

**Marion County
Board of Education
2023-2024
STUDENT CODE OF
CONDUCT**



**MARION COUNTY
Public Schools**

**Marion County Board of Education
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Student Code of Conduct

NOTICE MARION COUNTY SCHOOLS
755 East Main Street
LEBANON, KENTUCKY 40033

Students, their parents and employees of the Marion County Schools are hereby notified this school district does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex or handicap in employment, educational programs or activities as set forth in Title IX, Title VI and Section 504. Any person having inquiries concerning the Marion County Schools compliance with Title IX, Title VI and Section 504 is directed to contact Mr. Chris Brady, Coordinator, Marion County Board of Education, 755 East Main Street, Lebanon, Kentucky, 40033, phone number 692-3721, who has been designated by the Marion County Board of Education to coordinate the district's efforts to comply with Title IX, Title VI and Section 504.

School Council Responsibility in KRS 160.345 (2)(C)1.

“The school council shall have the responsibility to set school policy consistent with district board policy which shall provide an environment to enhance student achievement and help the school meet the goals established by KRS 158.645 and 158.6451.”

INTRODUCTION

After having reviewed the guidelines for developing a discipline code from the Kentucky Department of Education, a student code of conduct committee was formed and given the responsibility to formulate a discipline code for Marion County Schools. At the initial meeting of the committee, a packet of materials was given to each member. From these materials, which included the guidelines on student discipline from the Kentucky Department of Education and other materials gleaned from local policies on student conduct, the committee was given the responsibility for drafting a code of conduct. The committee was divided into subcommittees to develop recommendations for format and content of a code of conduct. After having worked in subcommittees, the whole committee came back together to resolve any issues which might have to be dealt with by the entire committee. One point of concern was whether there should be separate levels for the elementary, middle and high school student or whether there should be a common standard at each level of misconduct for all students. The final decision was that there should be only one level of misconduct for all students, but that there should be flexibility in the application to take into consideration the developmental state of students in elementary, middle and secondary schools.

It was also decided that there will be an annual review of the code conducted by the original committee and/or another committee appointed to do so sometime during the summer months when schools are not in session. The idea behind the decision to review the code during the summer months was to allow for the time necessary for review and yet to get the revised form into the hands of students, parents and educators.

In order that the school community might be made aware of what is expected from all parties concerned as related to student discipline, it was determined that each school is to develop an effective distribution and orientation process by which students, parents, teachers, administrators and the news media become fully familiar with the code. The orientation is to occur annually at the beginning of each school year.

In keeping with the original recommendation, a review of the code was conducted to allow for changes and updates. The committee, composed of principals, teachers and parents, was asked to survey the people they represent for problems or areas of concern of the code.

The Student code of conduct as revised was reviewed by legal counsel and approved by the Marion County Board of Education on August 12, 2016.

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Student Code of Conduct

I. MISSION

Marion County Public Schools: Where WE.....DREAM, BELIEVE & ACHIEVE!

VISION

Marion County Public Schools is committed to the educational growth of every member in our community.
We BELIEVE in...

Delivering a rigorous and intentional curriculum ensuring ALL students graduate College &/or Career Ready.
Recognizing that personalized learning supports for each student ensure successful grade-level transitions.
Engaging families and the community to make certain that learning begins at birth.
Achieving results through data driven decisions and on-going assessments resulting in continuous school improvement.
Maintaining a safe, welcoming, school environment.
Inspiring a culture of High Expectations and Accountability for continuous learning.
Nurturing relationships that build active partnerships with students, staff, families and community.
Growing visionary leaders that will shape the future of or for Marion County.

II. STUDENT EXPECTATIONS/RESPONSIBILITIES

As a student, I should expect:

- a. Reasonable and timely notice of all rules, regulations, policies and penalties to which they may be subject;
- b. Reasonable physical safety and protection of their personal property;
- c. Consultation with teachers, counselors, administrators, and other school personnel;
- d. To organize or to have membership in student organizations, and to hold office, by free election of their peers, in such organizations;
- e. To involvement in school activities without being subject to discrimination on the basis of race, sex, religion, color, national origin, age, marital status or handicap;
- f. To receive respect from other students and school personnel;
- g. To an effective grievance and appeal procedure (See Section XX.);
- h. To all rights granted to students by the state.

As a student, I have the responsibility to:

- a. Refrain from violating state, county or city laws or regulations, or regulations of the Marion County Board of Education and/or school administration while on school property or while under school supervision;
- b. Read and be conversant with the rules and regulations of the Board of Education and/or the school administration;
- c. Be accountable for his/her own conduct and property and to show consideration for the rights and property of others;
- d. Show respect for the educational process by taking advantage of every opportunity to further his/her education;
- e. Conduct group and club activities in such a way as to not disrupt the orderly conduct of the school and the educational process and within reasonable guidelines as established by the Board of Education and/or the school administration;
- e. Not materially or substantially disrupt the educational process, or present a clear and present danger to the health and safety of persons or property, or infringe upon the rights of others, including students, teachers, administrators or parents;
- f. Comply with the decisions handed down under the grievance process;
- g. Care for the equipment and physical facilities of the school by refraining from willful and negligent destruction and damage.

III. PARENTS AND GUARDIANS EXPECTATIONS/RESPONSIBILITIES

As a parent/guardian, I should expect:

- a. To send my student(s) to a school with an environment where learning is valued;
- b. That classroom disruptions will be dealt with fairly, firmly and quickly;
- c. To enroll my student(s) in regularly scheduled classes with minimal interruptions;
- d. The school to maintain high academic standards;
- e. To review my student('s) academic progress and other pertinent information which may be contained in his/her permanent record;
- f. To address a question concerning my student(s) to the proper authority and to receive a reply in a reasonable time period.

As a parent/guardian, I have the responsibility to:

- a. Instill in my child/children the values of an education;
- b. Instill in my child/children a sense of responsibility;
- c. Instill in my child/children a sense of respect;
- d. Understand that unnecessary interruptions in the school are detrimental to the educational process for all students;
- e. Be familiar with the educational program and the school procedures affecting the educational process of my child/children;
- f. Inform my child/children about the disciplinary procedures of the school and emphasize the importance of following them;
- g. See that my child/children attends school regularly and promptly;
- h. Check with the proper school officials regarding the facts of any situations that I might question;
- i. Support the efforts of the school personnel;
- j. Demonstrate respect for the teachers, administrators, and school personnel at school and all school-related activities;
- k. See that students exhibit neatness and cleanliness in their personal attire and hygiene.

