



# **MONTGOMERY COUNTY SCHOOLS**

Mt. Sterling, Kentucky

# **STUDENT HANDBOOK**

**CODE OF  
ACCEPTABLE  
BEHAVIOR  
AND  
DISCIPLINE**

July, 2009  
Montgomery County Board of Education  
700 Woodford Avenue  
Mt. Sterling, Ky. 40353

## **PARENT VERIFICATION FORM**

Montgomery County Schools' Discipline and Attendance Policies  
Verifying Receipt

**This form must be signed and sent to your child's homeroom teacher.**

Parent Form:

I have received and read the CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE  
AND ATTENDANCE HANDBOOK for Montgomery County Schools.

\_\_\_\_\_  
**Parent/Guardian Signature**

**Student Name:** \_\_\_\_\_

Enrolled in: (Please check the appropriate school.)

- \_\_\_\_\_ Camargo Elementary
- \_\_\_\_\_ Mapleton Elementary
- \_\_\_\_\_ Mount Sterling Elementary
- \_\_\_\_\_ McNabb Middle School
- \_\_\_\_\_ Montgomery County High School

**Date:** \_\_\_\_\_

This booklet does not contain a comprehensive listing of ALL student misconduct and district personnel's disciplinary responses. The Montgomery County Board of Education, each school's administration and its site-based council reserve the right to administer other appropriate corrective measures for offenses listed and others that may occur. Variations from responses listed in the code will be based on the severity of the incident and the number of times a student has had disciplinary referrals.

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**REVISION DATES**

**Adopted:** August, 1986  
**Revised:** August, 1988  
**Revised:** August, 1990  
**Revised:** July, 1991  
**Revised:** July, 1991  
**Revised:** July, 1993  
**Revised:** August, 1994  
**Revised:** August, 1995  
**Revised:** April, 1996  
**Revised:** November, 1997  
**Revised:** June, 1998  
**Revised:** June, 2000  
**Revised:** July, 2006  
**Revised:** July, 2007  
**Revised:** July, 2008  
**Revised:** July, 2009

**CERTIFICATION**

I CERTIFY that, on \_\_\_\_\_, the  
Montgomery County Board of Education approved the  
Montgomery County Code of Acceptable Behavior and Discipline  
and that said Code has been reviewed by legal counsel, parents,  
educational staff, and the general public with comments received  
from this review having been given consideration.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel Freeman, Ed.D Superintendent

Daniel Freeman, Ed.D  
Superintendent  
Montgomery County Schools  
700 Woodford Drive  
Mt. Sterling, Kentucky 40353

## IMPORTANT SCHOOL INFORMATION

**Montgomery County High School**  
 724 Woodford Drive  
 Mt. Sterling, Kentucky 40353  
 859-497-8765  
 859-497-8779 YSC  
 859-497-8705 (fax)  
**Todd Wilson, Principal**

**McNabb Middle School**  
 3570 Indian Mound Dr  
 Mt. Sterling, Kentucky 40353  
 859-497-8770  
 859-497-8765  
 859-497-8795 YSC  
 859-497-9683 (fax)  
**Rick Mattox, Principal**

**Mapleton Elementary School**  
 809 Indian Mound Dr.  
 Mt. Sterling, Kentucky 40353  
 859-497-8752  
 859-497-8753  
 859-497-8751 FRC  
 859-497-8756 (fax)  
**Melody Claypoole, Principal**

**Mt. Sterling Elementary School**  
 6601 Indian Mound Dr.  
 Mt. Sterling, Kentucky 40353  
 859-497-8730  
 859-497-8788  
 859-497-8704 (fax)  
 859-497-8727 FRC  
 859-497-8726 FRC  
 859-497-8725 (fax)  
**Richard DeAngelis, Principal**

**Camargo Elementary School**  
 4307 Camargo Rd.  
 Mt. Sterling, Kentucky 40353  
 859-497-8776  
 859-497-8775

859-497-4478 (fax)  
 859-497-8743 FRC  
 859-497-8742 FRC  
 859-497-8741 FRC  
 859-497-8772 (fax)  
**Sharon Smith, Principal**

**Preschool**  
 212 N. Maysville St.  
 Mt. Sterling, Kentucky 40353  
 859-497-8724  
 859-497-8728  
**Tammy McCarty, Coordinator**

### DISTRICT OFFICE STAFF

Dr. Daniel Freeman	Superintendent	859-497-8760 ext. # 221
Phil Rison	Assistant Superintendent	859-497-8707
Jacqui Johnston	Assistant Superintendent	859-497-8760 ext. #204
Hopey Newkirk	Director or Pupil Personnel	859-497-8760 ext. # 396
Amanda Dennis	Director of Special Ed.	859-497-8760 ext. # 222
Lori Looney	Dir. Of Community Ed.	859-497-8784
	Dir. Of Public Relations	
Tom Hunt	Coordinator of Technology & Special Projects	859-497-8760 ext. #223
Julie Wessling	Director Food Service	859-497-8578
Dawn Cockrell	Director of Instruction	859-497-8760 ext. #215
Karen Gullett	Director of Transportation	859-498-8797

### Incllement Weather

Announcements regarding the closing of school due to inclement weather will be made on the following stations:

WMST - Mt. Sterling	AM - 1150, FM - 105.5
WKYT - Lexington	Channel 27
WLEX - Lexington	Channel 18
WTVQ - Lexington	Channel 36

School closing information can also be obtained by accessing the district website:

[www.montgomery.k12.ky.us](http://www.montgomery.k12.ky.us)

-or-

Call the HOTLINE (859) 497-8734

### NOTIFICATION OF RIGHT TO REQUEST TEACHER QUALIFICATIONS

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

Our district receives federal funds for Title I programs as a part of the *No Child Left Behind Act* (NCLB). Under NCLB, you have the right to request information regarding the professional qualifications of your child's teacher(s). If you request this information, the district will provide you with the following:

1. Whether the teacher has met the state requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction;
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
3. The college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
4. Whether your child is provided services by paraeducators, and if so, their qualifications.

If you would like to request this information, please contact your child's principal. Be sure to include your child's name, the name of the school your child attends, the name of your child's teacher(s) and an address or email address where the information may be sent. Thank you for your interest and involvement in your child's education.

**PUBLIC NOTICE  
MONTGOMERY COUNTY BOARD OF EDUCATION  
NON-DISCRIMINATION POLICY STATEMENT**

The Montgomery County School District does not discriminate on the basis of race, color, national origin, sex/gender, age, or disability in admission to its programs, services, or activities, in access to them, in treatment of individuals, or in any aspect of their operations. The Montgomery County School District also does not discriminate in its hiring or employment practices. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

**Rick Mattox**  
**Title IX/Equity Coordinator**  
Montgomery County Schools  
3570 Indian Mound Drive  
Mt. Sterling, KY 40353  
Phone 859-497-8770

**Amanda Dennis**  
**Director of Exceptional Children**  
Montgomery County Schools  
700 Woodford Drive  
Mt. Sterling, KY 40353  
Phone 859-497-8760

**Michelle Cannoy**  
**Section 504 Coordinator**  
Montgomery County Schools  
700 Woodford Drive  
Mt. Sterling, KY 40353  
Phone 859-497-8760

Office hours: Monday-Friday/8:00 a.m.-4:00 p.m.

The Montgomery County School District offers the following career and technical education programs to all students enrolled in grades 9-12: Agriculture, Family and Consumer Sciences, Marketing, and Information Technology. The Montgomery County School District will take steps to assure the lack of English language skills will not be a barrier to admission and participation in career and technical education programs.

**Información Publica  
Junta de Educación del Distrito de Montgomery  
Comunicado Publico de No-discriminación**

El Distrito Escolar del Condado de Montgomery no discrimina raza, color, nacionalidad, género, edad, o incapacidad de admisión a sus programas, servicios, o actividades, en acceso a ellas, en el tratamiento a individuos, o en ningún aspecto de sus operaciones. El Distrito Escolar del Condado de Montgomery tampoco discrimina en sus contratos o practicas de empleados. La siguiente persona ha sido designada para atender todas las inquietudes relacionadas con esta política de no-discriminación:

**Rick Mattox**  
**Title IX/Equity Coordinator**  
Montgomery County Schools  
3570 Indian Mound Drive  
Mt Sterling, KY 40353  
Teléfono (859) 497-8770

**Amanda Dennis**  
**Director of Exceptional Children**  
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700 Woodford Drive  
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**Michelle Cannoy**  
**Section 504 Coordinator**  
Montgomery County Schools  
700 Woodford Drive  
Mt. Sterling, KY 40353  
Teléfono (859) 497-8760

Días/Horas de trabajo: Monday-Friday/8:00 a.m.-4:00 de la tarde

El Distrito Escolar del Condado de Montgomery ofrece los siguientes programas técnicos y de grado académico a estudiantes matriculados en los Grados del 9 al 12: Agricultura, Ciencias del Consumidor y de la Familia, Mercadeo e Información Tecnológica. El Condado de Montgomery va a seguir los procedimientos adecuados para asegurarse de que la ausencia del idioma Inglés; no sea una barrera para admisión y participación en los programas técnicos de educación.

