



A Guide to Education Rights for
Parents and Students
in Kentucky Public Schools

KNOW YOUR RIGHTS

A Guide to Education Rights for Parents and
Students in Kentucky Public Schools

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WHY GO TO SCHOOL?

School is an important part of growing up. Sometimes you may wonder why kids should bother going to school. Here are some reasons we thought of (and there are many more!):

- Students have a right to go to school.
- Students have a responsibility to go to school.
- Going to school gives students opportunities to do things they might not be able to do without an education.
- School helps students figure out what goes on in the world around them.
- School can help students explore interests and introduce new ideas.

WHAT'S THIS BOOK ABOUT?

Every United States citizen is given rights by the Constitution — and this goes for kids, too. Sometimes it's hard to know what all these rights are. We wanted to create a resource for parents and kids to learn about education rights so they know when they need to ask for help.



INTRODUCTION

THE CONSTITUTION & YOU

Where do you get your rights?

Every citizen's rights are protected in the United States Constitution, especially in the first ten amendments, known as the Bill of Rights. Each state has to follow the U.S. Constitution when writing its own constitution and laws, and cannot give citizens fewer rights than the federal government gives them. A state can, however, give its citizens more rights than the federal government.

Some parts of the U.S. Constitution are especially important in how they relate to public school students—those are the First Amendment and the Fourth Amendment. The Fourteenth Amendment gives all citizens equal protection, which means the states have to respect all the United States constitutional provisions. How these amendments affect students is described in more detail throughout this book.

The Kentucky Constitution:

Each state also has its own Constitution. Kentucky's Constitution was first adopted in 1792, revised throughout the years, and the fourth constitution adopted in 1891 is the one that we follow today. For more information about the Kentucky Constitution and what it says, visit your school or local library, or check out the Kentucky Legislature site at: <http://www.lrc.ky.gov/Legresou/Constitu/intro.htm>

TERMS TO KNOW

Bill of Rights: The first ten amendments in the United States Constitution that grant all Americans certain civil liberties. Kentucky also has a bill of rights as part of its State Constitution.

Equal Protection: Because of the 14th Amendment, every citizen must be treated equally regardless of race, religion, age, and many other types of status. It is the 14th Amendment that makes the U.S. Constitution apply to citizens of every State.

YOUR EDUCATION

ENROLLMENT

Must all Kentucky children enroll in a public school?

Any parent, guardian, or other person that has custody of a child that is between six and sixteen years old must enroll the child in a regular public day school in the district where the child lives. Any child that will be five years old by October 1st may enter a primary program. School districts must enroll any resident who is under twenty-one years old who wishes to enroll if they do not have a high school diploma.

Are there exceptions that allow a child not to go to school?

A child between six and sixteen years old does not have to go to a regular public day school if he or she has already graduated from high school, is enrolled in a private or home school, has physical or mental conditions that prevents them from going to school, or is enrolled in state-supported school for exceptional children.

How does a student enroll in school?

When enrolling for the first time in any elementary or secondary school, a student has 30 days to provide:

1. a certified copy of his or her birth certificate, or
2. other reliable proof of the student's identity and age, and an affidavit stating that a copy of the birth certificate cannot be provided.

(But see possible exceptions to this regarding homeless youth or youth with immigrant status.)

Do students need to have an immunization record to enroll?

A school must have the student's current immunization certificate within two weeks after the student begins attending the school. (But see exceptions for homeless or immigrant youth.)

What if a student cannot be immunized or does not want to for religious reasons?

If a physician feels an immunization would be harmful to the student's health, and can provide a written opinion stating that it would be, the student does not have to be immunized. Also, if immunization is against the student's religious beliefs, a parent must object to the immunization by a sworn statement. However, if there is an epidemic, the state may require all persons to receive an immunization due to the emergency situation.

Do students have to give a school their social security number?

A school cannot prevent a student from enrolling because he or she did not give them a social security number.

Can a student quit school?

Students, who are between 16 and 18 years old and unmarried, can terminate education if there is a conference between the student, the principal, and the parent

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ENROLLMENT

or guardian. The student must also attend a one hour counseling session. The school should contact the student to encourage reenrolling, attending an alternative program, or pursuing their GED. Students are not required to get anyone's permission to stop going to school after the age of 18.

What happens if students don't go to school without permission?

Any student who is between 6 and 18 years old, who has been absent from school without a valid excuse for three or more days, or tardy without a valid excuse on three or more days, is considered "truant." See page 31 for more about what happens when a student skips school.

HOMEBOUND STUDENTS

What are homebound students?

Sometimes a student's single mental or physical condition prevents them from attending school. These students are called homebound students. In order to be classified as a homebound student, there must be:

- a signed statement from a physician, nurse practitioner, psychologist, psychiatrist, chiropractor, or public health officer that says the condition of the student prevents or renders inadvisable attendance at school. Any student who is excused from school attendance more than six months must have two signed statements from a physician, nurse practitioner, psychologist, psychiatrist, chiropractor, and health officer; or
- an individual education plan specifying that placement of the student with a disability at home or in a hospital is the least restrictive environment for providing services.

A homebound student's status must be reviewed annually with updated evidence, except for a child with a chronic physical condition who is unlikely to substantially improve within three years. If a student is homebound, suitable instruction standards, rules, and regulations of the Kentucky Board of Education must be provided.

HOMELESS STUDENTS

What happens to a student in a temporary living situation?

Students in temporary living situations get the same free public education, including a public preschool education, which is provided to other children. Even kids who are not living with a parent or guardian also have access to school and all school activities. Schools must make sure that these students get all the educational services that they need including tutoring, vocational education, gifted and talented programs, Title IX services, and special education.

YOUR EDUCATION

ENROLLMENT

Each school district has a person who makes sure that students without a permanent home can enroll in school. Schools must immediately enroll a homeless student in a new school district. Enrollment is required even if the student does not have a current immunization record, physical examinations, school records, proof of residency, birth certificate, supplies, or even a parent or legal guardian. The school will request the necessary records from the student's last school.

Where do students in a temporary living situation go to school?

If a student is in a new temporary living situation, they may be able to continue attending school at the last school they attended or they may attend school in the new school district where they are currently living. If the student continues to attend their original school, while living in a temporary situation, the school should help with appropriate services, such as transportation, food, or health services. However, it may not be best for a student to continue going to their old school if they moved too far away or because it would take too long to travel everyday. If a student finds a new permanent home, they still may be able to stay at their old school until the end of the school year (check with your specific school district).

HOME SCHOOLING

What does it mean to be "home-schooled"?

Home schools are considered to be non-public schools. The laws relating to non-public schools also apply to home schools. The parent in charge of a student who is home-schooled must report the name, age, and residence of the student to the superintendent of schools of the district where the home is situated within two weeks of the beginning of each school year. Parents must teach subjects that will educate children to be intelligent citizens, including reading, writing, spelling, grammar, history, mathematics, and civics. Parents must record and maintain scholarship reports of each student's progress, keep accurate attendance reports, provide instruction for terms that are as long as the public schools' terms where the child resides, and be open to inspection. The parent should be knowledgeable about the transfer process between home and public schools. The public school will assign any incoming student to the grade for which he or she is best suited. For more information on home schooling, visit the Kentucky Department of Education website at:

<http://education.ky.gov/KDE/About+Schools+and+Districts/Home+Schooling+in+Kentucky/>

IMMIGRANT STUDENTS

Can a school prohibit an immigrant student from attending public school?