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IV. TEACHERS EXPECTATIONS/RESPONSIBILITIES

As a teacher, I have the reasonable expectation to:

- a. The support of co-workers, administrators, parents and students;
- b. Work in an educational environment with a minimum of disruption;
- c. Expect all assignments, including homework to be completed and turned in as assigned;
- d. Discipline a student according to guidelines set forth in this code;
- e. Protection from physical harm and freedom from verbal abuse;
- f. Provide input to aid in the formulation of policies that relate to their relationships with students and school personnel;
- g. Take action necessary in emergencies pertaining to the protection of persons or property.

As a teacher, I have the responsibility to:

- a. Effectively present the educational materials and experiences appropriate to their course or grade level;
- b. Inform students and parents/guardians of achievement progress and problems;
- c. Plan a flexible course of study which meets the needs of all students;
- d. Maintain high standards of academic achievement;
- e. Administer disciplinary measures prescribed in this code in order to maintain a positive learning climate;
- f. Evaluate students' assignments and return them as soon as possible;
- g. Exhibit exemplary behavior in action and speech;
- h. Exhibit neatness and cleanliness of personal dress and hygiene;
- i. Reward exemplary behavior or work of students;
- j. Maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students;
- k. Follow and enforce rules and regulations of the Board of Education and/or school administration;
- l. Care for the equipment and physical facilities of the school.

V. ADMINISTRATORS EXPECTATIONS/RESPONSIBILITIES

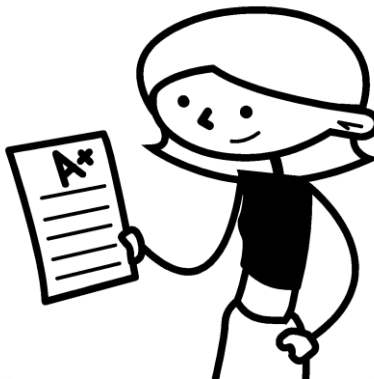
As a principal/administrator, I have the reasonable expectation to:

- a. The support of students, parents, and teachers in carrying out the educational programs and policies established by the school system;
- b. Provide input for the establishment of procedures and regulations that relate to the school;
- c. Protection from physical harm and verbal abuse;
- d. Take action necessary in emergencies pertaining to the protection of person or property;
- e. Administer the school to provide an effective learning atmosphere.

As a principals/administrator, I have the responsibility to:

- a. Create and foster an atmosphere of mutual respect and consideration among pupils and staff members;
- b. Administer discipline fairly and equally following the guidelines set forth in this code;
- c. Exhibit exemplary behavior in action and speech;
- d. Exhibit neatness and cleanliness of personal dress and hygiene;
- e. Implement and evaluate all aspects of the educational program to improve learning and comply with the policies, regulations, procedures or applicable laws;
- f. Direct the school staff in developing a program which communicates this code of conduct to the school community.

DISTRICT POLICY AND PROCEDURES MANUAL IS LOCATED ONLINE AT www.marion.kyschools.us and <http://policy.ksba.org/m03/>



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VI. DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT

DISCIPLINARY RESPONSE TO STUDENT BEHAVIOR			
Due process shall be given at each level			
LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Description:	Description:	Description:	Description:
Behaviors which impede orderly classroom procedures, or interferes with orderly operation of the school.	More frequent or severe behaviors which impede orderly classroom procedures, or interferes with the orderly operation of the school.	Behaviors that are directed against persons or property, but do not seriously endanger the health or safety of others.	Behaviors which results in violence to another person or property, or pose a direct threat to the health or safety of others.
Procedures:	Procedures:	Procedures:	Procedures:
Teacher/Staff intervention and redirection. Event and resolution are maintained by teacher either formally or informally.	Administrator investigates behavior event and interviews necessary participants. Parent conference may be held. Event and resolution are documents and maintained by administrative staff. Teacher is informed of administrative action.	Administrator investigates behavior event interviewing all necessary participants. Parents are contacted. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative action.	Administrator investigates behavior event interviewing all necessary participants. Parents are notified. Administrator may call Law Enforcement. Event and resolution are documented and maintained by administrative staff. Teacher is informed of administrative actions.
Event Examples:	Event Examples: (and continuation of previous level behaviors)	Event Examples: (and continuation of previous level behaviors)	Event Examples: (and continuation of previous level behaviors)
Dress code violation Disrespectful Behavior Failure to follow staff instructions Lying Tardy to Class	Acceptable Use Policy technology violation Bus disturbance Bullying/Cyberbullying Cheating/Plagiarism Disruptive behavior False reporting/Falsifying note Gambling Hazing Inappropriate displays of affection Profanity or vulgarity Skipping school/class Truancy Tobacco/Vape violation Verbal abuse	Chronic Disruptive Behavior Detention infraction Extreme disrespect Fighting (1st offense) Harassment Inappropriate Sexual Behavior Leaving campus Theft/Stealing (less than \$100) Threats or intimidation Vandalism (less than \$100) Violation of Personal Electronic device	Assault (on or off school property) Dangerous Instruments, fireworks ammunition possession/use Deadly weapons possession/use including look-alike weapons Drugs, alcohol or other intoxicating substances possession/use Extortion Fighting (2nd offense and over) Terroristic Threatening: Arson, Bomb Threat, False Fire Alarm, Threats of violence against others Theft/Stealing or possession of stolen property (over \$100) Vandalism (over \$100)
Consequences:	Consequences:	Consequences:	Consequences:
Verbal redirection Behavior contract Privileges withheld Special seating Conference with student Counseling Time out area Parent contact/conference Strict supervised study Detention/Extended detention	Option to use any previous Level consequences Bus privilege revoked Warning Conference Parent contact Counseling Schedule change Referral to outside agency Peer counseling Driving privilege revoked Detention/Extended detention Restricted activity Behavioral contract Suspension (ISD) Alternative school Modified day	Option to use any previous Level consequences Restitution Temporary removal from class Suspension (ISD) Suspension (Out of School) Counseling Principal change of placement Alternative school Referral to law enforcement	Option to use any previous Level consequences Alternative school Expulsion Referral to law enforcement

