

MAGOFFIN CO. SCHOOLS  
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Salyersville, KY 41465  
Phone: 606-349-6117  
Fax: 606-349-3417

Magoffin County Schools  
PO Box 109  
Gardner Trail  
Salyersville, KY 41465



Student Handbook  
2009

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Superintendent  
Joe E. Hunley

Teaching is not a profession;  
it's a passion.

**Magoffin County Board of Education**  
**PO Box 109**  
**Salyersville, KY 41465**  
**(606) 349-6117**  
**Fax (606) 349-3417**

**Schools:**

**Magoffin County High School**      **349-2011**  
**Herald Whitaker Middle School**      **349-5190**  
**Salyersville Grade School**      **349-3411**  
**North Magoffin Elementary**      **349-2847**  
**South Magoffin Elementary**      **884-7325**

This discipline code was reviewed by members of the Magoffin County Board of education, approved and adopted at the July 1, 1985 board meeting.

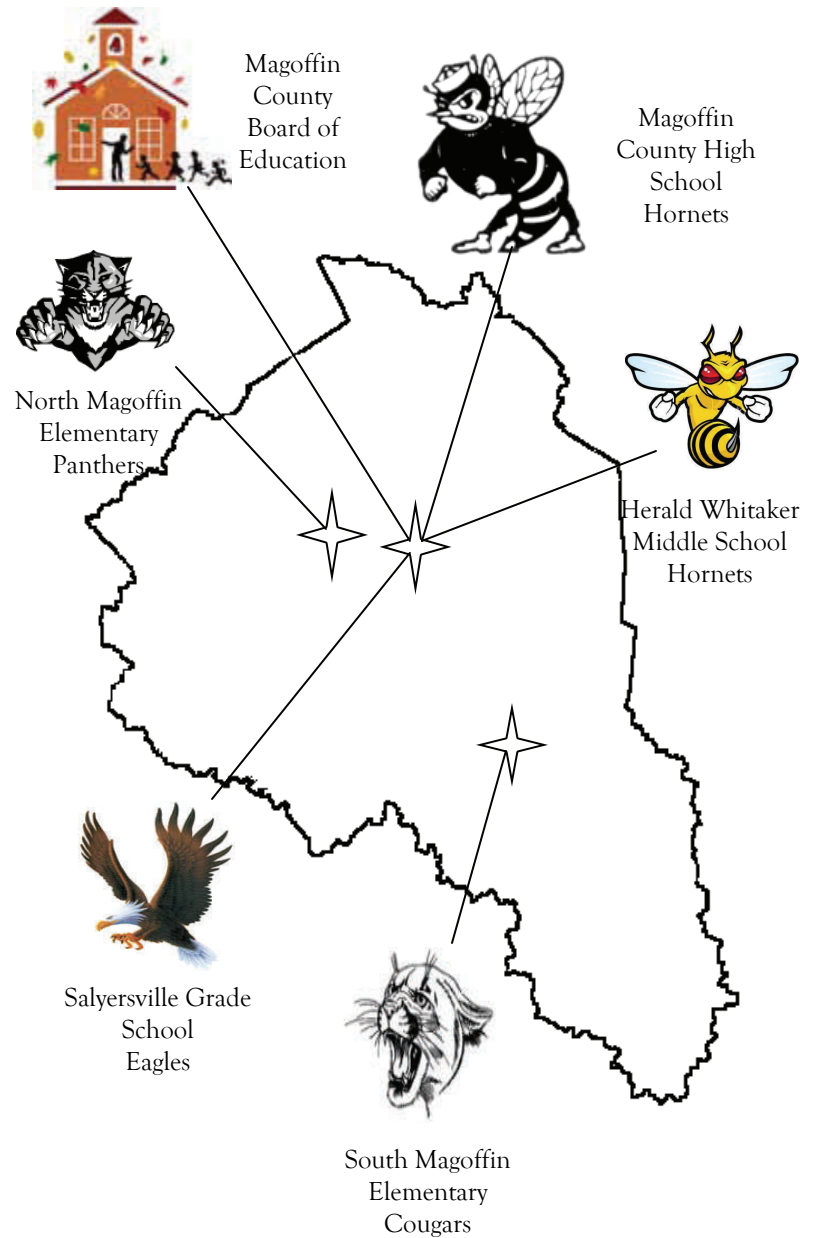
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Revised: March 3, 1989; July 15, 1991; July 1996; October 1997; September 2000, February 2007

Policy Update: July 2008

This code of student conduct was reviewed by legal counsel prior to submission to the Board of Education for approval.

“Whenever a Teacher or School Administrator is functioning in his capacity as an Employee of a Board of Education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the Teacher or School Administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermined the good order and discipline of the school.”



### Kentucky Assessment By Grade

Grade	KCCT										WRITING		READINESS EXAMINATION
	Reading	Math	Science	Social Studies	Arts & Hum.	Practical Living/ Voc. Studies	On-Demand	Writing Portfolio			High School and College Diagnostic		
End of Primary Grade 3	MC, OR	MC, OR											
4	MC, OR	MC, OR	MC, OR			MC		Analytic					
5	MC, OR	MC, OR		MC, OR	MC, OR		Analytic One prompt and MC						
6	MC, OR	MC, OR											
7	MC, OR	MC, OR	MC, OR			MC		Analytic					
8	MC, OR	MC, OR		MC, OR	MC, OR		Analytic One prompt and MC					EXPLORE English, Reading, Mathematics, Science (Fall)	
9													
10	MC, OR					MC						PLAN English, Reading, Mathematics, Science (Fall)	ACT
11		MC, OR	MC, OR	MC, OR	MC, OR		Analytic One prompt						
12													

NOTE: \*Optional norm-referenced test is provided to local districts to aid in the identification of Gifted and Talented students.  
 LEGEND: MC = Multiple Choice; OR = Open Response; Analytic = Total Score and scores for Content, Structure and Conventions are reported.

### TABLE OF CONTENTS

Mission Statement \_\_\_\_\_ 5  
 Orientation of Code \_\_\_\_\_ 5  
 Non-Discrimination Statement \_\_\_\_\_ 5-6  
 Rights and Responsibilities \_\_\_\_\_ 6  
 NCLB Letter \_\_\_\_\_ 7  
 Title I District Policy \_\_\_\_\_ 8-10  
 Bullying/Hazing \_\_\_\_\_ 11-12  
 Student Discipline Code \_\_\_\_\_ 13  
 Student Rights \_\_\_\_\_ 14  
 Student Responsibilities \_\_\_\_\_ 15  
 Transportation \_\_\_\_\_ 16  
     Buses \_\_\_\_\_ 16  
     Student Drivers \_\_\_\_\_ 16-19  
 Professional Code of Ethics \_\_\_\_\_ 20-21  
 Parent/Guardian Rights \_\_\_\_\_ 22  
 Parent/Guardian Responsibilities \_\_\_\_\_ 22-23  
 Principal/Designated Administrator Rights \_\_\_\_\_ 23  
 Principal/Designated  
     Administrator Responsibilities \_\_\_\_\_ 23  
 Family Education Rights and Privacy Act \_\_\_\_\_ 24-26  
 Protection of Pupil Rights Amendment \_\_\_\_\_ 26-27  
 Acceptable Use Policy \_\_\_\_\_ 28-33  
 Extended School Services \_\_\_\_\_ 34  
 Motor Vehicle Use \_\_\_\_\_ 35-36  
 Attendance Rules and Regulations \_\_\_\_\_ 36-7  
 Absences and Excuses \_\_\_\_\_ 38-40  
 School Entrance \_\_\_\_\_ 41  
 Dismissal from School \_\_\_\_\_ 41-42  
 Release of Student Information \_\_\_\_\_ 42  
 Textbook/Instructional Materials \_\_\_\_\_ 43  
 Health Requirement and Services \_\_\_\_\_ 43-45  
 School Athletics \_\_\_\_\_ 45-46

**TABLE OF CONTENTS  
(Cont.)**

Due Process _____	46
Suspension _____	46-48
Expulsion _____	48
Suspension or Expulsion of Students with Disabilities _____	49
Assault & Threats of Violence _____	49-50
Alcohol, Drugs, and Other Controlled Substances & Drug Testing _____	51-61
Weapons _____	61-63
Search and Seizure _____	63-65
Corporal Punishment _____	65-67
Student Discipline _____	67
By Teachers _____	67
Referral to Principal _____	68
Options for Administrators _____	68-70
Telecommunication Devices _____	70
Disciplinary Responses to Student Misconduct _____	71
Level I _____	72
Level II _____	72
Level III _____	73
Level IV _____	73
Criminal Violations _____	74
Magoffin Co. High School Graduation Requirements _____	75-76
Magoffin Co. High School Freshmen Academy _____	76
Magoffin Co. Schools _____	77
Kentucky Assessment By Grade _____	78

## Magoffin County Schools

### Herald Whitaker Middle School

District No. 371 School No. 175 Grades 07-08  
221 Hornet Dr., Salyersville, KY 41465  
(606) 349-5190 Fax Number (606) 349-5139

### Magoffin County High School

District No. 371 School No. 370 Grades 09-12  
201 Hornet Dr., Salyersville, KY 41465  
(606) 349-2011 Fax Number (606) 349-5345

### North Magoffin Elementary

District No. 371 School No. 172 Grades PS-06  
1991 Hwy 460 W, Salyersville, KY 41465  
(606) 349-2847

### Salyersville Grade School

District No. 371 School No. 360 Grades PS-06  
169 Gardner Tr., Salyersville, KY 41465  
(606) 349-3411 Fax Number (606) 349-3483

### South Magoffin Elementary

District No. 371 School No. 173 Grades PS-06  
171 Half Mt. Rd, Salyersville, KY 41465  
(606) 884-7325 Fax Number (606) 884-7322

## Magoffin County High School Graduation Requirements (Cont.)

### Additional Graduation Requirements:

Completion of Writing Portfolio  
Completion of Individual Learning Plan  
Participation in state assessment

### Pre-College Requirements

4 years of math (one course MUST be taken during senior year)  
2 credits of the same foreign language

## Magoffin County High School Freshmen Academy

The Magoffin County High School Freshman Academy was instituted at the beginning of the 2007-2008 school year in order to make the transition from the middle school setting into a high school setting a successful one. The specific mission of the Freshman Academy is to ensure a solid academic foundation that will engender further student achievement throughout their high school career, to provide specialized academic instruction for all freshmen within a protective and inclusive environment, to facilitate them in the development of a positive and responsible moral character, and to offer them the opportunity to mature at their own rate under the guidance of caring, nurturing educators.