**EQUAL EDUCATIONAL OPPORTUNITIES**

**Discrimination Prohibited**

No pupil shall be discriminated against because of age, color, disability, race national origin, religion, sex, or veteran status.

**Students With Special Needs**

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

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

Parents of students who have temporary or permanent disability may request the District supervisor to provide accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

**Religious Activities**

The District shall observe the rights of students to voluntarily engage in religious activities or express religious viewpoints while at school, as established by the United States Constitution and law, provided they do not:

1. Infringe on the rights of the school to:
  - a. Maintain order and discipline;
  - b. Prevent disruption of the educational process; and
  - c. Determine education curriculum;
2. Harass other persons or coerce other persons to participate in the activity; or
3. Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.

## **STUDENT RIGHTS**

Students in Montgomery County Schools have the right to:

1. A free public education until they have successfully completed a twelve-year educational program or have reached the age of 21 years;
2. Examine their school records if they have reached the age of 18 years;
3. Participate in school activities and programs, to organize and have memberships without being subject to discrimination on the basis of sex, race religion, marital status, or handicap, as long as this does not disrupt the orderly educational process;
4. Freedom of expression as related to speech, appearance, assembly, association, publication, and petition, as long as this can be exercised without violation of other's rights and does not interfere with the orderly educational process;
5. Procedural due process related to disciplinary actions;
6. Be treated in a fair and equitable manner;
7. Consultation with teachers, counselors, and administrators;
8. Protection of property and physical well being, and from verbal and physical abuse;
9. Be given reasonable and timely notice of all rules, regulations, notices, and penalties to which they may be subject;
10. Receive academic grades based only upon academic performance; and,
11. Make up work missed from excused absence (s).

## **STUDENT RESPONSIBILITIES**

Students in the Montgomery County Schools have the responsibility to:

1. Become informed of rules and regulations and be accountable for conduct in consideration of other's rights and property;
2. Dress and groom in a manner that meets reasonable standards of health, cleanliness, and safety;
3. Be present, punctual, and prepared for school and class work;
4. refrain from any illegal or prohibitive activities, obscenities, libel, or slanderous remarks;
5. Respect the reasonable exercise of authority by school personnel in maintaining discipline in the school;
6. Become actively involved in the educational process in preparation for life;
7. Practice self-control;
8. Care for physical facilities and equipment of the school;
9. Abstain from possession and use of all illegal substances and materials;
10. Exhibit pride in self and school: and,
11. Be truthful and honest in all conduct.

### **PARENT/GUARDIAN RIGHTS**

Parents/guardians of students in the Montgomery County Schools have the right to:

1. Expect that their children are sent to a valued learning environment;
2. Expect that unacceptable behavior will be dealt with quickly and effectively;
3. Expect effective instruction conducted with minimal disruption;
4. Expect a safe and healthy environment free from harassment and physical harm;
5. Examine personal school records;
6. High academic and accreditation standards;
7. Address questions or grievances to the proper school authority and expect a reply; and,
8. Expect students to be treated in a fair and equitable manner.

### **PARENT/GUARDIAN RESPONSIBILITIES**

Parents/guardians in Montgomery County Schools have the responsibility to:

1. Instill a respect for education and academic pursuit;
2. Instill a sense of respect for fellow students and school personnel;
3. Become familiar with educational programs, policies, and procedures;
4. Ensure their children understand disciplinary procedures and the importance of following these procedures;
5. Ensure their children attend school and class regularly, facilitate getting their children to the bus stop on time, arrangement of alternative transportation for their children in the event of denied bus privileges due to disciplinary reasons;
6. Demonstrate respect for school personnel;
7. Ensure that their children complete assignments and establish good work habits;
8. Develop good rapport with their children's teachers; and,
9. Discuss issues needing clarification with school officials.

### **EDUCATOR RIGHTS**

Teachers in Montgomery County Schools have the right to:

1. Be involved in formulation of policies relating to student behavior;
2. Expect that students comply with reasonable directives and assignments;
3. Expect that all assignments be completed;
4. Freedom from verbal abuse and physical harm;
5. The support and cooperation of fellow teachers and administrators;
6. Expect cooperation of fellow teachers and administrators;
7. Carry out appropriate disciplinary action when behavior is disruptive;
8. Work in a positive learning environment;
9. Take prudent action in emergencies to protect students or property;
10. Expect a safe and orderly environment; and,
11. Use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, or others from physical injury.

### **EDUCATOR RESPONSIBILITIES**

Teachers in Montgomery County Schools have the responsibility to:

1. Present subject matter in such a manner as to enhance maximum learning;
2. Evaluate students' progress, inform parents, and recommend retention of students who do not meet requirements;
3. Aid in planning a flexible curriculum which meets student needs;
4. Maintain high academic standards;
5. Exhibit high standards in actions, speech, personal dress and hygiene;
6. Reward behavior and work of students;
7. Maintain an orderly classroom;
8. Exhibit respect for the individual rights of students and parents;
9. Cooperate with school personnel and parents;
10. Treat each student in a fair and consistent manner;
11. Enforce rules and regulations of the Board of Education; and,
12. Maintain accurate records.

## PRINCIPAL/ADMINISTRATOR RIGHTS

Principals in Montgomery County Schools have the right to:

1. Expect all students, teachers, and other personnel comply with school policy;
2. The support and respect of students, parents, and teachers in implementing procedures and policies of the Board of Education;
3. Take necessary action to protect their own person or property or the persons or property of those in their care;
4. Remove any person whose conduct disrupts the educational process;
5. Provide input into procedures, policies, and regulations that relate to the school;
6. Safety from physical harm and verbal abuse; and,
7. Use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, or others from physical injury.

## PRINCIPAL/ADMINISTRATOR RESPONSIBILITIES

Principals in Montgomery County Schools have the responsibility to:

1. Administer the school in a manner which fosters a proper learning environment;
2. Administer discipline fairly following guidelines in the code of conduct;
3. Exhibit exemplary behavior in action, speech, personal dress and hygiene;
4. Follow board of education policy;
5. disseminate the code of conduct to school and community;
6. Evaluate and revise the educational program to best meet student needs;
7. Use good judgment and prudence in dealing with problems in the school;
8. Be knowledgeable of regulations from federal, state, and local agencies;
9. Treat all school personnel, parents, and students in a fair and equitable manner; and,
10. Respond to concerns of students, parents, and staff.

## TITLE 1 - PARENT INVOLVEMENT POLICY

This policy and the plan to implement it have been developed jointly and in agreement with, and will be distributed to, parents of students participating in the Title I program. Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

### EXPECTATIONS FOR PARENT INVOLVEMENT

Contingent on confirmation of resources and other necessary information being provided by state and federal authorities, it is the intent of the Board that parents of participating students shall be provided with flexible opportunities for organized, on-going, and timely participation in the planning, review, and improvement of the Title I program, including opportunities to suggest modifications, based on changing needs of parents and the schools.

All comments indicating parents' dissatisfaction with the Title I plan shall be collected and submitted along with the plan to the Department of Education.

The Title I program shall be designed to assist students to acquire the capacities and achieve the goals established by law, as well as the goals and standards established by the Board. These goals and standards shall be shared with parents in a manner that will give them: (1) timely information about programs; (2) a description and explanation of the school's curriculum, the forms of academic assessment used to measure student progress, the proficiency levels students are expected to meet; the achievement level of their child on each of the state academic assessments; and (3) if requested, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to the education of their children.

### SUPPORT FOR PROGRAM

If the District's Title I allocation is \$500,000 or more, the District shall reserve not less than one per cent (1%) of its allocation for the purpose of promoting parent involvement and shall distribute to Title I schools not less than ninety-five percent (95%) of the reserved funds. Parents of participating students shall be provided the opportunity to help decide how this portion of the Title I funds will be allotted for parental involvement activities.