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BEHAVIOR DEFINITIONS	
Behavior	Definition
Acceptable Use Policy technology violation	Inappropriate use of district or school technological resources, including district network systems and use of district/school equipment. Acceptable uses of district or school technological resources are specified in policy 08.2323 AP.1.
Arson	Starting or attempting to start a fire on school property.
Assault	Physical attack of one person or a group of persons on another with the intent to injure. Physical sexual abuse of any kind is also considered assault. Victims of assault have the right to self-defense.
Bullying	Any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated: That occurs on school premises, on school-sponsored transportation, or at a school sponsored event; or that disrupts the educational process (See section X).
Bus disturbance	Any behavior that may create a safety problem on a bus or violate the Statement on Rights and Responsibilities and Student Code of Conduct (See section XI)..
Cheating	A student acting deceptively or dishonestly; including a student copying another's work and using it as his/her own (plagiarism); tampering with official school records.
Chronic Disruptive Behavior	A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.
Dangerous instruments, fireworks or ammunition, possession of	Dangerous instruments include any instrument, article, or substance, including parts of the human body, readily capable of causing death or serious physical injury. Dangerous instruments shall include pocket knives, b.b. guns, hunting knives of all types.
Deadly weapons, possession of	The possession of any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged; any knife other than an ordinary pocket knife or hunting knife; billy, nightstick, or club; blackjack or slapjack; nunchaku karate sticks; shuriken or death star; or artificial knuckles made from metal, plastic, or other similar hard material. (See Section XXXIV.)
Deadly weapons, possession of look-alike or toy	Any look-alike, toy, or facsimile of a deadly weapon as defined in No. 8 above.
Disrespectful Behavior	Any behavior which interferes with the learning process or is otherwise inappropriate in a school setting.
Disruptive Behavior	Causing an interruption in a class or activity. The disruption may include sustained loud talk, yelling, screaming, making noise with materials, horseplay or roughhousing, and/or sustained out-of-seat behavior.
Dress Code Violation	Inappropriately dressing in a manner that may result in a distraction or disruption of a safe environment. Attire that suggests involvement in gang activity or any apparel that is suggestive, obscene, lewd, shows vulgar language or symbols; shows symbols or language relating to or promoting sex, drugs, tobacco, weapons, violence, or alcohol on clothing; or violates the local district dress code policy is prohibited.
Drugs, alcohol, or other intoxicating substances, possession of	(See Section XV.)
Extortion	Obtaining or attempting to obtain property from an unwilling person by intimidation or physical force.
Extreme Disrespect	Actions and/or language that create an unstable environment or lead to a climate of hostility and/or intimidation. Behaviors may include, but are not limited to, abusive and demeaning language, words that attack or injure an individual, socially rude interactions, out of control behaviors.
Detention Infraction	Failure to report to or be present in an assigned classroom/area during the time a student is assigned to serve detention.
Failure to follow directions or rules	Failure to complete assignments, including state-mandated assessment tests, and to follow other school or classroom regulations.
Failure to follow staff instructions	Refusing to comply with reasonable requests by school personnel or refusal to obey classroom and school rules, in a manner more severe than disrespect. The defiance may be verbal, symbolic, or physical; confronting with resistance or challenging the authority of school officials; failing to comply with a reasonable request by school officials constitutes insubordination or unwillingness to submit to the authority of school officials.
False fire alarm	Knowingly causing a false fire alarm to be transmitted to the school or alerting the fire department or any school employee. (see section XXXI: Terroristic Threatening)
False reporting/falsifying note	Intentionally reporting false information to a school official or signing parent or staff note.

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BEHAVIOR DEFINITIONS	
Behavior	Definition
Fighting	Students who willfully engage in the use of physical force, except if done in self-defense as solely determined by the Principal.
Gambling	Any game of chance for the express purpose of exchanging money or property.
Harassment	Intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. (See Section XXIII for harassment/discrimination complaints concerning denial of equal educational opportunities.)
Hazing	An act that injures degrades or disgraces another student or other person.
Inappropriate Display of Affection	Engaging in inappropriate, consensual (as defined by school) verbal and/or physical gestures/contact, of a sexual nature to another student/adult.
Inappropriate Sexual Behavior	Exhibiting intimate physical contact in school or at any school related activity, on-site or off-site. This sexual contact can be consensual or unwanted.
Leaving Campus	Leaving the school building and/or campus without permission during regular school hours.
Obscene/pornographic material	Possessing or accessing any material, whether written, printed or electronic, which depicts nudity or depicts or describes sexual conduct and, when taken as a whole, lacks serious literary, artistic or other value.
Profanity or vulgarity	The use of words or gestures generally considered socially unacceptable.
Skipping School/Class	Failure to attend any regularly scheduled class or assigned school activity without valid excuse. Being absent from school without valid permission.
Terroristic threatening	Making a statement of intention to commit a crime likely to cause death, physical injury or substantial property loss. This includes, but is not limited to, making, or being involved in making, a threat that a bomb or chemical, biological or nuclear weapon has been placed in or is about to explode in a school building, on school grounds, in a school bus, at a bus stop, or at any school-sponsored activity.
Theft, stealing or possession of stolen property	Taking or possessing property belonging to the school or another person.
Threat or intimidation	The act of threatening force or violence, scaring, or insulting another person.
Threatening Staff	Using verbal messages or physical actions toward a staff person or school representative that imply the threat of serious physical injury.
Tobacco violation	(See Section XXIX.).
Truancy & Tardy	(See Section IX.).
Vandalism	Destruction or defacing of public or personal property, including computer hardware or software.
Verbal Abuse	Using abusive and demeaning language: words that attack or injure an individual, words that cause one to believe an untrue statement, or words that speak falsely of an individual. This can include talking back, name calling, and/or creating socially rude interactions.
Violation of Personal Electronic/Telecommunication Device	Inappropriate use of personal devices, such as but not limited to cellular phones, digital picture/video cameras and/or phones and other personal electronic devices as described in board policy.