### MISSION STATEMENT

The mission of the Magoffin County Schools, in partnership with parents and community, is to ensure all students obtain the knowledge and skills to successfully compete in a global society.

### DISTRICT CODE OF STUDENT CONDUCT

This code of student conduct is subject to on going evaluation and updates. However, prior to each school term, an annual review shall be conducted and revisions made when necessary. Extenuating circumstances shall be handled by existing guidance committee at each school.

### ORIENTATION OF CODE

This information and copies of this code of conduct will be available for inspection at each school and in the central office. Copies in reasonable numbers will be made available to any interested parties. More specifically, teachers, pupils and parents will be oriented in the following manner.

#### **A. TEACHERS**

Teachers will be oriented annually.

#### **B. PUPILS**

Pupils will be oriented during the first week of school and updated frequently.

#### **C. PARENTS**

Parents will be informed of the code of conduct through the use of the news media (i.e.. radio, newspaper) and oriented during Open House and other meetings at their respective school.

### NON-DISCRIMINATION

The Magoffin County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex or handicap in employment or educational programs or activities as set forth in Title IX, Title VI and Section 504. Any person having inquiries concerning Magoffin County Schools compliance with these programs should contact Valerie Patrick, Magoffin County Board of Education (349-6117) who has been appointed by the board to coordinate the district's efforts to comply with these regulations. In order to assure prompt, equitable resolution of complaints regarding these regulations the following procedures have been adopted by the local board.

1. Any employee, student, or parent who has a complaint regarding discrimination on the basis of any of the above shall present to the building principal such complaint, in writing, in an effort to arrive at a workable solution.
2. The complaint shall be handled promptly, allowing no more than three days to elapse before a written response is made by the principal and presented to the employee, student, or parent who issued the complaint.
3. If the person making the complaint is not satisfied with the response, the person may appeal, in writing to the Superintendent.
4. The Superintendent, in conjunction with at least two members of the Central Office Staff, shall respond, in writing, within three days after notification of such complaint.
5. If the solution offered by the Superintendent is unacceptable to the complaining party, an appeal may be made to the Magoffin County Board of Education.
6. The Board shall consider the complaint within thirty days after receiving the written appeal. A decision reached by the Board shall be considered final, and shall be presented in written form to the complaining party the day after the Board meeting is held. (The decision may be sent by registered mail on the first working day after the Board reaches its decision.)

This policy should not be construed to mean that a pupil or parent is not free to confer with the Superintendent or Board whenever he/she wishes. However, use of the appeals channel will usually expedite settlement of a grievance.

The decision of the Board is final, except that the pupil and his/her parent(s) or guardian(s) have recourse to the courts if the pupil is denied due process or if the expulsion is believed to be for illegal or unconstitutional reasons.

#### **RIGHTS AND RESPONSIBILITIES**

The United States Constitution provides for the protection and safeguard of all people. In this same vein, there is the responsibility inherent in all rights. Therefore, all participants in the schooling process must exercise the self-discipline and care necessary to afford others equal rights and protection. Further, all participants have the rights and responsibility to know and understand the basic code of conduct. The following paragraphs outline both the rights and responsibilities of all participants.

### **Magoffin County High School Graduation Requirements**

<b>Subject Area</b>	<b>Credits Required</b>	<b>Course Name</b>
Language Arts	4	English I English II English III English IV, AP, or College 101/102
Social Studies	3	Intro to Social Studies World Civilization US History or AP
Mathematics	3	Algebra I Algebra II Geometry
Science	3	Earth Space Science Biology Chemistry
Visual & Performing Arts	1	Humanities
Practical Living	1	Practical Living/ Voc. Studies
Health	½	Health
Physical Education	½	Physical Education
Electives	10	Classes must concentrate in a specific career cluster as identified in the individual learning plan
<b>Total Credits</b>	<b>26</b>	

## CRIMINAL VIOLATIONS

There is considerable confusion about the role of the school in handling misconduct which is clearly criminal. This code of Student Conduct embraces the philosophy that pupils are accountable for their school in their role as students as well as to the law in their capacity as citizens. The criminal laws of the Commonwealth of Kentucky and of the feral government apply to the conduct of all persons on school property. Due to the seriousness of LEVEL IV offenses, the student's continued presence in the school would constitute a threat to other persons and would have a negative impact on the general morale of the school. Verified LEVEL IV misconduct should result in the immediate removal of the student from the school, pending a hearing before the board in accordance with KRS 158.150 and as previously described in this code. School administrators shall report these offenses to the appropriate law enforcement agency and assist these agencies in investigating and prosecuting the offender. In cases of assault and/or battery on a student or school employee, it is suggested that these persons press charges. The district should encourage this practice and give full support o the aggrieved individual in the legal pursuit of this matter. A student charged with LEVEL IV misconduct should be given a full due process hearing before the board, which should take prompt and appropriate action. Since disciplinary action by the school in the criminal matters does not constitute "double jeopardy" the board need not await the disposition of the trail.

Dear Parent or Guardian:

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

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

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

If you would like to request this information, please contact Sherry Holbrook or Jill Howard by phone at Magoffin County Schools 349-6117 or by email at [jill@magoffin.k12.ky.us](mailto:jill@magoffin.k12.ky.us) or [sholbroo@magoffin.k12.ky.us](mailto:sholbroo@magoffin.k12.ky.us). Please include your child's name, the name of the school your child attends, the names of your child's teacher(s) and an address or email address where the information may be sent. Thank you for your interest and involvement in your child's education.

Respectfully,

Joe Hunley  
Superintendent  
Magoffin Co. Schools

**Magoffin County Title I District  
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. The mission of the Magoffin County School District, in partnership with parents and community, is to accept the responsibility and challenge of educating all students to be proficient life long learners.

**Expectations for Parent Involvement**

It is the intent of the Magoffin County School Board that parents of participating students shall be provided with frequent and convenient opportunities for full and ongoing participation in the Title I program, including opportunities to suggest modifications, based on changing needs of parents and the schools. During the development and/or revision of the Comprehensive District Improvement Plan a meeting will be held in May whereby parents will be invited to attend and/or serve on the school improvement plan committee.

All comments indicating parents' dissatisfaction with the district Title I plan shall be collected and submitted along with the plan to the Kentucky 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 Magoffin County Board. These goals and standards shall be shared with parents in a manner that will enable them to (1) participate in decisions concerning their child's education and (2) monitor and improve the educational achievement of their child.

**Building Capacity for Involvement**

If the Magoffin County district's Title I allocation is \$500,000 or more, the Magoffin County district shall reserve one percent (1%) of its allocations for the purpose of promoting parent involvement. Parents of participating students shall be provided the opportunity to help decide how this portion of the Title I funds will be used.

**DISCIPLINARY RESPONSE TO STUDENT MISCONDUCT**

<b>Level III Misconduct</b>	<b>Examples</b>	<b>Disciplinary Procedures</b>	<b>Response Option</b>
Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. These acts might be considered criminal but most frequently can be handled by disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for re-mediating the situation in the best interests of all students.	Continuation of Unmodified LEVEL II misbehavior Fighting (simple) Vandalism (minor) Possession/use of unauthorized substances (such as prescription medicine belonging to someone else) Stealing Threats to others Use of tobacco Insubordination  (See Student Responsibilities)	The administrator initiates disciplinary action by investigating the infraction and conferring staff on the extent of the consequences.  The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action. (Parent contact must be made for LEVEL III)  A proper and accurate record of offenses and disciplinary action is maintained by administrator.	Temporary removal from class Social adjustment classes Home school instruction Alternative program Temporary out of school suspension Full out of school suspension Counseling Detention Schedule Change Refer to outside agency Withdrawal of privileges Parent "Shadowing"
<b>Level IV Misconduct</b>	<b>Examples</b>	<b>Disciplinary Procedures</b>	<b>Response Option</b>
Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school.  These acts are clearly criminal and are so serious that they always require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and action by the board of education.	Unmodified LEVEL III misconducts Extortion Bomb threat Possession/use/transfer of dangerous weapons Assault/battery Vandalism Theft/possession/sale of stolen property Arson Furnishing/selling/possession on unauthorized substances.  (See Student Responsibilities)	The administrator verifies the offense confers with the staff involved and meets with the student  The student is immediately removed from the school environment. Parents are notified (Parent contact must be made by LEVEL IV offense.)  School officials contact law enforcement agency and assist in prosecuting offender.  A complete and accurate report is submitted to the superintendent for board action.  The student is given a full due process hearing before the board.	Expulsion  Alternative schools  Other board action which results in appropriate placement  Referral to local state or federal authorities  Withdrawal of privileges  Parent "Shadowing"

**DISCIPLINARY RESPONSE TO STUDENT MISCONDUCT**

<b>Level I Misconduct</b>	<b>Examples</b>	<b>Disciplinary Response Procedures</b>	<b>Response Option</b>
Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school	Classroom disturbance Classroom tardiness Abusive language Non-defiant failure to complete or carry out directions	There is immediate intervention by the staff members who is supervising the student who observes the misbehavior	Verbal reprimand Special assignment Behavioral contract Counseling Withdrawal of privileges Time-out room Strict supervised study Demerits Detention
These misbehaviors can usually be handled by an individual staff member but sometimes require the intervention of other school support personnel	(See Student Responsibilities)	Repeated misbehavior requires a parent/teacher conference/ contact: conference with the counselor and/or administrator	