The District will provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance. These measures may include, but shall not be limited to, the following:

1. Designation of resources to assist in communicating with parents, transporting them to meeting sites and/or implementing home visits, providing child-care for meetings, encouraging them to use available parent resource centers, and working with them to improve parenting skills, particularly those that will assist them in working with their child to improve his/her educational achievements. Resources may include individuals, agencies, materials, and services.
2. Sharing options for coordinating and integrating Title I program strategies with services of other community programs, businesses, and agencies.

3. Identification of ways in which parents can be involved in staff training activities to demonstrate the value of parent involvement and various techniques designed to successfully engage parents as equal partners in their child's education.
4. Making a good faith effort to convene an annual meeting at a convenient time to which all parents of participating children shall be invited and encouraged to attend for informing parents of their school's participation in and requirements for Title I programs and of their rights to be involved.
5. Designing and conducting an effective annual evaluation process whereby parents can share their ideas about the content and effectiveness of this policy in improving the academic quality of schools receiving Title I funds, and the plan designed to implement it. The process shall focus on the following questions:
  - Does this policy increase parent participation?
  - What barriers to parent participation still exist, and how can they be reduced or removed?

The findings produced by the annual evaluation shall be utilized to design strategies for school improvement and for revising this policy, if necessary.
6. In the design of activities and materials for parents, particular attention shall be given to reaching and involving those who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

#### SCHOOL POLICY

Each school shall submit to the Superintendent and Board, for review and comment, its Title I school parent involvement policy, which must meet all legal requirements, including a school-parent compact developed in keeping with legal requirements. This policy shall be developed jointly with, and distributed by the school to, parents of participating students.

A copy of each school's parent involvement policy and accompanying checklist shall be kept on file in the Central Office.

#### EXTENDED SCHOOL SERVICES (ESS)

The ESS Program is designed to be an aggressive, proactive program that seeks to diminish academic problems before they become recurring long-term problems for the student. ESS funds are allocated to schools based upon a formula that takes into account academic performance, dropout rate, and free/reduced lunch count. These funds are to be used to operate a program for students having short or long-term academic difficulties. ESS programs offer extra instructional time during the school day, outside regular school hours, and during the summer.

#### NOTIFICATION OF FERPA RIGHTS

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

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

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

- 2) ***The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student's privacy or other rights.***

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading or in violation of privacy or other rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him/her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

*Exceptions that permit disclosure without consent include:*

- a. Disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the District.

- b. Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.

c. Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.

- 4) ***The right to notify the District in writing to withhold information the Board has designated as directory information as listed in the annual directory information notice the District provides to parents/eligible students.***

To exercise this right, parents/eligible students shall notify the District by the deadline designated by the District.

- 5) ***The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U. S. Armed Forces and its service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard.***

Unless the parent or secondary school student requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

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

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520

## DIRECTORY INFORMATION

The Superintendent/Designee is authorized to release Board approved directory information.

Approved "directory information" shall be: student name and address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, school attending, grade level, homeroom/team assignment, photograph/picture with name, and most recent educational institution attended by student.

Any eligible student, parent, or guardian who does not wish to have directory information released shall notify the Superintendent/Designee to request the Student Directory Information Notification Form (09.14 AP. 12). The completed form should be returned to the Principal/Designee within thirty (30) calendar days of receiving notification of rights or of Public Notice. If you do not complete and return the form to us by that date, we may release all student directory information for you or your student.

## CHILD FIND FOR CHILDREN WITH DISABILITIES IN NEED OF SPECIAL EDUCATION OR 504 SERVICES

### Child Find

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

The Montgomery County 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 Montgomery County School District may destroy the educational records of a child without parent request three (3) 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 Montgomery County 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 Montgomery County 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 schools; 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 who may need special education services.

The Montgomery County 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 Montgomery County 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 Montgomery County *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 Montgomery County School District, who may have a disability, and may need but is not receiving Special Education or 504 services, please call 859-497-8760 or send the information to:

**Amanda Dennis**  
**Director of Exceptional Children**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Ph. 859-497-8760**

**Michelle Cannoy**  
**Section 504 Coordinator**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Ph. 859-497-8760**

If you know of a child who attends a private or home school within the boundaries of the Montgomery County School District, who may have a disability, and may need but is not receiving Special Education services, please call or send the information to:

**Amanda Dennis, Director of Exceptional Children**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Ph. 859-497-8760**

“*Child Find*” activities will continue throughout the school year. As part of these efforts the Montgomery County *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:

**Hopey Newkirk,**  
**Director of Pupil Personnel**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Ph. 859-497-8760**

**Amanda Dennis,**  
**Director of Exceptional Children**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Ph. 859-497-8760**

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

The Montgomery County 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 the *Director of Pupil Personnel*, the *Director of Special Education* or the *Section 504 Coordinator* at the address or phone number listed above for the Montgomery County Schools.

### **Notificación de Derechos de la FERPA**

Derechos de la Familia, la Educación y la Ley de Privacidad (FERPA) otorga los padres y los "estudiantes elegibles" (estudiantes mayores de 18 años de edad o estudiantes que asisten a una institución postsecundaria) ciertos derechos con respecto a los archivos educacionales del estudiante. Ellos son:

1. ***El derecho a inspeccionar y revisar los archivos educacionales del estudiante dentro de los cuarenta y cinco (45) días de la fecha en que el Distrito reciba una solicitud de acceso.***

Los padres o estudiantes elegibles deben someter al director de la escuela o la persona designada una petición por escrito que identifique el expediente (s) que desean inspeccionar. El director hará los arreglos necesarios para el acceso y notificará al padre o estudiante elegible de la hora y el lugar donde el registro (s) pueden ser inspeccionados.

2. ***El derecho a solicitar la modificación de la educación del estudiante que el padre o el estudiante elegible cree es inexacto, engañoso, o en violación de la privacidad del estudiante o de otros derechos.***

Los padres o estudiantes elegibles pueden pedir a la Distrito de modificación de un archivo que ellos creen es inexacto, engañoso, o en violación de la intimidad u otros derechos. Ellos deben escribir al director de la escuela, identificando claramente la parte del expediente que quieren cambiar, y especificar por qué es inexacto, engañoso, o en violación de su intimidad u otros derechos.

Si el distrito decide no enmendar el expediente según lo solicitado por el padre o estudiante elegible, el Distrito notificará al padre o estudiante elegible de la decisión y le \ de su derecho a una audiencia sobre la solicitud de modificación. Información adicional relativa a los procedimientos de audiencia será proporcionada al padre o estudiante elegible cuando se les notifique del derecho a una audiencia.

3. ***El derecho a consentimiento para la divulgación de información personalmente identificable contenida en los archivos educacionales del estudiante, excepto en la medida en que FERPA autoriza la revelación sin consentimiento.***

Excepciones que permiten la divulgación sin consentimiento incluyen:

a. La divulgación a los funcionarios escolares con intereses educativos legítimos. Un "oficial de la escuela" es una persona empleada por el Distrito como administrador, supervisor, instructor o personal de apoyo (incluida la salud o el personal médico y la aplicación de la ley personal de la unidad); una persona que sirve en la Junta de la escuela; una persona o empresa con los cuales el Distrito ha contratado para realizar una tarea especial (como un abogado, auditor, consultor médico o terapeuta), o un padre o estudiante sirviendo en un comité oficial, como una disciplina o de quejas, o asiste a otro funcionario escolar en el desempeño de sus tareas.

Un funcionario escolar tiene un interés educativo legítimo si el funcionario necesita revisar un registro de la educación con el fin de cumplir con su responsabilidad profesional para el Distrito.

b. Previa solicitud, la divulgación de los registros educativos sin padre o estudiante elegible aviso o consentimiento a oficiales de otro distrito escolar o de enseñanza postsecundaria en la que un estudiante busca o tiene la intención de inscribirse o si ya está matriculado o en otras entidades autorizadas por la ley, siempre y cuando la revelación es para fines relacionados con la matrícula del estudiante o la transferencia.

c. Divulgación de la información a aquellos cuyo conocimiento de dicha información es necesaria para responder a una real, inminente, o inminente articulable y significativo para la salud y la seguridad de la amenaza.

**4) El derecho a notificar por escrito al Distrito de retener información que la Junta ha designado como información del directorio que se enumeran en el directorio anual, anuncio el Distrito proporciona a los padres / estudiantes elegibles.**

Para ejercer este derecho, los padres / estudiantes elegibles deberán notificar al Distrito antes de la fecha límite designada por el Distrito.

