

MADISON COUNTY SCHOOLS

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REVISED Code of Acceptable Behavior and Discipline

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

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

- Orderly operation of the schools,
- A safe environment for students, district employees and visitors to the schools,
- Opportunities for students to achieve at a high academic level in a productive learning environment,
- Assistance for students at risk of failure or of engaging in disruptive behavior,
- Regular attendance of students, and
- Protection of property.

This Code applies to all students in the District while at school, on their way to and from school, while on the bus or other District vehicle, and while they are participating in school-sponsored trips and activities. The Superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administration and implementation of the Code within his/her school in a uniform and fair manner without partiality or discrimination. Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook.

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

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

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

Employees and other students shall not retaliate against a student because s/he reports a violation of the code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.

Academic Integrity

Academic integrity is a fundamental value for the Madison County School System. It should be clearly understood that academic dishonesty is not tolerated and incidents of it will have serious consequences. Anyone who knowingly assists in any form of academic dishonesty shall be considered as responsible as the student who accepts such assistance and shall be subject to the same sanctions. Academic dishonesty can occur in different forms, some of which include cheating, plagiarism, and fabrication. Each school will develop policies to communicate and respond to instances where there is a lack of academic integrity. In each school's handbook, the repercussions of a breach in academic integrity will be addressed and communicated with students.

Forms of Academic Dishonesty

Cheating: Cheating is an act or an attempted act of deception by which a student seeks to misrepresent that he/she has mastered information on an academic exercise, cheating includes, but is not limited to: - Giving or receiving assistance not authorized by the teacher; - Participating in unauthorized collaboration on an academic exercise; - Using unapproved or misusing electronic devices or aids during an academic exercise.

Plagiarism: Plagiarism occurs when a student represents work taken from another source as his/her own. It is imperative that a student gives credit to information, words, ideas, and images that are integrated into his/her own work. Acknowledgement of a source of information in any form should consist of complete, accurate, and specific references and, if verbatim statements are included, quotation marks as well. Examples of plagiarism include, but are not limited to: - Using words, ideas, or images from another source (including the Internet); whether in quotation marks or not, without giving credit to that source in the form of a bibliographic citation; - Facts, statistics, or other supporting materials that are not clearly common knowledge without acknowledgment of the source.

Fabrication: Fabrication is a form of deception and occurs when a student misrepresents written or verbal information in an academic exercise. Fabrication includes, but is not limited to: - Citation of information not taken from the source indicated. This may include the incorrect documentation of secondary source materials; - Listing sources in a bibliography not directly used in the academic exercise; - Submission in a paper, thesis, lab report, practicum log, or other academic exercise of falsified, invented, or fictitious data or evidence, or deliberate and knowing concealment or distortion of the true nature, origin, or function of such data or evidence; - Submitting as your own any academic exercise (verbal, written, electronic, or artistic work) prepared totally or in part by another person.

Student Rights and Responsibilities

Students have the right to:

- An appropriate and free public education.
- Receive academic grades based only on academic performance.
- Be kept informed as is reasonably possible of all rules, regulations, policies, and penalties to which they may be subjected and be assured of all due process rights.
- Personal safety and security while at school and school-sponsored activities.
- Involvement in school activities without being subjected to discrimination on the basis of race, national origin, marital status, sex, economic status, or handicapping condition.
- Present complaints or grievances to school authorities and receive authoritative replies from school authorities.
- Receive consultation or counseling in academic, personal, social and career related concerns.
- Protection of their personal property.

Students have the responsibility to:

- Attend school regularly and to arrive on time.
- Show consideration for the rights of others within the total school environment.
- Refrain from conduct that disrupts the educational process, creates disorder, or damages or destroys private or public property.
- Immediately report student threats to harm others to a teacher, counselor or school administrator.
- Give their best effort to tasks assigned by their teachers, coaches or other persons who work with them.

Staff Rights and Responsibilities

School Staff has the right to:

- Expect all students to complete assignments.
- Work in a positive school climate with a minimum of disruptions.
- The support of fellow staff members, administrators and parents.
- Safety from physical and verbal abuse.
- Take action in emergencies to protect their own person and persons in their care.

School Staff has the responsibility to:

- Maintain a professional attitude and behavior toward all students, parents, administrators, teachers and the Board of Education.
- Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
- Maintain an atmosphere conducive to learning with mutual respect and trust with appropriate discipline.
- Follow the policies, rules and regulations adopted by the Board of Education and/or school administration.
- Deal firmly, promptly, and consistently with disruptions or violations of board policy and school procedures, and if necessary, enlist the support of administrators.
- Provide adequate supervision for students in their care.
- Provide a learning environment free from harassment for students.

