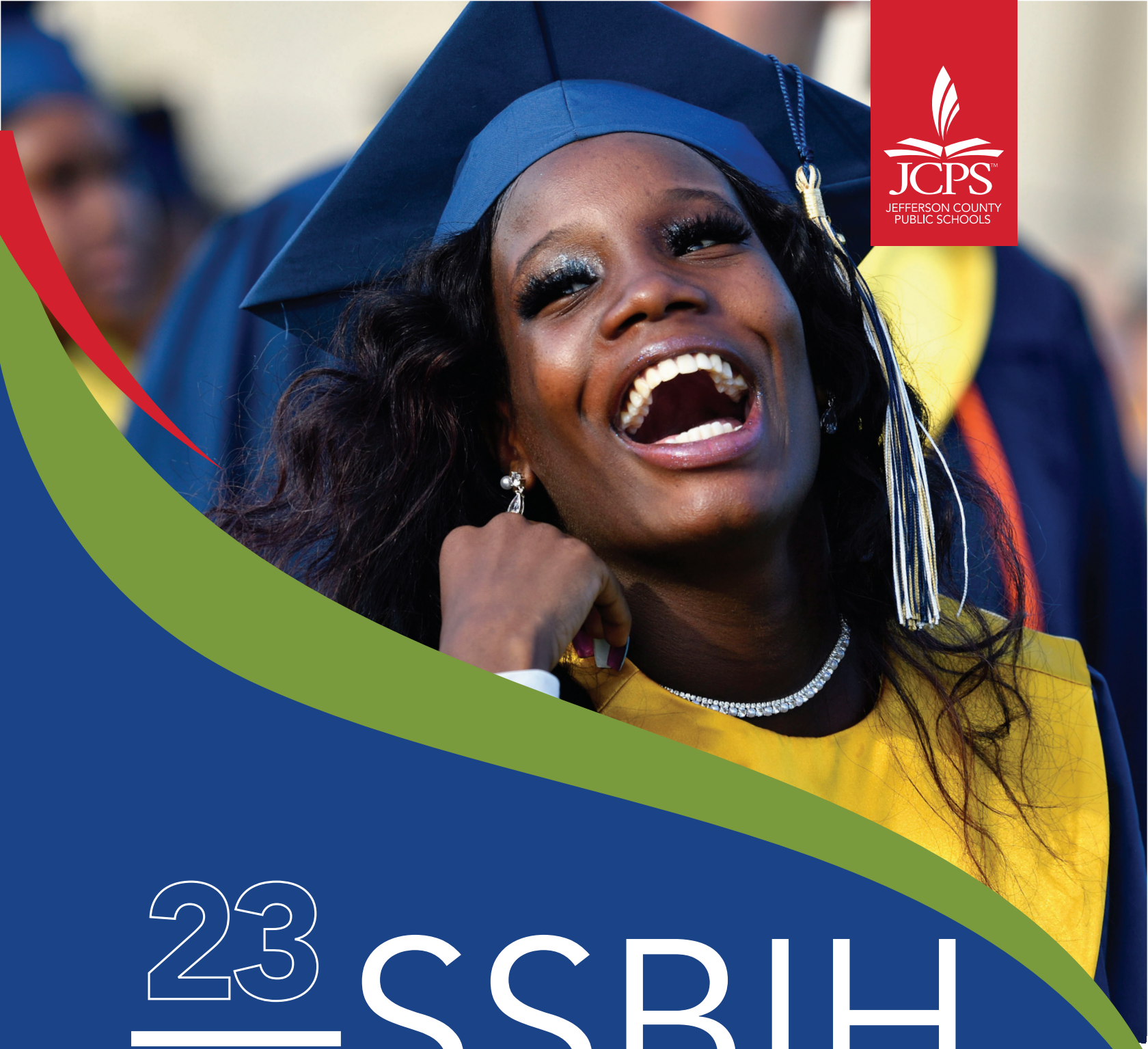


JCPS
JEFFERSON COUNTY PUBLIC SCHOOLS

23 | 24 SSBIH

STUDENT SUPPORT AND BEHAVIOR INTERVENTION HANDBOOK

Please cut this form from the booklet, and return it to your child's teacher.

