



**CODE OF ACCEPTABLE
BEHAVIOR & DISCIPLINE**

2016-2017

FOREWORD

Discipline is the stuff of which character is made. It is important that we as a school system in partnership with the parents and students realize that discipline is something we need to have - not something that someone has to do to us.

Self-discipline is our goal. If all of us will discipline ourselves to make good choices, we will all become better people.

This Code of Acceptable Behavior and Discipline provides guidelines to help us reach our goal of being self-disciplined.

If we will abide by the code, we will ensure that quality teaching and learning will happen.

Sincerely,

Bob Rogers, Superintendent

The MISD was established in 1872, the beginning of the long Tradition of Excellence. Forward-thinking and education-minded citizens put into action their desire for children in this community to receive a solid and sound education. Our mission motto of "**Every Student, Every Day: Tradition, Pride, and Excellence**" is rooted in our past and lives in our present.

The Murray Independent School District provides challenging educational foundations and opportunities for all students to achieve their fullest individual potential while providing enrichment through academics, arts and athletics. Intentional instruction ensures that all students have the opportunity to be successful academically. Data are used to support instructional decisions, and specific research-based strategies and interventions are identified to match student needs. Structured and focused learning opportunities provided by qualified staff exemplify the belief that all students can and will achieve to their fullest potential. Additionally, the belief that students must be given access to the arts and humanities is demonstrated by having regularly scheduled arts instruction by highly qualified teachers at all schools.

In the Murray Independent School District the commitment is to the student. It is about them. Every stakeholder, every program, every support system aims to enhance the educational experience of all students. "Every Student, Every Day: Tradition, Pride and Excellence" is embraced by everyone associated with the MISD. It is upon this foundation that we offer guidance, support, expectations, and help to each and every student, parents/guardians, staff members, volunteers, and community helpers through the protections of this code.

Nondiscrimination Statement

The Murray Independent School District does not discriminate on the basis of race, color, religion, sex, national origin, marital status, age, or disability in its educational programs and activities, including vocational education, or employment practices.

Inquiries regarding Section 504 compliance may be directed to the Murray Board of Education, 208 South 13th Street, Murray, KY 42071, (270) 753-4363. Inquiries regarding Title IX compliance may be directed to the Title IX Coordinator at the above address and telephone number.

TABLE OF CONTENTS

Code of Acceptable Behavior and Discipline

School District Name & Address	1
School District Superintendent.....	1
Code of Acceptable Behavior and Discipline Contact Person	1
School District Code Committee	1
Procedures Followed in Revision of the Existing Code of Acceptable Behavior & Discipline.....	1
Procedure for Annual Review of the Code.....	1
Procedures for Annual Orientation to the Code for Students, Parents, and Teachers.....	1
Assurances for the Code of Acceptable Behavior and Discipline.....	1
Student Code of Acceptable Behavior and Discipline	
Policy Statement	2
Philosophy of Rights and Responsibilities	2
A. Students	
1. Students' Rights	2
2. Students' Responsibilities	2
B. Parents	
1. Parents' Rights	3
2. Parents' Responsibilities	3
C. Administrators' Rights	
1. Administrators' Rights	3
2. Administrators' Responsibilities	3
D. Teachers	
1. Teachers' Rights	4
2. Teachers' Responsibilities	4
E. Classified/Other Certified Personnel	
1. Classified/Other Certified Personnel Rights	4
2. Classified/Other Certified Personnel Responsibilities.....	5
F. Non-Employed School Representative	
1. Non-Employed School Representatives Rights.....	5
2. Non-Employed School Representative Responsibilities.....	5
Definitions for the Student Code of Acceptable Behavior and Discipline	
A. Suspension	5
B. Expulsion	5
C. Search & Seizure.....	7
D. Due Process: Violation of Student Disciplinary Policy.....	7
E. Corporal Punishment.....	7
F. Special Education	7
G. Criminal Violations	8
H. Attendance.....	8
I. Truancy.....	9
J. Alcohol, Drugs and Other Prohibited Substances.....	9
K. Food/Nutrition Policy.....	9
L. Tobacco	9
M. Telecommunications Devices	9
N. Technology Acceptable Use	10
O. Sexual Harassment	12
P. Harassment and Discrimination.....	12
Q. Bullying/Hazing	14
R. Employee Report of Criminal Activity	15
S. Grievance	16
T. Non-Resident Application Enrollment Requirements.....	16
U. Safety (Athletics) Concussions	16
V. Restraint and Seclusion.....	17
Disciplinary Violations	
1. Disruption of School	17
2. Damage or Destruction of School or School District Property	18
3. Damage or Destruction or Theft of Private or School District Property.....	18
4. Assault or Abuse of a School Employee	18

5. Assault or Abuse of Students or Persons Not Employed by School	18
6. Possession or Use of Weapons and Dangerous Instruments.....	18
7. Possession or Use of Tobacco Products, Alcohol, Drugs, Other Controlled Substances	18
8. Fighting Before, After, or During School Hours or at School Activities	19
9. Driver's License Revocation	19
10. Communication or Harm or Implied Harm to Another, Delivered Verbally, Nonverbally, Electronically, in Written Form, or Through a Third Party.....	19
11. Violation of Telecommunications Policy	19
12. Violation of Appropriate Use of Internet and Email Policy.....	19
13. Violation of Appropriate Bus Procedures	19
14. Other Detrimental Behavior	19
School Bus Safety Procedures	
A. Responsible Bus Behavior	19
B. Bus Procedures	20
Notification of FERPA Rights	21
Student Records 9.14	22
Notification of PPRA Rights	22
Child Find	23
Notification of Right to Request Teacher Qualifications	24
**Confirmation of Receipt of Code	25
**Acceptable Electronic/User Agreement Permission Form	25
**Confirmation of Receipt of Code, Training, and Acceptable Electronic User STAFF	26

****STUDENT Signature pages to be returned to the school (p. 25).**

****STAFF Signature page (26) shall be signed and returned to the school to immediate supervisor.**

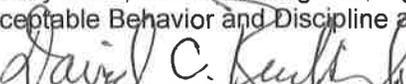
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

- I. School District Name and Address:**
Murray Independent School District, 208 South 13th Street, Murray, Kentucky 42071
- II. School District Superintendent:**
Bob Rogers, Murray Board of Education, 208 South 13th Street, Murray, Kentucky 42071
- III. Code of Acceptable Behavior and Discipline Contact Person:**
Bart Flener, Assistant Superintendent, Murray Board of Education, 208 South 13th Street, Murray, Kentucky, 42071
- IV. Procedures Followed in Revision of the Existing Code of Acceptable Behavior and Discipline:**
- A committee was appointed to represent district stakeholders.
 - The committee reviewed the existing code, pertinent Kentucky and district policies and procedures.
 - Modifications and appropriate revisions were made.
 - The committee recommended the revised code to the Murray Independent Board of Education for approval.
- VI. Procedure for Annual Review of the Code:**
- A school district committee will be appointed to review the existing code each year.
 - This committee will make their recommendations to the Murray Independent Board of Education for any revisions or modifications.
- VII. Procedures for Annual Orientation to the Code for Students, Parents, and Teachers:**
- The code will be reviewed with each student in the Murray Independent School District in a timely and age-appropriate manner. The code is posed in each school, referenced in hand books and provided to school employees and parents/guardians.
 - The Murray Independent School District will make the codebook available on the district website. In addition, a copy will be provided to anyone who requests it.
 - Each teacher will receive a copy of the codebook prior to the first day of school each year. Each teacher shall discuss the code in his/her homeroom during the first week of school per board policy.
- VIII. Assurances for the Code of Acceptable Behavior and Discipline:**
- Due Process:** No student, parent, certified or classified staff member, non-employed volunteer or administrator shall be denied due process.
 - Appeal Procedures:** Any decision, involving the code made by the principal may be appealed to the Assistant Superintendents office in writing by the parents/ guardians of the student involved not more than five (5) school days after the original decision. The Superintendent's decision on the appeal may be appealed to the Murray Independent Board of Education at the next regular board meeting. The appeal must be in writing and made not more than ten (10) days after the appeal decision of the Superintendent. This appeal will be made to the Chairman of the Murray Independent School Board.