Public schools must accommodate all migrant and immigrant students even if the student is undocumented. Schools are not allowed to keep students out of public schools on the basis of legal status or treat students differently regarding residency requirements because of their undocumented status. Schools must provide appropriate services to students to attain the English skills they need to maintain their grade level.

Can a school or teacher ask for proof of immigration status?

No. Schools may not inquire about a student's immigration status including requiring documentation of legal status at registration or at any other time. This includes a request for documents such as green cards, citizenship papers, etc. Schools also may not make inquiries of the student or parents which may expose their legal status. Schools may only require proof that a student lives within the school district attendance zone.

Can a teacher report illegal students to the U.S. Citizenship and Immigration Services (USCIS)?

No. Communication to USCIS initiated by a school or school official concerning a specific student is prohibited. If parents or students have questions about their immigration status, school personnel should refer them to legal service organizations, immigrant rights organizations, or local immigration attorneys. Schools should not advise immigrants to go directly to USCIS offices.

What services must a school provide for an English Language Learner ("ELL") or Limited English Proficiency ("LEP") student?

School districts must put a district-wide ELL or LEP plan in place to address the general needs of ELL students as part of the district's education plan for all students. ELL and LEP students have the right to meaningful access to all district educational programs; this means that the district must give these students opportunities to improve their English in addition to what they are learning in their grade. ELL and LEP goals need to address both language learning and content learning.

What does the educational plan have to include? Who does it have to cover?

The district's plan must cover all ELL and LEP students, addressing the needs of all students in all grades in the school district. It should state the goals of the program, the district's method for identifying ELL students, the services available for ELL students, staff and resources available for ELL and LEP students, methods for transitioning students out of the ELL program, and the method of evaluating the effectiveness of the program.

YOUR EDUCATION

IMMIGRATION

The education plan must have goals that state who the plan applies to, the level of performance expected, when the performance level should be attained and the method of monitoring progress.

Are services automatic or must they be requested?

Like special education, the district is under a duty to identify students who are in need of ELL or LEP services. Once a student is identified as ELL or LEP, the services must be put in place.

How does the district identify students?

Each district has its own method of identifying students in need of ELL or LEP services. Check with the local school district.

What can be done if ELL services are not provided to a student?

If a school district does not provide adequate ELL and LEP services, it is in violation of federal law. Start by requesting services from the school. If the individual school still does not offer adequate ELL services, contact the school district's administrative office. If the district does not supply services, a complaint may be filed with the Kentucky Department of Education. Also, the student can contact the Office of Civil Rights within the U.S. Department of Education.

TRUE STORY: IMMIGRANT STUDENTS

In Texas, a group of Mexican students sued their school when it started to require that undocumented students pay a tuition fee of \$1000 in order to go to public school. The U.S. District Court held that this policy was not acceptable. *Plyler v. Doe* (1982)

TRUE STORY: LEARNING ENGLISH

Many of the non-English speaking Chinese students in the San Francisco public schools did not receive extra help to learn English. The Supreme Court ruled that the district must take steps to overcome the educational barriers of ELL students. Every student is entitled to meaningful education and if services are not provided to teach ELL students English, they cannot have a meaningful education. *Lau v. Nichols* (1973).

What information is contained in school records?

School records are any information kept by a school about an individual student. These records can include the student's address, telephone number, birthday and age, parents' names, important medical information, grades, discipline reports, special education records, achievements, previous schools attended and information from teachers.

Who has access to school records?

School information can be given in four circumstances:

- Any school staff member with a legitimate educational need for the information can look in a student's file. This means that there must be a good reason that is related to the student's education.
- The student's parents may ask to see the file for any reason.
- Directory information, which includes the student's name, address, telephone number, date and place of birth, participation in activities and sports, and recent schools attended, may be given upon request. An example of this would be if a local newspaper is doing an article about the school.
- Under the federal No Child Left Behind act, military recruiters may receive information about a student if the student has not told the school that he or she does not want their information to be given to the military.

What if the information in the records is incorrect?

Parents may challenge the contents of the record. The correction will be made and a written explanation of the parents' reason for the change included in the record.

Can the school release student records?

With the permission of a student's parent or guardian, the school may release records. They may also release records without parental permission to other school officials who have a reason to need the records, officials in other school districts at which the student wishes to enroll, certain members of the state and federal government, in connection with financial aid applications or receipts, in connection with any juvenile justice proceedings if the officials receiving the information certify in writing that they will not share the information, organizations doing a study on the school or accrediting the school, in emergency situations to individuals who need the information to help the student, upon being served with a subpoena. These rights transfer to the student once the student turns eighteen, unless a court has ordered otherwise.

YOUR EDUCATION

RECORDS & CONFIDENTIALITY

If a student tells a teacher something that is private, does the teacher have to report what the student tells her?

Under the Code of Professional Ethics for Educators that all teachers must follow, teachers must keep confidential any information they have about a student unless the student is in danger. This means that if a student tells a teacher something that might be private but isn't dangerous to the student, the teacher isn't allowed to say anything to anyone else about it. But, if information is disclosed to a teacher that the student is being hurt or is scared of someone, the teacher may be required to tell someone else about it so that the student can get help to get out of the dangerous situation. A teacher must report any suspected dependency, neglect or abuse. For example, if a student tells a teacher she is being abused, it must be reported.

What must a counselor report?

Counselors and principals have to follow the same rules as teachers. If a student tells them something private that isn't dangerous, they can't tell anyone else. If the student tells them about something that is dangerous, they have to tell someone else.



SPECIAL EDUCATION

Regular education rights come from each State's government. However, special education rights come from a federal law known as the Individuals with Disabilities Education Improvement Act of 2004, or the IDEA (also IDEIA). IDEIA passed in 2004 to ensure that students identified as having disabilities are provided with the services they need in order to get a "free appropriate public education" from the State.

If there is a problem with a student's special education plan, the first thing a parent should do is talk to the school and try to work things out. It is also important to keep track of communications with the school, including dates of meetings and phone calls, letters, and other paperwork. However, if the school does not cooperate, parents can file an Administrative Complaint with the Kentucky Department of Education, or request a due process hearing. After that, if the student and parents are not satisfied with the outcome, an appeal can be filed. If the parents still are not satisfied, an appeal can be filed in federal court.

