

Please return this form to your child's teacher/school.

Owensboro Public Schools
Owensboro, Kentucky
2020-21

Student's name

School

ACKNOWLEDGEMENT OF RECEIPT OF
Code of Acceptable Behavior and Discipline

As the parent/guardian of _____

I have read and discussed the *Code of Acceptable Behavior and Discipline* with my child and all the policies therein, including the *OPS Technology Acceptable Use Policy and OPS Laptop Acceptable Use Policy*.

Parent's/Guardian's Signature Date

Parent's/Guardian's Signature Date

Student's Signature Date



2020-2021

DIRECTORY INFORMATION OPT-OUT FORM

The District has designated the following student information as “directory information:”

- Names, addresses, and telephone numbers, and school email address
- Birthdates and places of birth
- Grade level, dates of attendance, major field of study, and most recent educational institution attended
- Degrees and awards received, honors and recognitions
- Participation in officially recognized activities and sports
- Weight and height of athletic team members
- Photographic, video, or electronic images taken and maintained by the District (specifically excluding surveillance video and any other electronic images which may contain confidential information relating to a student) * **

Video and other electronic images of students taken and maintained by the District at events which parents and/or the public are invited to attend (This specifically excludes surveillance video and any other electronic images which may contain confidential information relating to a student) * **Any eligible student (18 years of age or older) or parent/guardian who **does not wish to have directory information released shall contact OPS Public Information Officer Jared Revlett at the Owensboro Board of Education by email jared.revlett@owensboro.kyschools.us or by phone (270) 686-1000.** He will give you an OPT Out form that must be completed and returned to him by **Friday, September 11, 2020**

*Photos and videos, as defined above, may be placed in the yearbook, released to the media, or used in OPS school, media publications and OPS website.

**Photos or videos, as defined above, of students may also be published on District-approved teacher websites, blogs, or social networking sites designed to promote communication with students, parents, and the community or for the purpose of supplementing classroom instruction.

Military Recruiter Opt-Out Form For High School Students Only

If you **do not** want the student’s name, address, and telephone number released to **military recruiters, the student (regardless of age) or parent/guardian must request a form from OPS Public Information Officer Jared Revlett and return it to Central Office by September 11, 2020.**

- Truancy or Beyond Control charges through the CDW
- Recommendation for assessment through CDW's office
- Recommendation for alternative school placement
- Recommendation for expulsion

Alternative Placement Committee's Disciplinary Measures

- Strive (6th-8th grades)
- Emerson Academy (8th-12th grades)
- Night School (8th-12th grades)

Board of Education's Disciplinary Measure

- Expulsion

Physical Restraint

The use of restraint and/or seclusion on a student must be in compliance with Board Policy 9.2212. If you would like a copy of this policy, please contact Mrs. Kim Johnson, OPS Central Office, 270-686-1000.

Discipline Referral Procedures

If classroom discipline measures do not correct a student's misconduct or if his/her behavior is a serious offense, the student is referred to a school administrator by a staff member.

The staff member describes the student's behavior and/or records the student's statements on a Pupil Disciplinary Referral Form. The form is given to the appropriate administrator.

The administrator meets with the student. The administrator follows this process:

1. Reads the referral form to the student.
2. Allows the student to respond to the evidence.
3. Conducts an investigation, if necessary.
4. Decides what disciplinary action(s) to take and records it on the form.
5. Informs the student of the action to be taken.
6. Notifies the parent/guardian of the disciplinary action as appropriate.
7. Enters the referral and the action taken into Infinite Campus.

Discipline records are kept by the administrator. The records are accessible to teachers, administrators, the student, and/or the parent/guardian, as required by the Family Educational Rights and Privacy Act. Suspensions shall be placed in the individual student's disciplinary record.

Description of Disciplinary Measures

A. Parent-Teacher Conferences

As a result of student misbehavior, the school may arrange a conference with the parent/guardian. An effort will be made to arrange the conference at a time that is convenient for the parent/guardian and school staff involved. If it is impossible for the parent/guardian to meet at the school, an alternative means of discussion will be arranged.

The conference will be arranged by telephone. If contact by telephone is impossible, the parent/guardian will be contacted by mail.

If the parent/guardian is unable to attend or chooses not to attend the conference, the conference will be held with the student. The administrator will report the results of the conference to the parent/guardian.

The purpose of the conference will be to discuss the problem(s) and possible solutions with appropriate school staff. School records and discipline records will be available at the meeting. The student may be invited to the meeting. The results of the meeting will be recorded on the Pupil Disciplinary Referral Form and kept by the school.

B. Alternative Placement

For conduct that disrupts the educational process, a student may be assigned to an in-school alternative education program by the Principal/school administrator. This disciplinary action is used as an alternative to suspension and is the most serious in-school disciplinary consequence. The duration and conditions of the assignment shall be fixed by the Principal/school administrator.

The Principal/school administrator shall contact the parents/guardians of a student to notify them of the student's assignment to this program. The conference shall include a notification of the length of the assignment, the expected behavior of the student, and notification that the assignment may be extended depending upon the attitude and cooperation of the student.

While in this alternative program, the student shall continue his/her regular school work under the supervision of school staff and counseling services shall be provided to address school-related problems as may be required.

Students with disabilities who are receiving specially designed instruction (special education) may be transferred to an in-school suspension program for an individually prescribed time period and according to the procedures set forth for all students, provided the daily classroom assignments required to achieve IEP objectives are delivered to the student and the student's work is monitored and evaluated by the student's special education teacher(s).

(See Board Policy 9.4341)

C. Out-of-School Suspension

In accordance with KRS 158.150, the Principal or Assistant Principal may suspend a pupil up to a maximum of five (5) days per incident.

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

A pupil may not be suspended for more than a total of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

Due Process

Before being punished at the school with suspension, a student shall be given oral or written notice of the charge(s) against him/her. If the student denies the charges, he/she shall be given an explanation of the evidence against him/her. The student must also be afforded the opportunity to present his/her own version of the facts concerning the charge(s).

If following this process, the principal/school administrator decides to suspend the student, the principal/school administrator shall immediately notify the Superintendent and the parent/guardian of the student in writing of the 1) the reason(s) for the suspension; 2) the length of the suspension; and 3) any condition(s) for reinstatement, which may include a conference with the student, his/her parents/guardians, and school officials or a hearing before the Director of Pupil Personnel/Superintendent.

End of Semester

If a short-term suspension of ten days or less is at the time of final examination for a semester or year course, and if the student needs a passing grade on the exam to pass the course, the principal shall make arrangements for the student to take the final exam. This process must be completed within two (2) weeks of the close of the semester.

Extra-Curricular Activities

A student on suspension shall not be allowed to participate in or attend any extracurricular activity sponsored by the school.

Primary School Students

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the superintendent/designee. (See Board Policies 9.431, 9.434)

D. Alternative Education Programs (Policy 9.4341)

The Owensboro Public Schools have two alternative education programs. The program for 6th-8th grades—Strive—is located on the campus of Owensboro Middle School South. The program for 8th-12th grades—Emerson Academy. These programs exist to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative programs that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. They are designed to provide a meaningful alternative to suspension or expulsion.

The chart on page 19 explains what behaviors may result in a student being placed in an alternative education program for a disciplinary reason.

After a hearing before the Director of Pupil Personnel where the DPP determines if the conduct may warrant placement in Alternative Education Program, based on the Alternative Education Chart, the OPS Middle or High School Alternative Placement Committees (as appropriate) meet to determine a student's placement. The school will develop an Individual Learning Plan Addendum for the student, which will address the student's academic and behavioral needs and the criteria for re-entry into the traditional school program. Parents and, when appropriate, students shall be invited to participate in the ILPA Meeting.

