbally or in writing any member of the school staff or student body.

SAFETY VIOLATION

Level 1, 2, 3 or 4

An act of abuse or action which might injure or cause injury to oneself or another person.

SALES

Level 1, 2, 3 or 4

Students are not permitted to sell anything on school property except items approved by the Board of Education.

SEXUAL ACTIVITY ON SCHOOL PROPERTY OR DURING SCHOOL RELATED EVENTS

Level 3 or 4

Indecent exposure, grabbing, pinching, touching inappropriate places of others or making obscene comments or gestures. No sexual activity will be tolerated on school property or during school events.

SPECTATOR FIGHTING

Level 1, 2, 3 or 4

Verbal, written, through electronic devices and/or physical gestures that encourages students to participate in a verbal or physical altercation.

TARDY TO CLASS AND TARDY TO SCHOOL

Level 1, 2, 3 or 4

Failure to report to class at the designated time period. Failure to be present at school by the designated starting and/or ending time.

TERRORISTIC THREATENING (BOMB, CHEM, BIO, ETC...) (KRS 508.075) (KRS 508.078) (KRS 508.080) (KRS 532.060) (KRS 534.030)

Level 2, 3 or 4

Makes a false statements by any means for the purpose of causing evacuation of a school building, property or school activity, causing cancellation of classes and/or activities and/or creating fear of serious bodily harm among students, parents or school personnel. Must contact law enforcement.

THEFT AND RELATED OFFENSES (KRS 514.040) (KRS 514.050) (KRS 514.110) (KRS 514.060) (KRS 515.020)

Level 2, 3 or 4

The taking of property of others (students, teachers, visitors, etc.) without their consent, possession of stolen property, or possession without owner's permission, selling of school property.

TRUANCY (KRS 159.150)

Level 3 or 4

Any child who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse for three (3) or more days, is a truant.

VANDALISM

Level 1, 2, 3 or 4

The provoked or willful destruction, defacing, or marring of school property.

VERBAL ALTERCATION/ABUSE

Level 1, 2, 3 or 4

Students who engage in comments and/or verbal gestures which disrupt the orderly educational or school process.

VIOLATION OF ACCEPTABLE USE POLICY

Level 1, 2, 3 or 4

See Acceptable Use Policy (Appendix G)

WEAPONS

Weapons Prohibited

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. Students are prohibited from possessing or using a knife of any kind or size, including hunting knives, in any school building, on school grounds, in any school vehicle, or at any school-sponsored event.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination, and notification of law enforcement officials.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under policy 09.435. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

Federal Requirements

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 under policy 09.435. 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 shall be referred to the criminal justice or juvenile delinquency system.

CORPORAL PUNISHMENT

The Owen County Board of Education authorizes the use of corporal punishment as a disciplinary measure, under guidelines set out in policy 09.433. Please check with your child's school on whether corporal punishment is used as a form of discipline.

DUE PROCESS FOR SUSPENSION

The following steps shall occur prior to the suspension of a student:

1. The student shall be given oral or written notice of the charge(s) against him.
2. If the student denies the charge(s), he shall be given an explanation of the evidence against him.
3. The student will be allowed to respond to the charges against him/her.
4. A written notice of the suspension shall be given to the student and a copy shall be mailed to the parents/guardians. The notification must contain the reason(s) for suspension and the dates of the suspension.
5. A copy of the suspension notification will be sent to the Superintendent within three working days.

6. These due process procedures shall precede any suspension from school unless immediate suspension is essential to protect persons or property or to avoid disruption of the ongoing academic process. In such cases, the due process procedure outlined above shall follow the suspension soon as practical, but not later than three (3) school days after the suspension.

GRIEVANCE PROCEDURE

The Owen County Board of Education provides policy 09.4281 and procedures 09.4281 AP1 and AP2 for the disposition of any grievance initiated by a student. To access the procedure, copies of the Board of Education policies and procedures manuals are located in each school's office and library. They are also available at the Owen County Public Library.