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VII. ACCESS TO NETWORKED INFORMATION RESOURCES

Individuals are responsible for good behavior on school computer networks. Communications on the network are often public in nature. School and District policies concerning behavior and communications apply to all use of networks. The network is provided to conduct research and communicate with others. Access to network services is provided to individuals who agree to act in a considerate and responsible manner. Parent permission is required for minors. Access is a privilege, not a right. Access entails responsibility. Network storage areas may be treated like school lockers. Network administrators may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private. In accordance with Policy Number 08.2323 Student Access to Electronic Media in the Marion County Policy Manual, a written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources. The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

VIII. ALTERNATIVE SCHOOL PROGRAM

The Marion County Alternative School Program is approved by the Marion County School Board. It is an alternative program to deal with students who exhibit habitual and/or severe discipline problems. In some cases, the Alternative Program is to be used in lieu of expulsion. **The alternative program or setting may be provided virtually.**

A student may be recommended to the Alternative School or may be recommended for expulsion, if the offense warrants such action.

In cases which involve students with disabilities, procedures mandated by federal and state laws for students with disabilities shall be followed. Mandatory parent conferences upon entering and exiting the program are included in the program. In order for a student to be released from the program, he/she must have satisfactorily completed his individualized program. The student must also be recommended to be returned to the regular classroom by the Alternative School teacher.

Absences shall not constitute sufficient reason for excusing the student from the assigned number of days in the Alternative School.

Should a student fail to comply with specified rules of operation of the Alternative School or fail to complete assignments, the duration of stay may be extended by the officials of the Alternative School. The officials of the Alternative School shall make the final decision regarding whether a student complied with expectations during assignments. Any violation of the specified rules and regulations governing the Alternative School or failure to meet the behavioral expectations shall be just cause for extending the student's time in the Alternative School. When such action is necessary, the principal shall be notified prior to the date extension will take place.

While assigned to the Alternative School, students shall not be allowed to participate in any extracurricular activities.

The principal may at his/her discretion recommend the expulsion of pupils to the Board of Education.

IX. ATTENDANCE POLICY

PRIOR TO SCHOOL ATTENDANCE: Each child shall have on file:

- A legal Birth Certificate
- A Kentucky Certificate of Immunization. Proof of the following immunizations by schedule of DT, DTP, or DtaP; OPV or IPV; HepB; Hib; MMR; Td and Varicella. It is the responsibility of the parent to abide by all state regulations of the Immunization Program for school attendance. Per 702 KAR 1:160 the immunization certificate shall be on file within two (2) weeks of a student's enrollment or exclusion from school shall result.
- Proof of a preventative health care examination conducted within (1) year prior to initial entry into the school program and another preventative health care examination within (1) year prior to entry into the sixth (6th) grade.
- Proof of an eye examination by an optometrist or ophthalmologist. This shall be documented on the Kentucky Eye Examination Form for School Entry.
- Proof of a dental screening by dentist, dental hygienist, physician, registered nurse, advanced practice registered nurse, or physician assistant. This shall be documented on the Kentucky Dental Examination Form for School Entry.

ABSENCES AND EXCUSES: Pupils are required to attend regularly and punctually the school in which they are enrolled. All students are expected to attend the full school day for each day school is in session.

Truancy and Tardy 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 a habitual truant.

Excused Absences

Excuses for absenteeism must be submitted immediately upon the students' return to school.

An excused absence or tardy is an event such as:

1. Illness of the pupil.
2. Death or severe illness in the pupil's immediate family.
3. Orders of the Court.
4. Participation in school activities approved by principal.
5. Permit or license for drivers (only ½ day).
6. Religious holidays and practices.
7. One (1) day for attendance at the Kentucky state fair, or
8. 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, experimental, 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 dates falling within State or District testing periods shall not be granted.
9. A student will be excused for one day for the military deployment of a parent/guardian, and one day when a parent/guardian returns from military deployment. 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.

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Make-Up Work

All work missed during an excused absence shall be made up as follows: for every day the student misses, he/she shall receive the same amount of days to complete make-up work.

Unexcused Absences

Work may be made up for unexcused absences at the discretion of the teacher involved.

Determination Of Absences

The principal shall determine whether the absence is excused or unexcused. The principal shall accept written certification by a parent or guardian of a student's illness or severe illness in the family for as many as five (5) absences per school year. All absences above five (5) to be excused shall be documented in writing, by a statement from the doctor, dentist or health department, unless such requirement, within the reasonable discretion of the principal, is waived.

Documented statement must specify the time period if more than the interval of the office visit is to be considered.

Extended Absences

When an extended absence is anticipated, arrangements with the principal/counselor should be made through a parental conference in advance of the absence, if possible.

It is the responsibility of the parent or guardian to notify the principal immediately if the child is going to be out of school for an undetermined period of time due to a documented physical, mental or emotional condition. Home instruction may be provided in these cases.

ATTENDANCE DUE PROCESS – ELEMENTARY, MIDDLE SCHOOL, HIGH SCHOOL

STEP 1 – After the third (3) unexcused event (absence or tardy) the principal/designee will notify the student and guardian concerning the consequences of further absences.

STEP 2 – After the fifth (5) unexcused event (absence or tardy) the principal/designee will notify the guardian requesting an Attendance Committee meeting to develop a plan to improve their student's attendance. The student may be referred for court action at this time.

**NOTE: Students with truancy referrals in previous year(s) will have an Attendance Committee meeting after the third (3) unexcused event.

STEP 3 – The Director of Pupil Personnel shall send a final notice by certified mail (or personal visit) to the guardian (or student if 18 years old) in accordance with KRS 159.180.

STEP 4 – If the unexcused events (absence or tardy) continue, The Director of Pupil Personnel may sign a petition with the Juvenile Court using a charge of habitual truancy (KRS 159.150).

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

BULLYING DEFINED

Bullying is now defined as "any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school sponsored event; or
2. That disrupts the educational process

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process".

HAZING DEFINED

Per KRS 508.150, "hazing" is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization*, including but not limited to actions which cause, coerce, or force a minor or a student to:

- (a) Violate federal or state criminal law;
- (b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
- (c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;
- (d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;
- (e) Endure brutality of a sexual nature; or
- (f) Endure any other activity that creates a reasonable likelihood or mental harm or physical injury to the minor or student.

Bullying/Hazing incidents which occur on school premises, on school-sponsored transportation, or at school-sponsored events or which disrupt the education process, see Board of Education policy 09.426, shall be investigated by the school principal/designee and resulting information, if bullying/hazing is substantiated, reported to the superintendent/designee. Students who believe they are victims of bullying/hazing or who witness acts they believe to constitute bullying/hazing of others should report those incidents to school personnel. Any school personnel who knows or has reasonable cause to believe bullying/hazing has occurred shall report to the principal/designee without undue delay.