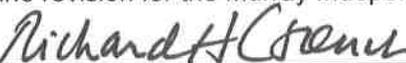
This is to certify that I, Bob Rogers, Superintendent of the Murray Independent Schools did have the Code of Acceptable Behavior and Discipline for the Murray Independent School District reviewed by legal counsel.

Signed  7/12/16
Bob Rogers, Superintendent Date

This is to certify that I, David Buckingham, legal counsel of the Murray Independent School District did review the Code of Acceptable Behavior and Discipline adopted by the Murray Independent Board of Education.

Signed  7/12/16
David Buckingham, Attorney Date

This is to certify that the Murray Independent Board of Education did approve the Code of Acceptable Behavior and Discipline revision for the Murray Independent School District on: **July 12, 2016.**

Signed  7-12-2016
Richard H. Crouch, Chairman Date
Murray Independent Board of Education

STUDENT CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE (Board Policy 09.438)

PUT IN MISSION and VISION STATEMENTS

Policy Statement

The Murray Independent Board of Education's primary concern is that students who wish to learn can do so in an environment conducive to learning and that disciplinary means be employed on behalf of those who would destroy or deny such an environment. A code applicable to all students has been developed to enhance this environment.

The Code of Acceptable Behavior and Discipline provides for consistent treatment for all students, fairness as required by constitutional due process and an atmosphere of open communications, and clearly understood rules and encourages behavior which will enable students to develop to their fullest potential. Students will be responsible for this code in school, on the way to and from school, on buses, and at school sponsored or related activities both at school and away from school. It is expected that sound, fair and equitable judgment will be used by all concerned in the application of this code. The code is intended to be a preventive measure to furnish a guideline for the student and his/her parent(s) or guardian(s).

Philosophy of Rights and Responsibilities

The protection and safeguards of the United States Constitution, and more particularly the Bill of Rights, apply to all students. Responsibility is inherent in all rights. No student or other person involved in the public schools can realize his/her rights unless he also exercises the self-discipline and care to afford all others the same rights and not allow his/her own actions to infringe on the rights of others. The school environment is a community of individuals who have the rights and responsibility to know the basic standards of conduct and behavior expected.

A. Students

1. Students' Rights: Each student has the right to the opportunity for:

- a) A meaningful public education, the maintenance of high educational standards, and a system of public education which meets the needs of individual students;
- b) Reasonable and timely notice of all regulations, policies, rules and penalties to which they may be subject;
- c) Physical safety and protection of personal property;
- d) Consultation with teachers, counselors, administrators, and other school personnel;
- e) Examination of his/her own school records in accordance with applicable law;
- f) Involvement in authorized school activities without being subject to discrimination based on national origin, marital status, age, or disability;
- g) Respect from other students and school personnel;
- h) Presentation of complaints or grievances to school authorities and a response from school officials
- i) Right to procedural due process concerning major disciplinary action, as defined by the Code.

2. Students' Responsibilities: Each student has the responsibility to:

- a) Be responsible for his/her own conduct and for showing consideration for the rights and property of others;
- b) Exhibit neatness, and cleanliness, and appropriateness of personal attire and hygiene;
- c) Refrain from fighting, creating disturbances, or excessive noise, or denying others the use of school facilities or buildings, using or carrying any weapon on school premises, intentionally injuring another person or exposing others to harm or using threats or intimidation against any other person;
- d) Refrain from using, possessing, or transmitting any tobacco, alcoholic beverage or illegal substance;
- e) Refrain from gambling, extortion, gang affiliation displays, theft or any other unlawful activity;
- f) Show respect for the educational process by taking advantage of every opportunity to further his/her education;
- g) Show respect for the educational environment by refraining from intentional or habitual tardiness or absences by attending school daily and being on time.
- h) Practice physical and verbal self-control at all times;
- i) Care for the equipment and physical facilities of the school refraining from willful destruction and damage;

- j) Follow all rules and regulations of the Board of Education and the school administration;
- k) Complete all homework and classwork in accordance with the teachers' instructions;
- l) Demonstrate respect for teachers, administrators, and school personnel at school and all school-related activities;
- m) Refrain from public display of affection;
- n) Demonstrate academic honesty by refraining from cheating and by reporting the same;
- o) Comply with school rules and procedures in school's handbook.

B. Parents

1. Parents' Rights: Parents/Guardians have the right to:

- a) Send their student to school with an environment where learning is valued;
- b) Expect that classroom disruptions will be dealt with fairly, firmly, and quickly;
- c) Enroll student in school where they shall attend classes regularly and promptly with minimal interruptions;
- d) Expect the school to maintain high academic standards;
- e) Review the student's academic progress and other pertinent information which may be contained in the student's records in accordance with applicable law;
- f) Address a question concerning their student to the proper school authority and to receive a reply in a reasonable time period.

2. Parents' Responsibilities: Parents/Guardians have the responsibility to:

- a) Be familiar with the educational program and the procedures;
- b) Instill in their student the values of an education;
- c) Instill in their student a sense of responsibility;
- d) Instill in their student a sense of respect;
- e) Understand that unnecessary interruptions in the school are detrimental to the educational program for all students;
- f) Inform students about the disciplinary procedures of the school and emphasize the importance of following same;
- g) See that students attend school regularly and promptly;
- h) Check with the proper school officials regarding the facts of any situations that they might question;
- i) Support the efforts of the school personnel;
- j) Demonstrate respect for the teachers, administrator, school personnel at school and all school-related activities;
- k) See that students exhibit neatness, cleanliness and appropriateness in their personal attire and hygiene;
- l) Practice physical and verbal self-control at all times.
- m) Encourage academic honesty with their student.
- n) Ensure their student is at school daily and is on time.

C. Administrators' Rights

1. Administrators' Rights: Principals have the right to:

- a) Have the support and respect of students, parents, and teachers in carrying out the educational programs and policies established by the school system;
- b) Provide input into the establishment of procedures and regulations that relate to the school;
- c) Be safe from physical harm and verbal abuse;
- d) Take necessary action in emergencies;
- e) Suspend any student whose conduct disrupts the educational process per principal/superintendent;
- f) Administer the school environment to provide the proper learning atmosphere.

2. Administrators' Responsibilities: Principals 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 guidelines set forth herein, but in doing so use their best judgment;
- c) Exhibit exemplary behavior in action, dress, and speech;
- d) 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 nation;
- e) Direct a program of dissemination of information explaining the Code to the school community;
- f) Promote and maintain a safe and orderly school environment, including extra-curricular activities.
- g) Maintain confidentiality in regard to all student records.

D. Teachers

1. Teachers' Rights: Teachers have the right to:

- a) Have the support and respect of co-workers, students, administrators, and parents;
- b) Work in an educational environment with a minimum of disruption to maximize opportunities for student learning;
- c) Expect all assignments, including homework, to be completed and turned in as assigned;
- d) Remove from class any student whose behavior significantly disrupts a positive learning environment;
- e) Be safe from physical harm and free from verbal abuse;
- f) Provide input in the formulation of policies that relate to their relationship with students and other school personnel;
- g) Take necessary action in emergencies.

2. Teachers' Responsibilities: Teachers have the responsibility to:

- a) Present materials and experiences to students and to inform students and parents/guardians of achievement and progress;
- b) Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement;
- c) Administer such discipline as is necessary to maintain order and decorum without discrimination on any basis;
- d) Evaluate students' assignments and return them as soon as possible;
- e) Exhibit exemplary behavior in action, speech, dress, and hygiene;
- f) Inform parents/guardians of students' successes, problems, or failures promptly;
- g) Acknowledge exemplary behavior or work of students;
- h) Maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students, without discrimination on any basis;
- i) Recommend that any student who fails to meet the standards for promotion be retained;
- j) Maintain timely, accurate records of student progress and attendance;
- k) Follow and enforce the rules and regulations of the Board of Education and/or school administration;
- l) Care for the equipment and physical facilities of the school;
- m) Maintain confidentiality in regard to all student records.

E. Classified/Other Certified Personnel

1. Classified/Other Certified Personnel Rights: Classified/Other Certified Personnel have the right to:

- a) The support of students, parents, teachers and administrators in carrying out policies and procedures by the school system;
- b) Work in a positive school climate with a minimum of disruptions;
- c) Be safe from physical harm and verbal abuse
- d) Provide input to committees designed with the responsibility of drafting policies that relate to their relationships with students and school personnel;
- e) Take action necessary in emergencies pertaining to the protection of persons or property.