Student's Name _____ Teacher _____

JEFFERSON COUNTY BOARD OF EDUCATION
Louisville, Kentucky

ACKNOWLEDGMENT OF RECEIPT OF THE

Student Support and Behavior Intervention Handbook and the Student Bill of Rights

As the parent/guardian of_____, I have read and discussed the *Student Support and Behavior Intervention Handbook (SSBIH)* and the *Student Bill of Rights* with my child. I grant permission for my child to access the internet, electronic mail, and the Jefferson County Public Schools (JCPS) Backpack of Success Skills—including all related Google Suite for Education services—through the JCPS Network, and I have conveyed to my child the standards outlined on page **44**.

Parent's/Guardian's Signature _____ Date _____

Parent's/Guardian's Signature _____ Date _____

Student's Signature _____ Date _____

Please sign this form, and return it to the school office within one month from distribution.

Directory Information Opt-Out Form

FOR ALL STUDENTS

The district has designated as directory information a student's name, school, mailing address, guardian email address, grade level, honors and awards, photograph (including use of student photographs in school district publications, in school district social media, on the school district's website, and in the news media), video or film of students when filmed by the district for educational purposes or for promotional use or filmed by news media, and major field of study. Photos and video that would generally be considered harmful or an invasion of privacy if disclosed are not directory information. The district has also designated a student's date of birth as directory information only for purposes of the U.S. Department of Education Free Application for Federal Student Aid (FAFSA) Completion Project. All Kentucky high schools report directory information plus course enrollment and student emails to the Kentucky Higher Education Assistance Authority (KHEAA) for students enrolled in dual-credit courses for financial aid purposes. If you do not want this information released to people requesting directory information, the parent/guardian or eligible student (18 years of age or older) must sign this form and return it to the school office within one month after enrollment. This opt-out request will remain in effect for the current school year only.

I hereby exercise my rights under state and federal law and hereby request that the name, address, grade level, honors and awards, photograph (as outlined above), major field of study, and date of birth (for FAFSA Completion Project) of

_____ (student name), currently a student at _____

_____ (school name), **not** be released without prior written consent. I understand that this opt-out request will remain in effect for the current school year only.

Signed by (Check one.): ❑ Eligible Student ❑ Parent/Guardian

_____ Signature

_____ Name (Please print.)

_____ Address

_____ City/State/ZIP

Military Recruiter Opt-Out Form

FOR HIGH SCHOOL STUDENTS ONLY

If you do not want the student's name, address, and telephone number released to military recruiters, the student (regardless of age) or parent/guardian must sign this form and return it to the school office within one month after enrollment. If a Military Recruiter Opt-Out Form has been submitted at any time since August 2013, another submission is not necessary. Jefferson County Public Schools (JCPS) policy is to release the directory information of the current juniors and seniors one month after the start of each school year. In order to be opted out, students must have submitted this form before that time in their junior year.

I hereby exercise my rights under state and federal law and hereby request that the name, address, and telephone number of _____ (student name), currently a student at _____

_____ (school name), not be released to military recruiters without prior written consent. I understand that this opt-out request will remain in effect for my entire high school career and that I can revoke this option at any time by notifying my school and/or school district in writing of my decision.

Signed by (Check one.): ❑ Eligible Student ❑ Parent/Guardian

_____ Signature

_____ Name (Please print.)

_____ Address

_____ City/State/ZIP

For an explanation of the state and federal laws applicable to this form, see the *Student Support and Behavior Intervention Handbook (SSBIH)* and the *Student Bill of Rights*.