<b>Level II Misconduct</b>	<b>Examples</b>	<b>Disciplinary Response Procedures</b>	<b>Response Option</b>
Misbehaviors whose frequency or seriousness tends to disrupt the learning climate of the school. These infractions which usually result from the continuation of LEVEL I misbehaviors require the intervention of personnel on the administrative level because the execution of LEVEL I disciplinary options has failed to correct the situation. Also, included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.	Continuation of unmodified LEVEL I misbehavior School tardiness Truancy Using forged notes or excuses Disruptive classroom behavior Cutting class Harassment Malicious remarks  (See Student Responsibilities)	The student is referred to the administrator for appropriate disciplinary action  The administrator meets with the student and/or teacher and effects the most appropriate response. The teacher is informed of the administrator's action.  A proper and accurate record of the offense and disciplinary action is maintained by the administrator.  A parental conference/contact is held.	Teacher/schedule change Detention Behavior modification Social probation Peer counseling Referral to outside agency Alternative in-house placement Transfer Counseling Withdrawal of privileges Parent "Shadowing"

The Magoffin County district will provide coordination, technical assistance, and other support necessary to assist participating Title I 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:

- 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.*
- The district parent liaison will work with staff and parents to implement school parent involvement activities such as, but not be limited to, the following:*
  - Survey parents to determine needs and topics for parent training
  - Facilitate/Provide training sessions and materials for parents
  - Make home visits to train parents that cannot attend training sessions
  - Coordinate with other programs (such as Family Resource and Youth Service Centers) that have contact with parents
  - Attend conferences/workshops to obtain information on family and community involvement in schools
  - Maintain records of all activities, training workshops, etc.
  - Offer parent volunteer training
  - Train staff with the assistance of parents on how to reach out to, communicate and work with parents as equal partners in their children's education
  - Apply for CIPL training and encourage parents' participation
  - Provide parenting tips and other pertinent information through Home & School Newsletters and Parent Talk
  - Develop and provide brochure detailing parent involve-

- ment program
- Annually evaluate the parent involvement program to determine changes, etc.
3. The district, through the technical support stated in #2 will provide activities that will build the schools' and parents' capacity for more effective involvement.
  4. Sharing options for coordinating and integrating Title I program strategies with services of other community programs, businesses and agencies such as Magoffin County Head Start Program (Transitions), KVEC (Parent trainings, Connect With Kids), Community Education Program, Magoffin County Public Library (Read Across America), Magoffin County Extension Agency (4-H), Family Literacy Program and Adult Education Program.
  5. Conduct an annual evaluation of the content and effectiveness of the Parent Involvement Policy in improving the academic quality of the schools, including identifying barriers to greater participation of parents, in particular: low-socioeconomic, limited English proficiency, limited literacy, or minority parents.

*Use the evaluation findings to improve the parent involvement program and revise/evaluate the Parent Involvement Policy annually.*

#### **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. This policy shall be developed jointly with and distributed by the school to parents of participating students.

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

#### **Notice of Policy**

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Acceptable Behavior and Discipline.

#### **DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT**

The following charts were designed to provide Magoffin County Schools with direction in implementing consistent disciplinary responses to various acts of student misconduct. The chart assigns student misbehaviors to clusters based on their relationship to one another and refines these clusters into four levels of clearly defined misconduct categories. Each level cites examples of student misconduct, response procedures, and response options. As with the implementation of any policy or code, there is required a degree of interpretation and common sense application.

PLEASE NOTE: Regardless of the procedures given in this Code of student Conduct school official(s) may ask the court for assistance in dealing with specific disciplinary matters at any time it is deemed necessary.

NOTE: The examples given in the following charts of misconduct at each level are not meant to be all inclusive. A determination must be made by the principal or his/her designee as to which general category a non-listed violation would likely belong.

shall arrange and conduct said conference in a due and timely fashion.

## **Telecommunication Devices**

### **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 telecommunication devices as defined by law<sup>1</sup> and other related electronic devices, provided they observe the following conditions:

Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. 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.

When students violate this prohibition, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.

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.

Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

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.

## **Bullying/Hazing**

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

### **DEFINITION**

As referred to in this policy, bullying refers to intentional, repeated hurtful acts, words or other behaviors that involve an imbalance of power. These may include, but are not limited to, name calling, teasing, threatening, social exclusion, and cyberbullying. Bullying may be physical, verbal, emotional or sexual in nature.

### **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.<sup>1</sup> This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

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

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

### **PROGRAM TO ADDRESS**

Each school, with assistance from the Superintendent/designee, shall implement a comprehensive program with the following goals to address bullying and hazing:

- To send a clear message to students, staff, parents, and community members that such behavior will not be tolerated.
  - To train staff and students in taking proactive steps to prevent such behaviors from occurring.
  - To implement procedures for immediate intervention, investigation, and confrontation to students engaged in prohibited behavior.
  - To initiate efforts to change the prohibited behavior of students through education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
  - To foster a productive partnership with parents and community members in order to help maintain a safe and civil environment.
  - To help develop peer support networks, social skills, and confidence for all students.
  - To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.
- Each school shall annually submit their bullying programs to be approved at the Regular Board meeting in July before the beginning of each school year.

#### **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.

As directed by the Superintendent/designee, each Principal shall report on a periodic basis the number of bullying/hazing incidents and progress made toward reducing reoccurrence.

#### **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.

Alternative in-house placement is the temporary isolation of a student from one or more classes while under proper supervision while receiving instruction in subject matter he/she would otherwise receive in regular classroom.

Alternative in-house placement shall be imposed by the principal or designee for violation of school rules or policies (District Code of Conduct) where the infraction does not necessarily warrant removal from school by suspension.

Students shall be placed in alternative in-house placement rather than suspended or expelled unless they have been granted due process steps for suspension or expulsion (See this Code of Conduct for suspension and expulsion procedures). Any student who refuses in-house placement when duly assigned there shall be considered truant and legal action may be taken. Reasonable attempt(s) shall be made to notify parent/guardian of students assignments to detention.

#### **8. Probation**

The principal or his/her designee may specify that the student be readmitted to class upon probation conditional upon good behavior during a specified period. Probation may be imposed for infractions of school rules or policies (District Code of Conduct) where the infraction does not necessarily warrant removal from school by suspension. Written notice of probation shall be placed in the student's file. Should the student breach the conditions imposed for probation, the student may be suspended from school, or may be subject to any of the authorized actions pursuant to this District Code of Conduct.

#### **9. Non-Academic Placement**

When disciplinary action results in a student being dropped from an academic class and placed where course credit can not be earned, parent/guardian shall be provided written or verbal notice of each change. Documentation of said notice shall become part of student's cumulative record. Parent/guardian may appeal said schedule change by requesting a conference and must be made within ten (10) days of school notice to parent/guardian. This request may be written or verbal. Principal or his/her designee

- B. The age and grade level of the pupil shall be considered in determining the length of time a pupil may be detained after school.
- C. A pupil's parent/guardian shall be notified prior to after school and/or Saturday detention so that transportation may be arranged by the parent.
- D. Parents will be responsible for transportation of student who has been detained and/or lost transportation privileges.

### **B. REFERRAL**

Discipline problems which are of a serious nature must be referred to the principal or his designee. The staff member making the referral shall deliver, or have delivered (in writing, to the principal or his designee, the following information):

1. Name of student
2. Class
3. Date/time
4. Reason for referral
5. Signature of person making referral

### **C. ADMINISTRATORS**

Disciplinary problems referred to the school administrator are usually handled by in-school measures short of suspension and/or expulsion. These options include but are not limited to:

1. Counsel with student regarding the offense to correct the behavior and prevent its recurrence.
2. Set up a conference with the parent(s)/guardian(s) which may include the referring teacher, counselor, or other staff members.
3. Teacher/student schedule change.
4. Behavior modification and/or peer counseling program designed to effect a desired change in student's behavior.
5. Referral to outside agency.
6. Loss of school privileges (e.g. extra curricular activities, such as ballgames, instruction field trips, dances, 8th grade trip, senior trip, etc.)
7. Alternative in house placement.

## **Student Discipline Code**

### **DEVELOPMENT**

In accordance with [KRS 158.148](#) and [704 KAR 007:050](#), the Board shall develop a student discipline code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by [KRS 158.148](#), a process shall be developed to provide information to those parties and to train employees.

The code shall establish standards of acceptable student behavior and discipline and may include District-wide standards of behavior for students who participate in extracurricular and co-curricular activities.

The code also shall include a process addressing how students can report code violations to District personnel for appropriate action.

### **DISTRIBUTION**

Once reviewed and approved, the student discipline code shall be distributed to students and parents in the District, including those students who enroll during the school year.

### **REVIEW**

The Board shall update the student discipline code at least every two (2) years.

### **REPORTING OF DATA**

As directed by the Kentucky Department of Education (KDE), the District shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under [KRS 525.070](#) or [KRS 525.080](#) in relation to a serious incident.

Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

## STUDENT RIGHTS

### Students have the right to:

1. an appropriate public education which maintains high educational standards and meets the needs of individual pupils.
2. notification of information pertaining to regulations and policies which pertain to their public schooling experience.
3. reasonable physical protection and safety of their personal property.
4. consultation with teachers, counselors, administrators, and other school personnel.
5. free student elections for organizations within the school or their counterparts within the state and nation.
6. candidacy and to hold office in student organizations with the school or within the state or national student organizations.
7. access his or her own records and guarantee of the confidentiality of a student's academic records outside of the school system, except upon written authorization of the student or his/her parents or guardians in accordance with Family Rights and Privacy Act.
8. have parent(s)/guardian(s) or other authorized representatives to examine personal school records.
9. participate in school activities without being subject to any form of discrimination.
10. receive respect from other students and school personnel.
11. suggest new rules or changes in old rules to principal or principal's designee.
12. presentation of complaints and grievances to proper school authorities and to receive replies from school officials regarding the disposition of their complaints and grievances.
13. receive academic grades based only upon academic performance.
14. freedom from arbitrary nonacademic placement

the circumstances requiring this punishment, including the misbehaviors for which this punishment was administered and the severity of the punishment recorded by the number of strikes administered. The certified employee who administers the punishment, as well as the official witness, shall provide written verification of this information.

Each school shall maintain all corporal punishment records that may be required by law.

### STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law shall be followed.

## STUDENT DISCIPLINE

### A. TEACHERS

Discipline problems which are of a common or minor nature are handled by the classroom teacher, who may use a variety of methods, but not limited to:

1. Verbal warning/reprimand
2. Individual conference
3. Notifying parents (telephone or letter)
4. Temporary isolation within the classroom
5. Referral to counselor
6. Temporary withdrawal of privileges
7. Special assignment
8. Behavioral contract
9. Time-out room
10. Strict supervised study
11. Demerits
12. Detention

Reasonable detention at the close of the school day is permitted under the following conditions:

- A. When the pupil is detained at the school beyond normal time, the teacher shall give appropriate consideration to factors of pupil transportation, traffic patterns, weather and any other extenuating circumstances.

and only in the presence of another certified employee. The principal who administers corporal punishment shall be the same gender as the student being punished, except when a staff member of the appropriate gender is not assigned to the school.

#### **PUPIL GIVEN REASON**

Prior to punishment, and in the presence of the witness, the student shall be informed of the reason for the punishment and permitted to give his/her account of the incident or infraction.

#### **OTHER PUPILS NOT PRESENT**

Corporal punishment shall not be administered in the presence of other students.

#### **LAST RESORT**

Corporal punishment is a last resort to be utilized only after other disciplinary means have been tried and found to be ineffective. Prior to exhibiting the misbehavior resulting in corporal punishment, the student shall have been made aware that the misbehavior could result in corporal punishment.

#### **NOT EXCESSIVE**

Corporal punishment shall not be excessive or unreasonable. Among the factors to be considered shall be the age, size, and health of the student.

#### **EXCUSED ON REQUEST**

At the parent's written request, a student shall be excused from corporal punishment. When parents request that it not be used with their child, other appropriate punishment, including suspension, shall be administered in lieu of corporal punishment.

#### **REQUIRED RECORDS**

Each use of corporal punishment shall be documented by a written record that includes the student's name and age; the name and gender of the person administering the punishment; and the name and gender of the witness(es).

The written record shall also include a complete description of

### **STUDENT RESPONSIBILITIES**

#### **Students have the responsibility to:**

1. maintain acceptable conduct at all times.
2. display consideration for the rights and property of others.
3. dress in a manner that is not detrimental to the normal school progress and orderly operation of the school.
4. maintain proper hygiene at all times.
5. abstain from the possession and/or use of illegal substances, including alcohol.
6. abstain from the use of beepers, cell phones and/or any electronic communication device.
7. abstain from the possession and/or use of weapons, dangerous instruments, fireworks, and other incendiary devices.
8. abstain from physically attacking any school employee.
9. refrain from physically attacking classmates.
10. be in attendance at all regularly scheduled classes.
12. refrain from acts of truancy such as being absent without permission from school and/or class.
13. show respect for school authority by avoiding all acts of defiance.
14. abstain from gambling, extortion, theft, or any other acts of defiance.
15. abstain from use of tobacco products.
16. complete all homework and class work in accordance with teacher instructions.
17. represent the truth in all school matters.
18. refrain from cheating on all academic and/or athletic activities.
19. avoid the use of verbal abuse with all persons within the school setting.
20. refrain from the harassment of fellow students and/or school personnel.
21. exhibit respect for other opinions by refraining from rudeness or inappropriate language.
22. abstain from willful disobedience by open rebellion to school regulations and/or school personnel.
23. practice proper safety procedures while using the building facilities.
24. show respect for the educational process by taking advantage of every opportunity to further their education.
25. refrain from habitual tardiness.
26. practice self-control in terms of voice and limbs.
27. refrain from leaving school grounds prior to dismissal for the day.
28. abstain from any form of disruptive behavior in the classroom, or school grounds or school bus.

## TRANSPORTATION School Bus

### Pupil Responsibilities

1. Pupils shall wait at their assigned bus stop off the traveled roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled pupils to enter.
2. Pupils who must cross the roadway to enter the bus or when leaving the bus, shall wait until signaled to do so by the bus driver.
3. For safety reasons, pupils who are required to cross the roadway when entering or leaving the school bus, shall cross the roadway a distance of approximately ten (10) feet in front of the bus so they may be seen by the bus driver.
4. When pupils enter the bus, they shall proceed promptly to their assigned seats.
5. Pupils shall remain seated until the bus has come to a complete stop before leaving their seats.
6. For safety reasons, pupils shall not extend their arms, legs or heads out of the bus windows while the bus is in motion.
7. Pupils shall not change from one(1) seat to another while the bus is in motion unless given permission by the bus driver.
8. Pupils shall not create noise on the bus to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.

### Student Drivers

#### No Pass/No Drive

Students who are sixteen (16) or seventeen (17) years old who becomes 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 student 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 courses, taken in the preceding semester.

2. To search when weapons have been found at school;
3. To search when violence involving weapons has occurred at school;
4. To search when conditions exist in the community that may result in students bringing weapons to school;
5. To search all students entering the premises; or
6. To search students on a random basis.

Any search of a student's person as the result of the activation of the detector will be conducted in private.

### CORPORAL PUNISHMENT

The board authorizes the use of corporal punishment as a disciplinary measure, under guidelines set out in this policy.

### DEFINITION

Corporal punishment refers to the deliberate infliction of physical pain by any means on the whole or any part of a student's body as punishment or penalty for misbehavior.

### APPLICATIONS

Corporal punishment shall be administered by striking the student's buttocks with a paddle. No other form of corporal punishment may be administered.

### USE OF PHYSICAL RESTRAINT

Employees may use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, or others from physical injury; to obtain possession of a weapon or other dangerous object under the control of a student; or to protect property from serious harm.

### PARENTAL NOTIFICATION

Within (1) school day of the occurrence, the principal or designee shall notify the student's parents in writing that corporal punishment has been administered to their child.

### WHO CAN ADMINISTER

Corporal punishment may be administered only by a principal

School property, such as lockers, and desks, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all property 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 to items left in such locations.

A single desk or locker may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

Motor Vehicle inspection: driving rules shall be given to each driver, including a statement giving school officials the right to search a vehicle parked on school property and to search individual automobiles when conditions exist in the school or community that would cause reasonable suspicion that dangerous weapons could exist that threatens the safety of employees and/or students.

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

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member.

Such items may be returned to the pupil by the staff member or through the principal's office.

All items which have been seized shall be turned over to the proper authorities or returned to the true owner (if ownership can be determined.)

**USE OF METAL DETECTORS**

In accordance with procedures reviewed by the board, school administrators are authorized to use stationary or mobile metal detectors in the following circumstances:

1. To search an individual when there is reasonable cause to believe that students possess weapons at school;

(Courses Needed to pass based on Courses offered by school)

<b>Courses Per Semester</b>	<b>Courses Students Need to Pass</b>
4	3
5	4
6	4
7	5
8	6

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 appropriate agency.

**School Compliance Verification Form**

Beginning August 1, 2007, any 16 or 17 year-old applying for a driver's license permit (Instruction Permit) will be required to have this form issued from his/her school. This form verifies that the student is compliant (in good standing) with the requirements of the No Pass/No Drive Law.

**Driver's Responsibilities:**

1. The driver shall operate the school bus at all times in a manner that provides the maximum amount of safety and comfort for the pupils under the circumstances.
2. The driver shall supervise the seating of the pupils on the bus. The driver shall make certain the seating capability of the bus has been fully utilized before any pupil is permitted to stand in the bus aisle.
3. The driver shall not, at any time, permit pupils to stand in the stepwell or landing area or where the pupil would likely fall out of the bus if there is an emergency door opened, or where

the driver's view directly in front of the bus or to either side of the front of the bus would be obscured.

4. The driver shall report to the superintendent any overcrowded conditions on the bus.
5. The driver shall transport only those pupils officially assigned to a particular bus trip unless unassigned pupil presents the driver with a written permit to ride the bus trip that has been signed by the school principal or his designate. The driver shall not permit an assigned pupil to leave the bus at a stop other than where the pupil regularly leaves the bus unless presented with a written permission signed by the principal or his designate.
6. The driver shall not transport adult employees of the board or any person not employed by the board unless he receives written permission from the district superintendent.
7. The driver shall not knowingly permit any firearms or weapons, either operative or ceremonial, to be transported on the bus. The driver shall not knowingly permit any fireworks or any other explosive materials of any type to be transported.
8. The driver shall not permit any live animals, fowls, or reptiles to be transported on the bus. The driver shall not permit any preserved specimen to be transported that would likely frighten any pupil or cause a commotion on the bus.
9. The driver shall not permit the transportation of any object that would likely block the bus aisle or exits in case of a collision.
10. The drivers shall not permit a pupil to operate the entrance door handle or any other bus control except in case of an emergency.
11. The drivers shall activate the flashing amber signal lights to a sufficient distance from a bus stop to warn motorists of the intended stop. Once the bus comes to a complete stop the driver shall activate the stop arm and red flashing signal lights.
12. For safety reasons, the driver shall not permit fueling of the bus while pupils are on board the bus.
13. If a pupil's conduct on the bus makes it unsafe for the bus to continue on its route, it shall be the duty of the driver to:
  - A. make a determination as to the potential danger to other students on the bus; and
  - B. take action against the student either by:
    1. Requesting that the student stop engaging in the prohibited conduct.
    2. Ordering the student to leave the bus.
    3. Ejecting the pupil from the bus or sending for assistance if the students fails to comply with the

case basis, for IDEA/504 eligible students. IDEA and 504 eligible students may be expelled for behavior unrelated to their disabilities as long as the procedural safeguards by IDEA, Section 504 and KRS 158.150 are followed.

### **Exceptions**

An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.

### **Enforcement**

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable board policies.

### **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 law. Search of a pupil's person shall be conducted only with the express authority of the principal.

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the principal of the school which the student attends.

When a pat-down search of a pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search.

No search of a pupil shall be conducted in the presence of other students. No strip searches of students shall be permitted.

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

A deadly weapon shall be defined as:

1. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
2. any knife other than an ordinary pocket knife (principal or designee has discretion if ordinary pocket knife should be classified deadly weapon);
3. billy, nightstick or club;
4. blackjack or slapjack;
5. nuchadku karate sticks;
6. shuriken or death star; or
7. artificial knuckles made from metal, plastic, or other similar hard material.
8. Any other instrument or time that may be used with the intent to inflict pain or harm to others.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct to the principal as soon as possible.