TERMS TO KNOW

- **IDEIA:** IDEIA stands for Individuals With Disabilities Education Improvement Act. It was revised in 2004 and now is referred to either as the IDEA of 2004, or the IDEIA. This is the federal law that requires states to provide a free appropriate public education to all students, regardless of disabilities.
- **BIP:** A *Behavior Intervention Plan* is required for any student that has behavioral issues or has been suspended for more than 10 days in one school year to address why the student is getting in trouble so much at school. The BIP is meant to help teachers and the student and parents understand why the student is having difficulties with behavior.
- **FAPE:** *Free Appropriate Public Education*. This is guaranteed to all students, and is outlined specifically for students who qualify for special education. The public school systems are responsible for identifying children with special needs as young as age 3.
- **IEP:** *Individual Educational Plan*. Every student with special needs should have an IEP. The IEP should have annual measurable goals.
- **ARC:** *Admissions and Release Committee*. In some other states this is called the IEP Team. In Kentucky it is called the ARC. The ARC meetings are held to determine placement and other issues for students with special needs. The parent and child can attend, and all relevant school officials, such as teachers and sometimes the principal, also attend to make determinations about the student's education. An ARC meeting should be held at least as often as an IEP is made, but a parent can request as many meetings as necessary.
- **Least restrictive environment:** according to the IDEIA, a child should be educated in the least restrictive environment appropriate for that student. This means, for example, that students shouldn't automatically be put in a separate classroom if that's not necessary for the student to make progress.
- **"Stay Put":** This provision means a school can't change the student's placement if the parent objects and files a request for a due process hearing. A student is allowed to stay where he or she is until a meeting can be held to discuss the placement with the parents and school officials.

Does a student with special education needs have the same rights as other students?

Students do not lose any rights because they are identified as having special educational needs. However, the federal government does provide additional rights through IDEA to make sure students receiving special education get a “free appropriate public education.” It is illegal for a school to discriminate against special education students because they have special needs, such as in sports or other extra-curricular activities. Everyone gets an equal opportunity to participate.

How does a student qualify for IDEA?

A parent can ask for his or her child to be tested to see whether the student qualifies for special services under IDEA. It is the responsibility of the schools, through a program called Child Find, to identify students who may qualify for special educational services. After testing is done, there is an ARC meeting to determine if the student is eligible for Special Education services. Students can qualify under a number of categories depending upon their area of disability and how that may affect them in school.

What are ARC meetings and do students have to attend?

An Admissions and Release Committee (ARC) meeting must be held for decisions regarding a student’s referral for special education, evaluation, individual education plan, placement, or in many instances, disciplinary issues. Unless a parent gives up the right to attend, she or he has a right to attend their child’s ARC meeting. The student and parents are equal partners in decisions that are made about special education programming. In fact, schools must notify parents about any ARC meeting and the purpose of the meeting and must keep track of all attempts to schedule meetings with parents. Attending ARC meetings is a good idea since students and parents can hear first hand from the school about decisions being made about the student and give input into the decisions.

Do kids need lawyers in this process?

Maybe. Some organizations, like the Children’s Law Center or the Legal Aid Society, have lawyers that help students in schools get the special education that they need. Whether or not a lawyer can help depends on the specific case, but it doesn’t hurt to call. Even if the lawyer cannot provide representation, they may be able to provide information to the student and parent and refer them to other sources of help.

Can the school move a student without the student’s consent?

A school district cannot make a decision on its own to relocate a student. No change of placement can be made (unless the parents decide) for a student who has been identified as having special needs, without first having an ARC meeting to discuss all issues that might be important. Also, there is a “Stay Put” provision that says if there

is a difference of opinion, the parents can file for Due Process, and the student stays put where he or she is, until everything is figured out.

What happens when a special education student graduates?

Once a student graduates with a high school diploma, the school district is no longer required to provide special services.

When do services stop?

Services stop when one of three things happens: (1) The student no longer meets the requirements under IDEIA, (2) The student reaches the age of 21, (3) The student graduates with a regular high school diploma.

Can special education students be suspended from school?

Special education students can be suspended from school for violating the school code of conduct, but generally not for more than ten school days. If a student is out of school for more than ten days he or she must be provided appropriate education services. Within ten school days of a suspension, there must be an ARC meeting called a "Manifestation Hearing" to discuss whether or not the student's conduct was related to his or her disability, whether or not the school failed to implement the student's IEP properly, and to discuss what steps need to be taken next.

In certain cases a student can be removed for up to 45 days, for behavior such as carrying a gun or drugs to school. In such cases, there are still certain rules that must be followed, such as holding an ARC meeting to determine appropriate steps to take. Even in alternative schools, appropriate education is guaranteed, and being in an alternative school setting does not change these rules.

What if there is a disagreement over the results of the Manifestation hearing?

If the student or parent does not agree with the results of the hearing, the parent can request a due process hearing. A hearing officer must conduct a hearing to review the case within 20 school days of filing the appeal, and make a decision about the results within 10 school days. If the student and parent still disagree with the results, the parent can file an appeal with the Exceptional Children Appeals Board. Parents (or an attorney) must send the appeal by certified mail within thirty calendar days of date of the hearing officer's decision.

Can a special education student be expelled from school?

A school may decide that a student's current placement might be harmful to the student, other students, or school employees. In this case, the school must put the student in an appropriate alternative placement that will provide for the student's education needs. However, if the ARC committee finds that the student's behavior is

not related to the student's disability, they can expel the student based on their regular policies.

GIFTED & TALENTED

Does a school district have to provide services for students who are identified as gifted and talented?

Yes. The Office of Exceptional Children (part of the Kentucky Department of Education) recognizes that there is a category of "exceptional students." The classifications of exceptional students are general intellectual aptitude, specific academic aptitude, creative or divergent thinking, psychosocial or leadership skills. Gifted and Talented ("GT") is recognized as an area of "special education" and as such means that the school must provide services to GT students.

The school/district must have a Gifted Students Services Plan (GSSP) for each student in the school/district identified as GT. This plan helps the school and the student decide how to best develop and enhance the student's abilities.

How is a student identified as GT?

Under Kentucky law, each school district is required to establish their own methods of identifying GT students, taking into account the different classifications of GT.

What can a student do to get more GT services when they aren't provided by the school or school district?

Because the statute for GT services is the same as other special education services, the grievance process is the same. Begin by contacting the school and requesting services, then go from there. If the school still does not provide more services, contact the school district, then the Department for Exceptional Children.

What is underachievement?

Underachievement is when a student who is identified as GT is not making grades that match the student's abilities. There could be many different reasons that a student underachieves—for example, the student could be so far ahead of her grade level that she is bored, or has some unidentified learning disabilities.

Does a school have to identify and give services to an underachieving student?

As mentioned above, if the student is identified as GT, the school must provide services.

THE FIRST AMENDMENT

What is it?

Under the U.S. Constitution, the First Amendment says that citizens have the right to freedom of speech, which allows expression through speaking and writing, as well as through religion.

FREEDOM OF EXPRESSION

What does expression mean?

Expression means how individuals express themselves through spoken and written words, dress, tastes in art and music, posting on the Internet, decisions to salute the flag or not, participation in protests and rallies, and joining particular clubs.

What can students say at school?

All public school students “shall comply with the lawful regulations for the government of the schools,” which means that students must follow the rules that schools can make about what kind of language to use. These rules include not using profanity (swear words) or vulgarity, or threatening others. Students can still express their thoughts and opinions, as long as they stay within the limits set by the school.

Students can't express their opinions in school in a way that:

- Substantially and materially interferes with school activities;
- Threatens immediate harm to the welfare of the school or community;
- Encourages unlawful activity; or
- Contains profanity or is vulgar.

