

DISCIPLINARY PROCEDURES

This **Student Code of Behavioral Expectations** contains the recommended procedures to use in applying disciplinary action to specific conduct offenses. There are four levels of misconduct, which are progressive, ranging from Level 1 as the least severe to Level 4 as the most severe. The level of severity is dependent upon variables such as the circumstance of the offense, the type of offense, the degree of seriousness and the frequency of the offense. **Consequences in each level are in no particular order.**

Due to these variables, a number of disciplinary response options have been developed for each level of misconduct. These options allow the teacher, principal or his/her designee to review and recommend the most appropriate response for the student and the offense, thus assuring that the option chosen best fits the problem. Repeated incidents of misbehavior at any level may be referred to the next-higher level of misconduct.

LEVEL 1 BEHAVIOR AND CONSEQUENCES

Level 1 misconduct includes minor misbehavior on the part of the student that impedes orderly classroom procedures or interferes with the orderly operation of the school. These misbehaviors usually can be handled by an individual staff member, but sometimes require the intervention of other school support personnel.

Disciplinary response options: The teacher/principal or his/her designee shall confer with the student/parties concerned as soon as is practical. Disciplinary options include (not necessarily in order):

- a. verbal warning
- b. notification to parents/guardians by phone, letter, or message
- c. office referral

DEFINITIONS OF BEHAVIOR VIOLATIONS - Level 1

- 1.0 **Minor violations of classroom, hallway, restroom and campus behavior**
- 1.1 **Defamation** - Defamation includes harming another person's character or reputation by saying things which are intended to bring harm.
- 1.2 **Dress code violations** - The wearing of clothing and/or apparel that is not permitted.
- 1.3 **Violations deemed appropriate by the principal/designee for this level** (KRS 158.150)

LEVEL 2 BEHAVIOR AND CONSEQUENCES

Level 2 misconduct includes misbehavior in which the frequency or seriousness tends to disrupt the learning climate of the classroom or school. These infractions often result from the continuation of Level 1 misbehaviors. They require the intervention of administrative personnel because Level 1 disciplinary options failed to correct the situation or because the infractions have become more serious.

Disciplinary response options: The principal or his/her designee shall confer with the student/parties concerned as soon as is practical. Disciplinary options include (not necessarily in order):

- a. notification to parents/guardians by phone, letter, or message
- b. student behavior contract
- c. in-school detention
- d. before/after-school detention
- e. suspension of the student (removal from school) for no more than two school days. The student will be readmitted to school only after a parent/student/school conference. The superintendent or his/her designee, the director of pupil personnel, and other appropriate persons shall be notified by letter.
- f. petition/warrant signed (The principal or designee may sign a petition/warrant when a Kentucky Revised Statute is violated.)