SEARCH AND SEIZURE

Reasonable Suspicion No student's clothing, pockets, or his or her personal effects (e.g., and bag, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the student has violated or is violating either a school rule or the law. Search of a student person shall be conducted only with the express authority of the Principal and with a witness present.

Authorized Personnel Searchers of a student's person or his/her personal effects shall only be conducted by a person directly responsible for the conduct of the student, or the Principal of the school which the student attends.

Witness When a pat-down search of student's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search.

Personal Searches No search of a student shall be conducted in the presence of other students.

Strip Searches No strip searches of students shall be permitted.

Failure to Cooperate Students who fail to cooperate upon request with school authorities shall be subject to other disciplinary action.

Regular Inspection School property, such as lockers, electronic files and desks, are jointly held by the school and the student. Authorized school personnel have the right to conduct general inspection of all such property on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items left in such locations.

A single desk or locker may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

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

Other Disruptive Items Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession by authorized school personnel. Such items may be returned to the student by authorized school personnel or through the Principal's office.

Disposition of Items All items, which may have been seized, shall be turned over to the proper authorities or returned to the true owner.

SPECIAL EDUCATION & SECTION 504

OVERVIEW

All students, including identified students with a disability and (B) identified students with a 504, admitted to common school shall comply with the lawful regulations for government of the schools. The schools will follow all procedural and substantive due process as outlined in KRS 158.150 and 707 KAR 1:30 in respect to an identified student's disability and compliance with lawful regulations for the government of the schools.

LEGAL CONSIDERATIONS

Students who create a dangerous or disruptive situation may be suspended from school. The due process procedures that should be followed for short-term suspension (generally no longer than 10 days) are the same for all students and are outlined in KRS 158.150

The behavior of exceptional (special education) students and students who have been referred for evaluation for possible special education placement and/or related services should be considered during the initial Admissions and Release Committee (ARC) meetings. Behavioral interventions, treatment, and consequences should become a part of the Individual Education Plan for that student. Should these interventions prove unsuccessful as evidenced by misconduct of the student, the issue should be brought to the appropriate ARC to make changes in the student's program which might result in more appropriate behavior. A Functional Behavioral Assessment may be conducted if recommended by the ARC.

SUSPENSION/EXPULSION PROCEDURES FOR STUDENTS WITH DISABILITIES

Suspension may be used with students with a disability, especially if it is part of a well-defined management program. Suspension, of more than ten (10) days, shall not be used if the behavior is directly caused by the student's disability. Suspensions unrelated to disability shall be for one (1) or

two (2) days at a time. Once a student with a disability has accumulated ten (10) days of suspension, then an Admissions and Release Committee (ARC) shall meet to discuss the student's behavior problems and to determine what changes, if any, are needed in the IEP. The ARC must also determine whether the misbehavior is a manifestation of the student's disability. If the misbehavior is a manifestation of the student's disability, the student shall not be expelled or suspended for more than ten (10) cumulative days. If the misbehavior is not a manifestation of the student's disability, the student may be disciplined in the same manner as his/her non-disabled peers.

Expulsion may be used with students with a disability. If recommended, all ARC procedures must be followed, and it must be clearly documented the behavior problem was not related to the student's disability. Furthermore, even if a student with a disability is expelled, education services shall not cease completely.

DISPENSING MEDICATION

SELF-MEDICATION

All medications shall be registered and stored at the main office upon entering the school unless the medication is prescribed or ordered by a physician to stay on or with the pupil due to a pressing medical need. A student may be responsible for taking his/her own medication (prescription or nonprescription) provided the parent/guardian and physician has written approval on file with school personnel. Such approval shall assure school personnel that the child has been properly instructed in self-administering the medication.

Note: Self-administration of asthma medication shall be permitted in compliance with state law.

