



**HENRY COUNTY  
PUBLIC SCHOOLS**

**2019-2020**

**CODE OF ACCEPTABLE BEHAVIOR  
AND DISCIPLINE**

**and**

**POLICY AND PROCEDURES FOR ACCEPTABLE  
USE OF ELECTRONIC RESOURCES**

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## **Henry County Public School District Vision and Mission**

Vision: A DISTRICT OF EDUCATIONAL EXCELLENCE, THE PRIDE OF OUR COMMUNITY

Mission: Empowering leaders and life-long learners for an ever-changing world

The following goals were developed through the strategic planning process and will become part of the district's Comprehensive Improvement Plan.

**Goal 1** – Henry County Public Schools will implement a systemic approach to innovative teaching and learning to improve student/teacher efficacy and learning to ensure academic excellence for ALL students

**Goal 2** – Henry County Public Schools will engage and develop a skilled and talented workforce to enable the district to achieve its mission.

**Goal 3** – Henry County Public Schools will provide safe, healthy and efficiently operated environments to ensure the success of our students and accountability to our stakeholders.

**Goal 4**– Henry County Public Schools will be fiscally responsible and allocate resources to enable the district to meet its mission.

**Goal 5** – Henry County Public Schools will communicate and engage students, staff, parents, and the broader community to enable the district to reach its mission.

## **Philosophy of Code of Student Conduct**

The Code of Student Conduct is published for good communication and to establish the framework to provide an environment for excellence in learning. It is based on basic principles contained in the Policies and Procedures of the Henry County Board of Education. The complete Policy Manual is available at the Central Office and online at [www.henry.kyschools.us](http://www.henry.kyschools.us).

Experience has shown that the majority of students are in school to learn and their behaviors fall within acceptable boundaries of good conduct. Also, experience indicates that it is best to place, in writing, expectations so that students, teachers, administrators, parents, and board members have a common reference in regard to behaviors that are necessary to provide an environment conducive to learning and teaching.

The Board has adopted a Code of Acceptable Behavior and Discipline so that students might understand the conduct expected of them while they are under the jurisdiction of the Board. The Code sets forth the basic rules prohibiting certain types of student conduct while the student is on school grounds, going to and from school, and under the supervision of the Board at school-sponsored events or activities.

Administrators in each school have developed specific rules to implement the Code and shall determine the disciplinary actions for infractions. The disciplinary action may range from a simple reprimand to a suspension of up to 10 days imposed by the principal or a longer suspension or expulsion imposed by the School Board. The severity of the penalty shall correspond to the gravity of the offense. Reasonable judgment will be employed in determining the amount and nature of the punishment. Students shall be awarded due process before judgments and penalties are imposed.

The Code shall be distributed to all students and parents.

**RIGHTS AND RESPONSIBILITIES**  
**A GUIDE FOR STUDENTS, PARENTS, AND EDUCATORS**

The following are reasonable guidelines for students, parents/guardians, teachers, and principals. All parties need to discuss these rights and responsibilities and adhere to them in the school environment and at home. This will enable the school to meet objectives and the maximum learning potential of each student.

**Students**

Students have the right to:

- A. A system of public education, which meets the needs of the individual students.
- B. Reasonable and timely notice of all rules, regulations, policies, and penalties to which they may be subject.
- C. Physical safety and protection of their personal property.
- D. Consultation with teachers, counselors, administrators, and other school personnel.
- E. Free election of their peers in student organizations in which students have the right to seek and hold office.
- F. Examination of their own personal school records, by the students, their parents/guardians, or their authorized representatives.
- G. Involvement in school activities without being subject to discrimination on the basis of race, disability, national origin, religion, marital status, sex, sexual orientation, gender identity or genetic information.
- H. Respect from other students and school personnel.
- I. Present complaints or grievances to school authorities and receive replies from school officials regarding such matters.

Students have the responsibility to:

- A. Be accountable for their own conduct and for showing consideration for the rights and property of others.
- B. Exhibit neatness and cleanliness of personal dress and hygiene.
- C. Refrain from fighting, creating disturbances, excessive noise, abusive language, denying others the use of school facilities or buildings, using or carrying any weapon on school premises or at school activities, intentionally injuring another person or exposing others to harm, or using threats or intimidation against any other person.
- D. Refrain from gambling, extortion, theft, or any other unlawful activity.
- E. Refrain from using tobacco or using, possessing, or transmitting any alcohol, drug, or other prohibited or controlled substance.
- F. Show respect for the education process by taking advantage of every opportunity to further his/her education.
- G. Practice self-control at all times.
- H. Care for the equipment and physical facilities of the school by refraining from willful destruction and damage.
- I. Follow the policies, rules, and regulations of the Board of Education and /or the school administration.

**Parents/Guardians**

Parents/guardians have the right to:

- A. Send their child to a school with an environment where learning is valued.
- B. Expect that any classroom disruptions will be dealt with fairly, firmly, and quickly.
- C. Enroll students in a Kentucky public school district where they shall attend classes regularly and promptly with minimal interruptions.

- D. Expect the school to maintain high academic standards.
- E. Review the student's academic progress and other pertinent information, which may be contained in the student's personal records.
- F. Address a question concerning their child to the proper authority and to receive a reply in a reasonable time period.

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. Instill in their children a sense of respect.
- D. Understand that unnecessary interruptions in the school are detrimental to the educational program for all students.
- E. Be familiar with the educational program and the procedures.
- F. Inform children about the disciplinary procedures of the school and emphasize the importance of following the same.
- G. See that children attend school regularly and promptly.
- H. Check with the proper school officials regarding the facts of any situation they might question.
- I. Support the efforts of the school personnel.
- J. Demonstrate respect for the teachers, administrators, school personnel at school and all school-related activities.
- K. See that students exhibit neatness and cleanliness in their personal attire and hygiene.

**Teachers**

Teachers have the right to:

- A. The support of co-workers, administrators, and parents.
- B. Work in an educational environment with a minimum of disruptions.
- C. Expect all assignments, including reasonable homework, to be completed and turned in as assigned.
- D. Remove any student from class whose behavior significantly disrupts a positive learning environment, for no more than one class period during which time the student will be in the office or other area designated by principal.
- E. Safety from physical harm and freedom from verbal abuse.
- F. Provide input to aid in the formulation of policies that relate to their relationships with students and school personnel.
- G. Take necessary action in emergencies to protect their own person or property, or the persons or property of those in their care.

Teachers have the responsibility to:

- A. Present subject matter and experiences to students and to inform students and parents/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. Assist in the administration of such discipline as is necessary to maintain order throughout the school without discrimination on any basis.

- D. Evaluate and record students' assignments and return them as soon as possible.
- E. Exhibit exemplary behavior in action and speech.
- F. Exhibit appropriateness, neatness, and cleanliness of personal dress and hygiene.
- G. Reward exemplary behavior or work of students.
- H. Maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students.
- I. Recommend for retention in a class any student who fails to meet the basic communicated standards for such class.
- J. Maintain necessary records of student progress and attendance as possible.
- K. Follow and enforce policies, rules, and regulations of the Board of Education and/or school administration.
- L. Care for the equipment and physical facilities of the school.