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

#### FEDERAL REQUIREMENTS

The penalty for students bringing a firearm or weapons to school or onto the school campus/property under jurisdiction of the district shall be expulsion for a minimum of twelve (12) months under policy 09.435.

Any student who brings to school a firearm or weapon, as defined by federal law, shall be referred to the criminal justice or juvenile delinquency system.

To comply with existing requirements of the individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act, regarding discipline of students with disabilities, the board of education may modify the expulsion requirements on a case by

driver's order or request.

4. Ejecting a pupil from the bus shall be done only in the most extreme circumstance.
5. If a student has been ejected from a bus as the result of conduct specified in subsection (1) of this section, the driver shall notify the following parties of the action taken as soon as possible:
  - (a) The principal of the school where the pupil attends; or
  - (b) **The district superintendent**; and
  - (c) The student's parent or legal guardian.
14. The driver shall have the authority to assign a pupil to a specific seat on the school bus.
15. The school bus driver shall not operate the school bus at a speed in excess of the posted speed limit on any sections of highways over which the bus travels. The bus shall not be operated upon any highway at speeds in excess of fifty-five (55) miles per hour. The driver shall not drive the school bus on any roadway at any time at a speed where the conditions of the roadway, weather conditions, or other extenuating circumstances would likely make it unsafe.
16. The driver of a school bus shall be on the bus at all times students are loading or unloading. (SBE 24.280; 1 Ky.R. 1052; eff. 6-11-75; Am. 7 Ky.R. 26; eff. 9-2-80; 663; eff. 4-1-81; 9 Ky.R. 1309; eff. 8-3-83; 11 Ky.R. 1857; eff. 7-2-86; 13 Ky.R. 304; eff. 9-4-86; 2093; eff. 7-2-87; 15 Ky.R. 1558; eff. 2-3-89; 16 Ky.R. 200; eff. 10-8-89; 17 Ky.R. 2239; eff. 3-13-91; 18 Ky.R.; 478; 1133; eff. 11-8-91; 19 Ky.R. 990; 1371; eff. 12-9-92; 21 Ky.R. 1948; eff.)
17. The Bus Monitor, under supervision of the bus driver, shall be responsible to deliver and receive the child safely to and from the parent, guardian or person authorized by the parent. Three (3) and four (4) year old children who must cross a roadway shall be escorted by the bus monitor.
18. Magoffin County School Buses and Facilities may be equipped for the use of video cameras. Video tapes may be viewed to monitor student behavior and activities. Video tapes may be used by school administrators and law enforcement officials for disciplinary and criminal activity.

## PROFESSIONAL CODE OF ETHICS

### Section 1. Certified personnel in the Commonwealth

- (1) Shall strive toward excellence, recognize the important of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;
- (2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;
- (3) Shall strive to uphold the responsibilities of the education profession, including the following obligations to students, to parents, and to the education profession.

### TO STUDENTS

- Shall provide students with professional education services in a non-discriminatory manner and in consonance with accepted best practice known to the educator.
- Shall respect the constitutional rights of all students.
- Shall take reasonable measures to protect the health, safety, and emotional well-being of students.
- Shall not use professional relationships or authority with students for personal advantage.
- Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
- Shall not knowingly make false or malicious statements about students or colleagues.
- Shall refrain from subjecting students to embarrassment or disparagement.
- Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats or physical harm; and sexual assault.

### Notice to Participants

Prior to tryouts for an athletic team or joining an activity, the Head Coach and/or sponsor shall provide all students choosing to participate in the athletic team and their parents/guardians with a written copy of this policy. Parents of students who park on school property shall also be provided a copy. Each student who chooses to participate and a parent/guardian of that student shall be required to sign a statement indicating that they have received, read, understand and fully agree to be bound by the terms, conditions, and procedures under the policy.

### Prevention Program

The Superintendent and/or the Drug Coordinator shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substances abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

### WEAPONS

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

### Weapons Prohibited

Carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school sponsored activity is prohibited.

cal dependency program and was appropriately reinstated to the prior activity. If the student elects not to seek reinstatement to the activity after the second violation (either because of the student's own election or because the season has concluded prior to the expiration of the student's period of suspension, the student is still required to serve the un-expired portion of the previous suspension. The student must complete all forms required for participation in another activity. A student serving a suspension for one sport/activity may try out for a second sport or join a second activity if the student provides a negative drug test result from the testing laboratory under contract. If the student makes the team, prior to participation, the student must serve the unexpired portion of the previous suspension. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

### **Third Violation**

The student participant or driver shall be excluded from participation in any athletic activity for the remainder of the student's eligibility.

A third violation shall disqualify the student's involvement in all athletic activities (varsity and sub-varsity) or from driving/parking on school property for the remainder of his/her enrollment in the District unless the student successfully completes a comprehensive course of substance abuse treatment intervention with a qualified substance abuse professional. This course of treatment must address needed intervention components including but not limited to detoxification, rehabilitation and after care, addiction, and relapse prevention. Resumption of participation in prohibited activities cannot occur any sooner than 18 weeks following the positive test result. Before resuming any participation in athletic and/or extracurricular activities or in driving to school, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall result in suspension of participation in all athletic and/or extracurricular activities and from driving on school property, and referral back to substance abuse intervention services.

## **PROFESSIONAL CODE OF ETHICS (Cont.)**

### **TO PARENTS**

- Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student.
- Shall endeavor to understand community cultures and diverse home environments of students.
- Shall not knowingly distort or misrepresent facts concerning educational issues.
- Shall distinguish between personal views and the views of the employing educational agency.
- Shall not interfere in the exercise of political and citizenship rights and responsibilities of others.
- Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities.
- Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

### **TO EDUCATION PROFESSION**

- Shall exemplify behaviors which maintain the dignity and integrity of the profession.
- Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities.
- Shall keep in confidence information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law.
- Shall not use coercive means or give special treatment in order to influence professional decisions.
- Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications.
- Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualifications or those of other professionals.

## PARENT/GUARDIAN RIGHTS

### Parent/guardian has the right to:

1. send their student to a school with a positive educational climate.
2. expect all disruptive behavior to be dealt with fairly, firmly and quickly.
3. enroll their students in regularly scheduled classes with minimal interruptions.
4. expect their school to maintain high academic and accreditation standards.
5. examine their student's personal school record.
6. address grievances to proper school authorities concerning their student and to receive a prompt reply to the specific grievances. (Generally, the building principal or assistant principal is the proper school authority. At the central office level, grievances should be addressed to the head of the appropriate department.)

## PARENT/GUARDIAN RESPONSIBILITIES

### Parents/Guardians have the responsibility to:

1. instill in their student the need for an education.
2. instill in their student a sense of responsibility and a sense of respect.
3. assist their student in understanding the need for a positive school learning environment.
4. become familiar with the educational policies and programs of the Board of Education.
5. aid their student in understanding the disciplinary procedures of the schools.
6. require their students to follow all school policies.
7. see that their student is regular in attendance and not habitually tardy.
8. inform the school officials of any long term illness affecting their student (3 or more days).
9. demonstrate respect for all school personnel at school and related activities.
10. inform school officials of concerns pertaining to disciplinary

was appropriately reinstated to the prior activity. If the student elects not to seek reinstatement to the activity after a first violation (either because of the student's own election or because the season has concluded prior to the expiration of the student's period of suspension, the student is still required to serve the un-expired portion of the previous suspension.

The student must complete all forms required for participation on another activity, and the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

### Second Violation

For a second violation, the student participant shall be suspended for the next eighteen (18) consecutive interscholastic events or eighteen (18) consecutive weeks, whichever is greater in time. Student drivers with a second violation shall be denied permission to drive and/or park on school property for the next eighteen (18) consecutive weeks of school. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team, and/or any activity not required by the school for educational purposes, and/or the following season. Students will be referred to and encouraged to participate in Substance Abuse Counseling Services available at no cost. Before reinstatement to the activity after a second violation, the student participant must successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to that effect issued by a treatment counselor. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

If a student is reinstated to the activity following a second violation, the student's participation in another activity shall not be restricted solely because of the existence of the second violation, as long as the student has completed the period of suspension and the required chemi-

the Kentucky Revised Statutes or any other substance which may be added by under [KRS 218A.010](#).

### SANCTIONS

A positive test result (with no medical cause) will be reported to the identified Drug Coordinator. The Drug Coordinator shall inform the Principal of the students' school, who will then inform the parents/guardians of the student. In the absence of the Drug Coordinator or Principal, the Superintendent shall designate the appropriate agents to fulfill those duties.

#### **First Violation:**

A student testing positive will be suspended for the next four (4) consecutive interscholastic athletic events or the next four (4) weeks of the season whichever is greater in time. Student drivers shall be denied permission to drive and/or park on school property for the next four (4) consecutive weeks of school. The suspension will begin the date that the results are received. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team, and/or any activity not required by the school for educational purposes, and/or the following season. Students will be referred to and encouraged to participate in Substance Abuse Counseling Services available at no cost. Before reinstatement after the first violation, the student participant must receive an assessment or evaluation for chemical dependency. Prior to readmission to participation, to the athletic team or reauthorization to drive, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

If a student is reinstated to the athletic team or driving privileges following the first violation, the student's participation in another activity shall not be restricted solely because of the existence of the first violation, as long as the student has completed the period of suspension and

- procedures.
11. instill in their student the need for proper and appropriate student attire and hygiene.
  12. exhibit concern for the progress and grades of their student.
  13. make reasonable effort to attend school conferences.
  14. understand the unnecessary interruptions (including but not limited to early pick ups, phone calls, and late arrivals) in the school are detrimental to the educational program for all students.

#### **PRINCIPAL/DESIGNATED ADMINISTRATOR RIGHTS:**

##### **Principal/designated administrators have the right to:**

1. expect all participants in the schooling process to comply with school and Board of Education policy.
2. suspend any student who disrupts the educational environment.
3. expect respect from students, parents/guardians, and the school staff.
4. inspect or have inspected based upon reasonable suspicion) any school or student property situated within boundaries of school ground
5. all rights inherent to teachers.
6. use of video surveillance equipment to monitor student behavior and activities.