What can students post on the Internet?

Check school policy on Internet postings. Because internet blogs and sites like Myspace and Facebook are still pretty new, not many legal cases have come up on this issue. According to some courts if a student posts something off school property, it is protected speech and cannot be regulated by the school. However, if something a student posts causes a lot of disruption at school or is threatening, the student might be subject to discipline or even criminal charges.

What can be written by students in the school newspaper?

Again, check the local school board policy. Generally, school-sponsored papers are under the control of the school, so schools can have a say in what is written and how it is written as long as teachers or school administrators do so reasonably. For example, a school may be able to prevent publication of a student article if it does not protect the privacy of a classmate or the article discusses a topic that the school administrator finds inappropriate for the student body.

THE FIRST AMENDMENT

What can students wear to school?

Check the school board policy for guidelines on what students can wear. Students can have their own style but schools are allowed to make some rules about what can be worn at school. Generally, schools can prohibit clothing that may disrupt or interfere with the school's work or affects the rights of other students. For example, schools can have dress codes that require students to wear clothing that is not too revealing or be at a certain length. Schools are allowed to prohibit students from wearing clothes with vulgar or profane language printed on it.

What can the school do if a student wears something that is outside the dress code?

The school can reasonably discipline a student for violating the dress code as long as the regulations are reasonable.

TRUE STORY: THE TINKERS' BLACK ARMBANDS

Joseph and Mary Tinker and their friend Christopher decided to wear black armbands to school. The armbands stood for support of a truce during the Vietnam War. Their school administration decided to adopt a policy that students were not allowed to wear the armbands and would be asked to leave school if they did not take it off. The students were suspended until they chose to come to school without their armbands. The Supreme Court said that schools are allowed to put in place appropriate rules but cannot prohibit student expression without showing that it causes disruption or disciplinary problems. *Tinker v. Des Moines Independent Community School Dist.* (1969)

What kinds of meetings can students have at school?

Students can hold meetings at appropriate times at school. The most important thing to keep in mind is not to disrupt other students. If a student holds a religious meeting, it must be outside of regular school hours and classes.

Can teachers hold meetings?

Teachers and school administrators cannot conduct religious or anti-religious meetings.

THE FIRST AMENDMENT

FREEDOM OF RELIGION

Can students pray at school?

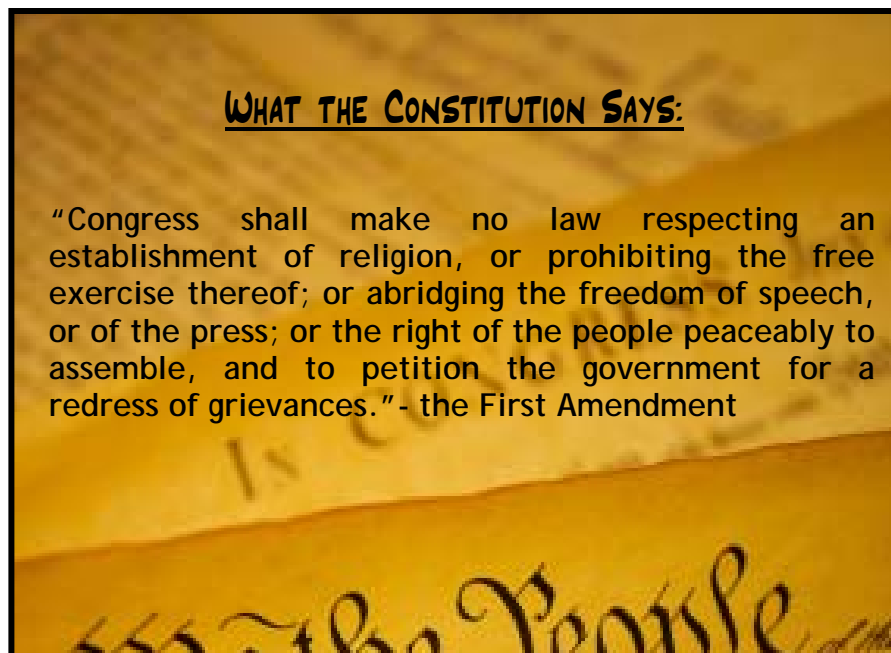
Yes, if they want to. In Kentucky, each Board of Education is allowed to authorize a recitation of the traditional Lord's Prayer in school, as well as a moment of silence. This is voluntary for all students, which means that it's a student's choice to pray if the student wants. The school should remind students that the prayer and pledge are not meant to influence their own personal religious beliefs.

Do students have to recite the Pledge of Allegiance?

While Kentucky schools must develop a policy for students to participate in the pledge, it is not required that students participate. If a student chooses not to recite the pledge, the student can't be disruptive.

Is it okay that a school displays a copy of the Ten Commandments?

The Supreme Court of the United States has found that posting the Ten Commandments is unconstitutional. If the Ten Commandments are part of a display, they cannot be posted unless it has some non-religious educational purpose.



THE FOURTH AMENDMENT

What is it?

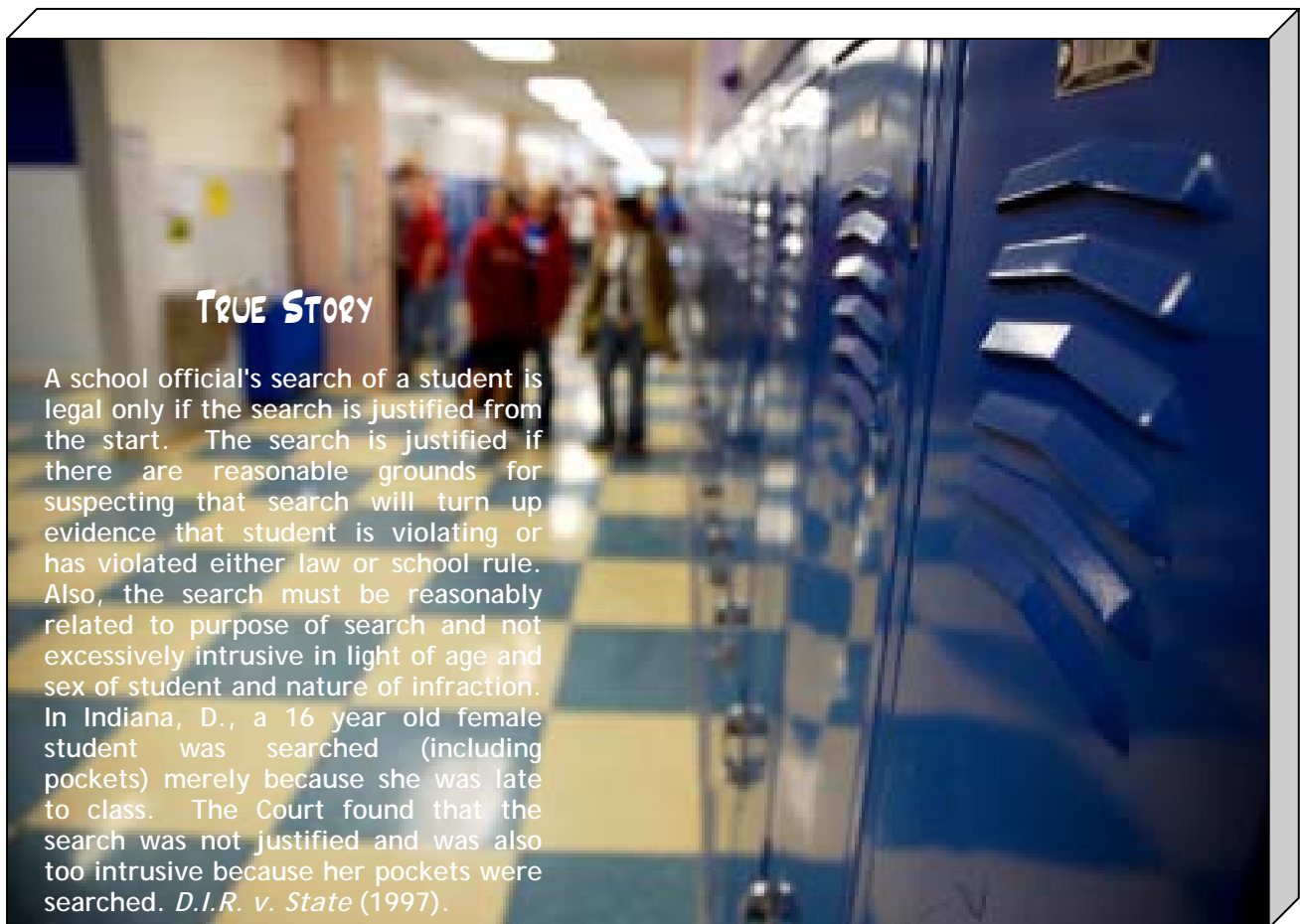
The Fourth Amendment protects citizens from having their private property searched and seized without reason. However, there are limits to privacy rights.