### **Administrators**

Administrators have the right to:

- A. Receive the support of students, parents, and teachers in carrying out the educational programs and policies established by the school system.
- B. Provide input for the establishment of procedures and regulations that relate to the school.
- C. Be safe 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. Suspend any student whose conduct disrupts the educational process.
- F. Administer the school environment to provide the proper learning atmosphere.

Administrators have the responsibility to:

- A. Create and foster an atmosphere of mutual respect and consideration among pupils and staff members.
- B. Administer discipline fairly and equally, following the guidelines set forth herein, but in doing so use his/her own best judgment.
- C. Exhibit exemplary behavior in action, dress, and speech.
- D. Implement and evaluate all aspects of the educational program to improve learning and comply with policies, regulations, procedures or laws of the district, state and nation.
- E. Direct a program of dissemination of information explaining the Code of Student Conduct to the school community.

## **School Bus Rules and Regulations**

Bus riding is a privilege provided by the Henry County Public Schools. Each Principal has the ultimate responsibility for ensuring the good deportment of students who ride on the school bus and who walk to and from school. It is each student's responsibility to maintain his/her riding privileges by exhibiting acceptable conduct on the bus at all times.

Bus drivers shall promptly report any violation of District policy or school rules to the Director of Transportation who will notify the Principal. Drivers are in charge of their buses, and their first responsibility shall be the safe transportation of their passengers. In the event that one or more pupils are behaving in such a way as to endanger the safety of other pupils on the bus, the driver is authorized to order the offending pupils from the bus. In the event a pupil is discharged for disciplinary reasons, the driver shall 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 of the school where the pupil attends or the Superintendent and the student's parent or legal guardian.

The Principal is authorized to withhold bus-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.

The Superintendent or the Superintendent's designee may withhold bus-riding privileges up to the remainder of the school year.

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.

Pupils shall conform to transportation rules and regulations prescribed under state statutes and under state and local regulations.

Instruction in bus conduct and safety shall be provided to all transported students. Instruction shall include the following rules:

1. Students shall be on time at the bus stops. The bus cannot wait for those who are late.
2. Pupils shall wait at their assigned bus stop off the roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.
3. Pupils shall not cross the roadway when entering the school bus until signaled to do so by the driver.
4. When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order that the bus driver may see them.
5. When pupils enter the bus, they shall proceed directly to a seat.
6. Pupils shall remain seated until the bus has come to a complete stop.
7. Pupils shall not extend their arms, legs, or heads out the bus windows.
8. Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.
9. Pupils shall not create noise on the bus to the extent that it might distract the bus driver or to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.
10. Students shall not bring on the bus any item that might block the aisle or exits or the view of the bus driver. A more detailed list of items allowed and not allowed on the bus can be found on the Transportation Department's page on the district's website at [www.henry.kyschools.us](http://www.henry.kyschools.us).
11. Students shall not bring / have food or drink on the bus unless designated by the district.
12. The driver shall be responsible for the bus and the behavior of the passengers. Students shall comply fully and promptly with the driver's instructions and without arguing viewpoints.
13. Students shall be courteous to the driver and fellow students.
14. Students shall not mar or otherwise deface the bus. If a student willfully damages a bus, he/she will lose riding privileges until charges for repair of damages have been paid in full.
15. Students are not to tamper with mechanical equipment, accessories, or controls of the bus.

16. Students shall assist in keeping the bus safe and clean at all times. Students shall not throw litter of any kind on the floor of the bus. A bag or box shall be provided for trash.
17. Students shall not leave the bus through the rear door except during an emergency situation.
18. In the case of a road emergency involving the bus or the bus and another vehicle, the students shall remain in the bus unless given other instructions by the driver.
19. Student behavior can be monitored by use of electronic equipment. All tapes are subject to confidentiality restrictions.
20. Bus passes must be obtained in the office before school any time there is a change in bus transportation. Parent notes or phone calls are required. Calls by parents should be made as early in the day as possible except in emergencies.

Improper behaviors may result in withholding of riding privileges: insolence, not following driver's instructions, vulgar actions or gestures, obscene or profane language, fighting, pushing, shoving, use of tobacco products on the bus, throwing articles or objects in or from the bus, obstructing the aisle in any manner, occupying more space in a seat than is needed and refusing to allow another passenger to sit down, exiting the bus at improper location, and other disruptive and disturbing actions.

#### Procedure for Handling Bus Misconduct

1. Upon enrollment in school, all students will be provided access to the Code of Acceptable Behavior and Discipline Handbook. The Acknowledgement Form must be signed by the parent and returned to school.
2. For minor infractions, the driver will warn the students.
3. For the FIRST MISCONDUCT REPORT, the Principal will have a conference with the student and give a severe reprimand or appropriate additional discipline. The Principal will explain to the student what will happen if a second misconduct occurs. A copy of the misconduct report will be sent home explaining what will occur if a second bus misconduct occurs.
4. For the SECOND MISCONDUCT REPORT, the Principal will conference with the student and may issue a 1 – 3 day bus suspension. The Principal will send information home with the parent's copy of the misconduct report explaining what will happen if a third bus misconduct occurs. The Director of Student Services will contact the student concerning his/her bus behavior when necessary.
5. For the THIRD MISCONDUCT REPORT, the principal will conference with the Director of Transportation and student and may issue a 3-5 day bus suspension. The principal will notify the parent that a conference will be needed before the student is allowed back on the bus. The Director of Student Services will be notified.
6. For the FOURTH MISCONDUCT REPORT, the Principal will work with the Director of Transportation, bus driver, Director of Student Services, and parent to determine riding privileges for the year. If privileges are revoked, a letter from the Superintendent will be sent home explaining when the next board meeting will be held and how a student may appear at the meeting to request reinstatement.

\*\* A student may be suspended from riding the bus on the first offense if the problem is severe enough to warrant such action.

\*\* The principal will use discretion when dealing with minor bus problems that may not warrant bus suspension.

\*\*The principal will make every effort to take action on the driver's report of the student's misconduct on the day it is received or the next day the student is present at school if possible.

## **Attendance Policy**

All students are required by law to attend school every day and to be on time. Tardiness is not just being late for school as traditionally interpreted; it is defined by law including being late to school or leaving school before classes are dismissed. Students are required to sign in on an Entry Log if late to school or to sign out of school on an Exit Log if leaving the building during any part of the instructional day.

The District records excused and unexcused absences daily to comply with Kentucky School Law KRS 159.150, which states, "Any child who has been absent from school without valid excuse for more than three (3) days, or tardy on more than three (3) days or is habitually tardy, is a truant. Any pupil who has been reported as a truant two (2) or more times is an habitual truant. A student who is absent for 34% or less of the regularly scheduled school day is tardy. A student who is absent 85% or more of a school day is considered absent for the entire day. A half-day absence is accrued for missing 35% to 84% of the school day.

Parents are requested to notify the school on mornings when their child will be absent. When a student is not present and no call is received from the parent, the school will attempt to notify the parents to ensure they are aware of the absence. The family will be referred to the Director of Student Services when additional intervention or communication regarding attendance is necessary.