#### **PRINCIPAL/DESIGNATED ADMINISTRATOR RESPONSIBILITIES**

1. help create and maintain an atmosphere which respects the rights of all participants in the schooling process.
2. administer discipline measures fairly and equally in accordance with this conduct code.
3. exhibit exemplary behavior in terms of action, dress and speech.
4. implement and evaluate all aspects of the educational program to improve learning and comply with the policies, regulations, procedures, or laws of the district, state and nations.
5. direct the school staff in developing a program which communicates this code of conduct to the school community.

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) 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 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) 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 records may be inspected.

2. The right to request the amendment of the student's educational 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 Magoffin County School 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.

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 them 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.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A

shall be open to attendance by the student participants and their parents/guardians and shall be presented by qualified substance abuse educators. Those participating will be asked to demonstrate an understanding of the main components of the drug education seminar.

### Testing Program

Testing shall be accomplished by the analysis of urine specimen obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Randomness of selection procedures
2. Proper student identification
3. Identification of each specimen with the appropriate student participant
4. Maintenance of the unadulterated integrity of the specimen
5. Integrity of the collection and testing process, as well as the confidentiality of test results (The specific testing process shall be on file at the testing laboratory approved by the Board)

### Substances Tested

Student participants' urine specimen shall be tested for the following which includes, but may not be limited to:

1. Amphetamines
2. Marijuana (THC)
3. Cocaine and its derivatives
4. Opiates
5. Phencyclidine (PCP)
6. Benzodiazepine
7. Propoxyphene
8. Blockers
9. Other abused, illegal, or controlled substances as determined by the Committee or listed in Chapter 218A of

5. To encourage parents/guardians to actively acknowledge and address the dangers of the unlawful use of alcohol and other drugs with their children and to know where to seek assistance if they have concerns about such use.

### **Implementation, Review, and Evaluation**

All student participants and their parents/guardians must sign the “Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing” form before the student shall be permitted to try out for any athletic team, or be authorized to drive or park on school property. A Substance Abuse Prevention Committee (Committee) shall be established and shall have the overall responsibility for implementing this policy. The Committee may consist of the school Principals, Head Coaches of the athletic teams, Athletic Director, Title IV Coordinator, School Health Coordinator, Extracurricular Activities Sponsor, Counselor, Superintendent, Drug Coordinator, Substance Abuse Counselor, students, and two Board Members.

The committee shall establish procedures as needed to implement the policy fairly and efficiently. In addition, the Committee shall review and evaluate the effectiveness of the drug testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. The Committee’s purpose is limited to procedures and evaluation of the policy.

### **Applicability**

This policy applies to all students choosing to participate in any sport, including students/players at the varsity and sub-varsity levels, to students choosing to participate in any extracurricular activity that involves competition with or representation to other schools or institutions, and to students who drive or park on school property.

### **Education**

At least once each semester all coaches/sponsors and appropriate certified staff shall require attendance at educational seminars on drug abuse for all student participants (as outlined in the Education and Prevention Plan section of this policy). These seminars

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 or her tasks.

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

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (Note: FERPA requires a school district to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.)

4. 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  
600 Independence Avenue, SW  
Washington, DC 20202-4605

### **DIRECTORY INFORMATION**

“Directory Information” is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released to news media, athletic organizations, scholarship or college entrance committees, or official organizations whose need for data is connected with student help activities. “Directory Information” includes but is not limited to the student’s name, address, telephone listing, date and place of birth, major field of

study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. The parent, guardian, or eligible student currently enrolled, may request all or part of the directory information be withheld. The request must be in writing to the Principal of your child's school, within 30 calendar days after this notification has been distributed. The written request must specifically state what information may not be classified as directory information.

### 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;

Administrators shall not use information obtained in the course of administering the policy for disciplinary purposes other than those set forth herein. This policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under 18 years of age, the administrator shall not release any student's test results to any person other than those described within this policy (Superintendent or his/her designee, Drug Coordinator, Principal, Assistant Principal, Counselor, DPP) or as required by law or a lawfully issued subpoena or court order.

In order to accomplish its purposes, this policy established a program for procedures to deter the unlawful use of drugs and alcohol and to provide for suspension and termination of participation on the teams when deterrence is unsuccessful. To determine compliance with the policy, it provides a testing program to identify student participants who are unlawfully using drugs. For these students this policy provides incentives for rehabilitation through possible reinstatement to the specific athletic team involved.

*Consistent with its purposes*, this policy also seeks to achieve the following objectives:

1. To protect District students from impairing their health, safety, education, and future success through the unlawful use of alcohol and other drugs.
2. To protect District students and their opponents from potential injury during competition resulting from the unlawful use of alcohol and other drugs.
3. To protect District students from the potential stigma of unsubstantiated allegations of unlawful use of alcohol and other drugs.
4. To assure students, parents, teachers, and the community that the health, safety, education, and future success of the student participants are the primary concerns of the District.

### Statement of Need

All athletic team coaches/sponsors and the administration of County middle and high school recognize that the unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of middle and high-school students engaged in that use. It is also recognized that the unlawful use of alcohol and other drugs is a potential problem for all middle- and high-school students. Athletic teams covered by this policy shall apply to all middle- and high-school varsity and sub varsity athletic including, but not limited to, baseball, boys basketball, girls basketball, boys cheerleading, girls cheerleading, dance team, cross-country, football, softball, tennis, track, volleyball, and wrestling. The subsequent addition of any varsity or sub varsity sport shall immediately be subject to this policy.

Extracurricular activities covered by this policy shall include but not be limited to band, Student Technology Leadership Program (STLP), Beta Club, Academic Team, HOSA, VICA, FFA, FBLA, FCCLA, and Y-Club. Any subsequent addition of clubs or activities that involve competition and/or representation to other institutions shall immediately be subject to this policy. In addition, students whose parents voluntarily place them in the pool of students for random drug testing throughout the year shall be subject to the drug testing component of this policy.

### Statement of Purpose

This policy is intended to support the comprehensive educational policies and programs of the District in educating students and their parents/guardians as to the dangers inherent in the unlawful use of drugs. The policy is further intended to provide encouragement to middle and high-school students who voluntarily choose to participate on athletic teams, in extracurricular activities and/or to drive or park on school property to avoid such use and to strive to benefit from effective rehabilitation when such use has occurred. This policy is intended to provide encouragement to and support of any students and their parents who recognize that substance abuse among youth must be actively addressed and prevented. A voluntary pool of students who have parents permission to participate will also be established; students in this pool will be subject to random drug-testing throughout the year and shall be subject to this policy.

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.

### Notification of PPRA Rights

The District shall annually provide parents and eligible students notice of these rights under law in the Student Handbook, the District *Code of Acceptable Behavior and Discipline*, or other avenue designated by the Superintendent/designee.

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*

## **Access to Electronic Media**

The Magoffin County School District offers access to telephones and the District computer network for Internet, E-mail, and video/digital pictures. To gain access to District technology, all students and staff must sign and return a user agreement form. Students who are under 18 years of age must have the form signed by a parental/guardian. Students who are eighteen years of age or older, may sign their own user agreement form. The signed user agreement form shall be returned to the school Principal and shall remain in effect and kept in the student's file for as long as s/he is enrolled in and attending a District school.

Access to District telephones, Internet, E-mail, and video/digital pictures will enable students/staff to explore thousands of libraries, databases, and bulletin boards and to exchange information with Internet users throughout the world. However, families should be warned that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate and/or offensive. The District uses Proxy servers to filter Internet sites; however, filtering software is not 100% effective. Although filters make it more difficult to receive/access objectionable material, they are not a solution in themselves. While our intent is to make Internet access available to advance educational goals and objectives, students may find ways to access non education related materials/information. For this reason, we have an acceptable use policy to address access issues. We believe the benefits from access to the Internet and its information resources and opportunities for collaboration exceed any disadvantages. Ultimately, it is the parents/guardians of minors who are responsible for setting and conveying the standards that children should follow when using District technology. To that end, the District supports and respects each family's right to decide whether or not to apply for access.

### **General Responsibility for District Technology**

Students and staff are expected to exhibit responsible behavior when using school computers, networks, the Internet, video/digital pictures and telephones. Since communications on the net-

### **Education and Prevention Plan**

Educational Seminars: Each semester at least one (1) educational seminar on alcohol and drug abuse shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all County middle- and high-school students but shall be required for all athletic team members, for all students participating in extra-curricular activities that involve competition with other schools and/or representation of Magoffin County to other schools and institutions, and for students who will be driving or parking on school property. Each seminar participant shall be administered an assessment over the content of the seminar upon completion.

### **Training in Drug Awareness**

County middle and high-school teachers will be given an opportunity to receive training in drug awareness. Part of the training will enable each teacher to incorporate drug awareness information into his/her current curriculum. A keener teacher awareness of drug abuse signs and symptoms, as well as methods of referral, will be a direct result of training. Instructional units on drug abuse, such as those currently taught in our health courses, will be enhanced by this teacher education component. When substance abuse is suspected, teacher will confidentially consult with the school principal and counselor.

### **Seminars for Parents/Guardians**

Educational seminars for parents/guardians that will address alcohol and other forms of drug abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information to parent toward drug prevention.

### **Alcohol and Drug Safety Policy**

All student athletes/drivers and their parents/guardians must read this policy and accompanying procedures and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures.

in violation of this policy. Authorized medication shall be administered/dispensed adhering to Magoffin County Board 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, extracurricular activities and/or other school-sponsored activities. Students who drive on campus shall have their driving privileges terminated.

#### **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 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.

#### **Drug Testing Program Purpose**

In this day and time alcohol and other forms of drug abuse have grown to major proportions in our society. The middle- and high-school settings are not exempt from this phenomenon. Therefore, it is critical that educators and parents continually look for ways to institute programs that encourage a drug-free lifestyle for their students/children. It is to that end that this program is created to provide the appropriate action plan to address and foster a drug free environment for the entire County middle- and high-school community.

The program consists of two components:

1. Education and Prevention Plan
2. Drug Testing Policy

work are often public in nature, general school rules and policies apply. The District provides supervision by a certified teacher or other trained and designated adult to monitor students who are using District technology.

**Access to District technology is a privilege, not a right** and it requires users to be responsible for their behavior. Users are required to comply with District rules and regulations and to honor the agreements they have signed.