When bullying/hazing has been reported, the school principal/designee shall interview the claimed victim(s), potential witness(es), and accused student(s). For each report of bullying/hazing that is substantiated, the school principal/designee shall take steps to document measures reasonably intended to protect the victim(s) from retaliation related to bullying/hazing report, such as separating students, taking appropriate disciplinary and/or corrective action, referring students for educational or counseling services, advising personnel as needed of the report of bullying/hazing and results of the investigation substantiating bullying/hazing, or other appropriate measures. In situations of substantiated bullying/hazing, the parents, legal guardians, or other persons exercising custodial control or supervision of the involved students shall, without undue delay, receive written notice (including fax or email) of the incident, that an investigation has occurred, and the consequences have been taken as believed to be warranted under all of the circumstances made known during the investigation.

XI. CONDUCT ON SCHOOL BUS

Pupils shall conform to transportation and regulations prescribed under state statutes and under state and local regulations.

Instruction in bus conduct and safety shall be provided to all transported students. Instruction shall include the following rules:

1. Pupils shall wait at the assigned bus stop off the roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.
2. Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver.

Student Code of Conduct

3. When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order to be seen by the bus driver.
4. When pupils enter the bus, they shall proceed directly to a seat.
5. Pupils shall remain seated until the bus has come to a complete stop.
6. Pupils shall not extend their arms, legs or heads out the bus window.
7. Pupils shall not change from one 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 distract the bus driver or interfere with the driver's ability to hear signals of emergency vehicles or an approaching train.

The bus drivers shall promptly report any violation of district policy or school rules to the principal. The driver is in charge of his/her bus, and his/her first responsibility shall be to the safe transportation of his passengers. In the event that one or more pupils are behaving in such a way as to endanger the safety of other pupils on the bus, the driver is authorized to order the offending pupils from the bus. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the principal of the school where the pupil attends, the Superintendent, or other school authority. The Superintendent, Principal or Assistant Principal is authorized to suspend bus-riding privileges up to a maximum of ten (10) days per occurrence in the case of habitual or serious conduct violations. The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

XII. CONFIDENTIALITY OF JUVENILE RECORDS

RECEIPT BY PRINCIPAL

When the principal receives juvenile court records or other information as permitted by KRS 610.345, he/she shall ascertain that the student named in the confidential record is currently enrolled in his/her school.

The Principal receiving this information shall retain the information in a locked file. Records or information disclosed to the Principal pursuant to this procedure shall not be disclosed to any other person, including school personnel, except the following.

1. School administration, transportation, and counseling personnel.
2. Any teacher to whose class the student has been assigned.
3. Any school employee with whom the student may come in contact, or
4. Others as may be permitted by law.

The Principal is required by law to release the information to employees of the school having responsibility for classroom, instruction or counseling of the child. Those persons receiving this confidential information shall sign a confidentiality statement.

STUDENTS NOT ENROLLED IN THE SCHOOL

If the juvenile is not currently enrolled in the school, the Principal shall return the records to the court and notify the clerk that the child is not enrolled. In addition, the Principal shall return the records to the court and notify the clerk if the juvenile is changing school assignment within the District, transferring to a school in another district, graduation, or withdrawing from school.

XIII. DETENTION AFTER SCHOOL

As a disciplinary response option, the principal may assign a student to after school detention. The principal/designee shall notify parents of their child's assignment to after school detention and that transportation will be required by the parents for the days the student is assigned.

DETENTION SATURDAY

As a disciplinary response option, the principal may assign a student to Saturday detention.

The principal/designee shall notify the parents of their child's assignment to Saturday detention and the transportation will be required by the parents for the day(s) the student is assigned.

Any violation of the specified rules and regulations governing Saturday detention or failure to meet specific time and attendance guidelines may result in additional disciplinary action.

XIV. DRIVER'S LICENSE REVOCATION

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. Refer to KRS 159.051 for more information.

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

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

XV. DRUGS AND ALCOHOL

"No pupil shall possess, use, sell, transfer, or be under the influence of any unauthorized drug (alcohol) on any school property, at any location of a school sponsored activity, or on route to or from school or a school sponsored activity." Possession/use of unauthorized substances or paraphernalia (e.g. rolling papers, scales, clips, etc.) and any/all other items that are considered dangerous/harmful to students. Violation of this policy shall constitute reason for suspension or expulsion.

XVI. DRUG-TESTING POLICY (HIGH SCHOOL ONLY)

This policy applies to all students who choose to participate in Marion County High School extracurricular activities, students who drive to school and those students who enroll voluntarily or are enrolled by their parent(s) or guardian(s).

XVII. EQUAL EDUCATIONAL OPPORTUNITIES

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

XVIII. EXPULSION

The Board may expel any pupil for misconduct as defined in KRS 158.150 and the Student Code of Conduct.

Student Code of Conduct

Action to expel a pupil shall not be taken until the parent of the pupil, or pupil 18 years of age or older, has had an opportunity for a hearing before the Board. In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed. The Board's decision shall be final.

XIX. FAMILY EDUCATION RIGHTS AND PRIVACY ACT DEFINITIONS

Although this listing is not intended to take the place of the complete FERPA law and regulations, the following definitions shall apply when implementing Policy 09.14 and the procedure that follow.

EDUCATION RECORDS – Refers to records directly related to a student that is maintained by the District or by a party acting for the District. A “record” shall include any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche. **Student records shall include disciplinary records with regard to suspension and expulsion.** Staff should refer to federal regulations for examples of documents that are not considered education records. Notice shall include description of property request procedures. Parents or eligible children who make such request must be informed that there may be possible future uses of such records (e.g. Social security petition) and that the District may maintain records related to attendance and grades.

PERSONALLY IDENTIFIABLE INFORMATION – Includes, but is not limited to, the following:

1. Student's name;
2. Name of the student's parent or other family member;
3. Address of the student or student's family;
4. Any personal identifier, such as the student's social security or student number;
5. A list of personal characteristics that would make the student's identity easily traceable; or
6. Other information that would make the student's identity easily traceable.

NOTE: Unless the parent/guardian or eligible student requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request (See section XXV.).

STUDENT – Except as otherwise specifically designated by law, “student” shall mean any individual who is or has been in attendance in the District and for whom that District maintains education records.

DISCLOSURE – Refers to permitting access to, or release or transfer of, personally identifiable information contained in a student's education record to any party, by any means, including oral, written, or electronic.