Parent/Guardian Rights and Responsibilities

Parents/Guardians have the right to:

- Rights as guaranteed by the Family Educational Rights and Privacy Act.
- Expect that any classroom disruptions will be dealt with fairly, firmly, and quickly.
- Access to all school rules and regulations and the consequences for violation of these rules and regulations.
- Participate in meaningful parent-teacher conferences to discuss their child's progress and welfare.
- Expect school personnel to notify parents/guardians of important news, especially as they relate to children.
- 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:

- Accept their own role as the primary educators of their children.
- Instill in their child the values of an education, a sense of responsibility and a sense of respect.
- Understand and support school requirements, rules, and policies and to be knowledgeable of the consequences of violations by students.
- Communicate with their child concerning academic performance and behavior.
- Be familiar with the educational program and procedure.

Responses to Student Misconduct

This code is part of the Madison County Board of Education's policy on student behavior and discipline. State and federal law requires special consideration and possible designation of alternative consequences when dealing with behavior and disciplinary issues involving students with disabilities. The board has included samples of prohibited behaviors and response options to help the reader understand how the behavior standard will be enforced. Other behaviors not included in the examples may also be prohibited.

Out-of-school punishment should only be used for very serious infractions. Suspensions and expulsions tend not to help the individual student change their behavior. Rather, the student takes the bad behavior into the community, falls behind academically, and returns into the community, falls behind academically, and returns to school ready to repeat the cycle.

Schools should impose punishments progressively. Schools should not jump to the most severe punishments but instead try to improve students' behaviors through a variety of less punitive interventions.

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>I. Minor student misbehavior which disrupts classroom procedures or interferes with the orderly operation of the school.</p> <p>Misbehavior which can usually be handled by an individual staff member but sometimes requires intervention of other school personnel.</p>	<ul style="list-style-type: none"> • Inappropriate dress • Non-defiant failure to complete assignments • Failure to carry out directions (Refusal to comply with staff instructions or school rules) • Failure to follow rules • Minor misbehavior on bus, or during school sponsored or endorsed activities • School tardiness • Possession of an electronic device • Failure to bring needed materials to class • Disrupting classroom teaching • Impolite, discourteous, or disrespectful communication with peers or staff • Excessive noise • Inappropriate displays of affection • "Off-task behaviors that demonstrate disengagement from classroom learning" 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.</p> <p>Repeated misbehavior requires a parent/teacher contact or conference with the appropriate school staff.</p> <p>Proper and accurate records of offenses and disciplinary actions are maintained by the appropriate staff and/or administrator.</p> <p>Limiting options of extra activity for students. ie.. (structured recess)</p>	<ul style="list-style-type: none"> • Verbal reprimand • Special assignment • Counseling • Withdrawal of privileges • Time-out • Detention/I.S.S. • Verbal warning • Individual conference • Parent contact/conference • Confiscation of inappropriate materials • Referral to Family Resource Center, Youth Service Center (FRYSC) or other Student Assistance Program (SAP). • Behavior contracts • In-school disciplinary action

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>II. Student misbehavior which increases in frequency or severity, disrupting classroom procedures or interfering with the orderly operation of the school.</p> <p>Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others, but whose educational consequences require an administrative response.</p>	<ul style="list-style-type: none"> • Continuation of Level I misbehavior • Truancy • Using forged notes or excuses • Disruptive behavior • Profanity/vulgarity (Move to Level I) • Directing profanity or obscene/offensive gestures toward staff • Disrespectful Attitude • Possession of pornographic materials • Failure to bring needed materials to class • Disruptive physical contact with other students • Leaving class without permission • Throwing objects that may cause injury • Unauthorized presence in hallways during class time • Unexcused absence from class or school • 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. Teacher's response includes documentation of misbehavior and notification is sent to administrator.</p> <p>The student is referred to the administrator for appropriate disciplinary action.</p> <p>The administrator meets with the student and/or teacher and effects the most appropriate response.</p> <p>A proper and accurate record of the offense and the disciplinary action is maintained by the administrator.</p>	<ul style="list-style-type: none"> • Continuation of Level I responses • Detention • Parental conference/contact • Referral to outside agency • Counseling • Confiscation of inappropriate materials • Alternative Educational Plan • Suspension • Referral to FRYSC or other SAP • Verbal redirection to in-school disciplinary action

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>III. Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of other in the school.</p>	<ul style="list-style-type: none"> • Repeated Level II misbehavior • Vandalism • Theft , possession, sale of stolen property • Destruction of school property • Fighting (With no injury or weapon) • Threat/intimidation • Extortion • Use or possession of tobacco products • Harassment • Gambling • Possession of pornographic material • (Racial, sex, sexual orientation or other similar harassment) • Activating false fire alarm • Academic dishonesty • Bullying • Behavior that 	<p>The student is referred to administrator for appropriate disciplinary action.</p> <p>The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences.</p> <p>The administrator meets with the student and notifies the parent about the student's misconduct and resulting disciplinary action(s).</p> <p>School officials will contact appropriate law enforcement agency if necessary.</p>	<ul style="list-style-type: none"> • Continuation of Level I and II responses • Alternative Education Plan • Suspension • Parental conference • Referral to appropriate law enforcement agency • Saturday school • Expulsion • Replacement of damaged property • Referral to FRYSC or other SAP •