**5) El derecho a prohibir la divulgación de información personalmente identificable, relativa a la estudiante a la contratación de representantes de los EE.UU. de las Fuerzas Armadas y su servicio de las academias, la Guardia Nacional Aérea de Kentucky, Kentucky y la Guardia Nacional del Ejército.**

A menos que el padre o estudiante de la escuela secundaria las solicitudes por escrito que el Distrito no divulgar la información, el nombre del estudiante, dirección y número de teléfono (si está indicado), se liberará a los reclutadores de las Fuerzas Armadas que lo soliciten.

**6) El derecho a presentar una queja a los EE.UU. Departamento de Educación sobre presuntas fallas por el Distrito para cumplir con los**

**requisitos de FERPA.** El nombre y la dirección de la oficina que administra FERPA es:

Family Policy Compliance Office

Departamento de Educación de EE.UU.

400 Maryland Avenue, SW

Washington, DC 20202-8520

#### Información de Directorio

El Supervisor o el Designado esta autorizado para divulgar información aprobada por la Junta Escolar. La información aprobada que esta en el directorio será: el nombre del estudiante y dirección, el número de teléfono, la fecha y el lugar del nacimiento, area de concentración de estudio, la participación en actividades oficialmente reconocidas y deportivas, el peso y la altura de miembros de equipos atléticos, las fechas de asistencia, los títulos y los premios recibidos, la escuela que asiste, el nivel educativo del estudiante, la tarea del aula del curso/equipo, la fotografía/retrato con el nombre, y con la institución educativa mas reciente a la que el estudiante ha asistido.

Cualquier estudiante elegible, el padre, o el guardián que no desea permitir que la información del directorio sea divulgada notificará al Supervisor/o persona Designada en la Formula de la Notificación de Información de Guía de Estudiante (09.14 AP. 12). La formula completa debe ser devuelta al Director/o persona designada dentro de los treinta (30) días de calendario de la notificación recipiente de derechos o de Nota Pública. Si usted no completa y devuelve la formula a nosotros por esa fecha, nosotros podemos liberar toda información del directorio estudiantil de estudiante a usted o a su estudiante.

#### Localización de Niños con discapacidades de la Educación Especial o en necesidad de Servicios 504

##### Localización de Niños:

El Distrito de Escuelas del Condado de Montgomery mantiene los registros educativos en una ubicación segura en cada oficina de las escuela y el Distrito.

El Distrito de Escuelas del Condado de Montgomery obtiene el consentimiento escrito de un padre o estudiante elegible (de 18 años de edad o que asiste una institución de educación post-sencundaria), antes de revelar la información que pudiese ser identificada a una entidad o el individuo no autorizado para recibirla bajo FERPA.

Con respecto a estudiantes que han sido determinados elegibles para la Educación Especial, los registros educativos se destruirán a pedido de los padres cuando ellos no sean necesarios y que no proporcionen información a los programas o los servicios educativos. El Distrito de la Escuela del Condado de Montgomery puede destruir los registros educativos de un niño sin el pedido de padre, tres (3) años después que ellos ya no sean necesarios y que no proporcionen información a los programas o los servicios educativos. Los padres seran informados de que los datos contenidos en los registros puede ser necesitados mas adelante para el otorgamiento de beneficios de Seguridad social u otros propósitos. El Distrito de

Escuelas del Condado de Montgomery puede retener, por un espacio de tiempo indefinido, un registro del estudiante, el nombre, la dirección, el número de teléfono, los grados, los registros de asistencia, las clases asistidas, el nivel de cursos completados, y año completado.

Los niños elegibles para la Educación Especial incluyen a esos niños con las incapacidades que tienen tales como autismo, ceguera, sordera, la incapacidad de la conducta emocional, deterioro del oído, la incapacidad mental, múltiples incapacidades, deterioro ortopédico, otro deterioro de la salud, la incapacidad específica del aprendizaje, deterioro del habla o de la lengua, lesiones traumáticas del cerebro, o deterioro visual y que a causa de tal necesidad de este deterioro atienden la Educación Especial.

Los niños elegibles para servicios del 504, incluyen a esos niños que tienen un deterioro actual, físico o mental que le limita substancialmente alguna actividad importante de la vida que causa al estudiante la habilidad para conseguir acceso al campo de escuela o las actividades de escuela.

El Distrito de Escuelas del Condado de Montgomery tiene un sistema progresivo de Localización de Niños, que se diseña para localizar, identificar y evaluar a cualquier niño que reside en un hogar, o en la residencia dentro de los límites geográficos del distrito, desde la edad de tres (3) años a la edad de veintiun (21) años, que pueden tener una discapacidad y que puedan necesitar de la Educación Especial o los servicios 504. Esto incluye a niños que no están en la escuela; los que están en escuelas públicas, o escuelas privadas; casas móviles igual como los niños que son migratorios o sin hogar; y los que avanzan de grado en grado para graduarse, que puedan necesitar pero que no reciben la Educación Especial o los servicios 504.

El Distrito de la Escuela del Condado de Montgomery se cerciorará que cualquier niño matriculado en su distrito que califica para la Educación Especial o los servicios 504, a pesar de lo severa que sea la incapacidad, se le proporcione la Educación Especial apropiada o los servicios 504 sin ningún costo para los padres del niño.

Los padres, los parientes, el público en general y los empleados de agencia privadas, y ciudadanos interesados, son urgidos para que ayuden al Distrito de la Escuela del Condado de Montgomery a localizar a cualquier niño que pueda tener una incapacidad y necesite Educación Especial o los servicios 504. El Distrito necesita saber el nombre y la edad, o la fecha del nacimiento del niño; el nombre, la dirección, y el número de teléfono (s) de los padres o el guardián; la posible incapacidad; y cualquier otra información para determinar si la Educación Especial o los servicios 504 son necesarios.

Las cartas y las llamadas telefónicas son algunas de las maneras como el Distrito de Escuelas del Condado de Montgomery reúne la información necesaria. La información reunida por el Distrito se utilizará para contactar a los padres del niño y averiguar si las necesidades de niño pueden ser evaluadas y así se pueda referir el niño a la Educación Especial o los servicios 504.

Si usted sabe de un niño que vive dentro de las fronteras del Distrito del Condado de Montgomery, que puede tener una discapacidad, y puede necesitar, pero no recibe la Educación Especial ni los servicios 504, por favor llamar al 859-497-8760 o envíe la información a:

**Amanda Dennis**  
**Director of Exceptional Children**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Teléfono (859) 497-8760**

**Michelle Cannoy**  
**Section 504 Coordinator**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Teléfono (859) 497-8760**

Si usted sabe de un niño que asiste a un hogar privado o escuela dentro de los límites del Condado de Montgomery Distrito Escolar, que puede tener una discapacidad, y puede ser necesario pero no está recibiendo servicios de educación especial, por favor llamar o enviar la información a:

**Amanda Dennis, Director of Exceptional Children**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Teléfono (859) 497-8760**

Las actividades de “*Localización de Niños*” continuarán a través del año escolar. Como parte de estos esfuerzos el Distrito de Escuelas del Condado de Montgomery utilizará la información pre-seleccionada, los registros de estudiante, e información básica de evaluación que se reúnen para todos niños en el Distrito para ayudar localizar esos niños que tienen una incapacidad y necesitan la Educación Especial o los servicios 504. Cualquier información que reúna el Distrito para la “*Localización de Niños*” sera mantenida en forma confidencial.

Los Procedimientos y Políticas que describen los requisitos del distrito ya han sido escritos. Estos requisitos fueron confeccionados muy en especial con respecto a la confidencialidad de la información que pudiera ser identificable. Hay copias en la oficina del director de cada escuela, y en la oficina de la Junta de Educación del distrito. Las copias de estas Políticas y Procedimientos pueden ser obtenidas contactando a:

**Hopey Newkirk**  
**Director of Pupil Personnel**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Teléfono (859) 497-8760**

**Amanda Dennis**  
**Director of Exceptional Children**  
**Montgomery County Schools**  
**700 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Teléfono (859) 497-8760**

La oficina del Distrito está lunes abierta de Lunes a Viernes, de las 8:00 de la mañana a las 4:00 de la tarde.

El Distrito de Escuelas del Condado de Montgomery proporcionara una comunicación publica en el idioma nativo u otro forma de comunicación a las diferentes grupos etnicos que habitan dentro de las fronteras geográficas del Distrito hasta donde sea posible. Si usted sabe de alguien que puede necesitar esta información traducida a otro idioma, dada en forma oral, o entregado de alguna otra manera o modo de comunicación, por favor sírvase contactar al **Director of Pupil Personnel, Director of Special Education**, o al **Section 504, Coordinator**, en la dirección o numeros de telefonos del Distrito de Escuelas del Condado de Montgomery que han sido dados anteriormente.