PRESCRIPTION MEDICATIONS

All medications shall be registered and stored at the main office upon entering the school. Prescription medications shall be administered only as prescribed on the physician's or dentist's written authorization. Prescription medications shall be sent to school in one (1) week increments unless otherwise approved by the Principal or designee. Parents shall have the ultimate responsibility to provide the school with an adequate supply of medication to enable the physician's orders to be followed. All prescription medications, original or refill, should be sent to school in a pharmacy labeled container that includes the student's name, date, medication, dosage, strength, and directions for use including frequency, duration, and mode of administration, prescriber's name, and pharmacy name, address, and phone number. Labels that have been altered in any way will not be accepted. Per KRS 218A.210, "A person to whom or for whose use any controlled substance has been presented, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

NONPRESCRIPTION MEDICATIONS

All medications shall be registered and stored at the main office upon entering the school. Nonprescription (over-the-counter) medications may be accepted on an individual basis as provided by the parent/guardian when a completed authorization to give medication form is on file. Over-the-counter (OTC) medication may be given at school with a parent/guardian permission form for a total of three (3) consecutive school days. Afterwards, a physician's statement/permission is required to be on file at the school. The medication should be in the original container.

**OWEN COUNTY SCHOOLS
ATTENDANCE POLICY**

ABSENCES AND EXCUSES

Excused Absences

Excused absences are those absences due to the following:

- A. Parent Notes - a total of four (4) days per school year (2 days per semester in high school) of these absences will be excused with a note or phone call from the parent or guardian. After four (4) parent notes have been received, a doctor's note will be required. Up to ten (10) absence events with doctor's statements shall be allowed. **Any absences due to medical reasons in excess of ten (10) shall require the presentation of a completed Medical Excuse Form 09.123 AP.2 before those absences shall be excused. Medical Excuse Forms shall be available at each school and the central office.**
- B. Medical or Dental Appointment – visits to a doctor or dentist. **Documentation is required.**
- C. Death in the immediate family – immediate family is considered as parent, brother, sister, grandparent, aunt, uncle, or person living in the same household. A total of two (2) absences will be excused. Documentation is required.
- D. Serious illness in the immediate family – same persons listed in (3).
- E. Court Appearance – a court appearance required by the court is excused. Documentation is required.
- F. Religious holiday and practices – this must be approved in advance by the Principal.
- G. Driver's test – ½ day will be excused for permit test and ½ day for driver's test.
- H. Other valid absences that are excused by the Principal in advance, or in cases of emergencies. The student and/or parents should not assume that an absence shall be excused unless approved in advance by the Principal. The Principal may excuse absences due to emergencies after the student returns to school.

Valid reasons shall include trips qualifying as educational enhancement opportunities:

- A. 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, experimental, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.
- B. Unless the Principal determines that extenuating circumstances exist, requests for dates(s) falling within State or District testing periods shall not be granted.
- C. 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.
- D. Students receiving an excused absence under this section shall have the opportunity to make up

- E. 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.

A student with an excused absence will:

- A. Secure an excused admit slip from the office when returning to school (high school and middle school only). A written note signed by the parent or other proof must be presented to the principal (teacher) or appointed representative within three (3) attendance days of returning to school. It will be the discretion of the Director of Pupil Personnel and/or the building level principal as to whether excuses submitted after three (3) attendance days will be accepted.
- B. Present the excused absence note to each teacher of a class missed and make arrangements for make-up assignments.
- C. Complete all make-up assignments in the same number of days missed plus one (1).

Unexcused Absences

Unexcused absences are those that do not fit any of the excused absences categories. A student with an unexcused absence will:

- A. Secure an unexcused admit slip from the office (high school and middle school only).
- B. Present the note to each of his/her teachers.
- C. *Not* be allowed to make-up assignments missed during the unexcused absence, but will be allowed to make-up tests and major projects.
- D. Have the same number of school days, plus one (1), as the length of the absence to complete all make-up tests.
- E. *Not* be allowed to participate in any extracurricular school activities until present for a complete day of school.

Loss of Privileges

High school students who accumulate ten (10) or more unexcused absences during the school year shall be subject to losing the privilege of driving to school and parking on school grounds.

Truancy

Truancy is defined by KRS 159.150 as any child who has been absent from school without a valid excuse for three (3) or more days or tardy without valid excuse on three (3) or more days. Any student who has three (3) or more unexcused absences or tardies shall be referred to the Director of Pupil Personnel as truant for parental contact.