### **School Attendance**

An excused absence or tardiness is one for which work may be made up, such as:

1. Illness of the pupil or severe illness in the pupil's immediate family as verified by a physician's statement. After the tenth (10) physician's note, the parent/guardian must have a Medical Excuse Form 09.123 AP (available at each school office or on-line via the district's website) completed by the physician;
2. Death in the pupil's immediate family as verified by a note from the funeral director;
3. Court appearance as verified by a note from the court official;
4. Driver's test for permit or license (1/2 day allowed for this purpose);
5. Religious holidays and practices;
6. One (1) day for attendance at the Kentucky State Fair;
7. Documented military leave;
8. One (1) day prior to departure of parent/guardian called to military duty;
9. One (1) day upon the return of parent/guardian from active military duty; or
10. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

### **Verification Required**

A signed statement of the parent, when presented upon the student's return to school, will be accepted as proper verification for up to five (5) days absence per year. Absences verified by a doctor's statement shall not be counted as one of the initial five (5) days. Any absences in excess of ten (10) shall require the presentation of a completed Medical Excuse Form 09.123 AP before the absences shall be excused.

When a student returns to school following an absence, s/he must bring a signed note with the dates of the absence within two (2) days of the absence. When notes are turned in, the student will be issued an excused admit slip. The

student is responsible for presenting the admit slip to each teacher upon return to class following the absence and at that time, turn in any work due and request any missed assignments.

### **Make-Up Work**

The student is responsible for making arrangements with the teacher for makeup work. At the discretion of the teacher, twice the number of days absent may be permitted for the completion of makeup work. Students may not be allowed to make up routine daily work for an unexcused absence.

### **Unexcused Absences**

Absences for reasons not stated above shall be considered unexcused.

### **Suspension**

Projects or homework assigned prior to suspension shall be accepted for credit. Long-term projects assigned during the suspension and due at a later date shall be accepted for credit. Work assigned and due during suspension days may not be accepted upon return.

### **Notification**

The principal shall establish procedures to ensure parents and students are officially notified of accumulated absences.

## **Emergency Medical Treatment**

First aid shall be provided all pupils in case of an accident or sudden illness until the services of a health care professional become available.

Parents' telephone numbers or a number at which parents can be reached, the name of the family physician, and how the student is to be transported shall be maintained at each school for all its pupils. Reasonable efforts shall be made to notify parents in the event of an accident or illness as soon as possible after the event or occurrence.

Each staff member shall refer to the Emergency Procedure Guide for handling medical emergencies. When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

## **Student Conduct**

Good order, propriety of deportment and attire, and cleanliness of person and attire are required of every pupil. Every pupil is expected to obey the directions of the teachers, to be diligent in study, and to be respectful to teachers and schoolmates. The Principal of each school, or school council in schools with site-based decision making authority, shall develop specific rules of conduct for the school. The Principal shall distribute and enforce all school conduct rules.

## Care of School and Personal Property

Pupils shall be held responsible for damage to school property. Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages, or removes school property shall be subject to disciplinary action and liability for the cost of restoring or replacing the property. Anyone or group who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school. Anyone or group participating in activities who destroys, defaces, damages, or steals the personal property of students shall be subject to disciplinary action. Parents shall be liable for property damage caused by their minor children.

## Bullying/Hazing

Bullying, including hazing; menacing; taunting; intimidating; verbal or physical abuse of others; the use of lewd, profane or vulgar language; verbal or physical abuse of others; or other threatening behavior toward students, staff members, or visitors in person or through acts of cyberbullying **is prohibited in Henry County Schools**. Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

**Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated: (1) That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or (2) That disrupts the education process. This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.** 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 taking advantage of either a real or perceived 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 involves the use of information and communication technologies such as e-mail, cell phone, text messages, instant messaging, personal web sites, blogs, social media websites, 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 the Code of Acceptable Behavior and Discipline. If affecting the school climate, cyberbullying outside of school may result in school discipline.

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 involves actions, sometimes accompanied by words, used intentionally to 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.

Harassment involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

1. Striking, shoving, kicking, or physical contact with another person;
2. The attempt to strike, shove, kick, or engage in other physical contact toward another person;
3. Using an offensively coarse utterance, gesture, display toward another person;
4. Addressing abusive language toward another person;
5. Following a person in or about a public place or places;
6. Engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy another person which serve no legitimate purpose; or
7. Damaging or committing theft of the property of another student; substantially disrupting the operation of the school; or creating a hostile school environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.

Harassing Communications involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

1. Communicating with a person, anonymously or otherwise, by telephone, mail or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;
2. Making a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or
3. Communicating with or about another school student, anonymously or otherwise, by telephone, the Internet, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

Stalking involves intentional conduct which is directed at a specific person or persons; which seriously alarms, annoys, intimidates or harasses the person or persons; 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.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements intervening and reporting to the Principal or immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school.

Students who believe they have been a victim of bullying or who have observed other student being bullied shall, as soon as practicable, report it.

All reports of alleged instances of bullying or hazing shall be made to the building principal who shall investigate and address alleged incidents of such misbehavior. In applicable cases, employees must report bullying and hazing to appropriate law enforcement authorities and complete documentation as required by the District's harassment/discrimination policies covering federally protected areas. Efforts will be made, if possible, to protect the confidentiality of anyone making a report. Retaliation against a student who has made a report of bullying will be treated as a violation of this section as well.

## **Harassment/Discrimination**

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex, disability, or genetic information that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment. Usually a single instance of conduct by one student toward another does not constitute harassment/discrimination.

The provisions of this section shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

Harassment/discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. The prohibition also applies to visitors to the school who may come in contact with employees and students. Acts of harassment/discrimination based on sex may be committed by person of the same or the opposite sex. District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

Students who engage in harassment/discrimination of any employee, another student, or visitor on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension or expulsion if an investigation of the alleged incident verifies the reported conduct.

Conduct and/or prohibited behaviors under this section of the Code of Acceptable Behavior and Discipline include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the description above.
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

Students or parents who believe they or any other student, employee, or visitor are being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent. In each building, the Principal is the person responsible for receiving reports of harassment/

discrimination at the building level. Otherwise, reports may be made directly to the Superintendent. If sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. The District's complete policy/procedures are available online at [www.henry.kyschools.us](http://www.henry.kyschools.us), in the Principal's office, and at the Central Office at 326 South Main, New Castle, for review.

The Investigation Procedures will involve the following:

1. The Superintendent shall monitor the district-wide implementation of procedures to be followed in the event of harassment/discrimination.
2. An investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than five (5) working days of submission of a communicated complaint. The investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency or due to a scheduled break in the school calendar which restricts the investigator's access to witnesses.
3. During the course of an investigation, the Superintendent/designee may take interim measures to protect a complainant or witness if the Superintendent/designee perceives an imminent threat of harm to the individual during the investigation.
4. If, during the course of the investigation, the investigator determines any felony has occurred, the investigator will make a report to the appropriate officials as required by statute.
5. Following completion of the investigation, the investigator shall complete a written report of all findings.
6. A copy of the complete investigation should be forwarded to the Superintendent/designee.
7. District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violation.
8. Upon completion of the investigation, and, if appropriate, correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings to the Superintendent. The Superintendent shall review the investigative report and determine whether the investigator complied with board policy, and shall determine whether the findings are reasonably consistent with information provided to the investigator.
9. If corrective action is taken against a student regarding a report under this section, details relating to that corrective action may not be shared with the complainant or any witnesses, and complainant shall have no right to challenge or appeal the corrective action taken. Additional conduct by the same student shall be treated as a new report under this section.
10. The complainant, witnesses, and the accused student shall be advised of the right to be free from retaliation for making a report or participating in an investigation. Retaliation will be treated as a separate violation and will subject the student to additional disciplinary action as outlined in the Code of Acceptable Behavior and Discipline. Upon receipt of a report of retaliation or expected retaliation, the Superintendent/ designee should take steps to address the retaliation.