Can the school search and seize a student's belongings?

Schools are allowed to reasonably search students at school more than just any person walking down the street because the school has a responsibility to ensure that students are in a safe environment. The school official must have at least a "reasonable suspicion" of illegal activity before they search a student.

How does a student know if the search was okay when the school doesn't have a warrant?

When the school does not have a warrant, the law says that the search has to be reasonable from the beginning and reasonable as to the scope of the search.



THE FOURTH AMENDMENT

LOCKER, BACKPACK, & BODY SEARCHES

Who is allowed to search school lockers? School resource officers and other school officials can search student lockers as long as it is "reasonable." "Reasonableness" depends on whether or not a judge will find that there is a reasonable expectation of privacy. If there is a written locker policy at the school, a court will most likely find that there is not a reasonable expectation of privacy.

Can a student refuse to be searched?
Yes, but the student might be subject to disciplinary action.

What can students legally bring to school?

Check school policies and the Code of Conduct at the school on what items are prohibited. Items that would be disruptive or dangerous to other students such as weapons, drugs, or alcohol are definitely not allowed.

VEHICLES

Can a school be permitted to conduct a search of student cars in the parking lot? On school property?

If a student's car is on school property, the same rules apply - the school can search the student's car, but it must be reasonable. School officials or police can search a student's car if they reasonably suspect that the search will turn up evidence that the student has violated school policy. Remember, items that are not allowed inside the school are also not allowed in the parking lot, which is part of school property.

At a school-sponsored event?

School policies still apply at school-sponsored events, so be sure to follow the same rules as during the school day. Even if the event is not on school property, if it is school-sponsored or a school-approved social event, school policy applies.

A REAL-LIFE CASE:

The Supreme Court of the United States says that the Fourth Amendment privacy protections apply to schools. This means that the search must be reasonable. School officials can search your belongings if they have a good reason. For example, when T. was caught smoking at school in New Jersey, the Court found that since she had been seen smoking, it was reasonable for the school to search her purse. *New Jersey v. T.L.O.* (1985)

WHAT THE CONSTITUTION SAYS:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." -The Fourth Amendment

EQUAL PROTECTION

EQUAL PROTECTION

What does it mean?

Under the 14th Amendment, every person must be treated equally under the law. This means that students cannot be treated differently based on who they are - for example, the student's gender, race, religion, ethnicity, sexual orientation or disability.

What is discrimination?

Discrimination occurs when a student is treated differently than others based on a group, class, or category, such as race, religion or origin.

Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 is a law that prohibits discrimination based on gender in schools and other educational activities funded by the federal government. This law makes sure that students cannot be excluded from participation in a school activity, denied benefits by the school, or treated differently based on gender.

Title VI of the Civil Rights Act

Title VI of the Civil Rights Act says that students cannot be discriminated against based on race, color, or national origin.

DISCRIMINATION

Gender

Can a teacher show preference for one gender or another?

No. Schools (and the teachers and administrators in the schools) and other groups that receive money from the federal government cannot discriminate based on gender. If the school that a student attends is a public school, it receives federal funds and must follow the guidelines of Title IX.

Can a school limit the athletic programs available to one gender?

No. The school must provide equal opportunity for both girls and boys to participate in sports.



EQUAL PROTECTION

To not do so is considered discrimination.

Can a school discourage a student of a certain gender from enrolling in a certain class?

Again, no. For example, a teacher cannot discourage a female from enrolling in advanced physics or discourage a male from enrolling in home economics.

What can a student do if the student's teacher discriminates based on gender?

If a teacher is discriminating against one gender, check with the school and school district about the process for filing a complaint. Also, let school officials know about the discrimination.

What if the school administration discriminates based on gender?

If a school as a whole or the school administration discriminates against one gender, or knows that a teacher is discriminating and does nothing, check with the local school district to file a complaint and at least notify them of the discrimination. Also, students and parents can contact the Federal Office of Civil Rights, as this type of discrimination is a violation of federal law.

SEXUAL ORIENTATION

Can a school make special rules/restrictions for students based on sexual orientation?

- Dates to dances: Under the 1st Amendment, students must be allowed to have freedom of association, which means being permitted to enjoy friendships and relationships with people of the student's choice.
- Clothing: What a student wears to school may be restricted by a dress code, but if there is not one in place, a student legally may wear what he or she wishes if it is not disruptive to the classroom.
- Expression of sexuality: A student's ability to express sexual identity is not prohibited, and it is protected under the 1st Amendment freedom of expression, but it can be limited by school rules. For example, telling other students about the student's sexuality is probably not prohibited, but acts of a sexual nature done on school property can be restricted, including kissing, provided that they are also restricted for heterosexual couples as well.

EQUAL PROTECTION

Is a teacher allowed to discriminate against a student solely because of sexual orientation?

Teachers cannot harass students based on their sexual orientation. Also, many school districts have policies in place regarding harassment based on sexual orientation. Check with the local school district for their policy.

Can a student file a complaint if the student is harassed by a teacher because of sexual orientation? Another student?

Again, check with the school/local school district for guidance on this issue. Also, if the school hesitates to act, contact a local civil rights group. They may not be able to file complaints or change things immediately, but they can help put pressure on the school to change their practices.