Extra-Curricular Activities

A student assigned to an alternative school for disciplinary reasons shall not be allowed to participate in or attend any extracurricular activity sponsored by the school.

E. Expulsion

After reasonable efforts by staff have failed to meet the needs of the student, an expulsion recommendation may be made. Reasonable efforts that may be made by staff to help the student include: conferences with the principal, teacher, parent, and student; guidance services; or assistance from other social agencies. In cases of extreme behavior, reasonable efforts may be unproductive and are not required before the recommendation for expulsion.

Only the Board of Education may expel a student upon recommendation of the superintendent. Referrals for expulsion may be made by the principal or the Director of Pupil Personnel to the superintendent.

For cases involving students who bring firearms/explosive devices to school, expulsion shall be for a minimum of one (1)

calendar year (365 days), unless modified by the Board on a case-by-case basis. Expulsions for other offenses may extend for up to the number of days that constitute one (1) school year, not to exceed two (2) semesters.

The recommendation shall be written and supported by all facts and materials related to the grounds for expulsion. The case shall be discussed with the Director of Pupil Personnel and the Board Attorney. After review of the recommendation by the superintendent, a recommendation may be made to the Board of Education for expulsion or extended suspension. If such a recommendation is made, the superintendent shall send a letter to the parent of the student. The letter shall describe, in detail, each charge against the student and assign a hearing date, time, and location with the Board of Education. The student and parent may be present at this hearing and may be represented by an attorney during the proceedings. If the student and parent(s) want to be represented by a representative or an attorney in the hearing, the name and telephone number of that person must be provided to the Superintendent prior to the hearing.

F. Suspensions/Expulsion Procedures for Students with Disabilities

Special consideration should be given when dealing with disciplinary problems of students with disabilities. Frequently, such students may have discipline problems due to the unique nature of their disabilities. In this case, students will have an individual Behavior Intervention Plan.

If further consequences are needed for inappropriate behavior, then Principals are to use those outlined in this *Code*.

Alternatives to out-of-school suspension include in-school suspension, detention, and other such options as are needed and appropriate.

Suspension may be used with students with disabilities in accordance with IDEA regulations. If a student with a disability accumulates ten (10) days of suspension, an Admissions and Release Committee (ARC) shall meet to discuss the student's behavior problems and to determine what changes, if any, are needed in the Individual Education Program (IEP). Expulsion is rarely used with students with disabilities. Furthermore, even if a student with a disability is expelled, education services shall not cease completely.

Suspension and/or placement in an alternative education program of students with disabilities shall be done in accordance with IDEA regulations. Expulsion is rarely used with students with disabilities. Furthermore, even if a student with a disability is expelled, education services shall not cease completely.

Strict Account

KRS 161.180 requires teacher and administrators to hold pupils to strict account for conduct on school premises, on the way to and from school, and on school sponsored trips and activities, in accordance with the rules, regulations and bylaws of the local Board of Education.

Student Right to Appeal

Whenever a student is accused of committing a violation of the *Code of Acceptable Behavior and Discipline*, he or she has the right to due process. This means that he/she must:

1. Be informed of the charges and evidence;
2. Be provided with an opportunity to present his or her side of the case; and
3. Be provided with an opportunity to appeal the decision.

In cases that involve students receiving specially designed instruction (Special Education), the additional provisions specified in Owensboro Public Schools policy 08.131 shall be followed, as appropriate to the situation.

Appeal Procedure

In the Owensboro Public Schools discipline decisions that are believed unjust may be appealed. Appeal may be made in writing, through administrative channels to the Board of Education. **Written appeals will receive a written response.**

The following procedures are required when a parent/guardian/ student appeals a school disciplinary decision.

1. Write a letter explaining your reasons for appealing the disciplinary action to the school administrator who took such action. Take or mail the appeal letter to the school within three school days of the disciplinary action.
2. If your appeal is denied by the administrator, you may appeal in writing to the principal. The appeal letter must be mailed or delivered to the school within five school days of the day you receive your answer from the administrator.
3. If your appeal is denied by the principal, you may appeal to the Director of Pupil Personnel. (Owensboro Board of Education, 450 Griffith Ave., Owensboro, KY 42301) The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the principal.
4. If your appeal is denied by the DPP, you may appeal to the Superintendent. (Owensboro Board of Education, 450 Griffith Ave., Owensboro, KY 42301) The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the principal.

Right to Counsel

Persons involved in any disciplinary process have the right to legal representation at their own expense.

Criminal Violations

Students may be charged with criminal violations in addition to violations of this *Code*. Prosecution and court proceedings of criminal violations shall be outside the authority of this *Code* and may proceed simultaneously with school sanctions for the same violations.

Employees who know or have reasonable cause to believe that a student has been the victim of a felony criminal violation (ex. assault, menacing, wanton endangerment, terroristic threatening, or stalking) while on school property, on school-sponsored transportation, or at a school-sponsored event are required to make an immediate report (oral or in writing) to the principal of the school attended by the victim.

The principal shall notify the parents, legal guardians, or others exercising control over the student, the Superintendent, and law enforcement. Within 48 hours, the Principal shall follow the original report with a written report containing the name and address of the student believed to be the victim of the crime and name and address of his/her parents, the student's age, the nature of the incident, and the name and address of the student believed to be responsible for the criminal violation.

To the extent possible, employees should take steps to protect the identity of the complainant while reporting, investigating, or disciplining a student for a violation of the *Code*. In addition,

the Principal shall proceed with appropriate disciplinary action consistent with the provisions of this *Code*.

Search and Seizure (Policy 9.436)

Authorized personnel (defined as the principal or a certified person given express authority by the principal) have the right to search students, their belongings, lockers, desks, automobiles, or their property, including telecommunications devices, if a reasonable suspicion exists that the search may reveal evidence that the student has violated or is violating either Board Policy, a school rule, or the law. Search of student's person shall be conducted only with the express authority of the Principal and in the presence of another certified person. However, when an immediate threat to health or safety of others occurs off site with no authorized certified employee readily available, a non-certified person (i.e., bus driver, coach) that is responsible for the students may conduct the search of a student or his/her reasonable effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

When a pat-down search of a pupil's person is conducted, the person conducting the search shall be the same sex as the pupil and a same sex witness shall also be present. No search of a pupil shall be conducted in the presence of other students. These restrictions do not apply to situations involving an imminent threat to students or staff or where action is required to prevent harm to health and safety.

No strip searches are permitted.

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

School property, such as lockers, desks, network systems, technology resources, and electronic accounts owned or supplied by the District are jointly held by the school and pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. Students should not expect privacy for items and information stored in such locations. A single desk, locker, or technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law, Board Policy, or school rule is contained therein.

Illegal items or other possessions reasonably determined by proper school authorities to be a threat to the student's safety or other student's 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 student's possession by a staff member. Such items may be returned to the student by the staff member or through the principal's office.

Items found during Search & Seizure

- Items will be seized, tagged, and kept in a secure place by the principal, and admitted as evidence in any school hearing or legal proceeding against the student.
- The item may be returned to the parent of the student from whom it was seized provided it is not a weapon, controlled substance, look-alike substance, or other instrument or substance designed for, or capable of a use that involves a risk of serious bodily harm.

Use of Trained Dogs

Subject to the following conditions, the Superintendent may, after consultation with the administrative staff, authorize the use of trained dogs to locate controlled substances on school grounds and within school facilities:

1. The dogs shall be properly certified as having been trained to detect controlled substances.
2. The Superintendent/designee or the Principal or his/her designee shall be present at all times during the search for controlled substances.
3. No student will be present in the area being searched.
4. All dogs will be leashed and under the control of the handler at all times.

The Police Detection Canine Team may conduct random and unannounced searches of general school areas, including school lockers and parking lots. A school official having reasonable suspicion that the student is in possession of a weapon may use a hand-held metal detector.