## **Tobacco**

Students shall not use or possess any tobacco products, alternative nicotine product, or vapor product in or on school property. Violation of this policy shall be grounds for disciplinary action. Any student in possession of tobacco or alternative nicotine products will have them confiscated and parents will be notified.

## **Alcohol, Drugs, and Other Prohibited Substances**

No pupil shall possess, use, be under the influence of, sell, or transfer alcoholic beverages, narcotics, drugs, controlled substances, mood altering substances (such as inhalants), or drug paraphernalia and/or assist another pupil in the receipt, sale, or transfer of them on school property, in any school vehicle, at any school-sponsored or sanctioned activity or event, including but not limited to athletic, academic or social events, or en route to or from school property or a school-sponsored or sanctioned activity. Students shall not possess prescription drugs for the purpose of sale or distribution.

### **Simulated Substances**

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

### **Definitions**

Controlled substance means any substance or immediate precursor listed in Schedules I through V of 218A of the Kentucky Revised Statutes or any other substance which may be added by the Kentucky Department of Health Services under regulations pursuant to KRS 218A.010.

Prohibited substances refer to any prescription drug that is possessed by someone other than the individual for whom it was prescribed. The definition of Prohibited Substance also includes any prescription medication or substance and any "over-the-counter" medication or substance that is possessed or in the control of any student that has not previously been authorized by the Principal for use or possession on school grounds.

Prohibited substances also include prescription drugs obtained without authorization, substances however taken or used, including but not limited to prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

Marijuana shall refer to all parts of the plant Cannabis, whether growing or not, the seeds thereof, the resin extracted from the plant and every compound or derivative or mixture containing these substances.

Alcoholic beverage shall mean every liquid or solid containing alcohol in an amount in excess of more than one percent (1%) of alcohol by volume that is fit for beverage purposes. It also includes every spurious or imitation liquor sold as, or under any name commonly used for, alcoholic beverage, whether containing any alcohol or not.

Drug paraphernalia shall mean all equipment, products and materials of any kind that are used, or designated for use in planning, growing, processing, packaging, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled or prohibited substance.

### **Authorized Medication**

Use of a drug authorized by and administered in accordance with a prescription from a physician/health care provider shall not be considered in violation of this policy when medications are maintained in the school's office. An Authorization to Administer Medication form must be completed for students who will be taking medications at school.

### **Penalty for Possession, Use, or Being Under the Influence**

For a first offense for possession, use, or being under the influence of alcoholic beverages, narcotics, drugs, controlled substances or counterfeit, look-alike or simulated narcotics, drugs or other controlled substances, and/or possession or use of drug paraphernalia, (where the possession, use or being under the influence does not result from the sale, receipt or transfer on school property, in any school vehicle, at any school-sponsored or sanctioned activity or event or en route to or from school property or a school-sponsored or sanctioned activity or event) the following provisions shall apply:

1. The student will receive an immediate suspension of no less than five (5) days and no more than ten (10) days at the discretion of the Principal based on the individual circumstances.
2. The Principal may recommend expulsion or alternative placement and refer the matter to the Superintendent.
3. A disciplinary action taken herein may include alternative placement, a suspension of driving privileges, submission to a behavior contract, and the continued ineligibility to participate in extra-curricular activities beyond the stated period of suspension.

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

A second violation of such possession, use, or being under the influence of alcoholic beverages, narcotics, drugs, controlled substances or counterfeit, look-alike or simulated substances at any time during the student's enrollment in a District school will result in an immediate suspension for ten (10) days and a recommendation for expulsion.

### **Penalty for Sale or Transmission**

For sale or transmission of alcoholic beverages, narcotics, drugs, controlled substances, counterfeit or look-alike narcotics, drugs or prohibited substances and/or the assistance in the receipt, sale, or transfer of alcoholic beverages, drugs, narcotics, or prohibited substances, the student will be immediately suspended for ten (10) days, and a recommendation for expulsion will be made.

### **Reporting**

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

## **Prevention Program**

The superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

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

## **Controlled Substances Violation Referral Process**

When student(s) violate Policy 09.423, the process outlined below shall be followed:

1. The Principal or Assistant Principal shall interview the student.
2. If the school administration determines that the student has not violated policy, a record of the interview shall be made and the student shall return to class.
3. If the school administrators determine that the student has violated policy, and the violation is for drug paraphernalia only, the Principal, after appropriate due process has been completed, shall suspend the student in accordance with Policy 09.434, notify the parent of the policy violation and suspension, and recommend as necessary to the Superintendent that the incident have an administrative hearing conducted by the Superintendent's designee.
4. If the school administrators determine that the student has violated the policy for any drug or alcohol related reason except for paraphernalia, the Principal, after appropriate due process has been completed, shall suspend the student in accordance with Policy 09.434; inform the parent of the policy violation, student suspension, and notification of law enforcement authorities; and ask the parent to come to school.
5. When a Principal suspends a student per board Policy 09.434, the Principal shall, within one (1) working day, follow the verbal communication to the parent with a written communication concerning the suspension.

## **Drug Testing**

While the unlawful use of alcohol and other drugs is a potential problem for all students, those students engaged in interscholastic athletics, extra-curricular activities, those with permits to drive a motor vehicle onto a Henry County Public school campus or affiliated campus are often viewed by fellow students as holding or enjoying positions of privilege and are confronted by unique pressures and health risks that make them particularly vulnerable to the harms presented by the unlawful use of alcohol and other drugs. In order to protect Henry County High School students from these special pressures, health risks and other potential risks, there will be mandatory random drug testing for high school students involved in athletics, extra-curricular activities, and driving to campus / affiliated campuses. This drug testing along with an education and prevention plan and opportunity for voluntary participation of students outside the tested population is outlined in detail in board Policy 04.423.

No student shall be penalized academically for testing positive for banned substances during the random drug testing procedure nor is this process used to provide a source of information for law-enforcement agencies or for the prosecution of the students. It is intended to support the alcohol and drug policies of the district to

educate students and parents of the dangers inherent in the unlawful use and to strive for effective rehabilitation when such use has occurred.

## **Assault and Threats of Violence (KRS Chapter 508)**

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion. Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct. The principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.

## **Terroristic Threatening**

Making bomb threats and other threats of harm against schools, school buses, students, school employees, or school functions are felonies. Such offenses may lead to expulsion without educational services. A threat shall refer to a communication made by any means including, but not limited to, electronic and/or online methods.

## **Weapons**

Carrying, bringing, using, or possessing any weapon or dangerous instrument including pocket knives 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.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

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 Board policy. 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.

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

### **Federal Requirements Regarding Students**

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto school campus/property under jurisdiction of the District shall be expelled for a minimum of twelve (12) months under board policy. The Board may modify such expulsions on a case-by-case basis.

Any student who possesses a firearm at school or 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.

### **Exceptions**

An exception may be made for students participating in an authorized curricular or extra-curricular activity team involving the use of firearms and to those persons listed in KRS 527.070.