EQUAL PROTECTION

RACE/ETHNICITY/RELIGION

Can a school discourage a student of a certain race or ethnicity from enrolling in certain classes?

Under the law, a school cannot discriminate based on race and ethnicity. This means that a school cannot stop students from enrolling in certain classes because of their race or ethnicity. For example, a school cannot discourage minority students from enrolling in advanced classes on the perception that they aren't smart enough and push them toward less challenging and/or non-college prep classes.

Can a school assign a student to classes based on race, ethnicity or religion?

No. The law prohibits discrimination based on race, ethnicity and religion. If there is a course of study or program in a school that determines which students are in which classes and a large number of minority students are in one class, with other classes having very few minority students, the school must be able to show that this difference is a valid result of students choosing their classes or academic programs and not a result of the school discriminating against minority students. This difference in the number of minority students in one academic program may occur when there are a large number of limited English proficient students in a school, who all end up in the same class or classes because of their need to work on their English proficiency.

Are there any punishments for students who harass students of other races or ethnicities?

Many schools and school districts have policies on harassment. A student being harassed by other students because of race or ethnicity should tell a teacher or school administrator, and ask what the school's policy is. It may also be possible to file criminal charges against the students harassing the student.

If the harassment continues and the school does nothing to stop it, contact the school district and file a complaint, using their policy as a guideline. If the school and school district do nothing about the harassment after being told, contact the Office of Civil Rights. A school may be liable for the harassment under federal law.

Are there any punishments for students who harass others of their own race or ethnicity because they don't fit in?

School harassment and bullying policies usually cover all types of harassment, no matter what it is based on. If a student is being harassed by anyone, for any reason, tell a teacher or administrator and follow the school's policy for filing a complaint. See page 28 for more on bullying.

EQUAL PROTECTION

Can a teacher show preference for one race or ethnicity?

Teachers cannot show a preference for one race or ethnicity. This includes all races, not just minorities. For example, a teacher cannot show preference for Asian students over others, or for Hispanic, or African-American, or Caucasian. All students of all races and ethnicities must be treated equally in the classroom.

How can students file a complaint?

Students can file a complaint with the school or the school district. Check with a teacher or administrator for the complaint process. Students may wish to file a complaint with the Office for Civil Rights, and can contact the regional or national Office for Civil Rights under the U.S. Department of Education. The regional office for Kentucky is in Philadelphia and the national office is in Washington, D.C.

Office of Civil Rights website:

<http://www.ed.gov/about/offices/list/ocr/index.html>

Office of Civil Rights - Philadelphia:

Telephone: (215) 656-8541



Does a school have to accommodate students with certain religious needs?

Generally, a school accommodating a religious need is not considered to be the same as a school promulgating a religious belief and is not in violation of the 1st Amendment. For more on this issue, please see the section that covers 1st Amendment rights, beginning on page 15.

EQUAL PROTECTION

DISABILITIES

Some students have a disability, which means they might have trouble with activities that other students do not, such as physical activities or learning in school. Schools cannot discriminate against students with disabilities and must make accommodations for them in school.

WHAT THE LAW SAYS:

SECTION 504 OF THE REHABILITATION ACT OF 1973

- What is Section 504? Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in programs receiving federal funds. Because a public school receives federal funds, it must follow the non-discrimination policy.
- Who is a handicapped person? Section 504 defines a handicapped person as one who has a physical or mental disability that substantially limits one or more major life activities, or has a history of a physical or mental disability, or is regarded as having such a physical or mental disability.
- What is considered a physical or mental disability? A physical or mental disability can include any disorder or condition, disfigurement, or anatomical loss affecting one or more of the body systems, or any mental or psychological disorder. A major life activity can range from caring for oneself to hearing or speaking. Any significant day-to-day activity that would require assistance if unable to perform by oneself is a major life activity.
- Can a person stop having a disability? If a person is deemed to have a history of disability, this means that they were treated and no longer have the disability, or it was previously misdiagnosed.
- What does it mean to have a disability? Having a disability means that a person has difficulty with certain activities that limits his or her ability to participate in major life activities, such as hearing or walking. Also, a person may have no disability at all, but if a school treats them as though they do, they qualify under Section 504 as well.



EQUAL PROTECTION

If a student has a 504 plan, can the student be placed in a special education classroom or in an inappropriate setting solely on the basis of his or her 504 plan?

No, the student can only be placed in a special education classroom if the student qualifies for special education services under IDEIA and the ARC (Admissions Release Committee) meets and decides that the special education placement is appropriate and the least restrictive environment for that student.

Having a disability does not automatically make a student qualify for special education services. It must be determined that the student's disability interferes with and negatively impacts the student's ability to learn and perform well in the classroom.

Does a student with HIV/AIDS qualify under a 504 plan and can the school make a placement for them based on their HIV/AIDS status?

Because HIV and AIDS affect many of the body's systems and because the diseases are often perceived by others as limiting major life activities, a student with either of these diseases are protected from discrimination. However, a student infected with HIV or AIDS is not contagious in day-to-day normal contact with other students. Yet the law says that if a person is perceived to be contagious or limited by his or her illness, they are considered disabled and are entitled to protection and services.

Because HIV and AIDS status is protected under Section 504, a school cannot place a student based on their status. This would be considered discrimination. If there is a valid reason for an alternate placement, a disability that affects the student's ability to learn, for example, a placement outside of the mainstream classroom is acceptable. The school would have to follow the guidelines of IDEIA in order to make this placement.

Can a student with a disability file a complaint against a student or teacher that harasses him or her because of the disability?

Yes. A student should tell a teacher or administrator about the harassment and ask about the process for filing a complaint. The student may also contact the Office of Civil Rights.

What if a student is pregnant or has a child?

The school must provide to a pregnant or parenting student any services which will assist them in completing class work, even if they are required to leave school (for things like bedrest or maternity leave). A pregnant or parenting student is allowed to come to school and fully participate as long as she is able to do so.

HARASSMENT

SEXUAL HARASSMENT

What is sexual harassment? Does physical contact have to occur?

Sexual harassment is defined as unwanted physical or verbal acts of a sexual nature. Physical contact does not have to occur. Sexual harassment can include requests for sexual favors in return for a good grade or a better position on an athletic team or in a club; any behavior that creates an uncomfortable or hostile environment; and behavior that causes a student's performance to decline.

Sexual harassment can come from other students, as well as teachers and other school officials. Remember that harassment isn't always male on female, and it isn't always direct. A female teacher can harass a male student by approaching him for favors or creating an uncomfortable environment by her behavior. This type of harassment is equally as wrong as a male teacher harassing a female student. And remember, harassment comes in many forms, including uncomfortable class discussions and general comments made by a teacher or another student.

**Is a teacher allowed to harass a student?
Can the student file a complaint?**

A teacher may never harass a student or a group of students. If a teacher creates a hostile or uncomfortable environment or approaches a student for sexual favors, the student can file a complaint. First, find out what the proper procedure is for filing a complaint, as each school district has a different process. Always make school officials aware of the harassment as well. In some cases criminal charges may need to be filed.

Can a student file a complaint against another student for sexual harassment?