DEFINITIONS OF BEHAVIOR VIOLATIONS - Level 2

- 2.0 **Repeated violations of Level 1 offenses**

- 2.1 **Malicious remarks** - This misconduct includes remarks which intimidate, insult or in other manner abuse verbally or in writing any member of the school staff or student body.
- 2.2 **Disorderly conduct or classroom disturbance** (including pornography and obscene behavior) - This misconduct includes conduct and/or behavior which is disruptive to the orderly educational procedure of the school. Scuffling and horseplay may lead to more serious conflicts, therefore, these are not allowed in halls, classrooms, on campus, buses or on the way to or from school. This would include lack of control of voice and limbs.
- 2.3. **Misrepresenting facts** - This misconduct includes knowingly deceiving or attempting to deceive teachers and/or school administrators.
- 2.4 **Forgery** - This misconduct includes falsely using the name of another person or falsifying documents or correspondence such as absence or tardy excuses, or schoolwork.
- 2.5 **Excessive school/classroom tardiness**
- 2.6 **Skippping school or truancy** - This misconduct includes purposefully missing a day or a portion of a school day when school is in session. It also includes invalid absences and unauthorized leaving of school grounds.
- 2.7 **Gambling** - This misconduct includes any participation in games of chance for the express purpose of exchanging money or items of monetary value.
- 2.8 **Profanity/vulgarity** - This misconduct includes any verbal or visual display of improper communications.
- 2.9 **No public display of affection** - Ballard County schools have a "hands-off" policy.
- 2.10 **Use or possession of tobacco/E-cigarettes and supplies** - This misconduct includes use or possession of tobacco/e-cigarettes and supplies in any form by any student at any school. This rule also applies to any student who is a participant in a school-sponsored activity.
- 2.11 **Written or verbal propositions to engage in sexual acts**
- 2.12 **Consequence violation** - This misconduct includes not following proper rules of any behavioral consequence received.
- 2.13 **Unnecessary roughness** - This misconduct includes pushing, shoving, roughhousing, etc.
- 2.14 **Possession of a pocket knife or ammunition (without intent to harm)** - This misconduct includes possessing a pocket knife of less than 4 inches (includes case and clip) without exposure of a blade, without intent to harm one's self or others, and without the thought of a threat to one's self or others, or possession of ammunition without a firing device.
- 2.15 **Inappropriate touching of another person**
- 2.16 **Cheating** - This misconduct includes all forms of academic dishonesty.
- 2.17 **Possession of cell phones, pagers, electronic devices** - This misconduct includes *all* possession of electronic devices, cell phones and pagers during regular school hours. The items will be confiscated by the principal and returned per district policy (see pg. 18). (KRS 158.165).
- 2.18 **Intimidation of witness** - This misconduct includes any physical or verbal intimidation of any witness to any school violation. (Level 2 or 3)
- 2.19 **Vandalism** - This misconduct includes the unprovoked or willful destruction, defacing or marring of property located on school premises of less than \$100 value. The student or student's parent/guardian will be responsible for restitution.
- 2.20 **Theft and related offenses** (KRS 514:040) - This misconduct includes the taking of property of others (students, teachers, visitors, etc.) without their consent; possession of stolen property, or possession without the owner's permission; or selling school property worth less than \$100.
- 2.21 **Violations deemed appropriate by the principal/designee for this level** (KRS 158.150)

LEVEL 3 BEHAVIOR AND CONSEQUENCES

Level 3 misconduct includes acts directed against persons or property in which the action or its consequences endanger the health or safety of self or others in the school. Although these acts might be considered criminal, generally they can be handled by the disciplinary mechanism in the school. Corrective measures that the school should undertake, however, depend upon the extent of the school's resources for mediating the situation in the best interest of all students.

Disciplinary response options: The principal or his/her designee shall confer with the student/parties concerned as soon as is practical. The parents or guardians shall be contacted immediately by phone, letter or message. Disciplinary options include (not necessarily in order):

- a. in-school detention
- b. before/after-school detention
- c. suspension of the student (removal from school) for three to 10 school days. The student will be readmitted to school only after a parent/school/student conference is held. The superintendent or his/her designee, director of pupil personnel, and other appropriate personnel shall be notified by letter.
- d. referral to alternative school up to 44 days.
- e. referral to proper law enforcement authorities (The principal or his/her designee may sign a petition/warrant when a Kentucky Revised Statute is violated.)

Any student receiving a Level 3 consequence will be required to meet with the school guidance counselor, who may refer the student for further evaluation.

DEFINITIONS OF BEHAVIOR VIOLATIONS - Level 3

3.0 Repeated violations of Level 2 offenses

3.1 **Bullying, threatening and/or intimidation; harassment/discrimination** - Bullying refers to any intentional act by a student or groups of students directed against another student to ridicule, humiliate or intimidate the other student while on school grounds, or at a school-sponsored activity, which acts are repeated against the same student over time. This misconduct occurs when a person, with intent to harass, annoy, or alarm another person:

- a. Uses lewd, profane or vulgar language; or
- b. Engages in behaviors such as hazing, menacing, taunting, intimidating, verbal or physical abuse; or
- c. Other threatening behavior.
- d. 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 students' education or creates a hostile or abusive educational environment.