Law Enforcement officials are authorized to bring weapons onto school property in performance of their duties.

### **State Posting Requirements**

The Superintendent shall post the following notice in prominent locations in the schools, including, but not limited to sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND-DOLLAR (\$10,000) FINE.

### **State Reporting Requirements**

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

Employees who receive information from a student or other person regarding required conduct to be reported shall report the conduct in the same manner as stated above.

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

## **Assault**

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

Any pupil who assaults or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action and or legal action.

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of weapons violation and/or physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other school official who has knowledge of the student's behavior prior to the assignment of contract.

## **Assault on School Personnel**

Before a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on a school property or at a school function is assigned to work directly with or comes in contact with any district employee, that person shall be notified in writing of the student's history by the Principal. The notice shall describe the nature of the student's behavior.

Any assault or verbal abuse by a pupil on a teacher or on other school personnel is prohibited.

Violation of this policy shall be grounds for disciplinary action.

### **Disrupting the Educational Process**

Behavior that is disruptive of the educational process shall not be tolerated. For the purpose of this section, behavior that disrupts the educational process, shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may potentially damage property;
3. Illegal activity; or
4. Conduct that interferes with or hinders the orderly administration of the school and school-related activities.

Violation of this policy shall be grounds for disciplinary action. Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.

### **Dress and Appearance**

The wearing of any attire, cosmetics/cologne, presentation of extraordinary personal appearance, or any unsanitary body condition that in the judgment of the Principal significantly disrupts schoolwork, interrupts scholastic endeavors, or threatens the health of other pupils is prohibited.

The dress code applicable in school is also applicable on the school bus.

Violation of this policy shall be grounds for disciplinary action.

### **Telecommunication Devices**

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 but shall not be permitted to use personal telecommunications devices and other related electronic devices, in a manner that disrupts the educational process, including, but not limited to, use that:

1. Poses a threat to academic integrity, such as cheating,
2. Violates confidentiality or privacy rights of another individual,
3. Is profane, indecent, or obscene,
4. Constitutes or promotes illegal activity or activity in violation of school rules, or
5. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

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

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*. A violation also may result in a report being made to law enforcement.

### **Detention**

The Principal or his designee may establish a detention hall as an alternative disciplinary method. A pupil's parent/guardian shall be notified prior to the detention so that the parent may arrange transportation.

### **Corporal Punishment**

Employees shall not utilize corporal punishment as a penalty or punishment for student misbehavior. Corporal punishment shall refer to the deliberate infliction of physical pain on a student by any means.

Employees may use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, or others from physical injury; to obtain possession of a weapon or other dangerous objects under the control of a student; or to protect property from serious harm.

### **Due Process**

Before being punished at the school level with suspension for violation of school regulations, a pupil shall have the right of the following due process procedures:

1. The pupil shall be given oral or written notice of the charges against him/her.
2. If the pupil denies the charge(s), he/she shall be given an explanation of the evidence against him/her.
3. The pupil shall be given an opportunity to present his/her own version of facts concerning the charge(s).

In cases of severe misconduct, the Principal may set up an administrative hearing with the student.

When drug or alcohol violations have occurred, the Principal may request the convening of the Disciplinary Review Committee.

In cases that involve students with disabilities, the procedures mandated by federal and state law shall be followed.

### **Suspension**

In accordance with KRS 158.150, the Principal or Assistant Principal may suspend a pupil up to a maximum of ten (10) days per incident.

The superintendent may suspend a pupil up to a maximum of ten (10) days per incident.

A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431), unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) days after the suspension.

The Principal or Assistant Principal shall report any suspension in writing immediately to the Superintendent and to the parent of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

In cases that involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.

## **Search and Seizure**

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

Searches of a pupil's person or his/her personal effects shall only be conducted by the Principal or a certified person directly responsible for the conduct of the pupil at the school where the student attends.

When a pat-down search of pupil'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.

No search of a pupil shall be conducted in the presence of other students.

No strip searches of students shall be permitted.

Students who fail to cooperate with school authorities when requested shall be subject to disciplinary action.

School property, such as lockers and desks, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property on a regular basis. During these inspections, items that are school property, such as overdue library books, may be collected. Students should not expect privacy of 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 (e.g. weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the Principal's office.

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

School authorities shall have the authority to conduct routine patrols of student parking lots and to inspect the exteriors of student vehicles parked on school property.

Subject to the following conditions, the Principal may authorize the use of trained dogs to locate controlled substances on school grounds:

1. The dogs shall be certified as never having been trained as attack dogs.
2. The Principal or the Principal's designee shall be present.

3. Searches involving dogs shall be conducted only when students are in classrooms; no student shall be in the vicinity of lockers being searched.

## **Police Officers in the School**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody). As soon as possible, officials shall endeavor to notify the parents of any student who is arrested and shall make a written record.

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from school whom they suspect of committing a crime off school property:

1. Parents/guardians of minor students shall be notified by school officials as soon as possible prior to interrogation or removal from school.
2. If the student is an alleged victim of abuse or neglect by a parent, school officials shall follow directions provided by the investigating officer or Cabinet for Families and Children representative as to whether to contact a parent.
3. If the parent(s) comes to the school or consents to permit the officer(s) to interview the student, a private place for the interview shall be provided.
4. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order or juvenile petition, or arrange to interview the student off the school grounds.

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent.

## **Grievances**

The Superintendent shall develop specific grievance procedures to include, but not be limited to, the opportunity for student grievances to be addressed and resolved at each level from the point of origin, time limitations for the filing and appeal of a grievance, and procedures for the orderly review and appeal of student grievances.

If the Principal and Superintendent cannot successfully resolve grievances, the student may appeal to the Board.

### **Student Grievance Procedure**

This procedure is for the purpose of providing a student/parent an opportunity to report a grievance or complaint.

It is recognized that there are times when complaints and questions arise as the result of actions by school employees. Constructive criticism on such matters is welcome in the following manner:

If the complaint is related to the classroom, the student/parent will contact the Principal or Counselor of the school to arrange a conference with the classroom teacher, as soon as possible, to discuss the problem.

If this conference does not resolve the situation, the teacher and parent may arrange for a conference with the Principal with a minimum amount of delay.

If the complaint is not related to the classroom, the student/parent will contact the Principal directly.

If the Principal or Counselor is an alleged party in the complaint, the complaint shall be directed to the Superintendent.

The staff member to whom the complaint was directed shall make prompt investigation of the allegations and a written response to the student/parent within five (5) working days after receiving the complaint. A copy of the complaint and response shall be filed with the Superintendent.

If the student/parent is not satisfied with the resolution developed under the above steps, or if the solution is not received in the prescribed five (5) days, s/he may appeal in writing to the Superintendent, who shall investigate the allegations within five (5) working days from the date the appeal was received.

A written response will be made by the Superintendent within ten (10) working days from the date of the appeal and presented to the student/parent with a copy to be filed in the Superintendent's office.

If the resolution of the complaint developed by the Superintendent is not satisfactory, and the complaint concerns the methods in which a Board policy was administered, the fairness of a Board policy, or the violation of a policy by personnel, the student/parent may appeal in writing to the Board for a hearing at the next regularly scheduled meeting. The Board does not have the authority to discipline personnel. This authority lies with the Superintendent.