Habitual truancy is defined by KRS 159.150 as any child who has been reported as a truant two (2) or more times. The Director of Pupil Personnel may refer to the Owen County Court System any student who has had six (6) unexcused absences.

Suspension

Suspension is absence caused by disciplinary action of the school. During the term of any suspension the student is not allowed on school property. A student who has been suspended shall, on his/her return to school:

- A. Be given an unexcused admit slip to class (high school and middle school only).
- B. *Not* be allowed to make up assignments missed that were made and are due during the suspension, but will be allowed to make up tests and major projects.
- C. Have the same number of school days, plus one (1), as the length of suspension to complete all make-up tests.
- D. Not be allowed to participate in any extracurricular school activities until present for a complete day of school.

Appeals

Parents who disagree with the determination as to whether an absence is excused or unexcused by the Principal or site-based decision making council/appeals committee may appeal the decision to the Director of Pupil Personnel located at the Board of Education.

NO PASS / NO DRIVE STATUTE

The "No Pass/No Drive" Statute (KRS 159.051) results in the denial or revocation of a student's driver's license for 1.) academic deficiency, or 2.) dropping out of school as a result of unexcused absences. Academic deficiency is defined as a student who does not have passing grades in at least four (4) courses, or the equivalent of four courses, in the preceding semester. A student is deemed to have dropped out of school when he/she has nine or more unexcused absences in the preceding semester. Any absences due to suspension shall be unexcused absences. Should you want to review the full text of this law, please use the Legislative Research Commission's web site at the following address: www.lrc.ky.gov/record/07RS/record.htm
<<http://www.lrc.ky.gov/record/07RS/record.htm>>.

Sixteen (16) or seventeen (17) year olds applying for a drivers license permit (Instruction Permit) will be required to have a completed school Compliance Verification Form. Basically, the form is verifying that the student is compliant with the components of the statute.

If the student is not compliant, a form will not be issued. If a sixteen (16) or seventeen (17) year old student (with a driver's permit or license) accumulates nine (9) or more unexcused absences, the school will report the student as noncompliant via the web portal at the end of each semester or may be made earlier in the semester. Any absences due to suspension shall be unexcused absences. Additionally, if a sixteen (16) or seventeen (17) year old driver drops out of school, a report of noncompliance will be made via the web portal.

APPENDIX A

Conduct and Discipline on School Bus

The privilege of students to ride school buses is contingent on their good behavior and observance of the following rules and regulations.

Parent Responsibility	Each parent has the ultimate responsibility for ensuring the good deportment of his/her child who rides on the school bus to and from school.
Principal Responsibility	Each Principal has the chief responsibility for enforcing the consequences which will promote the safe transportation of all students.
Reporting of Violations	The bus drivers shall promptly report violations of district transportation guidelines to the Principal.
Ejection of Student from Bus	The driver is in charge of his/her bus, and his/her first responsibility shall be the safe transportation of the passengers. In the event that a student(s) is behaving in such a way as to endanger the safety of other students on the bus, the driver will radio the bus garage for assistance. If it becomes necessary to eject the student from the bus immediately, the driver will make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the Director of Transportation, the Principal of the school where the student(s) attends, and the Superintendent.
Withholding of Riding Privileges	The Principal is authorized to withhold riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld.
Restitution of Damages	The parent or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.
Student's Responsibilities	Students shall conform to transportation rules and regulations prescribed under state statutes and under state and local regulations. Students shall obey the driver respectfully and promptly.

Bus Behavior and Safety Expectations

Instruction on acceptable bus behavior and safety shall be provided for all transported students by the homeroom teacher and bus driver. Instruction shall include the following rules.