Every user will receive a password to log in to the computer and a folder on the server (H:Drive/Filelocker) where his/her work can be saved. Users will not lose what they are working on and their work will be saved until they leave the District or graduate.

Network administrators may review files and communications to maintain system integrity and to insure that users are using the system responsibly. Users should not expect that files stored on District servers will be private. Within reason, freedom of speech and access to information will be honored.

#### **General Responsibility for District Technology (continued)**

Some software packages allow the District's systems administrator to view, intervene in and "take over" a user's screen. These packages are designed to diagnose and troubleshoot network problems and to support help desk activities. Although they are not designed to scan network activity for inappropriate use, the District may use them for that purpose. In addition, through this software, school administrators can receive detailed information about each Internet access/ telephone use and individual users can be traced. These logs are stored for regular monitoring.

#### **The School Council and Community: Information about the Value of the Network**

The School Based Decision-Making Council, with District guidance and assistance, is an appropriate entity to provide parents and the community with accurate and timely information about how technology resources are being used to support student achievement. Parent and community education can be accomplished through the Student Technology Leadership Program (STLP), and by inviting parents to participate in classroom and parent/

community workshops.

Parent/community education programs will help parents to understand, appreciate and support the use of technology in the schools, to make informed judgments about potential risks associated with the use of the Internet and to provide appropriate guidance for home use.

### Telephone and Other Voice Systems

The District has installed a Voice Over IP System in all schools. The school/classroom telephones are designed to aid, support and protect the instructional process. Phones are not to be used for personal, public, private or commercial purposes. No telephone calls from outside the school will go directly into the classroom. Each school Principal will adopt and implement procedures for student use of voice (telephone) systems and how the school will address telephone calls or messages (Voice mail, secretary messages, etc.) to and from the classroom.

### Rights and Responsibilities

As outlined in Board Policy and Administrative Procedures and in the Student Handbook and Code of Conduct, students/staff do have Rights and Responsibilities. While rights and responsibilities will be adhered to, **the following will not be permitted** when using Magoffin County's Internet, E-mail, Video/Digital Pictures or Telephones/Cell Phones:

#### Electronic Media:

- Sending or displaying offensive messages or pictures through any type of electronic media;
- Swearing, vulgarities, or other inappropriate languages;
- Harassing, threatening, insulting or attacking others through electronic media;
- Sending electronic messages anonymously;
- Sending or attaching documents containing pornographic, obscene, sexually explicit material or language;
- Accessing, copying or transmitting another's messages and/or

## Alcohol, Drugs, and Other Prohibited Substances & Drug Testing

### Drugs, Alcohol and Other Prohibited Substances

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, 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 substances, prohibited drugs and substances, and drug paraphernalia;
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

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

### Definitions

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the regulation under [KRS 218A.020](#).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky Law.

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

### Authorized Medication

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

lent 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:

- A. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
- B. 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](#).

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

#### **Report to Law Enforcement Agency**

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

#### **Notification**

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee prior to the assignment or contact.

attachments without permission; and/or

- Sending or forwarding any form of malicious code (e.g. chain letters, viruses, etc.).

#### **Safety Cautions:**

- Revealing personal student identification, either about himself/herself or any other user;
- Trespassing in another's folders, work, files or accessing another's email or network account;
- Attempting to login as a system administrator;
- Using the network to facilitate plagiarism. No user shall misrepresent another person's work as his/her own, or allow his/her work to be misrepresented as belonging to someone else;
- Viewing, entering, and participating in any chat room activity will not be permitted;
- Transmitting illegal, alcohol, or drug related information;
- Transmitting information or communicating with gangs, hate groups, or groups with violent themes; and/or
- 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 and etc.

#### **Telephone:**

- Sending/receiving messages or phone calls relating to or in support of illegal or harmful activities; and/or
- Use that interrupts instruction. Use must be limited to a minimal amount of time. (Daily logs are kept on file.)

#### **Internet Usage:**

- Using any type of email or instant messaging (Ex Hotmail, Yahoo, MSN, etc) other than that which is provided by the District;
- Using Non-Instructional GAMES on the network;
- Downloading non-instructional material from the Internet (i. e. music, games, videos);

**Local Technology Resources:**

- Employing the network, email or telephone for commercial or personal purposes;
- Violating copyright laws;
- Damaging computers, computer systems, computer networks, or school/District websites. This includes changing control panel settings and/or altering teacher preferred settings.
- Intentionally infecting a computer or network with a virus program;
- Accessing Streaming Media that is non-educational or that is not of value to Instruction such as music videos and etc.;
- Monopolizing the networks by such things as running large programs and applications or sending massive amounts of mail to others;
- Allowing a non-authorized user to use one's account;
- Gambling, purchasing, or soliciting non-educational materials;
- Emailing communications that are not directly related to instruction, sanctioned school activities or a person's job;
- Using E-mail for private business or personal non-work related communications;
- Destroying another user's data
- Allowing another person to use one's E-mail or network account

**AUDITING PROCEDURES**

- Proxy server software shall be implemented and maintained at the District level and at every school on a twenty-four hour, seven day a week basis.
- Logs of Internet activity shall be examined periodically to detect access to sexually explicit or other objectionable material, as defined by the school's site based council and District technology committee.
- The school Principal/designee shall have the responsibility for log maintenance, examination, security and retention.
- Electronic mail shall be monitored periodically to ensure that users are not misusing school resources or using non-

**C. SUSPENSION OR EXPULSION OF STUDENTS WITH DISABILITIES**

The Superintendent, DSE and Building Principals make sure that appropriate procedures are followed in the suspension and expulsion of children and youth with disabilities.

Suspensions of less than ten (10) days in length, which are utilized as temporary disciplinary measures (if the suspension is for a minor infraction and no further disciplinary action is planned), then an ARC meeting is not required unless requested by the parent or principal or other service providers. However, for an aggregate of 10 days of suspension for the year, or where expulsion is contemplated, the Administrative ARC convenes.

If MCSD considers a suspension that will cumulatively exceed ten (1) days during a school year, parents are provided notice of a proposed action and notice of an ARC meeting according to section V of the Special Education Policies and Procedures. Suspension of a child or youth with disabilities for more than ten (10) days during a school year constitutes a change of educational placement.

**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 Students**

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or vio-

6. If the day of suspension is not an actual school day (snow, ice, etc.) the day of suspension automatically extends to the next day school is in session.

## B. EXPULSION

In the event the principal is faced with a situation warranting expulsion or exclusion of a student, he/she may suspend the student summarily for a period of five school days or less pending a hearing (use suspension procedure previously outlined); must notify the Superintendent or his/her designee of his/her request to exclude or expel the student; notify parent or guardian within 24 hours and follow with written notice relating the specific acts which the student has done constituting a cause for probable expulsion and citing these acts as the reason for the suspension which the principal is imposing; and if the student is NOT suspended pending the requested hearing, the principal does not send a notice to the parent.

The board may expel any pupil for misconduct as defined in KRS 158.150.

1. The hearing must be held before the Board of Education and precede the expulsion.
2. Notice of the hearing shall be given five days before it is held.
3. The student may be represented at the hearing by any person of his/her or his/her parent/guardians choice.
4. Decision of the Board shall be final.
5. Records transferred to another school must reflect the changes and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion proceeding is completed.

- compliant email systems.
- Telephone logs shall be examined periodically to monitor proper usage.

Users are held accountable for the additional rules and regulations found in the Magoffin County Schools Electronic Access & Usage Plan. Violation of these rules and regulations may result in the suspension or revocation of a user account as well as other disciplinary or legal action.

### Violation Protocol

- Fill out AUP Violation Form Letter.
- For student violations, send copy home to parents; email copy to lab teacher, librarian, homeroom teacher, and Principal. For staff member violations, send copy to staff member and Principal.
- Set reminder for time to reset account according to violation number.
- As appropriate, file signed copy of form letter in student's cumulative folder or employee's personnel file.

## EXTENDED SCHOOL SERVICES

### APPEAL PROCESS

**School districts shall inform parents and guardians of extended school services which will be offered in the school system including:**

A general notification which describes the nature of the services to be offered including the opportunities for maintenance of performance, prevention of failure and reduction of academic deficiencies;

A specific notification to parents or guardians of their child's eligibility to receive extended school services;

Procedures for parents or guardians to request reconsideration of their children's identification or lack of identification of eligibility for extended school services.

**Procedures for parents or guardians to request reconsideration of their child's identification or lack of identification for extended school services:**

Parents, guardians or students who disagree with the selection or non-selection of students for the ESS program may appeal for inclusion by submitting their disagreement in writing or verbally in the following order:

Refer to the building principal who will review the decision with the ESS Building Committee.

Refer to the building principal who will submit the decision to the SBDM Council. (If appeal is not resolved at this point then proceed to step three.)

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

The principal or assistant principal shall report any suspension in writing immediately to the superintendent and to the parent of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

In cases which involve students with disabilities, the procedures mandated by the federal and state law for students with disabilities shall be followed.

In the event the discipline of a student is to deny attendance from a single class or any portion of a school day for one (1) or more days, not exceeding ten (1) days, a conference with the school principal or his/her designee shall first be conducted with student as follows:

1. An oral or written notice of the charge(s) which has/have been violated (including the specific act committed), shall be provided the student.
2. An explanation of the evidence and/or written documentation, if any, in support of the charges shall be provided to the student, except in case where it is believed that naming particular witness(es) names may subject the witness(es) to harassment.
3. The pupil shall be given an opportunity to present his own version of the facts concerning the charge(s).
4. An oral and/or written explanation of the consequences, which shall include the dates and duration of the suspension which may be imposed, shall be provided to the student.
5. In the event the student is denied attendance, the parent or guardian of the student shall, as soon as reasonably possible, be notified by letter, signed receipt, or personal message of the student's suspension and the duration of the suspension.

## Athletics (Cont.)

### Safety:

The Superintendent shall develop procedures to insure that the safety of the student shall be the first consideration in all athletic practices and events.

All athletic and events shall be under the direct supervision of a qualified employee of the board.

Each student must pass a medical examination as a prerequisite to eligibility for interscholastic athletics.