The resolution reached by the Board shall be final and shall be presented to the student/parent in writing within three (3) working days from the date of the Board's decision with a copy filed in the Superintendent's office.

The school council has authority to adopt policies, within existing Board policies, regarding the management of students and student conduct, curriculum, extra-curricular activities, and the assignment of staff and students. The school council does not have the authority to discipline personnel. This authority lies with the Superintendent.

If the complaint concerns the fairness of a school council policy, the parent may present evidence to the school council regarding why the parent feels that the policy is unfair.

If the above procedures do not solve the situation and the complaint concerns the method in which a board policy was administered or the violation of a policy by personnel, the student/parent may appeal in writing to the Superintendent who shall investigate the allegations within five (5) working days from the date the appeal was received.

A written response will be made by the Superintendent within ten (10) working days from the date of the appeal and presented to the student/parent with a copy filed in the Superintendent's office.

If the resolution of the complaint developed by the Council/Superintendent is not satisfactory, the student/parent may appeal in writing to the Board for a hearing at the next regularly scheduled meeting. The resolution of the complaint shall be made by the Board within three (3) working days of the next regularly scheduled meeting following the hearing.

The resolution reached by the Board shall be final and shall be presented to the student/parent in writing within three (3) working days from the date of the Board's decision with a copy filed in the Superintendent's office.

### **No Pass / No Drive Law**

In accordance with KRS 159.051 and other applicable Kentucky laws, any individual attending Henry County Schools who has not successfully completed high school and is under 18 years of age shall meet the following criteria before becoming eligible to receive a driver's permit, intermediate license, or license.

A student shall be deemed to be academically successful when he/she has received passing grades in at least 66% of his/her courses and does not have nine (9) or more unexcused absences in the preceding semester. The courses will be evaluated on each individual student's schedule of classes. Students must complete a successful semester to have their driving privileges reinstated.

The Principal of the school the student attends shall notify the circuit clerk upon request of any qualified student 16 years of age or above that the student is eligible under the provision of KRS 159.051 to be issued a driver's license or permit.

In the event any individual under the age of 18 possessing a driver's permit or license who has enrolled as a student in Henry County Schools fails to maintain the standards established to retain their driving privileges, the Principal of the school shall submit that student's name to the Superintendent of Henry County Schools. Within ten (10) days after receiving notification, the Superintendent shall report the student's name and status to the Transportation Cabinet.

### **Equal Education Opportunities**

No pupil shall be discriminated against because of age, color, disability, parental status, marital status, race, national origin, religion, sex, sexual orientation, gender identity or genetic information.

The District shall provide a free, appropriate public education to each qualified disabled student, as defined by law, within its jurisdiction.

The District shall operate its program in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional activities. Students who are at least (18) years of age may submit their own requests. If assistive technology is deemed necessary for a student, every effort will be made to obtain that technology in a timely fashion.

### **Non-Discrimination Notice**

Students, their parents, and employees of the Henry County Public Schools are hereby notified that this school district does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or handicap in employment, educational programs, or activities as set forth in Title IX, Title VI, and Title VII of the Civil Rights Act of 1964, and Section 504. Any person having inquiries concerning the Henry County Public Schools' compliance with Title IX, Titles VI or VII of the Civil Rights Act of 1964 may contact Zach Woods, Henry County Public Schools, 326 South Main St., New Castle, KY 40050, telephone (502) 845-8600. Special education and Section 504 issues should be referred to Niki Whitaker at the address above or (502) 845-8607. Mr. Woods and Ms. Whitaker have been designated by the Henry County Public Schools to coordinate the district's efforts to comply with these federal acts.

### **Family Educational Rights and Privacy Act (FERPA)**

FERPA makes student records confidential, but permits schools to release directory information. It also allows parents and/or students to request that their information not be released without the parent's prior consent. Notice to the parent is not required when court ordered or in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. Notification of all FERPA rights is contained in District policy 09.14AP.111.

The No Child Left Behind Act (NCLB) requires that schools provide military recruiters and institutions of higher education with students' names, addresses, and telephone listings. Students and parents have the opportunity to opt out of the school's disclosure of that information.

Forms requesting that students' information not be released to the military or institutions of higher learning are available in the office of each school.

### **Notification of Protection of Pupil Rights Amendment**

Under the Protection of Pupil Rights Amendment (PPRA), parents and eligible students are afforded the right to provide consent before minor students are required to complete a protected information survey, have information used for marketing purposes, or conducting certain physical examinations. They can choose to opt out their child and can inspect any such survey before administration. Complete information regarding the PPRA is contained in Board Policy 09.14 AP.112.

### **The Right to Confidentiality of/Access to Student Records**

In accordance with the Family Education Rights and Privacy Act, written policies and procedures have been developed which describe the Henry County School District's requirements regarding confidentiality of personally identifiable information. Stated in this notice is a summary of your rights under the Act. These rights are passed on to the student at age eighteen (18). For the purpose of this notice, the student 18 years or older, and the students who are married, will be referred to as the "emancipated" or "eligible" student. Parents, guardians, and eligible students may review and inspect all education records relating to that student by making a request to the Principal of the school where that student attends.

The Henry County Public Schools (HCPS) will presume that the parent has the authority to review and inspect records relating to their children unless the district has been advised in writing that the parent does not have legal authority under applicable state law governing such matters as guardianship, separation, and divorce.

Personally identifiable information is not released to another party unless there is written authorization from the parent or eligible student, or there is a "Legitimate Educational Interest" as defined in the policies and procedures for confidentiality. A current list of employees' names and positions who have access to personally identifiable information is on file in each school. The HCPS has described in its policies and procedures the conditions under which personally identifiable information is released to another person without written parental consent.

"Directory Information" is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released to news media, athletic organizations, scholarship or college entrance committees, or official organizations whose need for data is connected with student help activities. "Directory Information" includes, but is not limited to the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. The parent, guardian, or eligible student currently enrolled, may request all or part of the directory information be withheld. The request must be in writing to the Principal of your child's school, within 30 calendar days after this notification has been distributed. The written request must specifically state what information may not be classified as directory information.

In accordance with federal regulation concerning the release or transfer of educational records, it is the policy of this school district to forward education records on request to a school in which a student seeks or intends to enroll. Parents may obtain upon request a copy of the records transferred.

The Henry County Schools keeps child and youth records in a secure computer system and in locked files in each school and central office.

Any parent or guardian of a student, or any eligible student, may challenge the content or accuracy of any material or entries in the student's educational records on the grounds that it is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. Requests to amend the records are submitted to the Principal of your child's school.

For students who have been determined eligible for programs for children and youth with disabilities, educational records will be destroyed at the request of the parent when they are no longer needed to provide educational programs and services. The HCPS will destroy the educational records of a child or youth without a parent's request after the records have been maintained for a minimum period of seven years and are no longer needed to provide educational programs and services. Parents are advised that data contained in the records may be later needed for Social Security purposes. The HCPS retains for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance record, classes attended, grades completed, and year completed.

Children and youth determined eligible for special education include those children and youth with disabilities who have hearing impairments, vision impairments, emotional and behavior disorders, both deafness and blindness, health impairments, specific learning disabilities, mental disabilities, multiple disabilities, speech and language impairments, physical disabilities, autism, or traumatic brain injuries, and who because of these impairments need specifically designed instruction and related services.