2. **Classified/Other Certified Personnel Responsibilities:** Classified/Other Certified Personnel have the responsibility to:
 - a) Exhibit exemplary behavior in terms of dress, action, language, and voice;
 - b) Exhibit respect for all students;
 - c) Maintain confidentiality in regard to all student records;
 - d) Report discipline problems to the appropriate personnel.

F. Non-Employed School Representatives

1. **Non-Employed School Representatives Rights:** Non-Employed School Representatives have the right to:
 - a) Work in a positive school climate with a minimum of disruptions;
 - b) Be safe from physical harm;
 - c) Be free from verbal abuse.
2. **Non-Employed School Representatives Responsibilities:** Non Employed School Representatives have the responsibility to:
 - a) Exhibit exemplary behavior in terms of dress, action, language and voice;
 - b) Exhibit respect for all students;
 - c) Assist teachers, paraprofessionals and administrators in the performance of their duties as assigned by principal or designee.
 - d) Be familiar with the educational programs and procedures;
 - e) Support the efforts of the school personnel;
 - f) Maintain confidentiality in regard to all student information;
 - g) Demonstrate respect for the teachers, administrators, school personnel, and other non-employed school representatives at school and all school-related activities;
 - h) Report discipline problems to the appropriate school personnel;
 - i) Participate in all required training.

DEFINITIONS FOR THE STUDENT CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

A. Suspension: (Board Policy 09.434) Rendered only after due process (See item D of this document)

Suspension shall mean a denial of attendance at any single subject or class, or at any full schedule of subjects or classes, or at any other type of activity conducted by or on behalf of the particular school for the stated period of time. The suspension shall not exceed ten (10) days, and may include placement in an alternative program. Absences due to out of school suspension will be counted as unexcused absences. Credit will not be given for missed work. The Principal may invoke a suspension only after investigating the misconduct and only for the following reasons:

- (1) A violation of the School Board rules prohibiting serious student misconduct listed in Part V of policy 09.434 , or;
- (2) Misconduct of the same type as that prohibited by the rules governing serious student misconduct but which does not rise to the gravity of the misconduct stated by these rules.

When a student is suspended, the Principal shall attempt to reach the student's parents or legal guardian to inform them of the school's action and to request that they come to the school for their child. If parents are unable to come to the school for their child, the school shall provide transportation to his/her home with parental supervision upon arrival.

Suspension may be pending a Board hearing for expulsion or placement in alternative program. When a student is suspended, the Principal shall:

- Send a statement to his/her parents and to the Superintendent fully describing his/her misconduct, stating the rule violated and stating the Principal's reason for action;
- Make every effort to hold a conference with parents before or at the time the student returns to school;
- Secure written statements and keep on file all documents and relevant information received about the misconduct.

B. Expulsion: (Board Policy 09.435) Rendered only after due process (See item D of this document.)

The Board of Education may expel any pupil from the regular school setting for misconduct, as defined by the law, but such action shall not be taken until the parent, guardian or other person having legal custody or control of the pupil has

had an opportunity to have a hearing before the Board.

Expulsion shall mean denial of attendance at any subject or class or at any full schedule of subjects or classes, a denial of attendance at any other type of activity conducted by or in behalf of the Murray Independent Schools, and any combination of the foregoing, for a period of time not to exceed one calendar year. Expulsions may include placement in district alternative or day treatment centers.

Expulsions due to weapons violation will be for a minimum of one (1) calendar year. However, the Board may make modification within the guidelines of state and federal law on a case-by-case basis. An expulsion also includes a denial of admission to or entry upon real or personal property owned, leased, rented, or controlled by the Murray Independent Board of Education.

The difference between suspension and expulsion is: The principal may suspend a student for up to ten (10) days. The Board of Education may expel a student for up to one (1) calendar year.

Proceedings for a hearing before the Board shall be conducted in the following manner: The Superintendent or administrative official of the Murray Independent School District shall give written notice, with documentation of receipt to the parent(s), guardian or other person having legal custody or control of the pupil. The written notice shall contain the following information:

- (1) The reason for the suspension pending the Board hearing;
- (2) The charge or charges against the pupil;
- (3) Notice of the time, place and date of a hearing before the Board of Education;
- (4) Advise of the right to a hearing before the Board of Education;
- (5) Advise of right to be represented by counsel;
- (6) Advise of right to bring witnesses or have witnesses subpoenaed to testify before the Board; and
- (7) Advise of possible penalty that could be invoked by the Board of Education.

Expulsion--Provision of Educational Services:

In cases of expulsion, provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program.

Hearing before the Board

The student has a right to have the case heard in executive session or a public hearing, which ever the student desires. The reason for holding a hearing in executive session is to protect the name and identity of the student from media exposure; if the hearing is held publicly the media would have access to the student's name and might publish the student's name in a news item;

- (1) The student has a right to have an attorney present during the hearing, and the attorney would have the right to participate in all phases of the hearing;
- (2) During the course of the hearing, the student would have a right to confront the witnesses against the student and a right to cross examine them and ask them any questions which may be relevant to the inquiry;
- (3) The student has a right to testify and present any witnesses on the student's behalf;
- (4) All witnesses who testify in a hearing before the Board shall first be placed under oath before their testimony.

The hearing will be conducted in the following manner:

- (1) The school system and the student or his/her parents or his/her attorney may make an opening statement if they desire;
- (2) If no party desires to make an opening statement, the school system will introduce into evidence all the evidence it has concerning the charge or charges against the student. The student shall have a right to examine any physical evidence and a right to be present during the testimony of witnesses and to cross examine any of the school system's witnesses;
- (3) After the school system's evidence has been introduced and witnesses have testified, the witnesses will leave the hearing, but may be recalled by the student or the school system at any time until the hearing is announced closed. Even after the hearing is announced closed, until the Board has arrived at its decision and announced its decision in a particular case, either party may request that any witnesses be recalled for further testimony or additional witnesses presented to the Board, even after the hearing is closed provided the request is made before a decision in a case is announced;
- (4) After the school system has introduced its evidence and its witnesses have testified, the student may testify concerning this matter and present any witnesses the student may have on his/her behalf. The district may then cross-examine any witnesses testifying on behalf of the student, including the student;

- (5) After both parties have presented all of their witnesses and introduced all of their evidence, both sides shall have a right to make closing remarks to the Board;
- (6) After closing remarks, all witnesses and parties shall be excluded from the hearing save and except counsel for the Board, and the Board shall deliberate, come out of executive session, go into public session, consider any recommendations of the Superintendent, and, upon motion and vote, announce its decision to all parties. The decision of the Board, along with the findings of fact and conclusions of law, will be sent by certified mail to the parent(s) and/or legal guardians and/or other person having custody or control of the students.

C. Search and Seizure (Board Policy 09.436)

A student in the Murray Independent School District has the constitutional right to be secure in his or her person from all unreasonable searches and seizures.

As the school retains ownership of any parking lots and retains joint ownership of student lockers and desks, these may be searched, with or without permission or knowledge, on a random or general basis. Such search may be conducted with the assistance of contraband sensing animals.

A search of a student may be done by the principal of the school, or his/her designee, if there is reasonable cause to suspect that a student has something on his/her person which is in violation of District Policies, or which can cause harm to that student or other students. Search and seizure of a student's personal property (car, purse, gym bag, etc.) may be conducted if the principal, or person acting as principal, has a reasonable cause to suspect that such item contains stolen articles, weapons, illegal/controlled substances, alcoholic beverages, any explosive or disruptive devices or any other item prohibited by District Policy. Any search of an individual or individual personal property requires the presence of two school officials.

D. Due Process: Violation of Student Disciplinary Policy (09.431)

In cases of severe discipline such as suspension or expulsion, the Principal or his/her designees shall:

- (1) Give notice to the student of the charges against him/her and the nature of the evidence to support those charges;
- (2) Investigate concerning the alleged offense;
- (3) Render a disciplinary decision that is supported by the evidence.

Alleged misconduct shall be dealt with by the Principal or his/her designee:

- (1) Whenever a teacher considers a problem of classroom discipline to be so serious as to warrant the Principal's attention;
- (2) Whenever the misconduct constitutes a violation of the rules that govern serious misconduct; or
- (3) Whenever the Principal deems it advisable that he/she deal personally with the misconduct.
 - a) **Principals or designee investigation** - In dealing with alleged misconduct, the Principal shall investigate the incident and hear all available accounts of it. The student shall be encouraged to raise any defense he/she thinks relevant.
 - b) **Principals or designee power to suspend or to request a hearing** - If the Principal investigates a student's alleged misconduct and decides to take disciplinary action, he/she must investigate and take action on all alleged misconduct known to him/her at that time. The most serious action he/she can take on his/her own authority is to give a ten (10) day suspension.