RECORDS OF MISSING CHILDREN

Upon notification by the Commissioner of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of the child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

COURT ORDER/SUBPOENA

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. However, in compliance with FERPA, when a lawfully issued court order or subpoena required disclosure be made without notification of the student or parent, the District shall comply with that requirement. If the District receives such an order, the matter may be referred to local counsel for advice.

XX. GRIEVANCE PROCEDURE - STUDENT

Students who feel they have been discriminated against or denied an opportunity because of their race, color, national origin, age, religion, marital status, sex, or disability in an education program and/or activities have the right to file an informal and/or formal grievance as follows. This process is conducted through the Title IX, Title VI, and Section 504 Coordinator at (270) 692-3721.

It shall be the duty of the local building Principal or immediate supervisor to receive written complaints for both students and employees of discrimination. All parties involved shall have assurance of due process and all allegations or instances of discrimination found to be in violations of Title IX, Title VI, or Section 504 shall be resolved or remediated on a case-by-case basis. In the event the building principal or immediate supervisor is unable to resolve or remediate the allegations, the following procedures shall be followed.

INFORMAL GRIEVANCE PROCEDURE

Step 1. If a student feels he/she has been discriminated against, the student should bring the problem to the attention of the coordinator (listed above) within five (5) school days of the knowledge or alleged cause for grievance occurs.

Step 2. The student, coordinator (and other involved) will work informally to negotiate a solution within five (5) school days.

Step 3. If the grievance cannot be satisfactorily resolved working informally, the student may want to proceed to file a formal grievance.

XXI. MEAL POLICIES

Charge Meal Policy

MCPS participation in the USDA CEP (Community Eligibility Provision) Program which provides breakfast and lunch to all students at no cost. Though the meal is free there are extras and a-la-carte items offered for purchase.

To purchase these items students must have cash or money in their lunch account. Under no circumstances may a la carte items be charged.

XXII. SAFE CRISIS MANAGEMENT

Use of physical restraint and seclusion by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training may physically restrain students, but shall summon core trained school personnel as soon as possible.

In all situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological well-being for the duration of the restraint or seclusion.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

In all situations involving use of seclusion:

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- The student shall be visually monitored for the duration of the seclusion.
- Less restrictive interventions have been ineffective in stopping the imminent danger of physical harm to self or others.
- The use of seclusion shall end as soon as the student's behavior no longer poses an imminent danger of physical harm to self or others, or;
- A medical condition occurs putting the student at risk of harm.

XXIII. SEARCH AND SEIZURE

Reasonable Suspicion

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

Authorized Personnel

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/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

Witness/Personal Searches

When a pat-down search of 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. In addition, no search of a pupil shall be conducted in the presence of other students.

Disposition of Items

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

Strip Searches

No strip searches of students shall be permitted.

Failure to Cooperate

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

Regular Inspection

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 such 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 suspicion exists to believe that evidence of a violation of the law or a school rule is contained therein.

Illegal Items

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

Other Disruptive Items

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.

XXIV. SEXUAL HARASSMENT/DISCRIMINATION (TITLE IX)

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the TIXC, or by any other means that results in the TIXC receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the TIXC.

The District's Title IX Coordinator (TIXC) is Dr. David Gibson
755 East Main Street Lebanon, KY, 40033
david.gibson@marion.kyschools.us (270) 692-3721

XXV. SPECIAL EDUCATION

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

The SBARC committee will be convened prior to placement of any handicapped student in the Alternative School Program from the purpose of reviewing the student's Individual Education Program (IEP).

The student's Individual Education Program (IEP) will describe specially designed instruction to be provided within the Alternative School placement.

The Director of the Alternative School shall be a member of any SBARC Committee that is convened for the purpose of considering the placement of students with disabilities in the Alternative School Program.

XXVI. STUDENT DIRECTORY/PROTECTED INFORMATION

The Superintendent/designee is authorized to release Board-approved student directory information. Approved "directory information" shall be: name, address, phone number, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

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

The District shall provide direct notice to parents/guardians to obtain prior written consent for their minor children to participate in any protected information survey, analysis, or evaluation if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified to any given opportunity to opt their child(ren) out of participation in the following activities:

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1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health or safety of a student, except for hearing, vision, or scoliosis screenings, or any physical example 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.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information. PPRa requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Act (IDEA).

XXVII. STUDENT RECORDS

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports. The superintendent shall establish a procedure for information access in compliance with the Family Educational Rights and Privacy Act.

A school staff member may review an education record in order to fulfill his/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.)

Student information shall be made available to the parent or eligible student on request. Eligible students include those over eighteen (18) years of age or those duly enrolled in a post-secondary school program. Parents or eligible students shall be provided a copy of records upon written request. Such copies shall be provided in a manner that protects the confidentiality of other students.

The parent or eligible student shall be granted a hearing regarding the contents of the record on written request to the superintendent. If the hearing results in a finding that the record is inaccurate or misleading in whole or in part or that information in the record violated the privacy or other rights of the student, it shall be duly amended. If the hearing finds no impropriety in the record, the parent or eligible student will be informed of his right to enter the record a comment or exception to the written record.

No individual or agency may have access to the record without the written consent of the parent or eligible student except the following as provided by law:

1. Other school officials within the district who have been determined by the superintendent or his designee to have a legitimate educational interest;
2. Officials of another school or school district in which the student enrolls or plans to enroll;
3. Authorized representatives of specific federal and state officials authorized by law;
4. State and local officials to whom reports are mandated by statute;
5. Organizations conducting educational studies for a legitimate purpose, provided that confidentiality will be assured;
6. Accrediting organizations in carrying out their functions;
7. Compliance with a judicial order or lawfully issued subpoena; and,
8. Appropriate parties in a health or safety emergency as determined by the superintendent.

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.

A list of all individuals or agencies who request access to the record whether or not it is granted shall be maintained in the record and accessible to the parent or eligible student. The list shall include the name, address and purpose of inspection.

When student records are transferred pursuant of a student transfer out of the district, a reasonable attempt shall be made by the superintendent to notify the parent or eligible student.

Annual notice shall be provided to the parents of eligible students of the types and location of student records maintained by the Board and titles of officials responsible for the records, and of the parents' and eligible students' rights to access to such records.

