



# Montgomery County Schools

Mt. Sterling, Kentucky

## STUDENT HANDBOOK

CODE OF  
ACCEPTABLE  
BEHAVIOR  
AND  
DISCIPLINE

July 2014

**Montgomery County Board of Education**

**640 Woodford Drive**

**Mt. Sterling, KY 40353**

## TABLE OF CONTENTS

NON-DISCRIMINATION POLICY STATEMENT _____	3-5
TITLE I – PARENT INVOLVEMENT _____	6-7
NOTIFICATION POLICIES (FERPA & CHILD FIND/PPRA) _____	8-19
ATTENDANCE REQUIREMENTS/TRUANCY _____	20-25
GRADING _____	25
NO PASS/NO DRIVE (HB 32) _____	25-26
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE _____	26
DUE PROCESS _____	26
CONDUCT ON SCHOOL BUS _____	26-27
MOTOR VEHICLE USE _____	27-28
CARE OF SCHOOL AND PERSONAL PROPERTY _____	28-29
DISRUPTING THE EDUCATIONAL PROCESS _____	29
PERSONAL TELECOMMUNICATIONS DEVICE _____	29-30
ACCEPTABLE USE POLICY _____	31-32
TOBACCO PRODUCTS _____	33
USE OF ALCOHOL, DRUGS, AND OTHER PROHIBITED SUBSTANCES _____	33-34
ASSAULTS AND THREATS OF VIOLENCE _____	34-35
HARASSMENT/DISCRIMINATION _____	35-38
BULLYING/HAZING _____	38-39
WEAPONS _____	39-40

**SEARCH AND SEIZURE \_\_\_\_\_ 40-41**

**SUSPENSION \_\_\_\_\_ 41**

**EXPULSION \_\_\_\_\_ 41**

**GRIEVANCES \_\_\_\_\_ 42-43**

**DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT \_\_\_\_\_ 44**

**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:

**Title IX/Equity Coordinators:**

**Jacqui Johnston, Personnel**  
**Phil Rison, Athletics & Students**  
Montgomery County Schools  
640 Woodford Drive  
Mt. Sterling, KY 40353  
Phone 859-497-8760

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Section 504 Coordinator**  
Montgomery County Schools  
640 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 Pública**  
**Junta de Educación del Distrito de Montgomery**  
**Comunicado Público 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 prácticas de empleados. La siguiente persona ha sido designada para atender todas las inquietudes relacionadas con esta política de no-discriminación:

**Title IX/Equity Coordinators:**  
**Jacqui Johnston, Personnel**  
**Phil Rison, Athletics & Students**  
Montgomery County Schools  
640 Woodford Drive  
Mt. Sterling, KY 40353  
Teléfono 859-497-8760

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Section 504 Coordinator**  
Montgomery County Schools  
640 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 Disabilities**

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 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.

## **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 at each school.



## 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

## **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:

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Section 504 Coordinator**  
**Montgomery County Schools**  
**640 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:

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Montgomery County Schools**  
**640 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:

**Phil Rison, CMAA**  
**Director of Student Services**  
**Montgomery County Schools**  
**640 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Ph. 859-497-8760**

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Montgomery County Schools**  
**640 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 titulos y los premios recibidos, la escuela que asiste, el nivel educativo del estudiante, la tarea del aula del curso/equipo, la fotografia/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 oido, 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:

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Section 504 Coordinator**  
**Montgomery County Schools**  
**640 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:

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Montgomery County Schools**  
**640 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 reuna 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:

**Phil Rison**  
**Director of Student Services**  
**Montgomery County Schools**  
**640 Woodford Drive**  
**Mt. Sterling, KY 40353**  
**Teléfono (859) 497-8760**

**Anna L. Powell, Ph.D.**  
**Director of Special Projects**  
**Montgomery County Schools**  
**640 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 sirvase contactar al **Director of Pupil Personnel**, **Director of Special Education**, o al **Section 504, Coordinator**, en la direccion 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

**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:**

Treatment for Lice - The day a student is sent home for contracting lice will be considered an excused absence. The student will be expected to attend school the next day and will be inspected by the nurse, health aide, or school Principal upon return to school to assure the student is nit-free. Any further absence will be unexcused.

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.

## Attendance Calculations

Student attendance will be calculated by the whole day/half day regulation 702 KAR 7;125.

### Section 3.

1. A full day of attendance shall be recorded for a pupil who is in attendance at least sixty-five (65) percent of the regularly-scheduled school day for the pupil's grade level.
2. A tardy shall be recorded for a pupil who is absent less than 35 percent of the regularly-scheduled school day for the pupil's grade level.
3. A half day absence shall be recorded for a pupil who is absent 35 percent to 84 percent of the regularly-scheduled school day for the pupil's grade level.
4. A full day absence shall be recorded for a pupil who is absent more than 84 percent of the regularly-scheduled school day for the pupil's grade level.

These changes will be implemented in IC once all of the 2009-2010 SAAR reports are complete. Attendance will be tracked the same way in IC only the Register will show only a 1.0, 0.5, or T for an absence. This will be covered in the Start Of Year Training.