	<p>demonstrates gang/neighborhood crew affiliation</p> <ul style="list-style-type: none">• Reckless behavior that may cause harm to self or others• Sexual acts on school premises or at school-related functions• Forgery• Hazing• Inappropriate use of school computer or network• Leaving school without permission• Lying to school staff• Seriously offensive or abusive language or gestures• Possession of instruments which could be used as weapons• Posting or distributing material that is demeaning, humiliating or damaging to students and/or staff• Sale or distribution of any item without authorization• Trespassing• Unauthorized possession, use, or distribution of over-the-counter medication• Threatening person or property• Behavior that causes significant disruption to the academic environment or causes harm to self or others		
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LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>IV. Serious misbehaviors which may result in violence to another's person or property, which pose a direct threat to the safety of others in the school or are a violation of the law.</p>	<ul style="list-style-type: none"> • Continued or repeated Level III misbehaviors • Extortion/robbery • Bomb threat • Possession/use/transfer of dangerous weapons • Assault/battery • Arson • Sex offense • Possession/use of explosive devices • Activating a false alarm • Vandalism, destruction of property, or graffiti • Contaminating food • Theft of school or personal property without force • Fighting which creates substantial risk of our results in minor injury • Inciting others to violence or disruption • Interfering with school authorities or participating major disruption of school's operation • Lewd or indecent public behavior or sexual misconduct • Persistent racial, sex, sexual orientation or similar harassment • Possession of a weapon or replica not subject to the Gun-Free School Act • Retaliation for reporting harassment and sexual harassment • Sexual harassment • Tampering with an official school record • Using an object to intimidate or threaten another individual • Behavior that causes disruption to the school operation, destroys school property, or causes significant harm to self or others 	<p>Administrators are required to follow a set of responses outlined by the Madison County Board of Education.</p> <ul style="list-style-type: none"> • Refer to emergency response action plan for procedures if necessary. • Follow due process as outlined by the disciplinary referral form. • The student is removed from the school environment by suspension. Parents are notified. • School officials will contact appropriate law enforcement agency and assist in prosecuting violator. • A complete and accurate report is submitted to the superintendent for consideration and possible board action. • Inform the student of counseling, therapeutic and/or other assistive programs. 	<ul style="list-style-type: none"> • Parental conference • Saturday school • Suspension from school and/or bus • Alternative Education Programs • Expulsion or other board action which results in appropriate placement • Referral to law enforcement agency • Make restitution for damages • Referral to FRYSC or other SAP • Referral for counseling or therapeutic services •

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>V. Level 5 behaviors lead to the most severe punishments</p>	<ul style="list-style-type: none"> • “Exceptional misconduct” at other schools • Violations of the Gun-Free Schools Act • Arson • Assault with a weapon • Assault/physical attack on student or staff • Biohazard • Bomb threat • Causing serious disruption to the school’s computer system • Sexual assault or attempted sexual assault • Fighting which results in a serious physical injury • Participating in a group fight which was planned, causes major disruption to school day or results in substantial bodily injury • Possession of illegal or drug paraphernalia, regardless of the amount or type of drug • Possession of fire works or explosives • Possession or distribution of alcohol • Selling or distribution of prescription drugs, illegal drugs, and limitation controlled substances • Theft or attempted theft using force or threat of violence • Use or threatened use of any weapon • Using an object to injure another individual • Vandalism/destruction of property over \$500 • Behavior that is illegal, causes significant disruption to the school operation or causes substantial harm to self or other • Documented pattern of Tier 4 behavior 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.</p> <p>Repeated misbehavior requires a parent/teacher contact or conference with the appropriate school staff.</p> <p>Proper and accurate records of offenses and disciplinary actions are maintained by the appropriate staff and/or administrator.</p>	<ul style="list-style-type: none"> • An out-of-school suspension for 11-90 days or expulsion.

- Punishments should avoid disrupting students' education.
- Schools must implement progressive discipline, beginning with the least-severe punishment
- Schools should not jump to the most severe punishment available for a first or second-time infraction
- Schools should involve family members to help them understand the roots of a student's behavior
- Schools must consider possible prevention and remediation strategies before choosing what punishment to apply
- Schools must consider all extenuating circumstance before imposing the punishment of expulsion

Search and Seizure

See Board Policy 09.436

Students have the right to be secure from unreasonable searches of their person and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating the Code or a school rule or the law. Also, school authorities may conduct general inspections of jointly held property on a regular basis. All searches will be conducted in accordance with Board policy. Students cannot expect complete privacy in their use of school property assigned for their use, such as desks and lockers.