E. Corporal Punishment (Board Policy 09.433)

In accordance with Board Order 303, 1991-92, the use of corporal punishment is prohibited.

"Corporal punishment" is defined as the deliberate infliction of physical pain by any means upon the whole or any part of a student's body as a penalty or punishment for student misbehavior.

No person employed or engaged by the Murray Independent School District shall inflict or cause to be inflicted corporal punishment or bodily pain upon a pupil attending any school within the system; provided, however, that any such person may, within the scope of his/her employment, use and apply such amounts of physical restraint as may be reasonable and necessary to protect oneself, the pupil, or others from physical injury, to obtain possession of a weapon or other dangerous objects within control of the pupil, or to protect property from serious harm.

F. Students with Disabilities (See Policies and Procedures for Exceptional Children)

Special Education students must abide by the Murray Independent School District's code unless ARC decisions make other provisions. There are limitations as to suspensions and expulsions. The limitations are as follows:

- (1) Students with disabilities may be suspended temporarily without the special education change of placement procedures.

- (2) Students with disabilities may be expelled as long as appropriate Admission and Release Committee procedures are followed with a committee determination that the student's disruptive behavior was not a result of the disability.
- (3) Students with disabilities may not be expelled if the committee determines that the student's disruptive behavior was a result of the disability.
- (4) Even if the student is expelled through the appropriate procedures, there must not be complete cessation of the educational services.

G. Criminal Violations

- (1) Criminal violations (other than acts of violence to another's person or property or which pose a direct threat to the safety of others in the school) will be reported to the law enforcement agencies and will also be handled according to the code of conduct.
- (2) Criminal violations that are acts of violence to another's person or property or which pose a direct threat to the safety of others in the school will be handled as follows:
 - a. Immediate removal from school by suspension pending a hearing before the board of education for possible expulsion following the due process procedures. The board need not await the disposition of the hearing or trial;
 - b. School officials will report these offenses to the appropriate law enforcement agency and will assist this agency 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 with the school officials giving full support to the aggrieved individual in the legal pursuit of this matter.
- (3) The school system is to report any student who is determined to have brought a weapon or firearm to a school or school grounds under the jurisdiction of this system to the criminal justice or juvenile delinquency system. The penalty for bringing a firearm to school shall be expulsion for a minimum of one (1) calendar year. However, the Board may make modifications within the guidelines of state and federal law on a case-by-case basis. In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.
- (4) Reporting Crimes -- KRS 158.155 requires parents of a student who has been expelled or adjudicated guilty of certain offenses to inform any school in which he seeks to enroll of the expulsion or adjudication; requires expulsion proceeds and dispositions to be included in a student's records when transferred to another school; requires school employees to report to police when any felony or crime involving drugs or weapons is committed at school, at school events, or within 1,000 feet of school grounds.

H. Attendance-Compulsory Attendance

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

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

Exceptions to Presence at School

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

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

be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.

- (7) Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled school day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.

I. Truancy

- (1) 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. See board policy for valid excuse definition.
- (2) 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.
- (3) Leaving school unexcused.
- (4) Any student who has been reported as a truant two (2) or more times is a habitual truant.
- (5) Absence for less than sixty-one (61) minutes shall be considered tardiness.
- (6) After three (3) absences, student must present a doctor's excuse the first day they return to school.

J. Alcohol, Drugs & Other Prohibited Substances (Board Policy 09.423 and Board Policy 03.13251)

No pupil shall receive, possess, use, be under the influence of, sell, transfer or distribute alcoholic beverages, narcotics, drugs, controlled substances, mood altering and other prohibited substances (such as inhalants), or drug paraphernalia and/or assist another pupil in the receipt, sale, transfer or distribution of them on school property, in any school vehicle, at any school-sponsored or sanctioned activity or event, including but not limited to athletic, academic or social events, or en route to or from school property or a school-sponsored or sanctioned activity or event.

K. Food/Nutrition Policy (Board Policy 07.111)

Food/Beverages as Rewards-To promote more healthy eating behaviors among students, food or drink items shall not be used as rewards for behavioral, personal, or academic achievements except with the written approval of the principal or district program director. Rather age or grade appropriate activities or privileges shall be used to acknowledge student achievements. Such activities or privileges may include, but are not limited to extra time in the computer lab, field trips, and extra credit for academic achievements, or discount coupons donated by various area businesses. All food and beverages are required to meet the Smart Snack Nutritional Guidelines.

Classroom Activities and Snacks-The school SBDM Council shall meet annually with the Food Service Director and managers to discuss healthy food/nutrition options offered during the school year. The Food Service Director and/or managers are available for assistance with nutrient values and healthy food options for classroom parties, activities, and snacks upon request.

Nutritional Standards-No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, prohibited from midnight until thirty (30) minutes after the end of the school day.

L. Tobacco (Board Policy 09.4232)

Students shall not be permitted to use or possess any tobacco products, alternative nicotine products, or vapor products on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, and during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline. (Board policy 09.4232)

M. Telecommunications Devices - Possession and Use (Board Policy 08.2323)

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

- (1) Devices shall not be used by any student in a manner that disrupts the educational process, including but not limited to, use that:
 - (a) Poses a threat to academic integrity, such as cheating,
 - (b) Violates confidentiality or privacy rights of another individual,
 - (c) Is profane, indecent, or obscene,

- (d) Constitutes or promotes illegal activity or activity in violation of school rules, or
- (e) Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

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

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 prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device which shall only be returned to the student's parent/guardian.

- (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 or other electronic devices.
- (4) Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use Policy or the *Code of Acceptable Behavior and Discipline*.
- (5) Students will not use camera phones as a recording device (pictures, video, etc.).

*KRS 158.165 "paging device" means a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.

N. Technology Acceptable Use (Board Policy 08.2323)

As outlined in the board policy and procedure (08.2323), technology in Murray Independent Schools must be in support of education and consistent with the educational objectives of the Murray Independent School District. Hence, we are pleased to offer to the students of the Murray Independent Schools access to the district computer network for electronic mail and the Internet.

To gain access to the Internet and e-mail, all students must obtain parental permission and must sign and return the attached Internet and Electronic Mail User Agreement & Parent Permission Form to the school office. The e-mail account will not be activated until an additional form, which is available from the school office, is completed at the school.

Access to the Internet and e-mail will enable users to explore vast amounts of resources while exchanging messages with Internet users throughout the world. Families should be warned that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate, or potentially offensive to some people, even though we have filtering technology. While our intent is to make Internet access available to further educational goals and objectives, users may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages. Parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. To that end, the Murray Independent Schools support and respect each family's right to decide whether or not to apply for access.

Electronic Mail Rules and Regulations

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner. As a result of this belief, the Murray Independent School District offers its students (grades 3-12) and staff access to electronic mail via the state standard e-mail system.

As outlined in Board policy (08.2323) and procedures on student rights and responsibilities, copies of which are available in school offices, the following are not permitted:

- Establishing e-mail accounts through 3rd party producers such as "Hot Mail", "Yahoo Mail", "Gmail" or other similar services;
- Writing or sending of abusive messages to others (Board policy to policy 09.422);
- Revealing your personal address, phone number, or other personal information or information of others;
- Sending messages relating to or in support of illegal activities;
- Creating, sharing, or responding to CHAIN LETTERS/E-MAILS, VIRUSES, or HOAXES;

- Sending massive amounts of mail to other users;
- Using electronic mail for private business use;
- Transmitting obscene, abusive or sexually explicit language;
- Sending documents containing pornographic, obscene, or sexually explicit material.

Note that electronic mail is not private. Designated school staff may monitor all communications.

Network and Internet Rules and Regulations

Users are responsible for their behavior while using school computers and the school network. Communications on the network are often public in nature. The network is provided for students to conduct research and communicate with others. Access to network services is given to those who agree to act in a responsible manner. Parent permission for students under 18 is required and access is a privilege, not a right.