The Henry County Schools has an ongoing Child Find system, which is designed to find any child or youth, age birth up to 21 years, who may have a disability and need special education. This includes children and youth who are not in school or those who are in school but are not receiving the special education they need to have an appropriate public education.

The Henry County Schools will make sure any child or youth who has a disability, regardless of how severe the disability, is provided an appropriate public education at no cost to the parents of the child or youth.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the Henry County Schools find an infant, toddler, child, or youth who may have a disability and need special education and related services. The district needs to know the name and age, or date of birth of the child or youth; 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 Henry County Public Schools collect the information needed. The information the school district collects will be used to contact the parents of the child or youth and find out if the child or youth needs to be evaluated or referred for special education services.

If you know of a child or youth who lives in Henry County, who may have a disability, and is not receiving needed services please bring, telephone, or send the information to:

Niki Whitaker  
Director of Special Education  
Henry County Public Schools  
326 South Main Street  
New Castle, Kentucky 40050  
(502) 845-8607

Child Find activities will continue throughout the school year. As part of these efforts, Henry County Public Schools will use screening information, student records, and basic assessment information it collects on all children and youth in the district to help locate those children and youth who have a disability and need special education.

Any information the district collects through Child Find is maintained confidentially.

Parents, guardians, or eligible students have the right to file a complaint with the U. S. Department of Education related to perceived failures by the district to comply with confidentiality requirements. The address is Family Policy and Regulations Office, U.S. Department of Education, Washington, D. C., 20202.

Written policies and procedures have been developed which describe the district's requirements regarding the confidentiality of personally identifiable information and Child Find activities. There are copies in the Principal's office of each school and at the Board of Education office. Copies describing these policies and procedures may be obtained by contacting:

Zach Woods  
Director of Student Services  
Henry County Schools  
326 South Main Street  
New Castle, Kentucky 40050  
(502) 845-8600

The district office is open Monday through Friday from 8:00 A.M. to 4:30 P.M.

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 Student Services or the Director of Special Education at the address or phone number listed above for the district office.

### **Section 504 Policy Statement & Public Notice**

The Henry County Schools does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the educational programs and provision of services or in employment policies. It is the policy of the Henry County Public Schools to provide a free appropriate public education to each student with a disability, regardless of the nature or severity of the disability, residing within the jurisdiction of the Henry County.

It is the intent of Henry County Public Schools to ensure that students who have 504 disabilities within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may have 504 disabilities under this policy even though they do not require services pursuant to the Individuals with Disabilities Education Act (IDEA).

Due process rights under Section 504 of students with disabilities and their parents are guaranteed in the Henry County Public Schools are described in the Henry County Schools Procedures for Section 504 of the Rehabilitation Act.

Inquiries regarding compliance with Section 504 or the Americans with Disabilities Act should be directed to Section 504 Coordinator below:

Niki Whitaker

Henry County Schools

326 South Main

New Castle, Kentucky, 40050

Phone: 845-8607

or to the Office for Civil Rights, U.S. Department of Education, Washington, D.C.

# Policy and Procedures for Acceptable Use of Electronic Resources

Henry County Public Schools believes that children can benefit from relevant and educational experiences involving a wide array of technological and electronic resources. Access to various software, email, and the Internet will enable students to explore thousands of libraries, databases, and bulletin boards while exchanging messages with Internet users throughout the world. While our intent is to make access to electronic resources available to further educational goals and objectives, users may find ways to access other materials as well. The purpose of this document is to provide guidelines for insuring appropriate use of electronic resources by students, staff, and community.

## Definition of Electronic Resources

The term "electronic resource" includes, but is not limited to, the following list:

- Desktops, laptops, tablets, gaming devices, and other computing devices
- Computer networks (all equipment connected together for the sharing of information)
- Internet Access (web pages, chat applications, blogs, bulletin boards, other on-line applications)
- Personal devices using the District's network
- Email Access
- Software
- Video hardware and software
- Voice hardware and software

## Consent for Use of Electronic Resources

In order to gain access to the district's electronic resources, all users must sign the Acceptable Use of Electronic Resources Agreement Form. Parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using electronic resources in school. Parents or guardians of students under 18 years of age must provide permission in order for their child to gain access to the district's electronic resources.

Students with a signed agreement form will be provided a District network account and email account. Other online accounts may be provided by the student's teacher, school, or the District for educational purposes.

By signing the Acceptable Use Policy located in the Student Code of Conduct, you hereby accept and agree that your child's rights to use the electronic resources provided by the District and/or the Kentucky Department of Education (KDE) are subject to the terms and conditions set forth in District policy/procedure. Please also be advised that data stored in relation to such services is managed by the District pursuant to policy 08.2323 and accompanying procedures. You also understand that the e-mail address provided to your child can also be used to access other electronic services or technologies that may or may not be sponsored by the District, which provide features such as online storage, online communications and collaborations, and instant messaging. Use of those services is subject to either standard consumer terms of use or a standard consent model. Data stored in those systems, where applicable, may be managed pursuant to the agreement between KDE and designated service providers or between the end user and the service provider. Before your child can use online services, he/she must accept the service agreement and, in certain cases, obtain your consent.

District employees, teachers, and activity sponsors may set up blogs and other social networking sites for use in the classroom. Teachers and sponsors may ask students to sign up for an account on these sites in order to participate in

online instructional activities and discussions. By signing the Code of Acceptable Behavior and Discipline and Acceptable Use of Electronic Resources, you accept and agree to the use of instructional social networking sites by your child.

### **Supervision and Safety Measures**

All adults directly involved in a student's use of an electronic resource are responsible for the supervision of the student's activities, including activities on personal devices. Parents/guardians are responsible for the supervision of their child's use of the district's electronic resources from home.

School and district personnel will maintain and implement software to filter inappropriate Internet communications and conduct periodic audits of Internet, email, and software use.

All adults are expected to model appropriate behavior on electronic resources, as outlined in the following section. Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

### **Checkout of School-Owned Electronic Devices**

Electronic devices may be made available for student checkout, but shall be the responsibility of the person to whom the device is issued and be subject to all provisions set out in the policy and related procedures. In addition, a signed Acceptable Use Policy (AUP) form must be on file at the school or District level before an electronic device is issued to a student.

## **Behavior Expectations of All Electronic Resource Users**

### **Professional and Educational Use**

Your use of electronic resources must be in support of education and research and consistent with the educational objectives of Henry County Public Schools. EXAMPLES:

#### **Non-Productive Activities:**

- No playing games (other than game-like educational software).
- No sending personal, chain, spam (junk), or hoax emails.
- No chatting on the Internet, on instant messenger services, in chat rooms, in email, or accessing and/or setting up non-instructional blogs or social-networking sites. Teacher supervised chats are allowed if part of a class assignment.
- No surfing the Internet. Researching for school-related purposes is acceptable.
- No using social-networking sites (e.g., Facebook, Instagram, Snapchat) for personal reasons.

#### **Personal Gain**

- No conducting of private or personal business using the district's electronic resources.
- No use of electronic resources for political or religious purposes.

### Appropriate Language and Conduct

- No profanity, ethnic slurs, or any other inappropriate language.
- No purposeful annoying of other Internet users.

## **Security & Operation**

You may not compromise the security or operation of the network. EXAMPLES:

### Password and Account Integrity

- Do not give your password to anyone.
- Do not offer access to the district's electronic resources via your account.