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 opportunities offered.

The provisions of this policy shall not be interpreted to prohibit civil exchange of opinions or debate 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.

Bullying/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.)

Students who believe they have been victims of bullying/harassment/discrimination or who have observed incidents involving other students that they believe to be acts of bullying/harassment/discrimination shall report them to the building principal as soon as possible. Such reports also may be made directly to the district superintendent. If sexual discrimination or harassment is being alleged, reports may be made directly to the district Title IX coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation.

Students will be provided with the proper reporting forms and applicable board policies/procedures upon reporting of the incident. Without a verbal or written report being made to the building principal, district superintendent or Title IX coordinator, the district shall not be deemed to have received a complaint of bullying/harassment/ discrimination.

Employees who observe prohibited behaviors or with whom students share a complaint shall notify the building principal or their immediate supervisors, who shall immediately forward the information to the district superintendent.

The superintendent shall provide for the following:

1. Investigation of allegations of bullying/harassment/discrimination to commence as soon as circumstances allow, but not later than three school days of receipt of the original complaint. A written report of all findings of the investigation shall be completed within 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.
2. A process to identify and implement, within three school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the bullying/harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. 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.

4. 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
5. 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, Amber Parker, shall be notified.

- 3.2 **Loitering by unauthorized student** - This misconduct occurs when students who have been placed in the Alternative Center, suspended or expelled are on school grounds, in the school building, or at any extracurricular activity, home or away. A designated waiting area is assigned in the school building(s) for students attending the Alternative Center. ***A petition/warrant will be signed.***
- 3.3 **Defiance of school staff members' authority** - This misconduct includes the refusal to comply with reasonable requests of school personnel or refusal to comply with school rules.
- 3.4 **False fire alarm** - This misconduct includes falsely alerting the fire department or school of a non-existent fire. (Level 3 or 4)
- 3.5 **Intimidation of witness** - This misconduct includes any physical or verbal intimidation of any witness to any school violation. (Level 2 or 3)
- 3.6 **Fighting** - This misconduct includes the willful engagement of physical contact for the purpose of inflicting harm on another person(s). (Level 3 or 4)
- 3.7 **Vandalism** - This misconduct includes the unprovoked or willful destruction, defacing or marring of property located on school premises worth more than \$100. The student or student's parent/guardian will be responsible for restitution.
- 3.8 **Theft** (KRS 514:040) - This misconduct includes taking the property of others (students, teachers, visitors, etc.) without their consent; the possession of stolen property, or possession without the owner's permission; or selling school property worth more than \$100.
- 3.9 **Sale or transfer of tobacco/e-cigarettes and supplies** - This misconduct includes the sale or transfer of any form of tobacco/e-cigarettes and supplies.
- 3.10 **Gang activity** - This misconduct includes the association of students for the purpose of an illegal or immoral activity. The wearing of apparel, accessories or utilization of any means of identification of a student's membership in, or association with, a group having an illegal purpose shall be considered a violation of this section of the Code.
- 3.11 **Attempted extortion** - This misconduct includes the solicitation of money or anything of value from another student, regardless of the amount, in return for protection, or in connection with a threat to inflict harm. (Level 3 or 4)