Yes. First find out the school/district's procedure, but also alert their teachers and school officials to the harassment as soon as possible.

TRUE STORY:

SEXUAL HARASSMENT BY A CLASSMATE

Lashonda D. was sexually harassed by a 5th grade classmate over many months. Although Lashonda and her mother reported the harassment, the teachers and school administration failed to stop or prevent it. The Supreme Court of the United States held that a school board may be liable under Title IX for student-on-student sexual harassment if the district is aware of the harassment and acts with deliberate indifference toward the harassment. The harassment must be so severe that it prevents the victim from having equal access to education. *Davis v. Monroe, 526 U.S. 629 (1999)*.

HARASSMENT

BULLYING

What is bullying?

Bullying is an action that causes harm to another - it can be physical (hitting, punching, kicking) or emotional (teasing, spreading rumors, excluding from a group). Bullying usually happens on a regular basis, every few days or even every few hours. Bullies pick victims that they think they can hurt or scare easily and will have a hard time defending themselves.



What is cyber bullying?

Cyber bullying is committing bullying type acts, particularly emotional bullying, through electronic sources, i.e. email, instant messaging, MySpace or Facebook, or text messaging. Often cyberbullying occurs when people send mean messages, post embarrassing information, or share nasty pictures of another person. Usually this information is false or the pictures are electronically made.

What can students do to stop a bully?

Tell someone. Tell parents, teachers, principals, guidance counselors, or any other school employee. If the school has a bullying plan in place, then there are likely steps that must be followed. If the school does not have a plan in place, it can follow the general discipline plan.

LOOK ONLINE: WHERE TO FIND ADVICE ABOUT BULLYING

For Kids:

Kids Health: http://kidshealth.org/kid/feeling/school/poll_bullying.html

Teens Health: http://www.kidshealth.org/teen/your_mind/problems/bullies.html

PBS Kids, It's My Life: <http://pbskids.org/itsmylife/friends/bullies/article7.html>

For Parents:

PTA: http://www.pta.org/pr_magazine_article_details_1117637268750.html

Kentucky Center on School Safety: <http://www.kysafeschools.org/bullying.html>



SCHOOL DISCIPLINE

SUSPENSIONS & EXPULSIONS

For what reasons can a student be suspended or expelled?

A student can be suspended or expelled for behaviors such as disobeying teachers and administrators, using profanity or vulgar language, assaulting other students, using or possessing drugs, stealing or destroying school property, carrying weapons, or other bad conduct at school, on school property, or at school-sponsored activities. Each school must develop a student discipline code that informs students of expected behavior and what constitutes a violation of the code.

What is the difference between a suspension and an expulsion?

A suspension is a removal from school for a set period, typically ranging from 1 to 10 days. After the period has passed the student returns to school and continues from where he/she left off. Records of the suspension are usually removed after the end of the school year.

An expulsion is a permanent removal of a student from school, generally for the remainder of the school year. An expulsion is permanently noted on the student's record. A student that is expelled can be expelled with or without services. A student who the school board determines has brought a weapon to school must be expelled for at least one year.

What types of suspensions are there?

A student may be suspended in school or out of school. An in school suspension results in the student being expected to come to school but is withheld from his regular classes. Both in school or out of school suspensions count as absences even if the student is serving the suspension within the school.

How long can a student be suspended for?

There is no specific duration for a suspension under Kentucky law.

Can a student make up work that cannot be complete during a suspension?

It is up to each teacher to decide whether to permit a suspended student to make up work but there is no requirement that forces a teacher to do so.

Can a suspension be challenged?

Yes. A student cannot be suspended until 1) they have been given oral or written notice of the charge or charges against you that is cause for suspension, 2) they have been given an explanation of the evidence of such charges, and 3) they have been given the chance to present your side of the story. This must occur before a student is suspended unless immediate suspension is needed to protect persons or property, or

SCHOOL DISCIPLINE

to avoid disruption at school. In that case, these procedures must take place no later than three school days after the suspension.

What rights does a student have who is facing a possible expulsion?

The school must give notice of the expected standard behavior for the school district and what is a violation of the standards given by the school board. Also, the school must give a student notice of the alleged violations. Only a school board can make the decision to expel a student, and must follow the school's expulsion procedure.

Students must be given the opportunity to provide their side of the story at a hearing before the school board that is closed to the public, and must be notified of the hearing opportunity. The student can bring an attorney to represent you at an expulsion hearing. However, there is no appeal once the school board has made a decision.



If a student is expelled, can the student get any education services?

A student can be expelled with or without education services. A school board that has expelled a student from the regular school setting must make sure that educational services are provided in an alternative program or setting. The school can also deny educational services if the school board determines on the record, supported by clear and convincing evidence, that the student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded program.

Do students have to report an expulsion to a new school at which they are trying to enroll?

Yes. If a student has been found guilty of criminal behavior or has been expelled from school for such behavior, they must provide to the school a sworn statement or affirmation on a form provided by the Kentucky Board of Education that the student has been found guilty or expelled from school attendance for homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs. This must be sent to the school within five working days of the time when the student requests enrollment in the new school.

Can corporal (physical) punishment be used by Kentucky schools?

Yes. Kentucky is one of the few states which have not abolished corporal punishment in schools and studies show it is still used in 1 out of 3 schools. However, the punishment must be reasonably necessary to maintain reasonable discipline and cannot be physical force that is known to cause serious harm or pain.

SCHOOL DISCIPLINE

CONDUCT OUTSIDE OF SCHOOL

Can school punish students for conduct outside of school?

Students can be punished for conduct if it is during or related to a school sponsored event such as a sporting event or play. Also under certain circumstances (such as events of serious violent nature or which would affect the welfare of students) a school district may punish a student and may even refuse to enroll the student in a school but the school must arrange alternative education.

What actions can be taken for misbehaving on a school bus?

School has authority over students from the time they leave home in the morning until they return home in the afternoon. School officials can hold conferences to discuss student behavior and may even restrict a student's access to busing in the form of suspension from using the bus to revoking riding privileges for the rest of the school year.

JUVENILE COURT

When can a student's behavior be reported to law enforcement by a school official?

A school administrator, teacher, or other employee must promptly report a student to the local police department, sheriff, or state police if he or she has reason to believe that the student has committed a criminal offense if it occurred on school premises or within 1,000 feet of school premises, on a school bus, or at a school sanctioned event. Offenses included are misdemeanors or violation offenses relating to carrying, possession, or use of a deadly weapon or use, possession, or sale of drugs, or any felony under Kentucky law.

What happens at school if a student is referred to juvenile court?

The school cannot punish a student for having to go to juvenile court but it can punish the student after holding a hearing to decide if his or her conduct violated school rules.

What is truancy?

If a student is under 18 and has missed school or was tardy without a valid excuse for three or more days, he or she is considered "truant". Any student who has been reported as a truant two or more times is a habitual truant. The local board of education may adopt reasonable policies that require students to make up missed school days and discipline a student for missing school.