Cooperation with Law Enforcement Agencies

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 attempt to notify the parents of students who are arrested.

When students are arrested at school, the principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

Crimes off of School Property

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 the school whom they suspect of committing a crime off school property:

- School officials shall notify parents/guardians as soon as possible.
- 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.
- If the parent(s) cannot come to the school and deny consent to the interview, the police should be advised to either bring a warrant, court order, juvenile petition, or arrange to interview the student off the school grounds.
- Parental notification/permission shall not be required if the student is an alleged victim of abuse by the parents.

Crimes on School Property

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(s).

BEHAVIOR VIOLATIONS - DEFINITIONS AND CHARTS

The following section contains both a list of the definitions of the behavior violations that may result in the disciplinary

actions and two charts which set forth the disciplinary actions which may be taken.

The first chart represents possible options administrators may choose when dealing with discipline issues. Each (shaded area represents an option for school administrators to follow which is based on the seriousness of the behavior. The second chart outlines the most serious behavior violations which may result in suspension and alternative school assignment or expulsion.

School personnel may initiate alternative disciplinary action with written justification. Serious offenders, or offenses that are repeated, may warrant a referral to the appropriate court.

Expulsion procedures may be initiated the first time a student has a problem if the problem is of a very serious nature.

Behavior Violations Defined

The following is a list of the definitions of the behavior violations that may result in the disciplinary actions set forth in the chart on the following page.

1. Unexcused tardiness to class or homeroom/ Nonattendance to class or school/Tuancy
2. Deliberate disruption—any deliberate action by the student that results in serious disruption of the educational process or any school-sponsored event, including the safe transportation of students (includes disorderly conduct)
3. Failure to follow rules or directives/Academic dishonesty— failure to follow established school rules, including the dress code, and the refusal/failure to follow reasonable directives of authorized school personnel (includes failure to identify oneself, violations of terms/ conditions of suspension, failure to comply with in-school disciplinary measures, and academic dishonesty)
4. Leaving school grounds without permission
5. Forgery/Counterfeiting—the creation or alteration of a written instrument (e.g., check, transcript, identification, currency, communication, or any other official document)
6. Profanity/Vulgarity
7. Gambling—games of chance or skill for money or profit
8. Inappropriate sexual behavior— includes possession of pornography, consensual sexual contact, and all sexual offenses except assault/abuse
9. Theft/Vandalism
Theft- stealing, taking by deception, receiving or being found in possession of property belonging to the school or another person (includes fraud, burglary, embezzlement, larceny, theft, and motor vehicle theft as defined by law)

Vandalism—damaging or defacing school property or the property of school personnel/students (includes criminal mischief)

10. Robbery—theft involving the use of physical force, deadly weapons, or dangerous instruments
11. Fighting/Striking student—the use of physical violence between two students or the use of violence by a student on another person when there is no major injury as determined by the school administrator (excludes verbal confrontations, intimidation, and other encounters where no injury is intended)
12. Fighting/Striking faculty, staff, or other officials—the deliberate use of substantial physical force toward a faculty member, staff member, or other school official when no serious injury is caused or intended
13. Intimidation/Harassment/Interference with staff or student/Bullying/Harassing Communications—includes sexual harassment, verbal abuse, threatening, bullying, menacing, wanton endangerment, stalking, and harassing communications; involves intent to deliberately place another person in fear of bodily injury or other substantial physical or emotional discomfort (See also Policy 9.4281- Harassment/Discrimination; Policy 9.422 – Bullying/Hazing)
14. Drug/Alcohol possession/Under the influence—includes alcohol, illegal drugs, prescription drugs, over the-counter drugs, drug paraphernalia, and look-alike drugs/alcohol
15. Drug/Alcohol distribution or attempt—includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, and look-alike drugs/alcohol
16. Assault/Sexual abuse/Sexual assault/Criminal abuse—intending to cause or causing physical injury to another person by means of a deadly weapon or dangerous instrument or intentionally causing physical injury to another person. Sexual assault or physical sexual abuse of any kind is considered assault. Arson with staff/students present is considered an assault
17. Arson—intentionally damaging school buildings or property of another person by starting a fire
18. Weapons/Dangerous instruments—possession, transfer, storage, or use of a deadly weapon or use of a dangerous instrument as defined by law Look-alike weapons will be treated as authentic. (See also Policy 5.48 –Weapons)
19. Bomb threats/False fire alarms/False police reports/Terroristic threatening/Fireworks/Explosives
20. All other criminal offenses—includes but not limited to, kidnapping, extortion, etc. (law)

Range of Consequences



<h1>Owensboro Public Schools</h1> <h2>Behavior Violations and Consequences</h2>		Various in-School Discipline Measures/Parent /guardian conference	Alternative Placement (up to 10 days)	After-School Detention	Short-Term Suspension (1 to 5 days) ' out of school'	Long-Term Suspension (6 to 10 days) (DPP) ' out of school'	Alternative School Placement (APC) STRIVE and Emerson	Expulsion Procedures May Be Initiated (refer to DPP)
		BEHAVIOR VIOLATIONS						
1.	Unexcused tardiness to class/Nonattendance to class or school/Truancy	X	X	X	X		X	
2.	Deliberate disruption	X ¹	X	X	X	X	X	
3.	Failure to follow rules or directives/Academic dishonesty	X ¹	X	X	X	X	X	
4.	Leaving school grounds without permission	X	X	X	X	X		
5.	Forgery/Counterfeiting	X	X	X	X			
6.	Profanity/Vulgarity	X ¹	X	X	X			
7.	Gambling	X	X	X	X	X	X	
8.	Inappropriate sexual behavior (includes possession of pornography, consensual sexual contact, and all sexual offenses except assault/abuse)	X	X	X	X	X	X	X
9.	Theft/Vandalism		X		X	X	X	X
10.	Robbery		X			X	X	X
11.	Fighting/Striking student		X		X	X	X	X
12.	Fighting/Striking faculty, staff, or other officials		X		X	X	X	X
13.	Intimidation/Harassment/Interference with staff or student/Bullying/Harassing Communications	X	X	X	X	X	X	X
14.	Drug/Alcohol possession/Under the influence					X	X	X
15.	Drug/Alcohol distribution					X	X	X
16.	Assault/Sexual abuse/Sexual Assault/Criminal Abuse					X	X	X
17.	Arson					X	X	X
18.	Weapons/Dangerous Instruments					X	X	X
19.	Bomb threats/False fire alarms/False police reports/Terroristic threatening / Fireworks/Explosives					X	X	X
20.	All other criminal offenses: kidnapping, extortion, etc. (law)					X	X	X

¹ in-class actions

* When determining what consequence is appropriate for a behavior violation, the decision-maker will consider, in accordance with this chart, such factors as the age and maturity of the student, the seriousness of the offense, the disciplinary history of the student, and any applicable state and/or federal laws

** For violations of the Tobacco Policy, please see p.13

For violations of the Telecommunications Policy, please see p.13-14

For violations of the OPS Acceptable Use Policies, please see p.26

When it is appropriate or necessary, students and/or parents may be referred to the appropriate court system.