Student to Wait at Assigned Bus Stop	Students shall wait at their assigned bus stop at least 10 feet off the traveled roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the students to enter the bus. Students shall be on time (5 minutes prior to arrival); the bus cannot wait for those who are not on time. If a student must walk to meet the bus, he/she should walk facing traffic.
Crossing on Driver's Signal	When students must cross the roadway to enter the bus or cross the roadway when leaving the bus, they shall not cross the road until signaled to do so by the bus driver.
Crossing in the Driver's Vision	For safety reasons, when students are required to cross the roadway when entering or leaving the bus, these roadway crossings shall be made in front of the bus. Students shall cross approximately ten (10) feet in front of the bus in order that the bus driver may see them.
Seating	When students enter the bus, they shall proceed directly to their assigned seat.
Seated until Complete Stop	Students shall remain seated until the bus has come to a complete stop before leaving their bus seats to get off the bus.
Body not to Protrude from Window	For safety reasons, students shall not extend their arms, legs, or heads out of the bus windows at any time.
Changing Seats	Students shall not change from their assigned seat unless authorized by the bus driver.
Student Noise	Students shall not create noise on the bus to the extent that it might interfere with the driver's ability to communicate with other passengers on the bus.

Littering/Spitting	Students shall not throw paper or rubbish on the bus floor. Students shall clean their feet before entering the bus. Students shall not spit on the bus.
Alcohol/Tobacco/Drugs	Students are not permitted to use or possess any type of alcohol, tobacco products or illegal drugs on the bus.
Profane/Indecent Language	Students shall refrain from using profane or indecent language on the bus.
Bringing Items on the Bus	Students are not permitted to bring items on the bus that may frighten other students. No live animals are permitted. Items required for class projects must have prior approval from the driver and be in a closed, covered container. Explosives, firearms, weapons of any type are not allowed on school property. This includes the school bus. Balloons (any type or size) are not allowed on the bus. Students shall not bring item(s) on the bus that may block any of the exits including the aisles. Items must be small enough to be held in the lap of the student.
Riding	A student shall ride the bus to which he/she is assigned to and from school each day. A student shall only be let off at their designated spot unless written permission is granted by the school principal. No middle or high school student shall board any loading buses at the Elementary or Primary School buildings, unless accompanied by school personnel from the student's building.

APPENDIX B

Notice of Rights under the Family Education Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords parents and eligible students (students over 18 years of age, who are married, or who are attending a postsecondary institution) the following rights with respect to the student's education records.

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

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

2. 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 they believe is inaccurate, misleading or in violation of privacy or other rights. The parent writes the school principal, clearly identifying the part of the record they want changed, and specifying 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 notifies the parent or eligible student of the decision and advises them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures are provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

The district may disclose records 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 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 or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law.

4. 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.

**Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-4605**

5. The Superintendent or the Superintendent’s designee is authorized to release Board approved directory information.

Any eligible student, parent, or guardian who does not wish to have directory information released notifies the Superintendent in writing on or before September 30 or each school year or within thirty (30) calendar days after the Annual FERPA Notice has been distributed. The written request must specifically state what information may not be classified as “*Directory Information*”.

6. **The district keeps educational records in a secure location in each school and Board office.**
7. **The district obtains written consent from a parent or eligible student before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA.**
8. **For students who have been determined eligible for special education, education records are destroyed at the request of the parent when they are no longer needed to provide educational programs or services.**

The district may destroy the educational records of a child without a parent's request five (5) years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The district may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance record, classes attended, grade level completed, and year completed. Children determined eligible for special education include those children with disabilities who have a hearing impairment, visual impairment, emotional-behavioral disability, deaf-blindness, other health impairment, specific learning disability, mental disability, multiple disabilities, speech or language impairment, developmental delay, orthopedic impairment, autism, or traumatic brain injury, and who because of such an impairment need special education services.

APPENDIX C

DIRECTORY INFORMATION

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

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and

telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want the Owen County School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within 30 calendar days after receiving notification of FERPA rights. The Owen County School District has designated the following information as directory information:

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone number
- Weight and height of members of athletic teams
- Photograph/picture
- Degrees and awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

APPENDIX D

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- A. Consent before students are required to submit to a survey that concerns one of 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, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- B. 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 hearing, vision, or scoliosis screenings, or 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.
- C. Inspect, upon request and before administration or use –
1. Protected information surveys of students;
 2. Protected information surveys of students;
 3. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 4. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Owen County Schools has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Owen County Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Owen County Schools will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of the participation of the specific activity or survey. Owen County Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- A. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- B. Administration of any protected information survey not funded in whole or in part by ED.
- C. Any non-emergency, invasive physical examination or screening as described above.