If a student is a habitual truant, he or she may have to go before the juvenile court, but not before the school has assessed the student. When a student is a habitual truant or does not attend school regularly, the school director of pupil personnel or

SCHOOL DISCIPLINE

assistant must find out the reason through documented contact with the student's parent or guardian and try to eliminate the causes, let the school know of any home conditions of a habitual truant, and let the student's home know about the work and advantages of the school. The director should also attempt to visit the homes of students who are reported to be in need of books, clothing, or parental care.

Do truancy laws apply to students who are 18 or have withdrawn from school?

If a student between the ages of 16 and 18 has gone through the process to withdraw from school (see page 4 for more information on withdrawing), the truancy laws do not apply. If a student is 18 and still enrolled in school, truancy laws still apply.

Will a parent or guardian get in trouble if a student does not go to school?

Any parent, guardian, or custodian who intentionally fails to make sure a child goes to school may be fined \$100 for the first offense, and \$250 for the second offense. Each subsequent offense is classified as a misdemeanor.



REFERENCES

THE CONSTITUTION & YOU

- U.S. CONST. amend. I-X.
- U.S. CONST. amend. I, XIV.
- KY. CONST.

YOUR EDUCATION

Enrollment

- KY. REV. STAT. ANN. § 159.010
- KY. REV. STAT. ANN. § 159.030 (termination prior to graduation)
- 702 KY. ADMIN. REGS. 7:125
- KY. REV. STAT. ANN. § 158.032 (birth certificate)
- KY. REV. STAT. ANN. § 214.034, §214.035 (immunization)
- KY. REV. STAT. ANN. § 214.036 (waiver of immunization)
- 5 U.S.C. § 552 (Social Security Privacy Act)
- KY. REV. STAT. ANN. § 159.150 (truancy)
- KY. REV. STAT. ANN. § 159.990 (truancy)
- KY. REV. STAT. ANN. § 630.020 (truancy)
- KY. REV. STAT. ANN. § 159.030 (homebound students)
- 42 U.S.C. § 11431 et. seq. (McKinney-Vento Homeless Education Act)
- 704 KY. ADMIN. REGS. 7:090 (Kentucky Homeless Children Education Program)
- KY. REV. STAT. ANN. § 159.160 (homeschooling)
- KY. REV. STAT. ANN. § 158.080 (homeschooling)
- KY. REV. STAT. ANN. § 156.160 (homeschooling)

Immigrant Students

- *Plyler v. Doe*, 457 U.S. 202 (1982)
- 20 USCS § 6301 et. seq. (No Child Left Behind Act)
- 42 U.S.C. § 1981 (Civil Rights Act)
- *Lau v. Nichols*, 414 U.S. 563 (1974)

Records & Confidentiality

- 20 U.S.C. § 1232(g)
- 16 KY. ADMIN. REGS. 1:020 (Professional Code of Ethics for Educators)
- Educational Professional Standards Board of Kentucky, Ethics, *available at*
- <http://www.kyepsb.net/legal/index.asp>.
- KY. REV. STAT. ANN. § 620.030
- KY. REV. STAT. ANN. § 160.720
- KY. REV. STAT. ANN. § 160.700

Special Education

- 20 U.S.C. § 1400 (2008) (IDEIA)
- KY. REV. STAT. ANN. § 157.195-290
- KY. REV. STAT. ANN. § 158.150 (suspension or expulsion)
- 707 KY. ADMIN. REGS. 1
- 707 KY. ADMIN. REGS. 1: 290, § 7
- 707 KY. ADMIN. REGS. 1:310, § 1
- 707 KY. ADMIN. REGS. 1: 340, § 10
- 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)

Gifted & Talented

- KY. REV. STAT. ANN. § 157.200
- 704 KY. ADMIN. REGS. 3:285

THE FIRST AMENDMENT

Freedom of Expression

- U.S. CONST. amend. I
- KY. REV. STAT. ANN. § 158.183 (student rights)
- 704 KY. ADMIN. REGS. 7:050 (2007) (student discipline guidelines)
- KY. REV. STAT. ANN. § 158.184 (freedom of expression, religion)
- KY. REV. STAT. ANN. § 160.295(6)(a) (dress code)
- *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969)
- Kara Williams, Casenote, *Public Schools v. Myspace and Facebook: The Newest Challenge to Student Speech Rights*, 76 U.CIN.L.REV. ____ (2008 publication pending)
- KY. REV. STAT. ANN. § 162.050 (meetings held in school)
- KY. REV. STAT. ANN. § 158.185 (teachers leading meetings)

Freedom of Religion

- KY. REV. STAT. ANN. § 158.175 (pledge of allegiance)
- KY. REV. STAT. ANN. § 158.178 (ten commandments)
- *Stone v. Graham*, 449 U.S. 39 (1980) (ten commandments)
- *Doe v. Harlan County Sch. Dist.*, 96 F. Supp. 2d 667, 675 (E.D. Ky. 2000) (ten commandments)

THE FOURTH AMENDMENT

Search and Seizure

- U.S. CONST. amend. IV
- *D.I.R. v. State*, 683 N.E.2d 251 (1997)
- *New Jersey v. T.L.O.*, 105 S.Ct. 733 (1985)
- KY. REV. STAT. ANN. § 158.150 (drugs and weapons policies at school)

EQUAL PROTECTION

- U.S. CONST. amend. XIV
- 20 U.S.C. § 1681 (Education Amendments of 1972)
- 42 U.S.C. § 1981 (Civil Rights Act)

Disabilities

- 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)

Sexual Harassment

- 20 U.S.C. § 1681 (Education Amendments of 1972)
- *Davis v. Monroe*, 526 U.S. 629 (1999) (sexual harassment by classmate)

BULLYING

- PBS Kids, *It's My Life*, available at <http://pbskids.org/itsmylife/friends/bullies/article7.html>
- Kentucky Center on School Safety, available at <http://www.kysafeschools.org/bullying.html>
- National Parent Teacher Association, http://www.pta.org/pr_magazine_article_details_1117637268750.html
- Stop Bullying Now, available at <http://stopbullyingnow.org>

SCHOOL DISCIPLINE

Suspensions and Expulsions

- KY. REV. STAT. ANN. § 158.150 (student discipline)
- KY. REV. STAT. ANN. § 158.155 (reporting of student conduct)
- *Pirschel v. Sorrell*, 2 F.Supp.2d 930 (1988) (conduct outside of school)
- KY. REV. STAT. ANN. § 503.110 (when use of physical force justified)
- OAG 60-553 (corporal punishment)

Juvenile Court

- KY. REV. STAT. ANN. § 158.150 (student discipline)
- KY. REV. STAT. ANN. § 158.155 (reporting of student conduct)
- KY. REV. STAT. ANN. § 159.150 (truancy)
- KY. REV. STAT. ANN. § 630.060 (referral to juvenile court for truancy)
- KY. REV. STAT. ANN. § 159.140 (duty of director of pupil personnel or assistant)
- KY. REV. STAT. ANN. § 159.990 (fine for truancy)

WHAT IS THE CHILDREN'S LAW CENTER?

The Children's Law Center, Inc. is a non-profit organization located in Covington, Kentucky that is dedicated to protecting kids' rights.

For more information about the Center, visit us online at:
www.childrenslawky.org.

Children's Law Center, Inc.

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