- 3.12 **Inappropriate use of technology material or equipment** (may pose threat to persons or property)
- 3.13 **Sexual harassment** - This misconduct occurs when a person subjects another person to sexual contact without consent of the other person. This also includes sexual remarks. Please refer to entry 3.1 above for a more complete description. (Level 3 or 4)
- 3.14 **Physical assault** (KRS 568:020 - 30) - This misconduct includes the physical attack of one or a group of persons upon one or more persons who do not wish to engage in the conflict. Any provocation (verbal or physical) may be considered a mitigation of the charge. The victim of any assault has the right to defend himself or herself against the attack and use such force in defense as to be reasonably necessary. (Level 3 or 4)
- 3.15 **Criminal trespass** - This misconduct occurs when:
- a person knowingly enters or remains unlawfully in a dwelling.
 - a person knowingly enters or remains unlawfully in a building or upon premises on which notice against trespass is given by fencing or other enclosure.
 - a person knowingly enters or remains unlawfully in or upon premises.
- 3.16 **Possession of weapons or dangerous Instruments** (KRS 527:020) -This misconduct includes the possession of any instrument, such as fireworks, explosives, mace, knives, clubs, guns, chains, laser pointers/lights or the like, that can be used to inflict injury to another person. Carrying, bringing, using or possessing any dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air or spring gun, slingshot, bludgeon, booby trap device, brass knuckles or artificial knuckles of any kind, a knife of any kind, or any other object that is carried for the purpose of inflicting injury on another. (Level 3 or 4)
- 3.17 **Unlawful assembly** (KRS 525.050) - This misconduct occurs when:
- a person assembles with other persons for the purpose of engaging or preparing to engage with them in disorderly behavior; or
 - a person is present at an assembly which either has or develops such a purpose and he or she remains there with the intent to advance that purpose. (Level 3 or 4)
- 3.18 **Criminal use of noxious substance** (KRS 512.050) – This misconduct occurs when a person deposits on school premises or vehicle of another, any stink bomb, device or irritant with the intent to interfere with another's use of the premises or vehicle. (Level 3 or 4)
- 3.19 **Menacing** (KRS 508.050) - This misconduct occurs when a person intentionally places another person in reasonable apprehension of imminent physical injury. (Level 3 or 4)
- 3.20 **Terroristic threatening** (KRS 513.010) - This misconduct occurs when a person threatens to commit any crime likely to result in death or serious physical injury to another person, or likely to result in substantial property damage to another person. (Level 3 or 4)
- 3.21 **Wanton endangerment** (KRS 508:060) - This misconduct occurs when a person wantonly engages in conduct which creates a substantial danger of physical injury to another person. (Level 3 or 4)
- 3.22 **Possession of contraband** - This misconduct includes possession of any items, articles or equipment such as a gun, knife or drug paraphernalia, stolen property or any other items considered to be contraband, the possession or ownership of which is prohibited by law. (Level 3 or 4)
- 3.23 **Aggressive misbehavior** - This misconduct includes any physical contact or threat of physical contact with the intent of bodily harm by a student or group of students against any school employee. (Level 3 or 4)
- 3.24 **Possession, use, or being under the influence of alcoholic beverages, controlled substances, non-prescribed "look-alike" substances or synthetic compounds and substances** - Articles included in this misconduct include any alcoholic beverages, any controlled substances, or any "look-alike" drugs or substances which the student may claim or imply to be a controlled substance. They also may include over-the-counter drugs. Any student who delivers a substance IMMEDIATELY after receiving it to a teacher or school administrator will not be charged in the court system with possession. (Level 3 or 4)
- 3.25 **Use of or being under the influence of harmful materials** - This misconduct includes the misuse or abuse of any material having a harmful or unnatural effect on the person using it. (Level 3 or 4)

- 3.26 **Sale or transfer of alcoholic beverages, controlled substances or non-prescribed “look-alike” substances** - This misconduct refers to the **sale or transfer** of any of the items listed in number 3.24. (Level 3 or 4)
- 3.27 **Unauthorized possession of school property** - This misconduct occurs when a student is in possession of school property without authorization from an administrator or supervisor. (Level 3 or 4)
- 3.28 **Violations deemed appropriate by the principal/designee for this level** (KRS 158.150)

LEVEL 4 BEHAVIOR AND CONSEQUENCES

Level 4 misconduct includes acts that result in violence or which pose a direct threat to the safety or health of self, other persons or property in the school. Level 4 misconduct also includes habitual violations of the Student Code of Behavioral Expectations. These acts may be criminal or may be so serious that they may require administrative actions that result in the immediate removal of the student from school, the intervention of law enforcement authorities, and/or action by the Ballard County Board of Education.