NOTIFICATION OF PPRa RIGHTS & FERPA

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 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 determined eligibility for participation in a program or for receiving financial assistance under such program).
- **Receive notice and an opportunity to opt a student out of:**
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for hearing, vision, or scoliosis screenings, or 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 selling, 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, other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

The District shall annually provide parents and eligible students notice of these rights under law in the Student Handbook, the District Student Code of Conduct, 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

Student Code of Conduct

Notification of FERPA Rights and Child Find for Children with Disabilities in Need of Special Education Services Distribute this notice annually to parents and students.

The Family Educational Rights and Privacy Act (FERPA) afford parents and “eligible students” (students over 18 years of age or who are attending a postsecondary institution) certain rights with respect to the student’s education records. They are: 1) *The right to inspect and review the student’s education records within forty-five (45) days of the day the District receives a request for access.* Parents or eligible students should submit to the school principal/designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. 2) *The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student’s privacy or other rights.* Parents or eligible students may ask the District to amend the record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of privacy or other rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise 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 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 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 education record in order to fulfill his or her professional responsibility. Upon request, the District shall disclose education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law. 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

XXVIII. STUDENT RIGHTS TO RELIGIOUS EXPRESSION

Consistent with the Constitutions of the United States of America and the Commonwealth of Kentucky, a student shall have the right to carry out an activity described in any of paragraphs (a) to (j) of subsection (2) of this section, if the student does not:

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

Consistent with the Constitutions of the United States of America and the Commonwealth of Kentucky, and subject to the provisions of subsection (1) of this section, a student shall be permitted to voluntarily:

- (a) Pray or engage in religious activities in a public school, vocally or silently, alone or with other students to the same extent and under the same circumstances as a student is permitted to vocally or silently reflect, meditate, speak on, or engage in nonreligious matters alone or with other students in the public school;
- (b) Express religious or political viewpoints in a public school to the same extent and under the same circumstances as a student is permitted to express viewpoints on nonreligious or nonpolitical topics or subjects in the school;
- (c) Express religious or political viewpoints in classroom, homework, artwork, and other written and oral assignments free from discrimination or penalty based on the religious or political content of the submissions;
- (d) Speak to and attempt to discuss religious or political viewpoints with other students in a public school to the same extent and under the same circumstances as a student is permitted to speak to and attempt to share nonreligious or nonpolitical viewpoints with other students. However, any student may demand that this speech or these attempts to share religious or political viewpoints not be directed at him or her;
- (e) Distribute religious or political literature in a public school, subject to reasonable time, place, and manner restrictions to the same extent and under the same circumstances as a student is permitted to distribute literature on nonreligious or nonpolitical topics or subjects in the school;
- (f) Display religious messages on items of clothing to the same extent that a student is permitted to display nonreligious messages on items of clothing;
- (g) Access public secondary school facilities during non-instructional time as a member of a religious student organization for activities that may include prayer, Bible reading, or other worship exercises to the same extent that members of nonreligious student organizations are permitted access during non-instructional time;
- (h) Use school media, including the public address system, the school newspaper, and school bulletin boards, to announce student religious meetings to the same extent that a student is permitted to use school media to announce student nonreligious meetings;
- (i) Meet as a member of a religious student group during non-instructional time in the school day to the same extent that members of nonreligious student groups are permitted to meet, including before and after the school day; and
- (j) Be absent, in accordance with attendance policy, from a public school to observe religious holidays and participate in other religious practices to the same extent and under the same circumstances as a student is permitted to be absent from a public school for nonreligious purposes.

Consistent with its obligations to respect the rights secured by the Constitutions of the United States of America and the Commonwealth of Kentucky, a local board of education shall ensure that:

- (a) The selection of students to speak at official events is made without regard to the religious or political viewpoint of the student speaker;
- (b) The prepared remarks of the student are not altered before delivery, except in a viewpoint-neutral manner, unless requested by the student. However, student speakers shall not engage in speech that is obscene, vulgar, offensively lewd or indecent; and
- (c) If the content of the student’s speech is such that a reasonable observer may perceive affirmative school sponsorship or endorsement of the student’s religious or political viewpoint, the school shall communicate, in writing, orally, or both, that the student’s speech does not reflect the endorsement, sponsorship, position, or expression of the school;
- (d) Religious and political organizations are allowed equal access to public forums on the same basis as nonreligious and nonpolitical organizations; and
- (e) No recognized religious or political student organization is hindered or discriminated against in the ordering of its internal affairs, selection of leaders and members, defining of doctrines and principles, and resolving of organizational disputes in the furtherance of its mission, or in its determination that only persons committed to its mission should conduct these activities.

Student Code of Conduct

Consistent with its obligations to respect the rights secured by the Constitutions of the United States of America and the Commonwealth of Kentucky, a local board of education shall permit public schools in the district to sponsor artistic or theatrical programs that advance students' knowledge of society's cultural and religious heritage, as well as provide opportunities for students to study and perform a wide range of music, literature, poetry, and drama.

No action may be maintained under KRS 158.181 to 158.187 unless the student has exhausted the following administrative remedies:

- (a) The student or the student's parent or guardian shall state his or her complaint to the school's principal. The principal shall investigate and take appropriate action to ensure the rights of the student are resolved within seven (7) days of the date of the complaint;
- (b) If the concerns are not resolved, then the student or the student's parent or guardian shall make a complaint in writing to the superintendent with the specific facts of the alleged violation;
- (c) The superintendent shall investigate and take appropriate action to ensure that the rights of the student are resolved within thirty (30) days of the date of the written complaint; and
- (d) Only after the superintendent's investigation and action may a student or the student's parent or legal guardian pursue any other legal action.

XXIX. SUICIDE PREVENTION NOTIFICATION

The administration of the high school and middle schools disseminate the following information related to suicide prevention. The Marion County Public School System recognizes the importance of protecting the health, safety and emotional well-being of students. The state of Kentucky has enacted legislative mandates that require actions on a specific timetable directed at combating the problem of teen suicides. We provide the required training in the suicide prevention and awareness for middle school and high school staff and students. We also provide counseling personnel and counseling opportunities to support students. By September 1 of each year, suicide prevention information will be disseminated to middle and high school students. Principals, counselors, and teachers will complete suicide prevention professional development each year.

XXX. SUSPENSION

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

A pupil shall not be suspended until the due process procedures have been provided as described in KRS 158.150, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. In such cases, due process shall follow the suspension as soon as practicable, but not 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 and the length of time of the suspension.