### Malicious Activities

- Do not create, run, install, or share viruses or other malicious code.
- Do not access, modify, copy or destroy another person's data.

### Electronic Resources Operation

- Do not monopolize or overload computer or network resources, such as running a large program over the network, mass emailing of large files, or printing too many copies.
- Do not vandalize any district hardware, software, or data.

## **Legal & Ethical Use**

Conducting illegal activities via the district's electronic resources is strictly prohibited. EXAMPLES:

### Sexually Explicit and Offensive Material

- You may not get or transmit obscene, abusive, or sexually explicit material while using district's electronic resources.
- You may not harass, threaten, or transmit materials that are slanderous or defamatory in nature.

### Copyrighted Material

- You are not permitted to get from or put onto the district's electronic resources any copyrighted material, including software.

### Privacy

- You must protect the identity of yourself and others through any form of electronic communication.
- Do not store confidential documents on publicly accessible storage devices. Be aware that network administrators periodically audit electronic resources for acceptable use.

### Other Inappropriate Behavior

- You are not permitted to impersonate another individual through email or Internet communication.

- You are not permitted to engage in illegal activities as defined by state and federal laws while using Henry County Public Schools' electronic resources.
- You are not permitted to harass or bully other individuals.

### **Penalties for Violations**

Penalties for violations may include legal, financial, loss of access privileges, or other disciplinary action. The administration, faculty, and staff of Henry County Public Schools may request the system administrator to deny, revoke, or suspend specific user accounts and/or access to the Internet and other resources.

### **REFERENCES**

Board Policy 08.2321 (Copyrighted Materials); Board Policy 08.2323 (Access to Electronic Media)

Kentucky Revised Statute 156.675

701 Kentucky Administrative Regulation 5:120

16 Kentucky Administrative Regulation 1:020 (Code of Ethics)

47 U.S.C. 254/Children's Internet Protection Act; 45 C.F.R. 54.520

Kentucky Educational Technology System (KETS)

## **Procedures for Development/Review/Orientation of Code of Acceptable Behavior and Discipline**

**DEVELOPMENT**—A committee composed of board members, administrators, teachers, parents, students, and interested citizens developed this document which was then reviewed by legal counsel, presented in public hearings and adopted by the Local Board of Education.

**REVIEW**—This Code of Acceptable Behavior and Discipline shall be reviewed/revised on an annual basis following the end of a school year by the Code of Acceptable Behavior and Discipline Committee. Individuals may send written comments to Zach Woods, 326 South Main, New Castle, KY 40050 or phone (502) 845-8600, who will share them with the Code Committee. Information should be submitted by May 15 of each year.

**ORIENTATION**—The principal of each school will set a time and date for annual orientation to the Code of Acceptable Behavior and Discipline for teachers, parents, and students to be held within the first week of the school year. A copy of the Code will be provided electronically to each student enrolled in school. Hard copy format is available upon request.

In cases of conflict between the provision of the Code and the Rights and Responsibilities and previously adopted policies of the Board of Education, this Code shall govern.

Kentucky Law (KRS 160.290) provides, “Each Board of Education shall have general control and management of the Public Schools in its district...” And “each Board shall exercise generally all powers in the administration prescribed by law of its public school system. Each Board shall make and adopt and may amend or repeal rules, regulations, and by-laws for its meetings and proceedings for the government, regulation and management of the Public Schools and school property of the district, for the transaction of its business, and for the qualification and duties of employees and conduct of pupils...” In this document students will be considered the same as pupils as those terms are used in the Kentucky Revised Statutes, and in Board of Education Policies.

This Code is part of the Board’s policy on student behavior and discipline. Caution: After this Code is distributed for the school year, changes to Board policy, including those affecting provisions of this Code, may be necessary due to new/revised statutes and regulations of law. Parents and students must sign the “Acknowledgement of Receipt of Code of Acceptable Behavior and Discipline and Acceptable Use of Electronic Resources” form and return it to the student’s school. It is found on page 36 of this document.

A complete copy of the policy manual is available for inspection at the Central Office and at [www.henry.kyschools.us](http://www.henry.kyschools.us).

In 1980, a community-based discipline code committee was established based on volunteers and recommendations of others. This committee met on several occasions to develop a student code of conduct for all students to have uniform rules of discipline. After development, the Board approved the code. A committee meets annually to review the code and make necessary changes. The code was developed to apply at school, on the school bus, on the way to and from school, and at all school-sponsored activities.

This Code of Acceptable Behavior and Discipline and this Statement of Rights and Responsibilities recognizes that each of the above persons has a vital, necessary and well-defined role in the education process.



**326 South Main Street  
New Castle, Kentucky 40050  
(502) 845-8600**

**Board of Education**

**Donnie Tipton, Chairperson  
Danney Chisholm, Vice-Chairperson  
Lori Abney, Member  
Miranda Clubb, Member  
Tony Whaley, Member**

**Legal Consultation**

**Chenoweth Law Office**

**Superintendent**

**Terry L. Price**

## **REVIEW COMMITTEE**

**July 2, 2019**

Laura Adams, Teacher  
Nikkol Bauer, CIO/DTC  
Sarah Buckley, Teacher  
Angela Denny, Principal  
Lesley Doane, Teacher  
Phillip Guthrie, Principal  
Kelly Hall, Teacher  
Georgia Harrod, Parent  
Kathryn Hunt, Parent  
Lucia Hughes, Principal

Jenny Marsh, Parent  
Shannon Morgan, Parent  
Richie Robbins, Behavioral Interventionist  
Shannon Sageser, Principal  
Sierra Scroggins, Teacher  
Amy Treece, Principal  
Chad White, Parent  
Kevin Whitt, Director of Transportation  
Zach Woods, Director of Student Services

## **BOARD APPROVAL**

**July 15, 2019**

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**Donnie Tipton, Board Chairperson**

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**Terry L. Price, Superintendent**

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**Zach Woods, Contact Person**

**CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE AND ACCEPTABLE USE OF ELECTRONIC RESOURCES**

THE SIGNATURE PAGE MUST BE COMPLETED FOR EACH STUDENT. PARENTS AND STUDENTS MUST SIGN AND RETURN TO YOUR CHILD'S SCHOOL. THE FULL DOCUMENT IS AVAILABLE ON THE DISTRICT'S WEBSITE AT [www.henry.kyschools.us](http://www.henry.kyschools.us). IF YOU NEED A HARD COPY OF IT, PLEASE CONTACT YOUR CHILD'S SCHOOL.

\_\_\_\_\_  
Student's Name

\_\_\_\_\_  
Teacher / Grade

As the parent/guardian of \_\_\_\_\_ I have read and discussed the Code of Acceptable Behavior and Discipline and Acceptable Use of Electronic Resources with my child. I give my permission for my child to have access to and use the district's electronic resources, including a school email account, a network user account, Google's G-Suite products and additional services.

\_\_\_\_\_  
Parent's/Guardian's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's/Guardian's Signature

\_\_\_\_\_  
Date

I have read and agree to comply with the Code of Acceptable Behavior and Discipline and the Acceptable Use of Electronic Resources. I understand that I will be provided access to a school email account, network user account, Google's G-Suite products and additional services. Use of these accounts must comply with the district's Acceptable Use of Electronic Resources.

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date