ALTERNATIVE EDUCATION/EXPULSION CHART

<p>These disciplinary events require an <u>automatic suspension</u>. Depending on the severity, the student may be placed in alternative education program or be recommended for expulsion.</p>	<p>These disciplinary events require <u>automatic suspension and placement at an alternative school/setting or recommendation for expulsion</u>.</p>
<ul style="list-style-type: none"> • AGGRESSIVE BEHAVIOR, FIGHTING, INTIMIDATING, THREATENING, OR HARASSING/BULLYING STUDENTS OR STAFF; MAKING BOMB THREATS; VANDALIZING; ROBBERY; FALSELY ACTIVATING A FIRE ALARM OR COMMITTING ARSON • ASSAULTIVE BEHAVIOR -- ASSAULTING ANOTHER STUDENT; INTIMIDATING THROUGH VIOLENCE; PRACTICING EXHIBITIONISM (EXPOSING GENITALS, PUBIC AREAS, BUTTOCKS, OR FEMALE BREASTS); SEXUALLY HARASSING ANOTHER STUDENT (FIRST OFFENSE) • POSSESSION/USE/UNDER THE INFLUENCE OF DRUGS/ALCOHOL (FIRST OFFENSE) • INAPPROPRIATE SEXUAL BEHAVIOR (POSSESSION OF PORNOGRAPHY, CONSENSUAL SEXUAL CONTACT, AND ALL SEXUAL OFFENSES EXCEPT ASSAULT/ABUSE) • THEFT/VANDALISM • ARSON; BOMB THREATS; FALSE FIRE ALARMS; FALSE POLICE REPORTS;TERRORISTIC THREATENING; FIREWORKS EXPLOSIVES • FAILING TO CONTROL BEHAVIOR AFTER REPEATED IN-SCHOOL DISCIPLINARY MEASURES <p>* A student who has committed one of these offenses and is assigned to an alternative school will be assigned to the alternative school for 30 to 90 days at the discretion of the Alternative Placement Committee. The initial assignment placement may be extended by the APC in 30-45 day increments if the student continues to commit disciplinary infractions at the alternative school.</p>	<ul style="list-style-type: none"> • FIGHTING/STRIKING FACULTY, STAFF OR OTHER SCHOOL OFFICIALS • POSSESSION OF A WEAPON/DANGEROUS INSTRUMENT • ASSAULTIVE BEHAVIOR -- ASSAULTING ANOTHER STUDENT; INTIMIDATING THROUGH VIOLENCE; PRACTICING EXHIBITIONISM (EXPOSING GENITALS, PUBIC AREAS, BUTTOCKS, OR FEMALE BREASTS); SEXUALLY HARASSING ANOTHER STUDENT (SECOND OFFENSE OR GREATER) • POSSESSION/USE/UNDER THE INFLUENCE OF DRUGS/ALCOHOL (SECOND OFFENSE OR GREATER) • ATTEMPT TO PURCHASE/SELL/TRAFFIC DRUGS/ALCOHOL • ALL OTHER CRIMINAL OFFENSES: KIDNAPPING, EXTORTION, ETC <p>**A student who has committed one of these offenses and is not recommended for expulsion will be automatically assigned to the alternative school for 90 days to one calendar year. The length of the assignment will be determined by the Alternative Placement Committee. The initial assignment may be extended by the APC in 45 day increments if the student continues to commit disciplinary infractions at the alternative school.</p>

- The Alternative Placement Committee (APC) will also determine whether a student who is transferring into the District from an alternative school in another district should be initially assigned to the OPS alternative school and for what length of time.
- Students with disabilities will be disciplined in accordance with state and federal law.
- Students who are currently placed in an alternative school for disciplinary reasons may not participate in any extracurricular activity, including commencement ceremonies, for the duration of their placement.

ATTENDANCE GUIDELINES

Absences and Excuses (Policy 9.123)

Pupils are required to attend regularly and punctually the school in which they are enrolled.

TRUANCY DEFINED

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

A pupil who has been reported as a truant two (2) or more times is a habitual truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

EXCUSED ABSENCES

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

1. Death or severe illness in the pupil's immediate family,
2. Illness of the pupil,
3. Religious holidays and practices,
4. One (1) day for attendance at the Kentucky State Fair,
5. Documented military leave,
6. One (1) day prior to departure of parent/guardian called to active military duty,
7. One (1) day upon the return of parent/guardian from active military duty,
8. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave, or Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.
9. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall

not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

SCHOOL HANDBOOKS

Each school handbook shall include specific attendance requirements.

UNEXCUSED ABSENCES

Work may be made up for unexcused absences. The determination of the numerical weight for the purpose of grading the work made up will be the responsibility of the Principal.

Attendance Requirements/Compulsory Attendance

All children in the district who have entered kindergarten or who are between the ages of six (6), as of October 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.

Attendance Procedure

All students are required by law to attend school every day and to be on time for school and all classes. **Tardiness is not just being late for school as traditionally interpreted; it is defined by law as "any amount of instructional time missed"**. This includes being late to school or leaving school before classes are dismissed. Parents are required to sign their children 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.

This 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 three or more attendance events, is a truant. Any student who has been reported as a truant two (2) or more times is a habitual truant."**

It is the parent's/guardian's responsibility to **notify the school on the day a student is absent within 30 minutes after the start of school. Written verification should be provided upon the students return to school.** If after three (3) school days the parent has not furnished a written note or called, the absence will be marked unexcused permanently.

Attendance Records

- (1) A full day of attendance shall be recorded for a pupil in attendance 100 percent of the school day.
- (2) A tardy shall be recorded for a pupil who is absent less than (35%) thirty-five percent of the school day.
- (3) (1/2) one-half day attendance shall be recorded for a pupil who is absent (35%) thirty-five percent to (84%) eighty-four percent of the school day.
- (4) A full-day absence shall be recorded for a pupil that is absent greater than (84%) eighty-four percent of the school day.

Vacations and business trips that would cause a student to be absent should be planned around the school calendar. The Principal and the Director of Pupil Personnel must provide prior approval for absences from school for extraordinary reasons not listed.

Required Medical Statement

A student with 7 full-day absences (excluding tardies) during the school year may be required to furnish a medical statement even if any subsequent absences are due to illness.

Any student required to provide a doctor's statement is advised to visit the doctor on the first day they are absent and the projected date the student is able to return to school should be noted on the doctor's statement. A filled prescription will be accepted in lieu of a doctor's statement. The student's medical history will be taken into consideration. It is important that a parent contact the administrator in the school if their child has a medical problem.

The parent/guardian may be required to provide the school with an OPS Medical Excuse Form completed/signed by the child's physician to verify the medical excuse.

Loss of School Privileges Policy

Each year, a student may lose the privilege to participate in extra-curricular, co-curricular or school-wide events sponsored by any Owensboro Public School if his/her attendance results in the following:

1. The accumulation of eight (8) or more unexcused absence days (these may occur through whole or partial day absences)
2. The accumulation of twelve (12) or more unexcused tardies to school

Students and parents will receive notification during all orientation sessions regarding this policy.

Parents will be notified by a phone call/letter and students will meet with an administrative staff member when he/she reaches the halfway mark of any of the above categories.

Violation of this policy may result in the loss of specific privileges at each school. Each school will outline which privileges may be revoked due to excessive attendance problems.

For example, Owensboro High School will include all extra-curricular, co-curricular and school-wide events, which will include such things as exam exemptions, dances, senior activities, etc.

Note: This policy will not impact a student's privilege to participate in commencement ceremonies.

LEGAL NOTICES

Child Find

The Owensboro Public School District keeps educational records in a secure location in each school and Board office.

The Owensboro Public School District obtains written consent from a parent or eligible student (age 18 or who is attending a postsecondary institution), before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA.

For students who have been determined eligible for Special Education, educational records will be destroyed at the request of the parents when they are no longer needed to provide educational programs or services. The Owensboro Public School District may destroy the educational records of a child without parent request three years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be

needed for Social Security benefits or other purposes. The Owensboro Public School District may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed.

Children eligible for Special Education include those children with disabilities who have autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment and who because of such an impairment need Special Education services.

Children eligible for 504 services include those children who have a current physical or mental impairment that currently substantially limits some major life activity which causes the student's ability to access the school environment or school activities to be substantially limited.

The Owensboro Public School District has an ongoing "Child Find" system, which is designed to locate, identify and evaluate any child residing in a home, facility, or residence within its geographical boundaries, age three (3) to twenty-one (21) years, who may have a disability and be in need of Special Education or 504 services. This includes children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving Special Education or 504 services.