### Insurance:

The Board shall provide insurance for all students who participate in interscholastic activities.

## DUE PROCESS

Due process includes those rights which accrue to a student accused of violating school regulations and which may be brought to his defense as a disciplinary conference or hearing pending possible suspension from school.

**A. SUSPENSION** (Upon the third suspension during any school year the student will be considered out of control and the principal shall refer the case to District Judge). Students who create a disruptive situation may be suspended from school. The due process procedures that should be followed for all students are outline in KRS 158.150.

In accordance with the KRS 158.150, the principal or assistant principal may suspend a pupil up to a maximum of ten (10) days per incident.

A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150\* (09.431), unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process.

Refer to the ESS District Coordinator who will review the decision with the ESS Building Committee and parents.

## MOTOR VEHICLE USE

### Conditions for use:

With parental request and under conditions prescribed by the school principal, 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 visited or moved during the school day unless permission is given by the principal. Driving on the school grounds is a privilege which may be revoked if conditions are violated.

### Parking Permit:

Students who are permitted to drive and park motor vehicles onto school grounds are subject to the following rules and procedures:

1. Students seeking driving privileges must register with the Principal within two weeks of their enrollment in school.
2. Parents are required to sign a request and permission form and return it to the principal.
3. When the driving request is approved a parking permit will be issued. This parking permit is to be placed in the appropriate location as designated by building principal.
4. Students are to park in the designated student parking area.
5. Students may not return to their vehicle during the school day without permission of the principal.

### Denial of Privilege:

The principal may revoke or suspend driving privileges when a

student:

1. Drives in a reckless or careless manner.
2. Parks in an unauthorized parking area.
3. Continues to drive and park on school grounds without a permit.

The principal may have any unauthorized vehicles towed from school property that are parked in violation of school regulations.

### ATTENDANCE RULES AND REGULATIONS

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

The Kentucky Department of Education has changed the method for calculating student attendance. Previously, students were considered half-day absent, full-day absent, or tardy (up to 34% of the instructional day). Beginning with the 2006/2007 school year, student attendance will be calculated as follows:

**TARDIES** – A tardy will be recorded when a student misses sixty (60) minutes or less of the school day. This includes late arrivals, midday appointments less than 60 minutes, and early checkouts.

**ABSENCES** - An absence will be calculated on an exact percentage of the day missed. *Events* will be assigned when a student is absent for more than sixty (60) minutes of the school day. For example, if a student misses 100 minutes of a 375 minute school day, an *event* of 27% absence will be recorded for the student.

The student report card will display the number of tardies, the number of *events*, and the total number of accumulated absences (the sum of all *event* percentages).

### EMERGENCY MEDICAL TREATMENT

#### First Aid to be Provided:

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a physician become available.

#### First Aid Area:

A first aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

#### Information Needed:

Parent's telephone numbers or a number at which parents can be reached and name of the family physician shall be maintained at each school for all pupils. Parents will be notified in the event of an accident.

### ATHLETICS

#### Participation:

All interscholastic and intramural athletic competition shall be in compliance with the constitution, bylaws, and tournament rules of the Kentucky High School Athletic Association and all local requirements applied by the principal or the board.

#### Eligibility:

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association requirements. Students may be required to meet additional requirements as established by the appropriate school authority.

health problems that require specific attention.

**Vision Exam:**

All children entering public preschool, head-start or public school for the first time shall have an eye examination by an optometrist or ophthalmologist. The exam must be reported on the Kentucky Eye Examination form for school entry.

**Immunizations:**

Each pupil shall be required to present evidence of a valid immunization certificate within two (2) weeks of the child's enrollment in school as required by applicable law and administrative regulation. Forms relating to exemptions from immunization requirements shall be available at each school. Immunization certificates shall be kept current.

**Health Record:**

Each elementary and secondary school shall initiate a cumulative health record for each pupil entering school. Such record shall be maintained through the pupil's attendance on forms prescribed by the Chief State School Officer.

**DISPENSING MEDICATION**

No teacher/administrator is allowed to give internal medicine to a child unless it has been prescribed by a physician and written permission is given by the parent.

Under procedures developed by the Superintendent, a student may be permitted to carry medication that has been prescribed or ordered by a physician to stay on or with the pupil due to a pressing medical need.

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

**ATTENDANCE RULES (Cont.)**

For example, a student may have 5 *events* (recorded absences of 30%, 80%, 40%, 100%, and 65%). The report card would then indicate 5 events and 3.15 days absence (the sum of all the percentages).

Students, parents and guardians should be reminded that the law regarding truancy has not changed. Any student who has six (6) unexcused absences (of any percentage) or tardies or any combination of six unexcused absences and tardies is considered legally truant and may be subject to court proceedings.

**“Excuses for absences must be submitted in writing to the proper school authorities within three (3) school days after the student returns to school. Excuses received after the third day following the student's return to school will be disallowed, and the absence will be considered unexcused.”**

**Tardiness:**

Tardiness is not being in the assigned area at the time designated. Tardiness includes being late to homeroom, class, library and other school activities.

**Excused Tardies:**

Students may be excused for not being in assigned area at the designated time for the following reasons:

1. Tardies caused by teacher, counselor, or principal to complete student assignments or conferences. Student must have note from respective faculty member. Student is responsible for making sure the tardy is marked excused by the office.
2. Tardies accompanied by a doctor, dental, court summons, or driver's test statement.
3. Tardies caused by late bus.
4. Principal excused tardies.

## Absences and Excuses

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

### TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

Any student who has been reported as a truant two (2) or more times is an habitual truant.

A student who is absent for sixty (60) minutes or less of the regularly scheduled school day is tardy.

Truants shall be reported to the Principal and then to the Director of Pupil Personnel, both of whom shall take appropriate action.

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

### EXCUSED ABSENCES

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

1. Death or severe illness in the pupil's immediate family,
2. Illness of the pupil,
3. Medical appointment for the student,
4. Court summons,
5. Religious holidays and practices,
6. Driver's license test or examination,
7. Pre-arranged absence,

1. Both parents shall have equal access to any information concerning the students.
2. Both parents shall have the right to release of the student under their care.

## TEXTBOOKS AND INSTRUCTIONAL MATERIALS

The principal, or school council where operational, shall develop a plan to provide the necessary textbooks and instructional materials for all grades and subject areas. This plan shall be developed in accordance with applicable statutes and regulations. Textbooks and/or instructional materials shall be made available to all students.

Students or parents shall compensate the district for textbooks that are lost, damaged, or destroyed while in the student's possession.

## HEALTH REQUIREMENTS AND SERVICES

### Medical Exam:

All pupils shall undergo preventive health care examinations as required by Kentucky Administrative Regulation. All pupils shall undergo examination within one (1) year prior to, or one (1) month following his or her initial admission to school. A second medical examination is required within one (1) year prior to entry into the sixth grade and shall include a risk assessment completed by the medical provider. The parent is responsible for the cost of the examinations and for seeing that the examinations are completed as per board policy.

### Exam to include:

The preventive health care examination is to be reported on prescribed Department of Education forms and shall include:

1. Medical History
2. Record of Immunizations
3. Assessment of Growth and Development
4. Hearing and Vision Screening
5. Recommendations to the school regarding

guardian or designee shall report to the principal's office and sign for the student's release.

Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (visual identification by an employee, driver's license, picture identification, etc.) to assure that they are authorized to pick up the student.

Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

#### **Exceptions:**

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.

In addition, the board authorizes emergency release of students for illness or other bona fide reasons, as determined by the principal.

#### **Release of Students and Student Information to Divorced, Separated, or Single Parents**

The Board shall release the student or information concerning the student to a parent, guardian, or individual acting as a parent of a student in the absence of a parent or guardian unless the school has been provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary.

Release of the student or information concerning the student to a single parent or a divorce/separated parent will be accomplished according to the following procedures:

Unless the school has been informed and given evidence of state law or court order concerning the status of the student:

8. One (1) day for attendance at the Kentucky State Fair,
9. Documented military leave,
10. One (1) day prior to departure of parent/guardian called to active military duty,
11. One (1) day upon the return of parent/guardian from active military duty, or
12. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

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

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

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

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

#### **PARENTS TO NOTIFY SCHOOL**

If their child is unable to attend school, parents are asked to call the school by 10:00 a.m. to communicate the reason for the absence. Otherwise, parents shall send a written excuse with their child on the next day of attendance. Unless the school receives a call or note, the absence will be counted as unexcused. (Limited to three (3) parent notes.)

**MAKE-UP WORK**

Students with excused or prearranged absences shall be permitted to make up work they have missed. It is the student's and parent's responsibility to contact teachers concerning make-up work. Students shall be allowed the same number of days to complete make-up work as they were absent. Under no circumstances shall students with excused or prearranged absences have less than two (2) days to complete make-up work.

**STUDENTS WHO HAVE BEEN SUSPENDED**

Days missed while on suspension shall be counted as unexcused absences. Projects or homework assigned prior to suspension shall be accepted for credit. Students shall be responsible for submitting assignments due during the time of the suspension.

Long-term projects assigned during the suspension and due at a later date shall be accepted.

Work assigned and due during suspension shall not be accepted.

**PREARRANGED ABSENCES**

When parents know in advance that their child will miss school, they may request approval for an excused prearranged absence. Advance arrangements shall be made through the Principal or designee to obtain homework assignments for the student. Except in emergency situations as determined by the Principal, arrangements for prearranged absences shall be made at least five (5) days in advance of the absence.

**EXCESSIVE ABSENTEEISM**

The Principal may request that the Director of Pupil Personnel convene an attendance hearing for students sixteen (16) years old and younger who miss ten (10) or more days of school, regardless of the reason.

**SCHOOL ENTRANCE****Primary School:**

A child who becomes five (5) by October 1, may enter primary school. A child who becomes six (6) by October 1, but who has not attended a public or nonpublic primary/kindergarten, shall enter primary on entering the public schools.

**Proof of Age:**

Upon enrollment for the first time in any elementary or secondary school, a student or student's parent shall provide a certified copy of the student's birth certificate.

**DISMISSAL FROM SCHOOL****Release of students:**

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

**Release Process:**

If the student is to be picked up early, the custodial parent/