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

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

XXXI. TELECOMMUNICATION DEVICES

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, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process (see policy 09.426), 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. 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.
2. 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.
3. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication devices or other electronic devices.
4. Students shall not utilize a telecommunication or similar device in a manner that would violate the District's Acceptable Use Policy or Procedures of its Code of Conduct.

XXXII. TERRORISTIC THREATENING

Terroristic Threatening in the second degree is defined in state law (KRS 508.078). A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:

- (a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
 - (b) Makes false statements by any means, including by electronic communication, for the purpose of:
 1. Causing evacuation of a school building, school property, or school-sanctioned activity;
 2. Causing cancellation of school classes or school-sanctioned activity; or
 3. Creating fear of serious bodily harm among students, parents, or school personnel;
 - (c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
 - (d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.

Student Code of Conduct

(3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.

(4) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.

(5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District.

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

XXXIII. TOBACCO/NICOTINE PRODUCTS

Students shall not be permitted to use or possess any tobacco, including alternative nicotine products or vapor products as defined by KRS 438.305 (for example: e-cigarettes), on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, or during school-sponsored trips and activities.

Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the Student Code of Conduct.

XXXIV. WEAPONS

It is the policy of the Marion County School System to report to the criminal justice or juvenile delinquency system any student who is carrying, bringing, using, or possessing any dangerous or deadly weapon or "look-alike" in any school building, on school grounds, in any school vehicle or at any school-sponsored activity. To comply with existing requirements of the Individuals with Disabilities Education Act (IDEA) regarding discipline of students with disabilities, our board of education will modify the expulsion requirements on a case-by-case basis for IDEA-eligible students. IDEA-eligible students may be expelled for behavior unrelated to their disabilities, as long as the procedural safeguards required by IDEA and KRS 158.150 are followed.

Non-IDEA eligible students will be expelled for not less than twelve (12) months from their regular school setting in our school system. Non-IDEA eligible students expelled for not less than twelve (12) months from their regular school setting may be placed in an alternative setting in our school system.

Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air gun, or spring gun; slingshot; bludgeon; booby trap device; brass knuckles or artificial knuckles of any kind; knife which is readily capable of causing death or serious physical injury (including but not limited to pocket knives or hunting knives); or any object that is carried for the purpose of inflicting injury on another. Students participating in a class, authorized extracurricular activity or team involving the use of firearms/archery equipment are exempt.

Student Code of Conduct

MARION COUNTY SCHOOLS CALENDAR 2023-2024

July 2023							August 2023							September 2023						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8			P 1	P 2	P 3	P 4	5						1	2
9	10	11	12	13	14	15	6	D 7	O 8	S 9	10	11	12	3	H 4	5	6	7	8	9
16	17	18	19	20	21	22	13	14	15	16	17	18	19	10	11	12	13	14	15	16
23	24	25	26	27	28	29	20	21	22	23	24	25	26	17	18	19	20	21	22	23
30	31						27	28	29	30	31			24	25	26	27	28	29	30
October 2023							November 2023							December 2023						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	X 2	X 3	X 4	X 5	X 6	7				1	2	3	4						1	2
8	D 9	10	11	12	13	14	5	X 6	7	8	9	10	11	3	4	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	X 22	H 23	X 24	25	17	X 18	X 19	X 20	X 21	X 22	23
29	30	31					26	27	28	29	30			24	H 25	X 26	X 27	X 28	X 29	30
January 2024							February 2024							March 2024						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	H 1	D 2	3	4	5	6					1	2	3						1	2
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9
14	X 15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16
21	22	23	24	25	26	27	18	U 19	20	21	22	23	24	17	18	19	20	21	22	23
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30
April 2024							May 2024							June 2024						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	U 1	U 2	X 3	X 4	X 5	6				1	2	3	4	2	3	4	5	6	7	8
7	8	9	10	11	12	13	5	6	7	8	9	10	11	9	10	11	12	13	14	15
14	15	16	17	18	19	20	12	13	14	15	16	17	18	16	17	18	19	20	21	22
21	22	23	24	25	26	27	19	L 20	C 21	U 22	U 23	U 24	25	23	24	25	26	27	28	29
28	29	30					26	X 27	U 28	29	30	31		30						

Student Code of Conduct

(Please sign below and return to school.)

Student Name (Print) _____ Grade _____

School _____

CONFIRMATION OF RECEIPT OF CODE

As a parent(s) (or an 18-year-old student) and a participant in the Marion County Public School System, we have received a copy of the 2021-2022 Student Code of Conduct and we are aware of our responsibility to read its contents. Further, it is our responsibility to gain a working knowledge of the policies outlined in this handbook. We are also aware of our rights to question the school principal or the designated school staff member concerning any policy within this handbook that we do not understand.

Please check YES or NO to the following statements:

- I grant permission for my child/myself to be audio/video recorded, photographed, interviewed, surveyed by Marion County Schools for academic or media purposes. _____ Yes _____ No

FERPA Notice for Individual Learning Plan – ILP (Middle & High School Students Only)

The Individual Learning Plan (ILP) is a web based tool that the schools will use with students and their parents/legal guardians. It is a comprehensive tool that allows students to compile information about their education while exploring careers and planning for their future. The ILP will contain personal data information, educational information similar to transcripts, and other related students information. This will be created while the students are at school, although accessible off site. Under the Family Education and Privacy Rights Act, a school district requires permission from the parents (until the students is 18 at which point the right belongs to the student) to share an educational file. There are a few exceptions to this requirement; for example, the district is allowed to share the educational record with institutions, including postsecondary, where a student seeks to enroll.

The Individual Learning Plan will make it possible for a student to choose to share some or all the information with others including educational institutions, even those where he or she may not be seeking to enroll, for a one time viewing of student selected information. While technically the ILP is not part of the educational record, it will contain the data also found in the educational record. If you do not wish to have your child share his or her ILP with others, as parents, (or an 18 year old student) you may opt out if you so choose.

Please sign below and submit to the principal of your student's school within 15 days of the opening of the school year.

I grant permission for my child's Individual Learning Plan to be shared with interested parties (middle and high school students only). _____ Yes _____ No

(Please sign below and return to school.)

Date

Student Signature

Date

Parent/Guardian Signature

If a student reaches age 18 in the school year it becomes his/her responsibility to notify the school if he/she wishes to change this confirmation.