The district's "Child Find" system includes children with disabilities attending private or home schools within the school district boundaries that may need special education services.

The Owensboro Public School District will make sure any child enrolled in its district who qualifies for Special Education or 504 services, regardless of how severe the disability, is provided appropriate Special Education or 504 services at no cost to the parents of the child.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the Owensboro Public School District find any child who may have a disability and need Special Education or 504 services. The District needs to know the name and age, or date of birth of the child; the name, address, and phone number(s) of the parents or guardian; the possible disability; and other information to determine if Special Education or 504 services are needed.

Letters and phone calls are some of the ways the Owensboro Public School District collects the information needed. The information the school District collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for Special Education or 504 services.

If you know of a child who lives within the boundaries of the Owensboro Public School District, who may have a disability, and may need but is not receiving Special Education or 504 services, or if you know of a child who attends a private or home school within the boundaries of the Owensboro Public School District, who may have a disability, and may need but is not receiving Special Education services, please call Owensboro Public School District or send the information to:
Special Education Coordinator /Section 504 Coordinator
Kim Johnson Owensboro Public Schools
450 Griffith Ave. (270) 686- 1000
Owensboro, KY 42301

“Child Find” activities will continue throughout the school year. As part of these efforts the Owensboro Public School District will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need Special Education or 504 services. Any information the District collects through “Child Find” is maintained confidentially.

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 in the Board of Education office. Copies of these *Policies and Procedures* may be obtained by contacting:

Special Education Coordinator
Owensboro Public Schools
450 Griffith Ave.
Owensboro, KY 42301
(270) 686-1000

The District office is open Monday through Friday, from 8:00 a.m. to 4:30 p.m.

The Owensboro Public School District provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible.

If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact Kim Johnson at the address or phone number listed above for the Owensboro Public School District.

FERPA

The Family Educational Rights and Privacy Act (FERPA) and KRS 160.700–160.730 guarantee to parents/guardians of students younger than age 18 and to eligible students age 18 and older the right to:

- Inspect and review the student’s educational records.
- Request that the district disclose information in the educational records to a third party.
- Request an amendment of the educational records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student’s privacy rights.
- File with the U.S. Department of Education a complaint concerning alleged failures by the district to comply with the requirements of FERPA
- Obtain a copy of the district’s policies on confidentiality.

School records are maintained and kept by the school office in a secure location. They contain a list of credits, standardized test results, academic portfolios, grade point averages (GPAs), behavioral and psychological evaluations, screening and health records, attendance records, directory information, and a list of activities. The file may contain temporary disciplinary records, which will be destroyed when a student graduates, transfers, or drops out.

In order to inspect, review, or transfer educational records, the eligible student and/or the parent/guardian must complete the Student Educational Request Form. To request the amendment

of educational records, the parent/guardian or eligible student must submit the request in writing to the school principal.

Under the provisions of FERPA, the district may release, without written consent, a student’s educational records to school officials (school employees or other service providers, such as contractors, consultants, and volunteers) with a legitimate educational interest (which means a need to know the information in order to fulfill their responsibilities for the District); to other school systems, colleges, and universities to which the student intends to enroll or transfer; and to certain other agencies specified by state and federal law. No other person may inspect, review, or transfer a student’s educational records without:

- The written consent of the eligible student;
- The written consent of the parent/guardian if the student is under 18 years of age; or
- A properly issued court order or subpoena.

The district may release directory information without written consent to organizations or individuals with a legitimate educational interest and purpose unless the eligible student and/or parent/guardian submits the Directory Information Opt-Out Form to the school office by the date specified on the form.

PPRA

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students the right to consent before a student is required to submit to a survey that concerns one or more protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education. These protected areas are as follows:

- Political affiliations or beliefs of the student or student’s parent;
- Mental or psychological problems of the student or student’s family; Sex behavior or attitudes;
- Political affiliations or beliefs of the student or student’s parent;
- Mental or psychological problems of the student or student’s family; Sex behavior or attitudes;
- Illegal, antisocial, self-incriminating, or demeaning behavior;
- Critical appraisals of others with whom respondents have close family relationships;
- Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
- Religious practices, affiliations, or beliefs of the student or parents; or
- Income, other than as required by law to determine program eligibility.

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students the right to receive notice and an opportunity to a student out of:

- Any other protected information survey, regardless of funding;
- Any nonemergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings or any physical exam or screening permitted or required under state law; and
- Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students the right to inspect the following items upon request before administration or use:

- Protected information surveys of students;
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- Instructional material used as part of the educational curriculum.

The district will notify parents or eligible students at the start of each school year of the specific or approximate dates of the planned activities or surveys listed above and will provide reasonable notification of activities or surveys planned after the school year begins. The parent or eligible student may opt out of participation in the specific activity or survey. Parents or eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-5901.

McKinney Vento Act

The McKinney-Vento Act identifies homeless students as “Children who lack a fixed, regular and adequate nighttime residence” due to loss of housing, economic hardship, or a similar reason. This includes preschool age children, school age children, and youth living on their own (unaccompanied youth -not in the physical custody of a parent or guardian).

Children and youth on their own may qualify for assistance under the McKinney-Vento Act, if they or their family lives in any of the following situations:

- Temporarily sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.
- Living in motels, hotels, or camping grounds due to lack of adequate accommodations.
- Living in emergency or transitional shelters, such as group homes, runaway shelters and domestic violence shelters.
- Awaiting foster care placement.
- Living in cars, parks, public places, abandoned buildings, or similar settings.
- Abandoned in hospitals.
- Living in housing that is substandard or inadequate.

Students in homeless situations must have the opportunity to meet the same high academic achievement standards as all students. This is why it is so critical that homeless children and youth receive all the educational services for which they are eligible:

- Be given access to the same public education provided to other children, including preschool education.
- Continue in their school of origin or school of residence, *if feasible*.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Receive transportation, *if feasible*, to the school of origin.
- Automatic enrollment in the National Free and Reduced Lunch Program.
- *Based on need*: Receive services including Head Start Programs, Title I, English Language Learner, and Special Education.

Title I

Parents of students who attend schools receiving federal Title I dollars have the right to know the professional qualifications of the teacher(s) and instructional paraprofessional(s) who instruct their children. Parents who would like to know this information should contact their school principal and the requested information will be provided in a timely manner.

STUDENT BILL OF RIGHTS

A student has legal rights guaranteed by the Constitution of the United States. These can be exercised in school as long as they do not interfere with the rights of others or the school's responsibility to provide safe and orderly schools. The Owensboro Public School (OPS) District encourages each student to balance the expression of his or her rights by honoring his or her responsibilities as outlined in the *Code of Acceptable Behavior and Discipline* and the *Student Bill of Rights*.

1. The Right to an Education

Under Kentucky law, children between the ages of 5 and 21 years have a right to an education. This education is provided free of charge to students until they have completed a 12- year program or reached their twenty-first birthday. (Children eligible for Exceptional Child Education [ECE] services are guaranteed a free and appropriate public education [FAPE] between the ages of 3 and 21.)

Discipline is necessary to maintain a climate that is conducive to learning, and a student may forfeit his or her right to an education under the *Code of Acceptable Behavior and Discipline*.

A student's right to an education will not be taken away without due process, as guaranteed by the Constitution of the United States.

2. The Right to Academic Grades Based on Academic Performance

Academic grades will be assigned based on academic performance.

Academic grades will not be reduced as punishment for misconduct. A student is entitled to an explanation of how his or her academic grades were determined.