Individual users of the district computer networks are responsible for their behavior and communications over those networks. It is presumed that users will comply with district standards and will honor the agreements they have signed. Failure of the student to properly log off of internet or e-mail which results in a violation by another student will incur disciplinary action.

Network storage areas may be treated like school lockers. Designated district/school staff 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 be private.

As outlined in Board policy (08.2323) and procedures in the acceptable use policy on student rights and responsibilities, copies of which are available in school offices, the following are not permitted:

- Accessing and/or establishing unauthorized blogs or online journals;
- Accessing social networking sites including, but not limited to, MySpace.com and Facebook;
- Sending, receiving, saving, or installing in any form any material (including software) that violates any copyright law, threatening or offensive messages and pictures, or obscene material or language;
- Damaging computer systems or computer networks including other users' data/files;
- Sharing your password with anyone;
- Using or altering anyone else's network/Internet account or password;
- Accessing the network/Internet via another user's account;
- Offering network/Internet access to any individual via your account;
- Breaking (hacking) into or attempting to break (hack) into any portion of the computer network, Internet, or another user's folder, work, files, or account;
- Circumventing or attempting to circumvent any district or state monitoring or filtering devices;
- Using the computer/network/Internet to participate in chat rooms, instant messaging, or non-educational games;
- Monopolizing the resources of the Murray Independent Schools network by such things as running large programs and applications over the network, playing or saving large files (mp3, wmv, wma, cda, etc), or using a computer, network, or Internet for any type of non-educational game;
- Using the network for commercial or personal gain, examples below include, but are not limited to:
 - A private business
 - A non-school related club or organization
 - To obtain money, property, or services for personal or private sector use
 - Political or religious purposes
 - Gambling or gaming
 - Violating copyright laws or any license governing the use of software.

As a user of this computer system, users should notify a network administrator of any violations of this contract taking place by other users or outside parties. Violations may result in loss of access to a computer, the network, or the Internet as well as other disciplinary or legal action as determined by the school principal and/or the superintendent. See school handbook for consequences.

Electronic Access/ User Agreement Form must be signed by parent/guardian and student in order for student to access the Internet)

O. Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under state and federal laws. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Submission to or rejection of such conduct by an individual has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different sexes. These behaviors may include, but are not limited to: unwanted sexual advances, subtle or overt pressure for sexual favors, sexual jokes, innuendos, advances or propositions, verbal abuse of a sexual nature or about a person's lifestyle, graphic commentary about a person's body, sexual prowess or sexual deficiencies, leering, whistling, touching, pinching, assault, coerced sexual acts, or suggestive, insulting or obscene comments, gestures, pictures, cartoons, photographs, objects or other conduct of a sexual nature. Such behavior is unacceptable in the work place and any work related setting, such as business trips or social events organized by the District.

The District strongly disapproves of sexual harassment and will not condone it in any way. The District encourages the reporting of any and all perceived incidents of sexual harassment, regardless of the alleged offender's identity or position with the District or outside of the District (this includes students, certified employees, classified employees, volunteers, visitors, members of the board of education, school based decision making council members, salespersons, vendors, construction workers and all other non-employees of the District). The District also encourages any employee who becomes aware of sexual harassment or perceived sexual harassment, **whether or not he/she is the victim or target of the harassment**, to report that harassment to his/her Principal, the Superintendent, Assistant Superintendent, Board Attorney or District Title IX Coordinator. Appropriate action will be taken against anyone who engages in such conduct. If you have any questions concerning sexual harassment or if you wish to file a complaint of sexual harassment, please contact your Principal, the Superintendent, Assistant Superintendent, Board Attorney or District Title IX Coordinator. The District also encourages any student, parent or guardian who becomes aware of sexual harassment or perceived sexual harassment, **whether or not he/she is the victim or target of the harassment**, to report that harassment to his/her Principal, Teacher, School Counselor, Superintendent or Board Attorney. The District encourages prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Early reporting is the most effective method of resolving actual or perceived incidents of sexual harassment.

Your complaint or report will be investigated, and the results of that investigation will be reported to you or, in the case of a student, his/her parent or guardian. The information provided in your complaint will remain confidential, except to the extent that it is necessary to reveal some or all of that information to conduct the investigation of your complaint. The investigation will include individual interviews with the parties involved, including informing the alleged harasser of the complaint and giving that person an opportunity to respond, as well as interviews with individuals who may have observed the alleged conduct or may have relevant knowledge. Retaliation against an individual for reporting sexual harassment, whether that individual is a victim of sexual harassment or witness to it, is a serious violation of this policy and will be treated as a separate and distinct cause for complaint and may result in as strict discipline as the harassment itself. Any acts of retaliation should be reported immediately and will be promptly investigated.

Following an investigation, the District will take all appropriate disciplinary action. Any person who has been found by the District, after investigation, to have sexually harassed an employee or student will be subject to appropriate sanctions and discipline, depending on the circumstances, up to and including termination of employment. In the case of a student harasser, such student will be subject to discipline, up to and including expulsion.

The District recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a determination based upon all of the facts in the matter. Given the nature of this type of discrimination, the District also recognizes that false accusations of sexual harassment can have serious effects on innocent people. False and malicious complaints of sexual harassment, as opposed to erroneous complaints which are made in good faith, may be the subject of disciplinary action.

The District trusts that all employees and students will continue to act responsibly to maintain a learning and working environment free of discrimination. The District encourages any employee, student, parent or guardian to raise questions he or she may have regarding discrimination with their Principal, the Superintendent, Assistant Superintendent, Board Attorney or District Title IX Coordinator.

P. Harassment and Discrimination

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

abusive educational environment.

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

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

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

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

Students who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving other students that they believe to be an act of harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

Employees who observe prohibited behaviors or with whom students share a complaint shall notify the Principal or their immediate supervisor, who shall immediately forward the information to the Superintendent. The Superintendent shall provide for the following:

- Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of submission of the original written complaint, regardless of the manner in which the complaint is communicated to a District Administrator. As defined by policy 09.425, 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, each instance of assault involving the use of a weapon, or a threat of violence. School authorities shall also immediately attempt to notify the parents of the student violating this policy, staff members and /or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws. School authorities will take appropriate actions to ensure the safety of students before the violator is returned to the regular classroom setting. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency. The Superintendent/designee may take interim measures to protect complainants during the investigation.
- A process to identify and implement, within five (5) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
- A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, codes, and/or pamphlets: and/or
 - such other measures as determined by the Superintendent/designee
- Age appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination: and
- Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

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

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

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.) Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

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

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

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

Bullying means 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.
- That disrupts the education process.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it. Employees must document and report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior. Reports of alleged instances of bullying or hazing shall be made to District Personnel.

When deemed necessary, administrators should report bullying and hazing to appropriate law enforcement authorities as required by 09.2211, and investigate and complete documentation required by the District's harassment/discrimination policies covering federally protected areas.

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

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion 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. Students that believe they are victims of bullying and hazing shall be provided with a process to enable them to report such incidences to District Personnel for appropriate action.

Harrassing Communications

A person is guilty of harassing communications when, with intent to intimidate, harass, annoy, or alarm another person, he or she:

- Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;
- Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or
- Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

Harassing communications is a Class B misdemeanor. District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

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

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

Failure by an employee, immediate supervisor, Principal, and/or Superintendent to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action. No one shall retaliate against an employee or student because she/he files a written grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because she/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation. Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

Students who violate this policy shall be subject to appropriate disciplinary action. Students that believe they are victims of bullying and hazing shall be provided with a process to enable them to report such incidences to District Personnel for appropriate action.

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.

R. Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- (1) The person knows or has reasonable cause to believe that conduct has occurred, which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i. Carrying, possession, or use of a deadly weapon; or
 - ii. Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- (2) The conduct occurred on the school premises or within one thousand feet (1000) of school premises, on a school bus, or at a school-sponsored or sanctioned event.