## Attendance Requirements

### **COMPULSORY ATTENDANCE**

All children in the district who have entered kindergarten or who are between the ages of six (6), as of October 1, and sixteen (16), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.<sup>1</sup>

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents.<sup>1</sup> (See Board Policy 09.111.)

### **EXEMPTIONS FROM COMPULSORY ATTENDANCE**

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school,
2. A pupil who is enrolled in a private or parochial school,
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school,

4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study,
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children, or
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children.<sup>2</sup>

#### **PHYSICIAN'S STATEMENT REQUIRED**

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.<sup>2</sup>

#### **EXCEPTIONS TO PRESENCE AT SCHOOL**

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,<sup>2</sup> or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.<sup>3</sup>
3. Students may participate in co-curricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when co-curricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.<sup>4</sup>
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.<sup>4</sup>
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.<sup>4</sup>
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.<sup>5</sup>
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned



by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled school day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.

### **Admissions and Attendance**

#### **FOREIGN EXCHANGE STUDENTS**

The District shall accept foreign exchange students only from Board-approved agencies.

1. Before an exchange student is accepted at the high school, he/she must be assigned to and have regular contact with his/her local host family thirty (30) days prior to the opening of school.
2. The high school will accept a maximum of ten (10) foreign exchange students per school year.
3. A school counselor will be assigned to coordinate and give academic, social and contractual guidance to the student. The counselor will communicate and coordinate with the host family and the designated representative from the placing organization and will require proof of mutual contact with the host family.
4. The host family of a foreign exchange student enrolling in the high school must live in the County, thereby making the foreign exchange student eligible to be enrolled.
5. A host family is limited to enrolling one (1) foreign exchange student in the high school, with approval of their sponsoring organization.
6. The foreign exchange student must document successful completion of at least two (2) years of English in school or equivalent experiences demonstrating functional skills in the English language.
7. Foreign exchange students must provide a secondary transcript (in English) upon enrollment at the high school.
8. On the day of enrollment, each foreign exchange student must submit immunization and physical examination records.
9. The counselor will establish a "buddy" system for each foreign exchange student, working with school service clubs that have the goal of promoting International good will and understanding.

#### **EXPELLED/CONVICTED STUDENTS**

The parent, guardian, principal, or other person or agency responsible for the student shall provide to the school, prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or

2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.<sup>5</sup>

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

### **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.

### **GRADING**

Grades earned on end-of-course exams required for high school courses designated by Kentucky Administration regulation shall count as twenty percent (20%) of a student's final grade in a course.

### **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.

## **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.*

## **TELECOMMUNICATIONS DEVICE OR LASER POINTER DEVICE**

### **POSSESSION AND USE**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
  - a. Poses a threat to academic integrity, such as cheating,
  - b. Violates confidentiality or privacy rights of another individual,

- c. Is profane, indecent, or obscene,
- d. Constitutes or promotes illegal activity or activity in violation of school rules, or
- e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

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

- 2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break.
- 3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
- 4. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
- 5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
- 6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

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.

### **Access to Electronic Media**

#### **ELECTRONIC MAIL/INTERNET**

The District offers students, staff, and members of the community access to the District's computer network for electronic mail and Internet. Because access to the Internet may expose users to items that are illegal, defamatory, inaccurate, or offensive, we require all students under the age of eighteen (18) to submit a completed Parent Permission/User Agreement Form to the Principal/designee prior to access/use. All other users will be required to complete and submit a User Agreement Form.

Except in cases involving students who are eighteen (18) years of age or older, parents/guardians may request to review the contents of their children's email files. Parents/guardians wishing to challenge information accessed via the District's technology resources should refer to Policy 08.2322/Review of Instructional Materials and any related procedures.

#### **GENERAL STANDARDS FOR USERS**

Standards for users shall be included in the District's electronic access plan, which shall include specific guidelines for student, staff, and community member access to and use of electronic resources.

Access is a privilege—not a right. Users are responsible for good behavior on school computer networks. Independent access to network service is given to individuals who agree to act in a responsible manner. Users are required to comply with District standards and to honor the access/usage agreements they have signed. Beyond clarification of user standards, the District is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network independently.

The network is provided for users to conduct research and to communicate with others. Within reason, freedom of speech and access to information will be honored. During school hours, teachers of younger children will guide their students to appropriate materials. Outside of school, families bear the same responsibility for such guidance as they exercise with information sources such as television, telephones, movies, radio, and other media that may carry/broadcast information.

#### **NO PRIVACY GUARANTEE**

The Superintendent/designee has the right to access information stored in any user directory, on the current user screen, or in electronic mail. S/he may review files and communications to maintain system integrity and insure that individuals are



using the system responsibly. Users should not expect files stored on District servers or through District provided or sponsored technology services, to be private.

### **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;
2. Using student email accounts for non-educational purposes;
3. Sending or displaying offensive messages or pictures//using obscene language;
4. Harassing, insulting or attacking others;
5. Damaging computer systems, computer networks or school/District websites;
6. Violating copyright laws;
7. Using another user's 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. Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com; and
12. Students revealing their name and personal information to, or establishing 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 on the District website. 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.

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, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

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; and
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.