Parents 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. 20202-5901

CHILD FIND SYSTEM

The Child Find system is designed to locate, identify and evaluate any child, age three (3) to twenty-one (21) years, who resides in a home, facility, or residence within its geographical boundaries, who may have a disability and be in need of special education. This includes children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving special education.

The district makes sure any child enrolled in the district who has a disability, regardless of how severe the disability, is provided an appropriate education at no cost to the parents of the child.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the district find any child who may have a disability and need special education services. The district needs to know the name and age, or date of birth of the child; the name, address, and phone number of the parent or guardian; the possible disability; and other information to determine if special education is needed.

Letters and phone calls are some of the ways the district collects the information needed. The information the district collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for special education services.

If you know of a child who lives in the district, who may have a disability, and may need but is not receiving special education services, please contact:

Director of Special Education, 1600 Highway 22E, Owenton, KY 40359 or 502 484 3934

Child Find activities continue throughout the school year. As part of these efforts, the district uses screening information, student records, and basic assessment information collected on all children in the district to help locate those children who have a disability and need special education. Any information the district collects through Child Find is maintained confidentially.

Written Policies and Procedures are on file that describes the district's requirements regarding the confidentiality of personally identifiable information and Child Find activities. Copies are maintained in each school, and in the Board of Education office. Copies of these Policies and Procedures may be obtained by contacting:

Director of Special Education, 1600 Highway 22E, Owenton, KY 40359 or 502 484 3934

The district office is open Monday through Friday, from 8:00 a.m. to 4:00 p.m.

The district provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the district to the extent feasible. If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner, please contact the Director of Special Education at the address or phone number above.

APPENDIX E AHERA Annual Notice

Owen County Schools complies with the Asbestos Hazard Emergency Response Act (AHERA – EPA 40 CFR Part 763). AHERA requires schools systems to inspect their buildings for asbestos containing building materials and to have a written asbestos management plan.

An Asbestos Management Plan for the school district is available for review at the Board of Education Office during normal business hours (8:00 AM to 4:00 PM). A copy of the plan is also available at each school. The plan may be viewed by contacting:

Dan Logan, Director of Facilities/Maintenance, LEA Designee, 1600 Highway 22E, Owenton, KY 40359 or 502 484 3934.

Appendix F

KRS 508.078

508.078 Terroristic threatening in the second degree. (Effective June 27, 2019)

- (1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:
 - (a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
 - (b) Makes false statements by any means, including by electronic communication, for the purpose of:
 1. Causing evacuation of a school building, school property, or school sanctioned activity;
 2. Causing cancellation of school classes or school-sanctioned activity; or
 3. Creating fear of serious bodily harm among students, parents, or school personnel;
 - (c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
 - (d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
- (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- (4) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.
- (5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including

but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 5, sec. 20, effective March 11, 2019.; and ch. 96, sec. 1, effective June 27, 2019. -- Amended 2019 Ky. Acts ch. 96, sec. 1, effective June 27, 2019 -- Created 2001 Ky. Acts ch. 113, sec. 2, effective June 21, 2001.

Legislative Research Commission Note (6/27/2019). This statute was amended by 2019 Ky. Acts chs. 5 and 96, which do not appear to be in conflict and have been codified together.

KRS 532.060

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.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 2, sec. 38, effective June 8, 2011. -- Amended 2006 Ky. Acts ch. 182, sec. 65, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 606, sec. 70, effective July 15, 1998. -- Created 1974 Ky. Acts ch. 406, sec. 278, effective January 1, 1975.

KRS 534.030

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.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 403, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 497, sec. 6, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 101, sec. 7, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 406, sec. 292, effective January 1, 1975.