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police: the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

S. Grievance Procedure

Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

- (1) If the problem is related to the classroom, the grievant shall request the Principal of the school to arrange a conference with the classroom teacher, as soon as possible, to discuss the problem.
- (2) If this conference does not resolve the problem, the teacher and grievant will arrange for a conference with the Principal and or designee with a minimum of delay.
- (3) When appropriate, the grievant shall give his/her communication directly to the Principal. This action shall be taken only in instances where the matter is of a personal or private nature or where the nature of the grievance requires the initial response of the Principal. The Principal reserves the right to redirect the communicator to the appropriate level and/or consult with the school council, as appropriate.
- (4) When appropriate, the grievant shall give his/her communication directly to the Superintendent. This action shall be taken only in instances where the matter is of a personal or private nature or where the nature of the grievance requires the initial response of the Superintendent. The Superintendent reserves the right to redirect the communicator to the appropriate level.
- (5) If the grievant, after reviewing the Superintendent's response, desires direct communication with the Board of Education, the grievant may present his/her written communication to the Superintendent who will give it to the Board of Education or notify the Superintendent ten (10) school days prior to the meeting of the Board at which the grievant wishes the grievance presented. When contacting Board members individually, the grievant shall be advised to communicate with the entire Board.

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel. Students wishing to initiate a harassment/discrimination complaint should use Procedure 09.42811 AP.2.

The Compliance Officer is: **Director of Pupil Personnel, Murray Independent School District**
208 South 13th Street
Murray, Kentucky 42071
Office Hours 8:00-4:30
Phone (270) 753-4363

T. Non-Resident Application Enrollment Requirements

All Non-Resident registration applications will only be considered if there is adequate space in that Grade Level. Assuming space is available, cases will be considered for acceptance based on students/guardians abiding by the following:

- o Satisfactory academic progress and academic effort of the student as determined by the Principal of the school.
- o District attendance policies including matching the districts average attendance, and not exceeding (6) Unexcused Events.
- o Behave in accordance with the Student Code of Acceptable Behavior as written for the school of attendance.
- o The parents/guardians are cooperative and supportive in their working relationship with the school.

This application may be denied or revoked at any time prior to or during the active school year based on the following:

- o If enrollment is over any class-size guidelines either at the time of the enrollment request—or the enrollment goes over these same guidelines during the course of the active school year.
- o Failure to abide by any of the criteria listed above related to the student's academic effort and performance, attendance, behavior and attitude, and/or a failure on behalf of the parent(s)/guardian(s) to maintain a cooperative and supportive relationship with the school and the MISD.

U. Safety (Athletics) Concussions (See KHSAA Handbook-Policy related to Concussions)

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a licensed health care provider as specified in statute who shall determine if a concussion has occurred. The student may return to play if it is determined that no concussion has occurred.

Any athlete who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion or balance problems) shall be immediately removed from the contest and shall not return to play until cleared by an appropriate health-care professional. Any student-athlete suspected by a coach or official of sustaining a concussion during practice or play shall be removed from practice or play prior to the ending of practice or competition until he is evaluated to determine if a concussion occurred. A physician or trained/licensed health care provider is empowered to make the on-site determination, using standard emergency procedures that a student-athlete has or has not been concussed. The appropriate disposition of the player must be determined by the treating health care

provider in a timely manner. First aid issues should be addressed and then an assessment, using approved tools, should be made. The player will not be left alone and his/her condition will be monitored. A decision that the student-athlete received a concussion is final and cannot be appealed. If there is no one available to do an on-site assessment and the observation indicates symptoms of a concussion, the player should be safely removed from practice or play and an urgent referral should be made to a physician.

If a concussion has been diagnosed or presumed, the student-athlete may NOT return to practice or play that day in an interscholastic athletic event. In this situation only an MD or DO can authorize return to play on subsequent day and such determination shall be in writing to the administration of the school. If it is determined by appropriate health care providers that no concussion occurred, the student-athlete may return to play.

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.

V. Use of Restraint and Seclusion (Board Policy 09.2212)

Use of physical restraint and seclusion by school personnel is subject to Kentucky Administrative Regulation (704 KAR 007:160) and board policy (09.2212). Parents may access this policy on the district's website (www.murray.kyschools.us). Copies of the policy are also available at the Murray Board of Education or at any of the schools.

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely. Seclusion means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom time outs, supervised in-school detentions, or out-of-school suspensions.

The policy ensures that physical restraint and seclusion are implemented as a last resort when a student's behavior poses an imminent danger of physical harm to self or others. Each school has a team of trained personnel who may use a physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior. All school personnel shall be trained annually to use an array of positive behavioral supports and interventions.

A parent may submit a complaint regarding the physical restraint or seclusion of their child using board policy 10.2 (Citizen Complaints and Suggestions). This policy is also available on the district's website and at the board office and at the schools.

DISCIPLINARY VIOLATIONS

Students are expected to recognize their responsibility to the Murray Independent School District and its students and employees by engaging in acceptable standards of conduct and personal behavior. Below is a list of Disciplinary Violations which will result in disciplinary action up to and including suspension or expulsion. This list is not intended to be exhaustive and may be modified by the District from time-to-time. Corrective and disciplinary action will be determined by the District on a case-by-case basis with every effort being made to achieve reasonable consistency of outcome. Disciplinary action can include a conference with the student; an in-person or telephone conference with the student and his/her parent or guardian; detention; Saturday school; short term alternative room placement; suspension; or expulsion. The progressive process of discipline will not be followed in every case, and disciplinary action will be taken in proportion to the nature of the offense and the severity of the violation. Due Process procedures will be followed in all cases of discipline.

1. Disruption of School:

- a) Depriving others of access to school or grounds
- b) Setting fire to or substantially damaging school property
- c) Firing, displaying, or threatening to possess firearms, explosives, fireworks, other weapons, or dangerous instruments on school premises
- d) Preventing or attempting to prevent the convening or functioning of school, class, or activity
- e) Preventing students from attending class or school activity
- f) Blocking normal pedestrian or vehicular traffic on campus
- g) Continuously making noise or acting in a manner which interferes seriously with teacher's ability to conduct class
- h) Interfering with regular school process
- i) Tampering with fire alarm system for disruptive purposes

j) Possessing, distributing or using pornographic material.

2. Damage or Destruction of School or School District Property such as but not limited to:

- a) Setting fire to school building or equipment
- b) Damaging school building
- c) Destruction of equipment
- d) Wrecking school files
- e) Vandalizing school property

3. Damage or Destruction or Theft of Private or School District Property:

- a) Causing or attempting to cause substantial damage to private or school district property either on school grounds or during school activity
- b) Stealing or attempting to steal private property or school district property either on school grounds or during school activity

4. Assault or Abuse of a School Employee:

- a) Physically abusing a school employee on school grounds immediately before, immediately after, or during school hours; or when school is being used by school group; off the school grounds at a school activity, function or event.
- b) Insulting, defying, using profanity toward a school employee at all times described in "a" above.

5. Assault or Abuse of Students or Persons Not Employed by School:

- a) Physically abusing in a way that could cause serious bodily injury to a person not employed by the school, immediately before, after, or during school hours; or when school is being used by school groups; off the school grounds at a school activity, function, or event.
- b) Using profanity including gestures toward persons not employed by the school at all times described in "a" above.
- c) Harassing or intimidation by following a person in or about a public place or places or engaging in acts which alarm or seriously annoy such other persons and which serve no legitimate purpose.

6. Possession or Use of Weapons and Dangerous Instruments:

The carrying, bringing, using, or possessing 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 is prohibited.

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

Exceptions:

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

7. Possession or Use of Tobacco Products, Alcohol, Drugs, Other Prohibited Substances:

Knowingly possessing, using, transmitting or being under the influence of any tobacco product, alcoholic beverage, prohibited drugs, controlled drug substance, and/or drug paraphernalia, or substances that "look like" a controlled substance/synthetic drugs on or about school property, at any location of a school-sponsored activity, or en route to school or a school-sponsored activity. (Board policy 09.423 and 03.13251).

Possession and use of prescription and/or over-the-counter drugs must be done in compliance with Board Policy 9.2241/09.2241 AP 1, which reads, in part:

All medication must be brought to school by parent or adult designated by parent. Absolutely no

medication shall be sent with a student on the bus. All medication brought to school shall be left in the office and kept in a secure location designated by the principal. A student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need-e.g., asthma inhaler. Copy of policy and procedures available upon requests.

8. Fighting Before, After, or During School Hours or at School Activities

9. 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.

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

- a) They shall be deemed academically deficient if they have not received passing grades in at least (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
- b) 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.

10. Communication of Harm or Implied Harm to Another, Delivered Verbally, Nonverbally, Electronically, in Written Form, or Through a Third Party (Board policy 09.425).