## NOTIFICATION OF PPRA RIGHTS

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students (those who are 18 or older or who are emancipated minors) certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. These include the right to:

- ◆ **Consent before minor students are required to submit to a survey, analysis, or evaluation** that concerns one (1) or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or the student’s parents; or
  8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- ◆ **Receive notice and an opportunity to opt a student out of:**
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for any physical exam or screening permitted or required under state law); and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. **NOTE:** If the parent/eligible student has indicated no directory information is to be provided to third parties or if the marketing activity involves provision of social security numbers, consent form 09.14 AP.122 should be used.
- ◆ **Inspect, upon request and before administration or use:**
  1. Protected information surveys to be used with students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

The District shall also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. A new or supplemental notice shall be given as necessary to provide the opportunity to consent or opt out under the standards set forth above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

*Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave., SW  
Washington, D. C. 20202-4605*

## STUDENT SURVEYS

In keeping with federal law (20 U.S.C. 1232h), no student shall be required to submit, without prior written consent of the student’s parent or guardian, to a survey, analysis, or evaluation administered as part of any school program or curriculum that receives funds from the United States Department of Education when the instrument would reveal information concerning:

1. Political affiliations;
2. Mental and psychological problems potentially embarrassing to the student or his/her family;
3. Sex behavior and attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or
7. Income (other than required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

### Right to Inspect

The parent or guardian of a child enrolled in the District shall be entitled to inspect those materials that will be used in connection with any survey, analysis, or evaluation as part of any school program or curriculum.

## STUDENT RECORDS

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

### Disclosure of Records

Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student 18 years old or older if the student is dependent under federal tax laws.

Upon request, parents or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonable permit inspection. Such copies shall be provided in a

manner that protects confidentiality of other students. A reasonable fee may be charged for copies.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

**Student Directory/Protected Information**

Directory information about students in the Montgomery County Schools will be used for school purposes and/or provided to requesting organizations as appropriate. Directory information can include name, address, phone number, birth date, photograph, etc. Requesting organizations may include institutions of higher education, potential employers, Armed Forces recruiters, etc. **For a complete list of directory information that may be provided, and/or to request that information not be disclosed, please request/complete Student Directory Information Notification Form 9.14 AP.12\* and return within 30 days.**

\*See FERPA and PPRA policies

2009-2010 School Calendar

Professional Development – No School	August 4 – 7, 2009
Opening Day for Staff - No School	August 10, 2009
First Day for Students	August 11, 2009
Labor Day Holiday – No School	September 7, 2009
**Optional Professional Development – No School	October 16, 2009
Court Day – No School	October 19, 2009
Thanksgiving Break – No School	November 25 – 27, 2009
Last Day of First Semester	December 18, 2009
Christmas/New Year’s Break – No School	December 21, 2009 –January 1, 2010
School Resumes	January 4, 2010
Martin Luther King Day – No School	January 18, 2010
Presidents’ Day–Optional Makeup Day–No School	February 15, 2010
KEA Day	March 19, 2010
Spring Break – No School	April 5 – 9, 2010
Testing Window	April 26 – May 14, 2010
Election Day – No school	May 18, 2010
*Tentative Last Day for Students	May 19, 2010
*Tentative Closing Day for Staff	May 20, 2010
Memorial Day – No School	May 31, 2010

NOTES:

- Professional development days - individual school may require certified staff to report for PD training during this time.
- Flexible professional development may begin June 1 and continue until the end of the school year. Flexible professional development requires Board approval. Based on individual school needs, optional professional development days may be scheduled but must be approved by the Board also.
- No School Martin Luther King, Day -- KRS 158.070(6)(b) and Primary Election Day --2005 Legislative Session SB 7
- President's Day may be used as a make-up day if deemed necessary by the Administration and the Board.
- In the event of excessive days missed due to inclement weather, illness, etc...Spring break days may be used to make up missed days. Marginal inclement weather may include a one or two-hour delay in the beginning of the school day for up to five hours total each year - no more than two hours per day.
- If either the boys or girls advance to the Sweet Sixteen, the Board will meet at that time to determine whether the circumstances warrant closing school.
- Days missed due to school cancellation will result in closing day for staff being delayed the number of days missed.
- May 15<sup>TH</sup> is the last day for students. Twelve days (as required by KDE) are designated as make-up days in the event of the need to make up missed instructional time. Closing day is June 5<sup>th</sup>, 2008.

**Montgomery County Schools Attendance Policy:**

All pupils are expected to attend school regularly and to be on time for classes in order to gain the most benefit from the instructional program and to develop desirable traits of punctuality, self-discipline, and responsibility. Therefore, the Board has adopted the following attendance provisions.

**Excused Absences:**

A maximum of five (5) absences for the year may be excused by a note from the student's parent/guardian. A student **MUST** bring in a parent note with the date the student was absent from school. The note must be brought in to the attendance clerk within two (2) days of the absence or it will be counted as an unexcused absence.

Absences exceeding the five (5) days per year may be excused by a physician's statement, court order, or special permission by the principal. If a student is expected to be absent from school for a consecutive five (5) day period or longer with a doctor's note, parents should contact the school or the Director of Pupil Personnel at 859-497-8760 for application for home/hospital instruction.

Listed below are the only reasons accepted for excused absences or tardies:

1. Death or severe illness in the pupil's immediate family;
2. Personal illness, injury, medical or dental emergency;
3. Student court appearance (only for the portion of the day required and with documentation from the court)
4. Religious holidays and practices;
5. Student doctor or dentist appointment;
6. Student driver's permit or license tests (only for the portion of the day required and with documentation from the examiner);
7. Student participation in school-related activities including, but not limited to, 4H and participation in or attendance at the Kentucky State Fair, as approved by the Principal;
8. Documented military leave;
9. One (1) day prior to departure of parent/guardian called to active duty;
10. One (1) day upon the return of parent/guardian from active military duty, or
11. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

**Tardies:**

Tardies accumulate for both late entry and early sign-outs from school. Listed on the top of the page are the reasons for excused parent notes due to tardies. Everything else will be considered an unexcused tardy unless a doctor's note is presented to the attendance clerk or the tardy has been pre-approved by the principal. **Please be aware that a referral to the courts will be made after nine (9) unexcused tardies per year.**

**Unexcused Absences:**

Absences beyond five (5) days per year without a doctor's statement and which are not excused by the Principal/Designee shall be unexcused. **Remember that all parent notes submitted to the attendance clerks must be received within two (2) school days of the absence or it will be considered an unexcused absence. Make up work will not be graded for unexcused absences. Please be aware that a referral to the courts will be made after six (6) unexcused absences per year.**

**Other Absences:**

Suspension - Suspensions are unexcused absences. However, assignments made before and during the suspension will be accepted on the due date.

**Administrative Procedures for Truancy:**

The Montgomery County District Court has ordered the Director of Pupil Personnel to enforce the compulsory attendance laws using the definition of habitual as found in the Kentucky Revised Statutes:

Amended KRS 159.150 to read:

- Identifies any public school student, who has not reached his or her twenty-first birthday, who has been absent from school without a valid excuse for three (3) or more days or tardy without a valid excuse on three (3) or more days as truant.
- Identifies as a habitual truant a student who has been reported as truant two (2) or more times.
- Holds a public school student who has attained the age of eighteen (18), but has not reached his or her twenty-first (21) birthday, accountable if the student fails to comply with school truancy laws. Holds the parent, guardian, or custodian of a public school student who has not reached his or her twenty-first birthday, accountable if the student fails to comply with school truancy laws.
- Requires school district personnel to inform students (between the ages of 18 and 21), parents, guardians, and custodians that they are subject to the truancy laws.

Persons designated by the building principal shall keep a record of the absences of all children, contact made with the parent or guardian, and reasons for absences on each child. The Director of Pupil Personnel shall be notified of all students as defined above.

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.

**STUDENT DRIVING LICENSE and PERMITS**

**HB 32 - AN ACT relating to a student's license or permit to operate a motor vehicle. NO PASS, NO DRIVE**

- Deletes the requirement that a local district operate an alternative education program prior to the revocation of a student's operator's license, intermediate license, or instruction permit. Requires that the application of any minor under the age of 18 for a license or permit include parental consent for the release of the academic and attendance information required under KRS 159.051.
- Reinstates the law allowing for the suspension of a student's drivers' license or permit if the student drops out of school, has nine (9) or more unexcused absences in the preceding semester, or is academically deficient, which is defined as not receiving passing grades in at least four (4) courses, or the equivalent of four (4) courses, in the preceding semester.