3. The Right to Make Up Work

A student receiving an excused absence shall have the opportunity to make up missed schoolwork and not have his or her class grades adversely affected for lack of class attendance or class participation due to the excused absence. A student returning to school after an excused absence or suspension may request make-up work within three school days of his or her return to each class. The student will have the number of school days of the absence or suspension plus one school day from the time he or she receives the make-up work to complete the work and submit it to the teacher. The local School-Based Decision Making (SBDM) Council or, if none exists, the principal, with input from teachers and parents, shall establish rules regarding make-up work for unexcused absences other than suspensions.

4. The Right to Representation and Involvement

A student has the right to be represented by peers in making decisions that affect him or her. These include decisions about standards of achievements, conduct, elections, activities, and other facets of student life. Each student is encouraged to exercise this right by seeking to serve as a Student Council representative, a club officer, or a representative of a school or

district committee. In general, any student may make suggestions on matters that affect him/her.

5. **The Right to Freedom of Expression**

A student has the right to freedom of expression as it relates to speech, assembly, appearance, publications, and the circulation of petitions. This right must be exercised in such a way that it does not interfere with the rights of others or the orderly operations of the school. A student is encouraged to form opinions and express them in a responsible manner. Conduct that interferes with the learning process or the orderly operations of a school may be restricted.

- A student has the right to assemble peacefully as long as such assembly does not interfere with the learning process or the orderly operations of the school.
- A student has the right to choose his or her manner of dress and otherwise to arrange his or her own personal appearance subject to the school rules and regulations regarding dress or appearance. However, any such rules must relate to a specific educational purpose, such as health, safety, full participation in classes or school activities, and/or preventing the disruption of the educational process.
- School publications, such as the school newspaper, will be free from censorship or prior restraint. School officials may establish guidelines for school newspapers and other publications, including the restriction of libelous or obscene material or materials that would incite others. Guidelines must be consistent with governing legal standards and with the rules and regulations of the Board of Education. A student involved in any such publication is responsible for knowing his or her legal responsibilities and the consequences for failure to follow the guidelines.
- A student or student group has the right to access the pages of the student newspaper and to distribute leaflets, pamphlets, and other literature on school grounds as long as school regulations for their distribution are followed. The distribution of materials must not interfere with the orderly operations of the school nor violate the rights of others.

6. **The Right to Freedom From Abuse**

A student has the right to freedom from verbal and/or physical abuse by school staff or other students. Punishments that are cruel and unusual, demeaning, degrading, humiliating, excessive, or unreasonable are prohibited. The use of obscene or abusive language by school staff or students is prohibited. Corporal punishment is prohibited. However, staff may use reasonable physical force to restrain a student for self-defense, to protect others or property, or to maintain order.

7. **The Right to Participate**

A student has the right to be a member of a school club or organization as long as he or she meets the criteria for membership.

School clubs and organizations must apply criteria for membership to all applicants equally. Under federal law, no club or organization may restrict memberships on the basis of age, color, disability, marital or parental status, national origin, race, sex, sexual orientation, political opinion or affiliation, and/or religion, or for any reason. A student may petition the principal to form a new school club or organization.

If the club or organization meets the guidelines of the Owensboro Board of Education, a faculty sponsor will be selected by the principal and students. The students and their faculty sponsor are entitled to use school facilities, including classrooms and the public-address system, as approved by the principal.

8. **The Right to Freedom from Unreasonable Search and Seizure of Property***

A student has the right to freedom from unreasonable search and seizure of his or her person and property. School officials, however, have a right under the law to search students or their property whenever there is a reasonable suspicion that they have something that violates school rules or endangers others. Students may be searched to maintain the ongoing educational process, to maintain order, and/or to protect people and property. Searches may include the student and his or her locker, desk, automobile, or personal belongings.

A personal search includes a search of a student's accessories (purse, wallet, backpack, cell phone, notebooks, gym bag, etc.) and/or outer garments (pants/skirt pockets, shirt/ blouse pockets, pant legs, socks, shoes, jacket pockets, waistband, etc.) that **would not** require disrobing. A hand-held metal detector may be used by a school official who has reasonable suspicion that the student is in possession of a weapon.

*This section is a summary of the district's student search procedure.

9. **The Right to Due Process and Appeal**

A student has the right to due process anytime a charge is made against him or her. This means that the student has the right to know what he or she is accused of doing, the right to know the evidence for the charge, and the right to present his or her perspective regarding the charge.

The student or parent/guardian has the right to appeal any action taken by the school that he or she believes to be an unfair or inequitable application of the *Code of Acceptable Behavior and Discipline* or the *Student Bill of Rights*. Students and parents/guardians will be informed of these rights at the beginning of the school year or when the student enrolls in school.

Procedures for appealing suspensions are found above in *Code of Acceptable Behavior and Discipline*.

10. **The Right to Freedom from Harassment and Discrimination**

The Owensboro Public School District is governed by federal, state, and local antidiscrimination laws and acts. OPS has adopted policies that forbid harassment and discrimination in providing equal educational opportunities on the basis of age, color, disability, marital or parental status, national origin, race, sex, sexual orientation, political opinion or affiliation, and/or religion.

11. **The Right to Express an Education Concern or Grievance**

Any OPS student who wishes to express an educational concern or grievance shall follow the order of appeal: Teacher, principal, school council, superintendent, Board of Education. Student grievances pursued beyond the level of the principal shall be in writing.

OWENSBORO PUBLIC SCHOOLS

2020-21

STUDENT OPS TECHNOLOGY ACCEPTABLE USE POLICY

(Developed in Accordance with Policy 8.2323)

Introduction

OPS offers students access to electronic information, including the Internet and email. With access to the Internet and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. OPS has taken reasonable precautions to restrict access to inappropriate materials, which do not serve a legitimate pedagogical purpose. However, on a global network it is impossible to control all materials and an industrious user may discover controversial information. The Board firmly believes that the valuable information and interaction available on internet far outweighs the possibility that users may procure material that is not consistent with the educational goals of this technology.

Students are responsible for appropriate behavior when using provided internet access, just as they are in classrooms and hallways. Therefore, general school rules and the guidelines for behavior set forth in the OPS Student Code of Conduct behavior apply. The acceptable use guidelines for OPS internet access are set forth below. Noncompliance with these guidelines or the use of OPS technology to violate any school rules or rules set forth in the *OPS Code of Acceptable Behavior and Discipline* shall result in disciplinary action, up to and including, suspension and expulsion.

No Privacy Guarantee

School district personnel have the right to access media stored in any user directory, on the current user screen, or in electronic mail. They may review files and communications to maintain system integrity and ensure that individuals are using the system in accordance with district policies and guidelines. Students should not expect files stored on district servers **or through district provided or sponsored technology services** to be private. By accepting these terms and conditions, students waive any right to privacy or confidentiality to material that was created, sent, accessed, or stored using a district computer or a district-provided network account.

Student Responsibilities for Use of OPS Technology

1. Students will have access to the resources of OPS Technology and the Internet provided they comply with the rules and restrictions established by this policy and any policy, procedure, regulation, or other rule established by the district.
2. Students must complete the designated Digital Citizenship and Internet training prior to unsupervised use of OPS Internet access. This training shall include educating minors about appropriate online behavior
3. Each student and student's parent or guardian must annually approve, in conjunction with the Discipline Code Handbook, receipt and acceptance of the terms of this policy before a student will be granted access to OPS Network.
4. Students are responsible for their own behavior when using OPS internet access, consistent with the educational purpose outlined in this policy.
5. Students, parents/guardians, and employees of the district are jointly responsible for ensuring the educational value of the information and resources which are accessed, stored, and published via OPS technology services.