11. Violation of Telecommunications Policy

12. Violation of Appropriate Use of Internet and Email Policy

13. Violation of Appropriate Bus Procedures

14. Other Detrimental Behavior:

- a) Obscene behavior
- b) Public display of affection
- c) Reckless driving on school property
- d) Chewing gum/candy in undesignated places
- e) Harassment/discrimination
- f) Bullying/Hazing
- g) Other forms of behavior detrimental to the school or its student body that may arise, in which case the disciplinary procedure will be at the discretion of the principals and/or superintendent.

SCHOOL BUS SAFETY PROCEDURES

The privilege of any student to ride the school bus is conditioned upon his/her good behavior and observance of the rules and regulations according to Kentucky law and Murray Independent School District policies. Students who violate the rules will be subject to disciplinary action at the discretion of the principals.

The bus driver is in full charge of students while they are on the bus. Students shall obey the directions of the driver promptly and courteously. Complaints regarding discipline on the bus should be taken to the principal.

A. Student Responsibilities-Bus Behavioral Expectations

The following list represents the expected behavior of students related to the privilege of riding the bus. These expectations are intended:

- to provide teachers with the basis for classroom instruction in teaching responsible bus behavior,
- to help parents reinforce responsible behavior,
- to increase consistency of staff supervision and encourage positive behavior.

- 1) Students shall obey the driver's instructions. The driver of a bus is in complete charge of students while they are

- on the bus.
- 2) Students shall follow bus procedures and remain properly seated at all times.
- 3) Student shall remain safe keeping head, arms, and legs inside the bus; extending body parts outside of bus is extremely dangerous.
- 4) Students shall be respectful of people and property on the bus (i.e., no fighting, profanity, loud disturbances, and destruction of property).
- 5)

B. Bus Procedures

The following procedures are to be incorporated into lesson plans by teachers and drivers.

Loading and Unloading of the Bus

- 1) Students will stand well away from the road when the bus approaches.
- 2) Students should be ready and waiting for the bus five (5) minutes prior to pick up.
- 3) Students should maintain eye contact with the driver to obtain driver's signal to cross the street, if applicable.
- 4) Students will walk to and from the bus loading/unloading areas.
- 5) Students who must cross a street or road after getting off the bus will pass in front of the bus. Students will wait for the driver to indicate that the way is clear before crossing.
- 6) Staff members will assist students when loading/unloading buses per school's Arrival and Dismissal Procedures.
- 7) Students will make sure they have items to take with them in their possession before boarding the bus.
- 8) Bus drivers will signal students when it is time to exit bus by opening door.
- 9) Special consideration for preschool and elementary students-When the parent/guardian, or a person authorized by the parent/guardian to accept the child is not present upon midday or afternoon delivery, the child shall be returned to a central location (i.e., Alexander Hall or Murray Board of Education office) upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up. Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

Riding the Bus

- 1) The driver has the authority to assign seats on the bus.
- 2) Students will go to designated seats. If driver assigns seats, a seating chart is given to transportation director and building administrator(s).
- 3) Students shall remain properly seated while the bus is in motion.
- 4) Students will use Voice Level for "inside voice" per school's procedures.
- 5) Students will refrain from talking to the driver except in an emergency.
- 6) Students will remain on the bus unless driver or authority states an emergency evacuation.
- 7) Students will keep all items inside backpack or other bags; they will keep them on their laps or on the floor between their feet.
- 8) Students will keep aisles clear at all times (including arms, feet, backpack/bags).
- 9) Students will refrain from waving or shouting to passing vehicles and from throwing objects out of windows.
- 10) Students will not eat on the bus.
- 11) Students will not use tobacco products, alcohol or drugs on the bus.
- 12) Students will report damages or dangerous behaviors to the driver. Students will not bring animals, reptiles, rodents, balloons or glass containers on the bus. Exception is an approved service animal.
- 13) Students will not bring weapons, firearms, tobacco, pornographic material, dangerous articles, fireworks, or illegal substances on the bus.
- 14) Students will refrain from any behavior that puts self or others in danger, such as but not limited to scuffling, fighting, or bullying. The report of dangerous behavior will be cause for disciplinary action.
- 15) Students will refrain from marking and defacing the bus. Students caught damaging bus equipment will be subject to disciplinary action and/or restitution.
- 16) Students will not use telecommunication or other electronic devices on regular routes.
- 17) All classroom projects that involve plants and potting soil shall be transported in a covered container that will not spill.

The bus is an extension of the classroom. The driver is in charge of the bus, and the driver's first responsibility shall be the safe transportation of the passengers. The school's behavioral expectations (i.e., Guidelines for Success) apply to the bus as they do to the classroom and other common areas.

In the event that one or more students are behaving in such a way as to endanger the safety of other students on the bus, the driver is authorized to order the offending student(s) from the bus. In the event a student 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 the student attends the Director of Transportation, the Superintendent, or other school authority, as appropriate. Any complaint by drivers, students, or parents not specified in the above rules shall be reported promptly to the principal.

C. Responsibilities of principals, teachers and parents to ensure student safety on buses:

Principals shall:

- Enforce the rules and regulations,
- Ensure that there is adequate supervision during bus arrival and dismissal.

Teachers shall:

- Dismiss students on time,
- Speak positively to students about transportation safety,
- Teach the bus expectations and rules,
- Supervise arrival and dismissal,
- Assist the administration with enforcing the rules and regulations.

Parents/Guardians shall:

- Enforce and support the bus expectations and regulations,
- Stress the importance of all the bus expectations and rules-emphasizing safety for all on the bus,
- Have child ready when the bus arrives,
- Recognize that bad weather may cause bus delays,
- Make sure child's clothing and backpacks/bags are free from loose straps or strings that might be caught or entangled on handrails or doors.

NOTIFICATION OF FERPA RIGHTS (Board Policy 09.14 AP.111)

The Family Educational Rights and Privacy Act (FERPA) affords parents and "eligible students" (students 18 years of age or older who are attending a post-secondary 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 a record that they believe is inaccurate, misleading or in violation of privacy or other rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise 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 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 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, and in accordance with 34 C.F.R. 99.34.

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

All high school juniors and seniors will be given a separate form providing the choice, regardless of age, to exercise their rights to prohibit disclosure of contact information to military recruiting representatives.

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

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

Student Records Policy 9.14

Upon notification by the Commissioner of Education 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 a child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

School district administrators may authorize release of protected student education record information to authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan. All information in the below form must be provided/completed.

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 students are required to submit to a survey that concerns one (1) or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education:**
 - 1) Political affiliations or beliefs of the student or student's parent;
 - 2) Mental or psychological problems of the student or student's family;
 - 3) Sex behavior or attitudes;
 - 4) Illegal, anti-social, self-incriminating, or demeaning behavior;
 - 5) Critical appraisals of others with whom respondents have close family relationships;
 - 6) Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
 - 7) Religious practices, affiliations, or beliefs of the student or the student's parents; or
 - 8) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- **Receive notice and an opportunity to opt a student out of:**
 - 1) Any other protected information survey, regardless of funding;
 - 2) Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for 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 to sell or otherwise distribute the information to others.
- **Inspect, upon request and before administration or use:**
 - 1) Protected information surveys of students;
 - 2) Instruments used to collect personal information from students for any of the above marketing, sales,

or other distribution purposes; and

- 3) Instructional material used as part of the educational curriculum.

The District shall 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. Notification will provide an opportunity to opt a student out of participating in those activities. 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**

PUBLIC NOTICE REGARDING CONFIDENTIALITY AND CHILD FIND FOR CHILDREN WITH DISABILITIES IN NEED OF SPECIAL EDUCATION, 504 SERVICES, OR PRESCHOOL SERVICES

In accordance with the Family Education Rights and Privacy Act, written policies and procedures have been developed which describe the Murray Independent School District's (MISD) requirements regarding the confidentiality of personally identifiable information and Child Find activities. There are copies of these procedures in the Principal's office of each school, and in the Board of Education Office. Copies of these Policies and Procedures may be obtained by contacting the Principal or the Director of Special Education. Stated in this notice is a summary of your rights under the Act. These rights are passed on to the student at age eighteen. For the purpose of this notice, the student 18 years or older, will be referred to as the "eligible" student (who is age 18 or who is attending a postsecondary institution). Parents, guardians, and eligible students may review and inspect all education records relating to that student by making a request to the Principal of the school where that student attends. The MISD will presume that the parents have the authority to review and inspect records relating to their child unless the district has been advised in writing that the parent does not have legal authority under applicable state law governing such matters as guardianship, separation, and divorce.