Disciplinary response options: The principal or his/her designee shall confer with the student/parties concerned as soon as practical. The parents or guardians shall be contacted immediately by phone, letter, or message. Disciplinary options include (not necessarily in order):

- a. Long-term placement of 45-90 days (alternative placement)
- b. Expulsion with services of 90-172 days (alternative placement)
- c. Expulsion without services (student poses threat to the safety of himself or others)

Any student receiving a Level 4 consequence will be required to meet with the school guidance counselor before being readmitted to school. The counselor may refer the student for further evaluation.

Note: Students who have successfully fulfilled two-thirds of their disciplinary term with exemplary behavior and work ethic while serving a. or b. above may request the principal/designee for a hearing before the Ballard County Board of Education to be removed from alternative placement and placed on disciplinary probation for the remainder of the original term.

Non-school violations: Students will be subject to school discipline for any violation of this code with regard to school personnel and property during non-school time.

Note: There may be situations in which ANY LEVEL of misconduct warrants suspension or a recommendation for expulsion, depending upon the circumstances surrounding the violation and/or the student's past behavior record. *The Ballard County Board of Education recognizes that a petition/warrant to the court may be issued.*

DEFINITIONS OF BEHAVIOR VIOLATIONS - Level 4

- 4.0 **Repeated violations of Level 3 offenses**
- 4.1 **Possession of weapons or dangerous instruments** (KRS 527:020) -This misconduct includes the POSSESSION of any instrument, such as fireworks, explosives, mace, knives, clubs, guns, chains, laser pointers/lights or the like, that can be used to inflict injury to another person. Carrying, bringing, using or possessing any dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air or spring gun, slingshot, bludgeon, booby trap device, brass knuckles or artificial knuckles of any kind, a knife of any kind, or any other object that is carried for the purpose of inflicting injury on another. (Level 3 or 4)

The crime of unlawful possession of a weapon on school property or knowingly possessing or carrying a firearm, deadly weapon, destructive device or booby trap device in public or private school buildings, school buses, campuses, grounds, recreation areas or athletic fields is a class D felony.

Unlawful possession of a weapon on school property in Kentucky is a felony punishable by a maximum of five years in prison and a \$10,000 fine.

- 4.2 **Use of weapons or dangerous instruments** - This misconduct includes the USE of any such items as those listed in 4.1 above to inflict bodily injury to another person.