As a condition of students' right to use OPS Technology services, students understand and agree to the following:

1. I will use computing resources lawfully and respectfully.

- I will not use OPS technology to create, distribute, access, or obtain information that is :
 - Is harmful or prejudicial to others; for example, materials which are defamatory or libelous (knowingly writing something that is untrue about another person which causes that person harm),
 - Is pornographic, obscene, or sexually explicit;
 - Constitutes bullying (including cyberbullying) or harassment or otherwise fosters disruptiveness among the students so as to interfere with the learning environment of the school district;
 - Threatens immediate harm to the welfare of the school community or to any individual;
 - Discriminates against any segment of the student body or interferes with another's individual rights;
 - Encourages or abets unlawful activity.
- I will not use OPS technology for illegal activity, including the violation of copyright laws.
- I will not use OPS technology to intentionally cause damage to hardware, software, or data.
- I will not use OPS technology to create or share computer viruses and/or malware.

- I will not use OPS technology to gain or attempt to gain access to restricted material or systems.
- I will not use OPS technology for gambling.
- I will not use OPS technology for commercial activities, product promotion, or political lobbying.
- I will not download and/or play games rated M (age 17+) or higher by the Entertainment Software Rating Board
- I will not bypass OPS filters.
- I will not use OPS technology to maliciously attempt to harm or destroy the data of another user.
- I will not use OPS technology to disrupt the efficient operation and/or educational programs of OPS.
- I will not use OPS technology to otherwise violate school rules, the *OPS Code of Acceptable Behavior and Discipline*, or district policies.

2. I will use computing resources safely and responsibly.

- I will not share access to my OPS account or use another person's account.
- I will not share my user name or password.
- I will not give out my name, picture, address, email, or any personally identifying information online.
- I will not clear my web-browser history because I understand that school employees will view the Internet history to ensure that I am not violating this user agreement or any other district or school rule by my use of the computer.
- While at school:
 - I will use the Internet and other computer resources for academic activities only; unless otherwise instructed by school personnel.
 - I will only play educational games authorized by school personnel;
 - I will not download games, applications, software, or music unless instructed by my teacher. I will follow the guidelines for printing set by my school.
 - I will only access chat rooms, bulletin boards, blogs, or post to an Internet site when given permission by school personnel.
 - I will not use multi-user games unless instructed by my teacher.

3. I will use computing resources in a manner that respects the intellectual property of others.

- I will not install, store, or distribute unauthorized copyrighted software or materials.
- I will submit work that I have created myself or that I have created as part of a group project. If I borrow or copy materials from other sources, I will properly cite those resources.

Disclaimers on the Use of OPS Technology:

1. Neither the district nor its employees are responsible for any damages incurred as the result of the use of OPS technology, including but not limited to the loss of data stored, or the loss of personal property used to access OPS services.
2. The district is not responsible for unauthorized financial obligations incurred through the use of OPS services.
3. OPS security is designed to allow access to selected areas by designated users only; however, OPS administrators may review files and communications to maintain system integrity and ensure that students are using the system responsibly. Students and other users should not expect that files or other information stored on OPS services will be private.
4. The district is not responsible for the accuracy, nature, or quality of information stored or gathered through Internet access.
5. District employees may utilize social networking sites for instructional, administrative, or other work-related communication purposes if they obtain permission for such a site from the Superintendent/designee; develop the site in accordance with any guidelines developed by the Superintendent/designee (including granting access to the site to school/district technology staff); monitor and manage the site to promote safe and acceptable use; and observe confidentiality restrictions concerning the release of student information under state and federal law. By acknowledging agreement, parents are giving permission for their child to become “friends” with such district-approved social networking sites.

OWENSBORO PUBLIC SCHOOLS

2020-21

DISTRICT-ISSUED DEVICE CARE & USE AGREEMENT

1. Potentially, students from all grade levels could be issued district-owned technology equipment for their use both inside and outside school hours. The purpose of this agreement is to outline the expectations of everyone involved with the district-owned technology devices, from deployment to collection. The program is offered as an anytime/anywhere learning initiative and encourages device usage both at school and away from school. In the event of an accident or if the device is lost/stolen, please consult the appropriate section of this document as to the procedures involved in such incidents.
2. Students will not be assessed any annual usage fees for the device. However, should any damage occur or the loss of any provided accessories, the responsibility for repair or replacement would be placed on the student/family.
3. Day Users or Full-time Users
 - Day Users - Students required to leave the device at school are referred to as day users. Students are responsible to check in and out the device each day. The case/backpack and charger are the responsibility of the day user student. If damage to a day user's device the family will be assessed the cost of repairs. Students who take the device home without permission will be subject to disciplinary action, and if the device is damaged or lost while at home they will be financially responsible for repair or replacement.
 - Full-time Users – Students who elect to use the device at school and to take the device home on weeknights and weekends are referred to as full-time users.

The restrictions set forth above for OPS Technology services in their entirety to district-issued devices, whether or not the students is connected to OPS Network.

4. To protect students while at school and home, and to meet the Children's Internet Protection Act (CIPA) requirements, access to the Internet is filtered through a commercial filtering system.
5. Students and parents/guardians may not attempt any repairs/services on the device and damaged devices must be returned to the district for repair/service.
6. Remote software or configuration changes that are necessary for the maintenance and security of OPS technology and to ensure that only authorized software is installed on the devices may be sent out to all devices. Such software maintenance

- may involve the correction of an altered code or programming and, in some cases, may remove files from the device if the files are deemed to be a threat to the operation or security of OPS technology or are stored in unauthorized software. No notification will precede this type of remote access.
7. Students may not permit individuals other than school personnel to use or access the Device.
 8. Students may not share their district-issued power cords.
 9. The device is at all times the property of the district and the student has no right to disable or modify any hardware or software installed on the device or to install new or additional programs or uninstall existing software programs on the device.
 10. Students shall not remove district labels or tags from the computer nor shall they add stickers, labels, or other markings to the computer.
 11. Students must take great care by protecting all parts of the device, including screens, keyboards, and the inside of the device. Thus, accessories such as earbuds, pencils, etc. need to be kept away from potentially damaging a screen. Additionally, having any kind of liquid around a device is dangerous and should be avoided. Liquid damage of any kind results in very large damage assessments and in many cases means replacement of the device at the expense of the student/family.
 12. The device is deemed to be in the custody of the student from the time the student receives the device until the device is returned to the designated school representative. If the device is lost or stolen, parent/guardian and student shall immediately advise the Principal/designee of the incident and provide all relevant information. **When a device is reported lost or stolen, the district may utilize Internet Protocol tracking until the device is actually located by the district or until parent/guardian or the student provides written notification that the device is no longer missing.** It is the responsibility of the legal parent/guardian to initiate and procure a police report outlining the lost incident. This report must be shared with the appropriate school campus (principal).
 13. The device must be returned at the end of the school year, on the date of withdrawal from an OPS school, or upon request by a school administrator. The student must return the device to the district in the same condition that the device was originally provided to the student, ordinary wear and tear excepted. Failure to return the student-issued device in accordance with these stated conditions may result in disciplinary action and/or prosecution for all applicable crimes to include, but not be limited to, grand larceny.
 14. The district retains the right to review any material sent, mailed, or accessed through a district-owned device or district-provided network account. School district personnel have the right to inspect all material stored and/or streamed on a district-owned device. Students have no right to privacy or confidentiality in material that

was created, sent, accessed, or stored using a district-owned device or a district-provided network account.

15. If the school determines that the student failed to adequately care for the district's device or violates district rules or policies, the district shall impose appropriate consequences and disciplinary actions as set forth in the *OPS Code of Acceptable Behavior and Discipline*. If the district determines that the student acted with intent to damage the district's property, then, in addition to any other available remedies, the district may refer the matter for appropriate civil, criminal, and/or juvenile proceedings.