Physical Restraint

See Board Policy 09.433

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 object under the control of a student; or to protect property from serious harm.

Student Records

See Board Policy 09.14

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

Reports to Law Enforcement Officials

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of the section, "school property: means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in charge of the Principal.

KRS 158.155

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

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

KRS 158.156

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other

persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight hours of the original report.

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

Weapons

See Board Policy 05.48

Students are **never** allowed to bring a weapon to school. The carrying, bringing, using, or possessing of any weapon or dangerous instrument, including any type of knife, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. A dangerous instrument is considered to be any device with the stated, implied or demonstrated intent to physically harm someone.

The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property.

If a student violates the prohibition on weapons, the Principal shall immediately make a report to the Superintendent, who shall determine if charges for expulsion are to be brought before the Board. 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.

Suspension, Expulsion, and Due Process

See Board Policies 09.434; 09.435; 09.431

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

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

A report of the suspension shall be made in writing to the Superintendent and to the parent of the student being suspended. Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

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

Grievances

See Board Policy 09.4281

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

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

Information on filing a formal complaint or grievance is available at each school and at the Central Office.

Bullying/Hazing

See Board Policy 9.422

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.¹ This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. Students who violate this policy shall be subject to appropriate disciplinary action.

Other Claims

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

Harassment/Discrimination

See Board Policy 9.42811

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

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

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

Students who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving other students that they believe to be an act of harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/ discrimination.

Employees who observe prohibited behaviors or with whom students share a complaint shall notify the Principal or their immediate supervisor, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of submission of the original written complaint. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.
The Superintendent/designee may take interim measures to protect complainants during the investigation. A process to identify and implement, within three (3) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
2. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
 - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

3. Age appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
4. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

Notification

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

Prohibited Conduct

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. 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;
4. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
5. 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
6. Destroying or damaging an individual's property based on any of the protected categories.

Confidentiality

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

Appeal

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide for addressing the complaint to a higher level of authority.

Failure by an employee, immediate supervisor, Principal, and/or Superintendent to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

Retaliation Prohibited

No one shall retaliate against an employee or student because s/he files a written grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

False Complaints

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

Other Claims

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

Damages to School Property

See Board Policy 9.421

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 the property.

Use of Alcohol, Drugs and Other Controlled Substances

See Board Policy 9.423

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

- Alcoholic beverages;
- Controlled drug substances and drug paraphernalia; Any substance a) which is not legally obtainable b) may be legally obtainable but has not been legally obtained c) being used for a manner or purpose other than the prescribed or intended use.
- Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

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

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities. 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 controlled substance on school property in violation of the law.

For access to complete and/or updated board policies, visit the district website at www.madison.kyschools.us

Notification of FERPA Rights

The Family Education Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age or students who are attending a post-secondary institution) certain rights with respect to the student’s education records. They are:

1. The right to inspect and review the student’s education records within forty-five (45) days of the day the District receives a request for access. Parents or eligible students should submit to the school Principal/designee a written request that identify the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student’s privacy or other rights. Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him / her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A “school official” is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a person or company with whom the District has contracted to perform a special task such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his / her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

STUDENTS 09.14 AP.111 Upon request, the District shall disclose education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law.

4. The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U.S. Armed Forces and its service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard. Unless the parent or eligible student requests in writing that the District not release information, the student’s name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

NOTICE OF RIGHT TO REQUEST TEACHER QUALIFICATIONS

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

Our district receives federal funds for Title 1 programs as a part of the No Child Left Behind Act (NCLB). Under NCLB, you have the right to request information regarding the professional qualifications of your child's teacher(s). If you request this information, the district will provide you with the following: Whether the teacher has met the state requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived. The college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree: and whether your child is provided services by para-educators, and if so, their qualifications.

Student Code of Acceptable Conduct and Discipline



Madison County Board of Education

*301 Highland Park Drive
Richmond, Kentucky 40476
Telephone: (859) 624 – 4500
www.madison.kyschools.us*

*Superintendent:
Elmer Thomas*

Approved by the Madison County Board of Education



Madison County Schools does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, disability, or genetic information in educational programs, activities, and employment and provides equal access to the Boy Scouts and other designated youth groups as set forth in compliance with federal and state guidelines. The following person is responsible for coordination of compliance efforts and has been designated to handle inquiries regarding the non-discrimination policies: Title IX Coordinator, Madison County Schools, 301 Highland Park, Richmond, KY; 859-624-4500.