- 4.3 **Unlawful assembly** (KRS 525.050) - This misconduct occurs when:
- a person assembles with other persons for the purpose of engaging or preparing to engage with them in disorderly behavior; or
 - a person is present at an assembly which either has or develops such a purpose and he or she remains there with the intent to advance that purpose. (Level 3 or 4)
- 4.4 **Criminal use of noxious substance** (KRS 512.050) – This misconduct occurs when a person deposits on school premises or vehicle of another, any stink bomb, device or irritant with the intent to interfere with another's use of the premises or vehicle. (Level 3 or 4)
- 4.5 **Extortion** - This misconduct includes the receipt of money or anything of value from another student, regardless of the amount, in return for protection, or in connection with a threat to inflict harm. (Level 3 or 4)
- 4.6 **Bomb threat** - This misconduct includes any threat that an explosive device has been placed or is about to explode in a school.
- 4.7 **Arson or attempted arson** - This misconduct includes the starting or attempted starting of a fire within the school or on the school grounds for any purpose that results in either destruction or disruption.
- 4.8 **Menacing** (KRS 508.050) – This misconduct occurs when a person intentionally places another person in reasonable apprehension of imminent physical injury. (Level 3 or 4)
- 4.9 **Terroristic threatening** (KRS 513.010) - This misconduct occurs when a person threatens to commit any crime likely to result in death or serious physical injury to another person, or likely to result in substantial property damage to another person. (Level 3 or 4)
- 4.10 **Wanton endangerment** (KRS 508:060) - This misconduct occurs when a person wantonly engages in conduct which creates a substantial danger of physical injury to another person. (Level 3 or 4)
- 4.11 **Physical assault** (KRS 568:020 - 30) - This misconduct includes the physical attack of one or a group of persons upon one or more persons who do not wish to engage in the conflict. Any provocation (verbal or physical) may be considered a mitigation of the charge. The victim of any assault has the right to defend himself or herself against the attack and use such force in defense as to be reasonably necessary. (Level 3 or 4)
- 4.12 **Vandalism** - This misconduct includes the unprovoked or willful destruction, defacing or marring of property located on school premises worth more than \$100. The student or student's parent/guardian will be responsible for restitution.
- 4.13 **Theft** (KRS 514:040) - This misconduct includes taking the property of others (students, teachers, visitors, etc.) without their consent; the possession of stolen property, or possession without the owner's permission; or selling school property worth more than \$100.
- 4.14 **Burglary** (KRS 434B: 1 - 020) - This misconduct occurs when a person:
- knowingly enters or remains unlawfully with the intent to commit a crime:
 - in a dwelling
 - in a building, and when in effecting entry or while in the building or in the immediate flight therefrom, or another participates in the crime:
 - is armed with explosives or a deadly weapon; or
 - causes physical injury to any person who is not a participant in the crime; or
 - uses or threatens the use of a dangerous instrument against any person who is not a participant in the crime.
 - knowingly enters or remains unlawfully in an inhabited or uninhabited building with the intent to commit crime.
- 4.15 **Robbery** (KRS 515:020) - This misconduct occurs when a person uses or threatens the immediate use of physical force upon another person in the course of committing theft, with intent to accomplish the theft.
- 4.16 **Possession of contraband** - This misconduct includes possession of any items, articles or equipment such as a gun, knife or drug paraphernalia, stolen property or any other items considered to be contraband, the possession or ownership of which is prohibited by law. (Level 3 or 4)

- 4.17 **Aggressive misbehavior** - This misconduct includes any physical contact or threat of physical contact with the intent of bodily harm by a student or group of students against any school employee. (Level 3 or 4)
- 4.18 **Possession, use, or being under the influence of alcoholic beverages, controlled substances, non-prescribed "look-alike" substances or synthetic compounds and substances** - Articles included in this misconduct include any alcoholic beverages, any controlled substances, or any "look-alike" drugs or substances which the student may claim or imply to be a controlled substance. They may also include over-the-counter drugs. Any student who delivers a substance IMMEDIATELY after receiving it to a teacher or school administrator will not be charged in the court system with possession. (Level 3 or 4)
- 4.19 **Sale or transfer of alcoholic beverages, controlled substances or non-prescribed "look-alike" substances**
This misconduct refers to the **sale or transfer** of any of the items listed in number 4.18. (Level 3 or 4)
- 4.20 **Use of or being under the influence of harmful materials** - This misconduct includes the misuse or abuse of any material having a harmful or unnatural effect on the person using it. (Level 3 or 4)
- 4.21 **Sexual abuse** - This misconduct includes acts of a sexual nature which are committed against the will of another.
(Level 3 or 4)
(Please see Appendix A for Harassment/Discrimination forms.)
- 4.22 **Fighting** - This misconduct includes the willful engagement of physical contact for the purpose of inflicting harm on another person(s). (Level 3 or 4)
- 4.23 **Unauthorized possession of school property** - This misconduct occurs when a student is in possession of school property without authorization from an administrator or supervisor. (Level 3 or 4)
- 4.24 **Violations deemed appropriate by the principal/designee for this level** (KRS 158.150)

There are certainly other acts of misbehavior or violation of criminal laws or school regulations that are not included in these lists. In such instances, disciplinary action will be at the discretion of the teacher, principal or his or her designee, and/or the superintendent.