**Early Dismissal from School:**

No student shall be dismissed early from school without permission from the Principal or his designee. Any student who leaves the school grounds without permission from the Principal shall be subject to appropriate disciplinary action.

Students shall be dismissed early from school only if they are signed out by the custodial parent/guardian or if written authorization from the custodial parent or guardian is on file in the principal's office. The authorization form completed by the custodial parent or guardian shall list those who may pick up the student.

In the event that it is not possible for the Principal or designee to obtain prior parental authorization to dismiss a child from school into the custody of someone other than the custodial parent/guardian shall list those people who may pick up the student.

Emancipated students may sign for their own dismissal.

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant. In such case, the student's parent shall be notified at the earliest opportunity.

**HEALTH RECORD REQUIREMENTS**

All pupils shall undergo preventative health care and vision examinations as required by Kentucky Administrative Regulation. Effective with the 2010-2011 school year, a dental screening or examination also shall be required for five- and six-year-old students enrolling in the District. Results of examinations shall be reported on the state required form.

**Immunizations and TB Test**

When required by law, each pupil shall be required to present evidence of a TB skin test. In addition, a valid immunization certificate shall be on file within two (2) weeks of a student's enrollment in school.

**Documentation Required**

All pupils shall provide proof of the medical examination and immunizations prior to being admitted to the District's schools.

**2006 House Bill 475 (Mandates dissemination of meningitis information)**

As part of the information our schools provide to you concerning student and school health issues, Montgomery County Schools is making you aware of a potentially fatal bacterial infection that strikes teenagers and college students at a higher rate than other age groups. This information will give you the facts about the disease and help you take precautions to prevent your child from becoming ill with meningococcal disease.

Meningococcal disease, commonly known as meningitis, can be misdiagnosed as something less serious because early symptoms are similar to those of influenza or other common viral illnesses. Symptoms include high fever, headache, nausea and stiff neck.

The disease can come on quickly and may cause death or permanent disability (brain damage, organ failure, loss of hearing and limb amputation) within hours of

the first symptoms. Although the disease is rare, it can be prevented through vaccination.

Meningococcal disease is spread by air droplets and direct contact with secretions from infected persons, through coughing without covering the mouth and kissing. Teenagers and college students can reduce the risk of contracting the disease through immunization and by not sharing personal items such as food utensils, water bottles and drinking glasses.

A safe and effective vaccine is available to protect against four of the five strains of bacteria that cause meningococcal disease. Although teens and college students are at greater risk for contracting the disease, up to 83 percent of the cases in this age group may be prevented through immunization.

For those teenagers who have not been previously vaccinated, the U.S. Centers for Disease Control and Prevention (CDC) recommends immunization at high school entry and for all incoming college freshmen who will live in dormitories (only one shot required). Until vaccine supplies increase, the CDC recommends deferring immunization for 11 and 12 year olds.

For more information about meningococcal disease, you should consult their child's physician, school nurse or local health department staff. Information also is available online from these health-related organizations:

American Academy of Family Physicians, [www.aafp.org](http://www.aafp.org)  
American Academy of Pediatrics, [www.aap.org](http://www.aap.org)  
Centers for Disease Control and Prevention, [www.cdc.gov](http://www.cdc.gov)  
Meningitis Foundation of America, [www.musa.org](http://www.musa.org)  
National Association of School Nurses, [www.nasn.org](http://www.nasn.org)  
National Foundation for Infectious Diseases, [www.nfid.org](http://www.nfid.org)  
National Meningitis Association, [www.nmaus.org](http://www.nmaus.org)

In addition, the Kentucky Department of Education provides links to this information and the above Web addresses from its Web site at:

[www.education.ky.gov](http://www.education.ky.gov)

#### **EMERGENCY MEDICAL PROCEDURES**

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

#### **DISPENSING MEDICATION**

Over the counter medications such as acetaminophen, throat spray, cough syrup, cough drops and other products not containing aspirin may be kept at the school for the purpose of administering to pupils upon written permission of a parent or guardian. Antiseptic and appropriate other emergency medications shall be available in the office of the school nurse.

Pupils may take medicine which is brought from home with written parental request, provided the following conditions are met.

1. Medication shall be brought to school in the original prescription container.
2. Information listed on the container shall include the student's name and the name and prescribed dosage of the medicine.

#### **Self-Administration**

Under procedure developed by the Superintendent, with the written permission of parent or guardian and approval of the Principal, a student may be permitted to carry on their person and independently take their own medication.

Provided the parent/guardian and physician files the written statement/authorization each year as required by law, a student under treatment for asthma shall be permitted to self-administer medication.

Students shall not share any prescription or over-the-counter medication with another student. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

#### **CONTROL OF HEAD LICE IN SCHOOLS**

School personnel shall actively pursue the prevention and control of head lice in the District's school by developing a consistent screening and follow-up program for all students in the attempt to establish and maintain a nit free policy for head lice.

- Students with an active case of head lice will be discreetly isolated while parent or designee is notified to immediately pick them up from the school.
- Students may return to school after treatment and has a thorough head check by designated school personnel before returning to the classroom.

#### **INTEGRATED PEST MANAGEMENT**

The Board of Education has implemented a program of Integrated Pest Management (IPM) in order to control pests in a way that minimizes economic, health and environmental risks. All individuals applying pesticides will be properly certified in keeping with applicable legal requirements. Parent/guardians/staff will be notified prior to a planned pesticide application as soon as possible when an emergency application is necessary, please register at the front office of the school. Individuals may also call the building principal or site supervisor.

## CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

### Introduction

The Montgomery County Public School District is committed to providing quality education for all students. We believe a safe and orderly environment must be maintained for this process to be effective. Administrators and staff will ensure that appropriate interventions are planned to address a student who exhibits a pattern of misconduct or behavior difficulties.

Intervention teams will address a behavior plan for the child and involvement of other school services and agencies if necessary.

All students in the public schools shall be expected to follow the rules and regulations of the Board of Education and school administration. Students are expected, therefore, to obey the Student Code of Acceptable Behavior and Discipline from the time they leave home in the morning until they return home in the afternoon. This includes students who walk to and from school as well as those who ride the school bus. All school-sponsored activities (ballgames, club meetings, dances, etc.) are included as a part of the Code of Acceptable Behavior and Discipline.

Students shall be required to observe the customary rules of courtesy and politeness which contribute to good order as established by the acceptable standards of the school and community. The school principals shall be authorized to use their good judgment in regard to what is to be interpreted as contributing to be good order.

### DUE PROCESS

Due Process is the method by which students are accorded their legal rights. Due Process requires that the student be given oral or written notice of the charges against him/her. If the student denies the charges, he/she must be given an opportunity to present his/her version.

### Students with Special Needs:

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

### CONDUCT ON SCHOOL BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver shall stop the bus and contact the bus garage or superintendent's designee to send someone to pick up the student, or if the behavior warrants, the driver shall call law enforcement. If calls for assistance are unsuccessful, the driver is authorized to order the offending student from the bus if the student is in the sixth (6<sup>th</sup>) grade or above.

### Withholding of Riding Privileges

The Principal is authorized to withhold bus-riding privileges in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld. The Superintendent or designee may withhold bus -riding privileges up to the remainder of the school year.

- 1) All drivers will issue first, second offense warnings to students on the bus, and follow with a call to the parents that night if possible. If the parents have no telephone the driver will make a copy of the offense and the transportation office will mail the warning to the parent. All offenses will be recorded in a log with the date, time and conversation. Drivers will not write an offense warning for every infraction, however he/she may talk with the student and record the conversation in the log. Building principals will not see these notices at this time.
- 2) The third offense notice will go to the building principal along with the driver's copy of the first two offenses. Drivers may also be asked for their log.
  - A. The Third notice (FIRST NOTICE TO THE BUILDING PRINCIPAL) may result in a THREE - (3) day loss of riding privilege.
  - B. The Fourth notice (SECOND TO THE BUILDING PRINCIPAL) may result in a FIVE - (5) day loss of riding privilege.
  - C. The Fifth notice (THIRD TO THE BUILDING PRINCIPAL) may result in a TEN (10) day loss of riding privilege.
  - D. The Sixth notice (FOURTH TO THE BUILDING PRINCIPAL) may result in TOTAL loss of riding privilege.