### **DEFINITIONS**

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 substances 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, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating 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,

## **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. 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.

## **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.

## **NOTIFICATIONS**

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or

students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

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 a school function, shall be notified in writing of the student's history by the Principal of 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.

### **DEFINITION**

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

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

### **PROHIBITION**

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

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

### **DISCIPLINARY ACTION**

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

### **GUIDELINES**

Students who believe they or any other student, employee, or visitor is being or has been subjected to 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. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. Without

a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

Employees who believe prohibited behaviors is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations, information, and complaints of harassment/ discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the complaint. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within three (3) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of substantiated harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
  - such other measures as determined by the Superintendent/designee

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

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

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

## **NOTIFICATIONS**

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

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

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.

## **PROHIBITED CONDUCT**

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

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

## **CONFIDENTIALITY**

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

## **APPEAL**

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

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

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

**RETALIATION PROHIBITED**

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

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

**FALSE COMPLAINTS**

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

**OTHER CLAIMS**

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

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

**BULLYING DEFINED**

Bullying refers to an intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.

## **REPORTS**

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

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

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal /designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

## **OTHER CLAIMS**

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

## **WEAPONS**

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

### **WEAPONS PROHIBITED**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using or possessing any weapon, "look-alike" weapon, or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

A look-alike weapon refers to the following:

- Any object designed to look like or imitate a weapon; or
- Any object possessed or used by a student, employee or visitor to the school's facilities or grounds to give the impression that the object is a weapon.

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.

Exceptions:

- An exception may be made for students participating in an authorized curricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.
- Law enforcement officials are authorized to bring weapons onto school property in performance of their duties.

### **Federal Requirements Regarding Students**

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any students with disabilities to meet the requirements of IDEA and section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

Although students are subject to disciplinary action for violating any restriction in this policy, the twelve (12) month expulsion penalty mandated by the Federal Gun-Free Schools Act does not apply to a firearm lawfully stored in a locked vehicle on school property.

## **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>

## **GRIEVANCES**

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

If the Principal and Superintendent cannot successfully resolve grievances, the student may appeal to the Board. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel.

## **EXCEPTION**

Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

### **Grievance Procedures**

Students wishing to initiate a harassment/discrimination complaint should use procedure 09.42811 AP.2.

## **CONDITIONS**

1. All grievances are individual in nature and must be brought by the individual grievant.
2. All grievance proceedings shall be conducted outside the regular school day and at a time and place mutually agreed upon.
3. The grievant shall be permitted to have not more than two (2) representatives.
4. All attendant records shall be filed in the office of the Principal and/or Superintendent and shall be considered private information and separate from the student's educational records. All records will be kept for a minimum of three (3) years.
5. No reprisal shall be taken against any aggrieved student because of the filing of a grievance.

### **TIME LIMITS**

1. Students or their parents must file their grievance within ten (10) school days following the alleged violation. However, depending on the nature of the grievance, the Superintendent may grant an extension of the filing deadline if the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. Days referred to in the grievance initiation form shall be school days.
3. The time limits stated in various sections of these procedures may be extended by mutual consent of the Board, its authorized agents, and the grievant.
4. If no extension occurs and the grievant does not file an appeal to the next level within ten (10) school days of receiving a response, the grievance shall be considered to have been settled and terminated at the previous level, and the answer given at that level shall stand.

### **PRINCIPAL'S/SCHOOL COUNCIL'S INVOLVEMENT**

1. When appropriate, the grievant shall give his/her communication directly to the Principal, thus bypassing the teacher or other employee. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Principal.
2. The Principal reserves the right to redirect the communicator to the appropriate level and/or consult with the council, as appropriate.

# Student Disciplinary Processes

## SCHOOL-RELATED ACTIVITIES

The authority of the District in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

## TREATMENT OF PUPILS

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator or the Board acts under authority of [KRS 158.150](#), no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court records.
3. The student and/or parent/guardian may appeal actions taken to the Superintendent or to the Circuit Court with appropriate jurisdiction.<sup>1</sup>

## SERIOUS PROBLEMS

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

## COUNCIL RESPONSIBILITY

Each school council shall select and implement discipline and classroom management techniques for the school. The council's discipline policies shall provide for involvement of parents in disciplinary situations involving their children.

In non-SBDM schools, the Principal shall make these decisions in compliance with Board policy.

## CHILDREN AND YOUTH WITH DISABILITIES

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.





# MONTGOMERY COUNTY BOARD OF EDUCATION MEMBERS

Mr. Kenney Gulley, Chairman

Mr. Kelley Murphy, Vice Chair

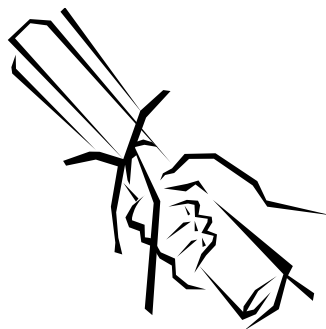
Mrs. Alice Anderson

Mrs. Sharon Smith-Breiner

Mrs. Donna Wilson

## SUPERINTENDENT

Dr. Josh Powell



“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.”