16. Device Damage/Loss

- In the event a device is damaged, the device shall be returned to the district so that the district can make any necessary repairs.
- **Damage** - In the event of damage to the device, a consultation will occur with school administration. Disciplinary consequences could ensue, based on the individual situations surrounding the incident. Also depending on the circumstances and/or severity of the incident, a loaner/replacement computer will be issued. The student may or may not be allowed to take the loaner device home (depending on the damage that occurred and the details surrounding it). Should damages be frequent in nature, school administrators may change the student to a day user and/or revoke device privileges altogether.
- **Charger and other provided accessories** – The student is expected to maintain possession of the issued charger/accessories. Should anything occur (damage or loss) it will be the student responsibility to replace. The cost of replacement chargers/accessories is researched constantly by the district technology team. Best prices are established based on availability, quality, safety, and volume. Third party and after-market chargers are not acceptable due to safety concerns. When the cost is established based on volume purchasing, the schools are informed of the price, and the cost will be assessed to the family.
- **Cosmetic Changes to Device** - Markings and/or stickers that leave permanent changes to the device's condition are not tolerated. If this is noticed on the device, the annual usage fee will be assessed. If the annual usage fee has already been applied for the school year, then a \$50 additional fee will be assessed.
- **Catastrophic Event** - In the unlikely event of a catastrophic event such as a fire, the annual fee would cover the loss of the asset. Official paperwork would be expected from the investigator (i.e. fire report, etc).
 - a. **Loss/Theft** - If a device is lost, this event should be immediately reported to the district. If the device is missing, a police report must be filed and an

investigation would occur both at the school and police levels. If the device is not recovered, the replacement fee will be assessed for the student.

Consequences for Violations of the OPS Technology Acceptable Use Policy or the OPS District-Issued Device Care & Use Agreement

Students are responsible for following the guidelines and rules set forth in the OPS Technology Acceptable Use Policy and the District-Issued Device General Terms and Conditions of Use Policy. Violations of these policies may result in one of the following disciplinary actions:

- Restitution (money paid in compensation for theft, loss, or damage)
- Student/Parent Conference
- Removal of Unauthorized Files and Folders
- Restriction of OPS Technology Privileges*
- Restriction of District-Issued Device Use Privileges**
- Short Term Suspension
- Intermediate Suspension
- Referral to DPP
- Court Referral/Criminal Charges
- Alternative School Placement
- Expulsion

If a violation of either the OPS Technology Acceptable Use Policy or district-Issued device Acceptable Use Policy violates other rules of the Student Code of Conduct, consequences appropriate for violations of those rules may also be imposed.

*If a student's OPS technology privileges are restricted, this means that for the period of the restriction, the student may only access OPS technology while at school and under teacher supervision.

**If a student's district-issued device privileges are restricted, this means that for the period of the restriction, the student may only use his/her device while at school and under teacher supervision.

The following rubric is not meant to be all-encompassing but to serve as a guideline for determining appropriate disciplinary action when a violation of a technology rule occurs.

LEVEL I OFFENSES	LEVEL II OFFENSES
<p>Level I offenses are less serious and begin with a student and/or parent conference. However, depending on the frequency, a Level I violation may merit a more severe disciplinary action such as the ones set forth above.</p>	<p>Level II offenses are more serious and begin with a required conference, the restriction of OPS technology and/or District-owned device privileges, and an in-school alternative placement. However, depending on the seriousness and frequency of the violation, a Level II offense may merit a more serious disciplinary action such as the ones set forth above.</p>
<p>Examples of Level I Offenses:</p> <ul style="list-style-type: none"> • Sharing passwords • Plagiarism • Bypassing District security controls • Defacing computers (e.g., stickers, marker) • Removing District labels or tags • Failing to charge battery • Clearing web browser history • Creating, accessing, downloading, or distributing non-educational materials (e.g., games, music) • Commercial or Political Use • Accessing messaging services or blogs without teacher permission • Posting information online without teacher permission • Failure to Follow Teacher Directives • Failure to Be Polite and Courteous 	<p>Examples of Level II Offenses:</p> <ul style="list-style-type: none"> • Downloading, posting, or distributing materials that: <ul style="list-style-type: none"> □ Are harmful or prejudicial to others (ex. defamatory or libelous) □ Are pornographic, obscene, or sexually explicit, or profane (e.g. music) □ Are Illegal (e.g. copyrighted materials) □ Reference weapons, alcohol, guns, drugs, or gangs □ Constitute gambling □ Are restricted • Engaging in online activity that threatens, intimidates, bullies, harasses, discriminates, or defames • Intentionally destroying hardware or software • Engaging in theft • Engaging in any illegal activity • Harming or destroying another user's data • Creating or sharing a computer virus • Disrupting the network or the educational process • Intentional phishing, hacking, or security violations involving invasion of and/or possession of others' personally identifiable information.

BEST PRACTICE REQUIREMENTS FOR USE OF THE INTERNET AND STUDENT DEVICES

- Always keep track of your device and take reasonable precautions to keep it safe. Never leave unattended unless it is secured in a locked location.
- When carrying your device, always place it in the carrying-case provided by the District.
- Do not place the power cord or adapter against the device screen in your carrying-case. This may cause the screen to break.
- Always completely close the lid before lifting the device and always leave the lid completely closed until the Device is placed on a stable surface such as a table or desk.
- Never place any items on the keyboard. (Closing the device lid with ear buds, cords, or other items still on the keyboard will cause the screen to break.)
- Be careful not to drop or fling your backpack/case. (Remember, if your device breaks, you are responsible for reimbursing the District for the cost of the repair.)
- If you notice that your device is working slowly or functioning in a strange or abnormal way, report it to the Help Desk/School Technology Coordinator in your building.
- Remember to charge your device each night.
- If issued an always-on case, students cannot remove the device nor alter the form in which it was issued to the student.
- Do not leave the device in a vehicle.
- Do not eat or drink while using the device or have food or drinks in close proximity to the device.
- Do not allow pets near your device.
- Do not stack objects on your device.
- Do not check the device as luggage at the airport.
- Do not share your device with others.
- Keep your device out of reach of babies and young children.
- Use email safely.
 - Do not open, forward, or reply to suspicious emails. If you have a question about whether or not to open an email, check with the Help Desk/School Technology Coordinator in your building.
 - Do not open email attachments from someone you don't know – it may be a virus or a malicious program.

- Never respond to emails that ask you for personal information, your user name, or your password.
- Think before you write and send an e-mail. Be polite and courteous at all times.
- Do not pass on chain letters. They often contain links to viruses or are scams themselves.
- Use the Internet safely.
 - Do not go to inappropriate/questionable websites or click on links that you do not recognize because this may trigger spam or a computer virus attack.
 - Be polite and courteous on the Internet. Do not use offensive language such as curse words or insults.
 - Remember that once any text or photo is placed online, it is completely out of your control, even if you limit access to your page. Anything posted online is available to the world.
 - You should not post information, photos, or other items online that could embarrass you or others.
 - Do not post personal information, such as your address, phone number, date of birth, class schedule, your whereabouts, or your daily activities. You could be providing this information to online predators.
 - Remember many potential employers and colleges and universities now search the Internet to screen applicants.
- Saving information.
 - It is recommended that you save/backup any important files.

2020-2021 OPS TECHNOLOGY ACKNOWLEDGEMENT AND AGREEMENT

By agreeing to the overall Student Discipline Code Handbook, I acknowledge that I have received a copy of the *OPS Technology Acceptable Use Policy, OPS Device Use Care and Use Agreement*, and I have read and agree to abide by all of OPS technology guidelines and procedures contained therein.

As the parent or legal guardian of the student, I grant permission for my child to access networked computer services such as electronic mail and the Internet. I understand that this access is designed for educational purposes; however, I also recognize that some materials on the Internet may be objectionable, and I accept responsibility for guidance of Internet use by setting and conveying standards for my child to follow when selecting, sharing, researching, or exploring electronic information and media.

By acknowledging the Discipline Code Handbook, you further 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 service provider.