*THIS IS NOT TO SAY THAT BUILDING PRINCIPALS ARE TIED TO THIS PROCEDURE. THE BUILDING PRINCIPAL ALWAYS HAS THE OPTION OF SUSPENSION AT ANY STEP IF THE INFRACTION WARRANTS.*

### Restitution of Damages

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

### Students with Special Needs

Students with special needs who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and/or 504 Plan and the legal obligations and standards adopted by the Board. Specific rules of conduct on school buses can be found in the Student Code of Conduct and/or in the student handbook.

### MOTOR VEHICLE USE

#### CONDITIONS FOR USE

Under conditions prescribed by the Board,<sup>1</sup> high school pupils may be permitted to drive motor vehicles onto the school grounds. Vehicles shall be parked in designated areas on the school campus and are not to be moved or visited during the school day unless permission is given by the Principal.

#### RULES

Driving rules shall be given to each driver, including a statement giving school officials the right to search a vehicle if there is reasonable suspicion that illegal drugs, weapons, stolen property, or other illegal contraband may be present in the vehicle. Additional driving rules may be prescribed by the Principal.

A parent of a driver and the driver will sign and return a copy of the driving rules in order that driving privileges be retained.

**PRIVILEGE MAY BE REVOKED**

Driving on the school grounds is a privilege that may be revoked if conditions are violated.<sup>2</sup>

**DRIVERS LICENSE REVOCATION**

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.

**ACADEMIC AND ATTENDANCE DEFICIENCIES**

Academic and attendance deficiencies for students sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they drop out of school or accumulate nine (9) unexcused absences in a class/classes for the preceding semester. Suspensions shall be considered unexcused absences.

**REINSTATEMENT OF DRIVING PRIVILEGE**

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the Department of Transportation.

**CARE OF SCHOOL AND PERSONAL PROPERTY**

Pupils shall be held responsible for damage to school property. Any pupil, organization, or groups of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving:

1. Intentional harm, and
2. Damage beyond minor loss or breakage, excluding normal wear and tear.

Any pupil, organization, or group of pupils who steals or willfully wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

Parents shall be liable for property damage caused by their minor children.

**DISRUPTING THE EDUCATIONAL PROCESS**

Behavior that materially or substantially disrupts the educational process, whether on school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
5. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

*\* Any behavior outside the school, including online/e-mail and/or text messages, that cause a disruption in the school environment will be subject to disciplinary action.*

**PERSONAL TELECOMMUNICATIONS DEVICE OR LASER POINTER DEVICE**

During the school instructional day or while being transported on any Montgomery County school bus, no students shall use or activate a personal telecommunications device or other related electronic devices while on school property nor while attending a school-sponsored or school-related activity. Sharing data between students via cable, peer-to-peer networking or infrared during a classroom activity is permitted only with teacher approval. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights or another individual. The Principal on a case-by-case basis may make exceptions.

**Authorization to use telecommunication devices may be granted only in emergency situations and must be granted by the principal or his/her designee.**

At no time shall a student have possession of a laser pointer device while on school property or while attending a school-sponsored or school-related activity.

Any person who discovers a student using a personal telecommunication device, other related electronic device, or laser pointer device in violation of this policy shall report the violation to the Principal. The Principal or appropriate school employee shall confiscate the device. The following consequences for students who violate this policy:

1 <sup>st</sup> Violation	Confiscation of device and return to student at the end of (5) school days.
2 <sup>nd</sup> Violation	Confiscation of device and return to student's parents at the end of (5) days.
3 <sup>rd</sup> Violation	Appropriate consequence determined by Principal as outlined in the Schools Discipline Policy.

*\*Any behavior outside school, including online/e-mail and/or text messages, that cause a disruption in the school environment will be subject to disciplinary action.*

### ACCEPTABLE USE POLICY, PROCEDURES AND GUIDELINES

The Board supports the right of students and employees to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner.

#### Safety Procedures and Guidelines:

The District Technology Coordinator (DTC) shall develop and implement appropriate procedures to provide guidance for access to electronic media.

Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with potential of damaging or destroying programs or data.

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors;
- Restricting minor's access to materials harmful to them.

#### Rules And Regulations

General behavior including, but not limited to, the following is not permitted:

1. Using third party providers, any other nonstandard electronic mail system or social networking (i.e. Gmail, Hotmail, Bebo, Facebook, MySpace, Instant Messaging, etc.)
2. Student email accounts are for educational purposes

3. Sending or displaying offensive messages or pictures/Using obscene language
4. Harassing, insulting or attacking others
5. Damaging computer systems or computer networks
6. Violating copyright laws
7. Using another user's password/Sharing your password
8. Trespassing in another user's folder, work or files
9. Intentionally wasting limited resources including but not limited to gaming, streaming audio or video for non-educational purposes
10. Using the network for commercial purposes
11. Students should not reveal their name and personal information to or establish relationships with "strangers" on the network, unless a parent or teacher has coordinated the communication,

**Users are held accountable for the additional rules and regulations found in the Montgomery County Schools Electronic Access & Usage Plan.** You can locate a copy of the plan at <http://www.Montgomery.ky12.us/forms.htm>. Violation of these rules and regulations may result in loss of access/usage as well as other disciplinary or legal action.

#### Permission /Agreement Form:

All users of District technological resources shall be required to sign a User Agreement form which indicates they have read and shall abide by the District's Acceptable Use Policy and Procedures. These procedures specify acceptable use, rules of on-line behavior, access privileges, and penalties for policy/procedural violations.

#### Employee Use:

Employees shall use electronic mail only for purposes directly related to work-related activities.

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties). Each employee is responsible for the security of his/her own password.

#### Disregard of Rules:

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies and/or personnel action.

#### Responsibility for Damages:

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

#### Audit of Use:

Users with network access shall not utilize District resources to establish electronic mail accounts through third party providers of any other nonstandard electronic mail system.

The District Technology Coordinator shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing objectionable and/or educationally inappropriate sites. The process shall include, but not be limited to:

1. Utilization of blocking/filtering software utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters Internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

### **TOBACCO PRODUCTS**

Students shall not be permitted to use or possess any tobacco product on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, or during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

### **USE OF ALCOHOL, DRUGS AND OTHER PROHIBITED SUBSTANCES**

#### **DRUGS AND ALCOHOL**

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

1. Alcoholic beverages;
2. Controlled drug substances and drug paraphernalia;
3. Substances that "look like" a prohibited substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

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

The transfer of any type of medication is subject to disciplinary action.

#### **DEFINITION**

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under [KRS 218A.010](#).

Prohibited substance include:

1. All prescription drugs obtained without authorization, and
2. All substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs and prohibited volatile substances as defined in KRS 217.900 that are used or intended for use for an abusive and/or intoxicating purposes.

#### **AUTHORIZED MEDICATION**

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

#### **PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

#### **REPORTING**

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

### **ASSAULT AND THREATS OF VIOLENCE**

For the purpose of this policy a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

#### **PUPILS**

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.<sup>1</sup>

#### **SCHOOL PERSONNEL**

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action<sup>1</sup> up to and including expulsion from school and/or legal action.

#### **REMOVAL OF STUDENT**

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Removal of students from a bus shall be made in compliance with [702 KAR 005:080](#).

#### **REPORT TO LAW ENFORCEMENT AGENCY**

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

## NOTIFICATION

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

## HARASSMENT/DISCRIMINATION

The Montgomery County Board of Education has adopted policies ensuring that students are not denied equal educational opportunities and do not suffer harassment. Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or abjectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment. No discrimination is allowed on the basis of race, color, age, sex, religion, creed, national origin, economic status, marital or parental status, political affiliation, or disabling condition. Harassment/discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities.

Conduct and/or actions prohibited under this policy include but are not limited to:

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

Students who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving other students that they believe to be an act of harassment/discrimination shall, as soon as reasonably practical, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the superintendent. When a student or parent has an educational concern, a complaint must be filed using the Montgomery County Board of Education's Grievance Procedure. A copy of the procedure for filing a complaint against school personnel is available at the local school, or in the office of Civil Rights Compliance Officer.

## BULLYING / HAZING

In order to effectively participate in the democratic process as adults, student must learn to respect the rights of others and to interact with them civil manner.

Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

## ACTIONS NOT TOLERATED

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

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expresses does not otherwise materially or substantially disrupt the educational process or intrude upon the rights of others.

Students that believe they are victims of bullying/hazing must report such incidents to school personnel for appropriate action.

Students who violate this policy shall be subject to appropriate disciplinary action.