The MISD obtains written consent from a parent or eligible student before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA. Personally identifiable information is not released to another party unless there is written authorization from the parent or eligible student or there is a "Legitimate Educational Interest" as defined in the policies and procedures for confidentiality. A current list of employees' names and positions who have access to personally identifiable information is on file in each school. The MISD has described in its policies and procedures the conditions under which personally identifiable information is released to another person without written parental consent. Any parent or guardian of a student, or any eligible student may challenge the content or accuracy of any material or entries in the student's educational records on the grounds that it is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. Requests to amend the records are submitted in writing to the Principal of your child's school.

"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 organizations and agencies whose need for data is connected with student help activities. 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.

In accordance with federal regulation concerning the release or transfer of education records, it is the policy of this school district to forward education records on request to a school in which a student seeks or intends to enroll. Parents may obtain upon request a copy of the records transferred. The MISD keeps child and youth records in a secure computer system and files in each school and in a centralized location.

For students who have been determined eligible for Special Education, educational records, will be destroyed at the request of the parents when they are no longer needed to provide educational programs or services. The MISD may destroy the educational records of a child without parent request three years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The MISD may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed.

Child Find for Students with Disabilities Under Individuals with Disabilities Act or Section 504 of the Rehabilitation Act, and Preschool

The Murray Independent School District (MISD) has an ongoing Child Find system, which is designed to locate, identify and evaluate any child residing in a home, facility, or residence within its geographical boundaries, age three (3) to twenty-one (21) years, who may have a disability and be in need of Special Education or 504 services. This includes

children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving Special Education or 504 services. The MISD will make sure any child enrolled in its district who qualifies for Special Education or 504 services, regardless of how severe the disability, is provided appropriate Special Education or 504 services at no cost to the parents of the child.

Parents, relatives, public and private agencies, and concerned citizens are urged to help the MISD find any child who may have a disability and need Special Education or 504 services. The District needs to know the name and age, or date of birth of the child; the name, address, and phone number(s) of the parents or guardian; the possible disability; and other information to determine if Special Education or 504 services are needed. Letters and phone calls are some of the ways the MISD collects the information needed. The information the school district collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for Special Education or 504 services. Children eligible for Special Education include those children with disabilities who have autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment and who because of such an impairment need Special Education services. Children eligible for 504 services include those children in a public elementary and secondary education program who have a current physical or mental impairment that currently substantially limits some major life activity which causes the student's ability to access the school environment or school activities to be substantially limited.

Children eligible for the State-Funded Preschool program include three- and four-year old children identified with disabilities and four-year old children who are at-risk, as defined by federal poverty levels up to 150%. Preschool children eligible for Special Education must have an Individual Education Plan (IEP) instead of a 504 plan to receive State-Funded Preschool program services.

Child Find activities will continue throughout the school year. As part of these efforts the MISD will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need Special Education or 504 services. Any information the District collects through Child Find is maintained confidentially.

The MISD provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible. If you know of a child who lives within the boundaries of the MISD who may have a disability, and may need but is not receiving Special Education or 504 services, please call or send the information to the District's Director of Special Education/504 Coordinator. If you know of a child who attends a private or home school within the boundaries of MISD, who may have a disability, and may need but is not receiving Special Education services, please call or send information to the Director of Special Education. If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact the Director of Pupil Personnel, the Director of Special Education, or the Section 504 Coordinator at Murray Board of Education, 208 S. 13th Street, Murray, Kentucky 42071 or by phone (270)753-4363. The District office is open Monday through Friday, from 7:30 a.m. to 4:30 p.m. and the office is located at 208 South 13th Street, Murray, Kentucky 42071.

NOTIFICATION OF RIGHT TO REQUEST TEACHER QUALIFICATIONS

The Murray Independent School District is committed to providing a quality instructional program for your child. This is one of the ways of keeping you informed of the educational commitment of our schools and our district.

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

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

If you would like to request this information, please contact: Supervisor of Instruction
Murray Independent School District
208 South 13th Street
Murray, KY 42071
Phone 270-753-4363

Please include your child's teacher(s) and an address or e-mail address where the information may be sent.

**Murray Independent School District
Confirmation of Access, Review and Agreement to Code of Acceptable Behavior and Discipline**

After reviewing the information contained in the Code of Acceptable Behavior and Discipline at the following website:

http://www.murray.kyschools.us/documents/code_acceptable_behavior_discipline.pdf

or otherwise, please sign and return this form to your child's homeroom teacher. A copy of the District's Code of Acceptable Behavior and Discipline 2016-2017 may be provided to you by the principal upon your request.

I have had access to the Code of Acceptable Behavior and Discipline 2016-17. I have reviewed and read it, and I agree to abide by its content.

Parent/Guardian Signature

Date

Student Signature

Date

Student Electronic Access/User Agreement Form

As a student of the Murray Independent School District's computer network, I hereby agree to comply with the District's Internet and electronic mail rules and to communicate over the network in a responsible manner while abiding by all relevant laws and restrictions. I further understand that violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and school disciplinary action and/or legal action may be taken.

Student's Name (Please print) _____

Student's Signature

Date

Prior to the student's being granted independent access privileges, the following section must be completed for students under 18 years of age:

As the parent or legal guardian of the student (under 18) signing above, I grant permission for my child to access networked computer services such as electronic mail and the Internet. I understand that this access is designed for educational purposes; however, I also recognize that some materials on the Internet may be objectionable, and I accept responsibility for guidance of Internet use by setting and conveying standards for my child to follow when selecting, sharing, researching, or exploring electronic information and media.

By signing this form, you hereby accept and agree that your child's rights to use the electronic resources provided by the District, and/or the Kentucky Department of Education (KDE), are subject to the terms and conditions set forth in district policy/procedure. Please also be advised that data stored in relation to such services, are managed by the district pursuant to policy 08.2323 and accompanying procedures. You also understand that the email address provided to your child also can be used to access other electronic services or technologies that may or may not be sponsored by the District, which provide features such as online storage, online communications and collaborations, and instant messaging. Use of those services is subject to either standard consumer terms of use or a standard consent model.-Data stored in those systems, where applicable, may be managed pursuant to the agreement between KDE and designated service providers or between the end user and the service provider. Before your child can use online services, he/she must accept the service agreement and, in certain cases, obtain your consent.

Name of Parent/Guardian (Please print) _____

Parent/Guardian's Signature

Date

**Murray Independent School District
Confirmation of Access, Review and Agreement to Code of Acceptable Behavior and
Discipline For All MISD Staff and Extra Curricular Volunteers**

After reviewing the information contained in the Code of Acceptable Behavior and Discipline at the following website:

http://www.murray.kyschools.us/documents/code_acceptable_behavior_discipline.pdf

or otherwise, please sign and return this form to your supervisor. A copy of the District's Code of Acceptable Behavior and Discipline 2016-2017 may be provided to you by the principal upon your request.

I have had access to the Code of Acceptable Behavior and Discipline 2016-17. I have reviewed and read it, and I agree to abide by its content.

Staff/Volunteer Signature

Date

Staff Electronic Access/User Agreement Form

As a staff member or volunteer user of the Murray Independent School District's computer network, I hereby agree to comply with the District's Internet and electronic mail rules and to communicate over the network in a responsible manner while abiding by all relevant laws and restrictions. I further understand that violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and school disciplinary action and/or legal action may be taken.

(Please print)

Name

Role

Place of Work

Staff Signature

Date

MISD Coaching and Extra-Curricular Plus One Policy Agreement Form

The Murray Independent School System implements policies and procedures which strive to ensure the safety and well-being of students, faculty, staff, and volunteer staff. Co-Curricular and Extra-Curricular activities provide unique learning opportunities outside of the classroom enhanced by daily interaction between coaches, sponsors, and student athletes and participants in extra-curricular activities.

In order to foster and maintain a safe environment for all students and staff/coaches/volunteers, the Murray Independent School System requires all persons working in these capacities to meet with or instruct students only when one of the following criteria is met: a) more than one student is present, or b) more than one staff/volunteer coach or sponsor is present, or c) a parent is present.

(Please print)

Name

Role

Place of Work

Staff Signature

Date