## WEAPONS

This policy applies to students, staff members, and visitors to the school.

## WEAPONS PROHIBITED

Carrying, bringing, using or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property.

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

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

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

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

The above criminal penalty shall not apply to those persons listed in KRS 070 (3).

## SEARCH AND SEIZURE

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.<sup>1</sup> Search of a pupil's person shall be conducted only with the express authority of the Principal /designee.

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the District, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left 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 or a school rule is contained therein.

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

## SUSPENSION

The Principal or assistant Principal may suspend a pupil up to a maximum of three (3) days per incident.

The Superintendent 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.

A pupil shall not be suspended until due process procedures have been provided as described in [KRS 158.150](#) (09.431)<sup>1</sup>, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

### IMMINENT DANGER

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

### STUDENTS WITH DISABILITIES

In cases which involve students with special needs, the procedures mandated by federal and state law for students with special needs shall be followed.<sup>2</sup>

## EXPULSION

The Board may expel any pupil from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program.<sup>1</sup>

The Superintendent shall present to the Board for its approval options for providing educational services to expelled students.

Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the Board.<sup>1</sup> The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.<sup>3</sup>

### STUDENTS WITH SPECIAL NEEDS

In cases that involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with special needs who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)<sup>1&3</sup>

**MONTGOMERY COUNTY  
BOARD OF EDUCATION MEMBERS**

**Fern Reed, Chair  
TBA, Vice Chair  
Kenney Gulley  
Kelly Murphy  
Donna Wilson**

**SUPERINTENDENT**

**Dr. Daniel Freeman**



*"The Montgomery County School System, in partnership with the community, serves individual students by providing quality education empowering them to be productive members of our global society."*

<b>DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT</b>			
<i>NOTE: The Principal retains the right to administer disciplinary response at his/her discretion at all levels of misconduct</i>			
<b>Levels of Misconduct</b>	<b>Examples</b>	<b>Disciplinary Response Procedure</b>	<b>Response Option</b>
<i>*NOTE: The Response Procedures are not necessarily to be followed in the order in which they are written</i>			
<b><u>Level I Misconduct:</u></b>			
<p>Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school.</p> <p>-----</p> <p>These misbehaviors can usually be handled by an individual staff member, but sometimes require the intervention of other school personnel.</p>	<p>Classroom disturbance abusive language, water guns, failure to carry out directions, failure to carry out rules, Misbehavior on bus, school sponsored/endorsed activities, school tardiness, possession of paging device, mobile phone, or personal communication device, (KRS 158.165) behavior outside of school that interferes with the safe or orderly operation of the school.</p>	<p>Immediate intervention by the staff member who is supervising the student or observes the misbehavior.</p> <p>-----</p> <p>Repeated misbehavior requires a parent/teacher conference; and/or counselor/administrator conference.</p> <p>-----</p> <p>A proper and accurate record of the offenses and disciplinary action is maintained by staff or school office</p>	<p>Verbal Reprimand, Special Assignment, Parent Conference, Behavior Contract, Counseling, Time-Out, Withdrawal privileges, Strict Supervised Study Detention, Bus Suspension, Individual Conference, Confiscation, Referral to FRYSC, Alternative to Suspension Assignment, In School Suspension, Repeated offenses could result in out of school suspension, Saturday School</p>
<p>* Subsequent excessive or serious disciplinary referrals in a semester could result in a referral to the Court Designated Worker (CDW) for beyond school control.</p>			

Levels of Misconduct	Examples	Disciplinary Response Procedure	Response Option
<b>Level II Misconduct:</b> All Level II, Level III, and Level IV misconduct will result in an automatic notification of parent/guardian			
<p>Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school.</p> <p>-----</p> <p>These infractions, which usually result from the continuation of LEVEL I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others, but those educational consequences are serious enough to require corrective action on the part of administrative personnel.</p>	<p>Continuation of Unmodified Level I Behavior, Gambling, Disruptive Classroom Behavior, Cutting Class, Deliberate Disruption, Profanity/Vulgarity, Possession of Paging Device, Mobile Phone, or Personal communication device (KRS 158.165) Continued School Tardiness, Using Forged Notes or Excuses, Truancy</p>	<p>Immediate intervention by the staff member who is supervising the student or observes the misbehavior. Teacher's response to the misbehavior is noted and notification sent to administrator.</p> <p>-----</p> <p>The student is referred to the administrator for appropriate disciplinary action.</p> <p>-----</p> <p>The administrator meets with the student and/or teacher and affects the most appropriate response. The teacher is informed of the administrator's response.</p> <p>-----</p> <p>A proper and accurate record of the offense and the disciplinary action is maintained by the administrator.</p>	<p><b>All Level I Options Plus:</b> Behavior Modification Therapy, Peer Counseling, Detention, Referral to Outside Agency, Counseling, Parent Conference, Alternative Programs, Letter of Reprimand, Letter of Warning, Confiscation, Referral to FRYSC, Alternative to Suspension, Saturday School, Out of School Suspension</p>
* Subsequent excessive or serious disciplinary referrals in a semester could result in a referral to the Court Designated Worker (CDW) for beyond school control			

Levels of Misconduct	Examples	Disciplinary Response Procedure	Response Option
<b>Level III Misconduct:</b> <i>All Level II, Level III, and Level IV misconduct will result in an automatic notification of parent/guardian</i>			
<p>Acts directed against persons or property, but whose consequences do not seriously endanger the health or safety of others in the school.</p> <p>-----</p> <p>These acts might be considered criminal, but in some cases can be handled by the disciplinary mechanism into the school. Corrective measures which the school should undertake; however, depends on the extent of the school's resources for remediating the situation in the best interest of all students.</p>	<p>Continued unmodified LEVEL II misbehaviors, Vandalism, Theft, Damage to school property, Threats to others, Leaving school grounds without permission, Intimidation/Interference of staff/students, Fighting, Bullying, Damage to property owned by school personnel, Use, possession, sale or exchange of tobacco products or unauthorized substances, Habitual truancy</p>	<p>The administrator initiates disciplinary action by investigation the infraction and conferring with staff on the extent of the consequences.</p> <p>-----</p> <p>The administrator meets with the student and notifies the parent about the student's misconduct and resulting disciplinary action.</p>	<p><b>All Level II Options Plus:</b> In School Suspension, Out of School Suspension, Saturday School, Parental Conference, Referral to law enforcement, letter of warning, Referral to Board for possible expulsion, Referral to FRYSC</p>
<p>* Subsequent excessive or serious disciplinary referrals in a semester could result in a referral to the Court Designated Worker (CDW) for beyond school control</p>			

Levels of Misconduct	Examples	Disciplinary Response Procedure	Response Option
<b>Level IV Misconduct:</b> <i>All Level II, Level III, and Level IV misconduct will result in an automatic notification of parent/guardian</i>			
<p>acts which result in violence to another person or property or which pose a threat to the safety of others in the school. These acts may be considered criminal in nature, and require administrative actions which may result in the immediate removal of the student from the school, the intervention of law enforcement authorities, and action by the Board of Education. However, no specific action can be sanctioned since each case must be considered individually.</p>	<p>Unmodified LEVEL III Misconducts, Extortion/robbery, Bomb threat, Assault/battery, Possession/use/exchange of dangerous weapons or any object intended to cause harm, Vandalism, Theft/possession of/ sale of stolen property, arson, furnishing/sell/possession/and/or use of drugs or controlled or illegal substances, including alcohol, Repetition of prior suspensions, Assault/sexual abuse/harassment, activating false fire alarm, possession of knives</p>	<p>The administrator verifies the offense, confers with student involved and meets with the student.</p> <p>-----</p> <p>The student may be removed from the school environment by suspension. Parents are notified.</p> <p>-----</p> <p>School officials may contact appropriate law enforcement agency and assist in prosecuting violator.</p> <p>-----</p> <p>A complete and accurate report is submitted to the superintendent for consideration and possible Board action.</p> <p>-----</p> <p>A student is given a DUE PROCESS hearing before the Board.</p>	<p><b>All Level III Options Plus:</b> Board action which could result in Alternative Placement or Expulsion, Out of School Suspension Refer to law enforcement, Make restitution for damages</p>
<p><u>When a principal has a reasonable belief that a violation has taken place, he/she shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of school law.</u></p>			
<p>All violations of law will be referred to law enforcement agency, additionally administrative action will be taken consistent with the severity of the offense</p>			
<p>* Subsequent excessive or serious disciplinary referrals in a semester could result in a referral to the Court Designated Worker (CDW) for beyond school control</p>			