A MESSAGE FROM THE SUPERINTENDENT



In Jefferson County Public Schools (JCPS), creating a safe classroom environment is key to establishing the conditions necessary to engage our students and provide the just-in-time academic support they need to be successful. Together, we aim to inspire, uplift, and enable our students to reach their greatest potential in an ever-changing world. All of our schools share an unwavering focus on three key pillars, which collectively are earning JCPS national recognition for our innovative approaches to education: Backpack of Success Skills, culture and climate, and our ongoing commitment to racial equity.

This handbook includes multiple resources designed to explain, model, and promote school and classroom environments that encourage a sense of belonging for all students. I invite you to review this handbook, which serves as a guide for students, families, and staff to increase engagement, foster adult-student relationships, and find ways to connect with our schools. The handbook includes expectations for district, school, and classroom procedures to assist in understanding and navigating JCPS policies. Additionally, it provides information on progressive interventions and consequences related to inappropriate behavior. We are committed to equitable outcomes for all of our students.

In this revised handbook, our resources for stakeholders continue to expand. We updated many of our existing resources while also highlighting programs for students and families on social-emotional learning, trauma-informed care, and safety. We continue to promote accessibility by increasing our online content via social media, informational videos, and user-friendly overviews of handbook topics.

Our *Student Support and Behavior Intervention Handbook (SSBIH)* Review Committee and the Jefferson County Board of Education (JCBE) are committed to ensuring that this resource is accessible and engaging for students and families in JCPS. We will continue to work diligently to ensure that every stakeholder sees improvement in the support provided to JCPS students, schools, teachers, and staff members. Together, we can make a difference for all students.

Dr. Martin "Marty" Pollio
Superintendent

The *SSBIH* and the *Student Bill of Rights* shall be posted at each school.

For harassment/discrimination issues, including Title IX-related concerns, contact the Office of Compliance and Investigations at **(502) 485-3341.**

If you need assistance in reading or understanding any part of this communication, please contact your child's school for language support. The school will schedule a professional interpreter in person or over the phone to provide oral translation.

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INTRODUCTION

JCPS is responsible for providing a safe and orderly classroom environment where all students receive a quality education. This access to a quality educational environment is a right given to each student through Kentucky law. The Kentucky Revised Statute (KRS) 158.440 states, "Every student should have access to a safe, secure, and orderly school that is conducive to learning." Responsible behavior of students, parents, teachers, and other district personnel is essential to ensuring this right.

The *SSBIH*, reviewed and developed collaboratively by the *SSBIH* Revision Committee, seeks to provide a clear picture to guide all JCPS stakeholders in the fair and equitable application of behavior support systems provided by the district. Committee members supporting these efforts include, but are not limited to, teachers, administrators, parents, General Counsel, the Kentucky Department of Education (KDE), and JCPS staff with unique expertise in students with disabilities, truancy, behavior supports, social-emotional learning, cultural competence, and early childhood learners. All committee meetings are open to the public with relevant materials posted to the Kentucky School Boards Association (KSBA).

> The handbook is intended to be instructive, not punitive; is based on the principle of positive and preventive responses (e.g., interventions and skill building); and is aimed at addressing the causes of inappropriate behavior, resolving conflict, meeting students' needs, and keeping students in school. Staff members will attempt to resolve inappropriate behavior by every means before removing a student from the classroom and/or school.

The handbook seeks to clearly define expectations for appropriate behavior, identify the possible consequences of inappropriate behavior, and ensure that discipline when necessary is administered promptly and equitably. The *SSBIH* applies to all students, school personnel, parents, and other visitors when on school property or attending a school function. School administrators are expected to develop and implement a plan with teachers to ensure that appropriate behaviors are intentionally taught, modeled, learned, and reviewed to ensure student understanding and success.

All students are expected to use this handbook as a guide to learn what expected behaviors are, what supports are in place, and what the consequences for inappropriate behaviors will be. The expectations outlined in this handbook will be in effect from the time the student leaves home for school until the time they return home. This includes time spent at the bus stop, on the bus, at school-sponsored events, and on school property.

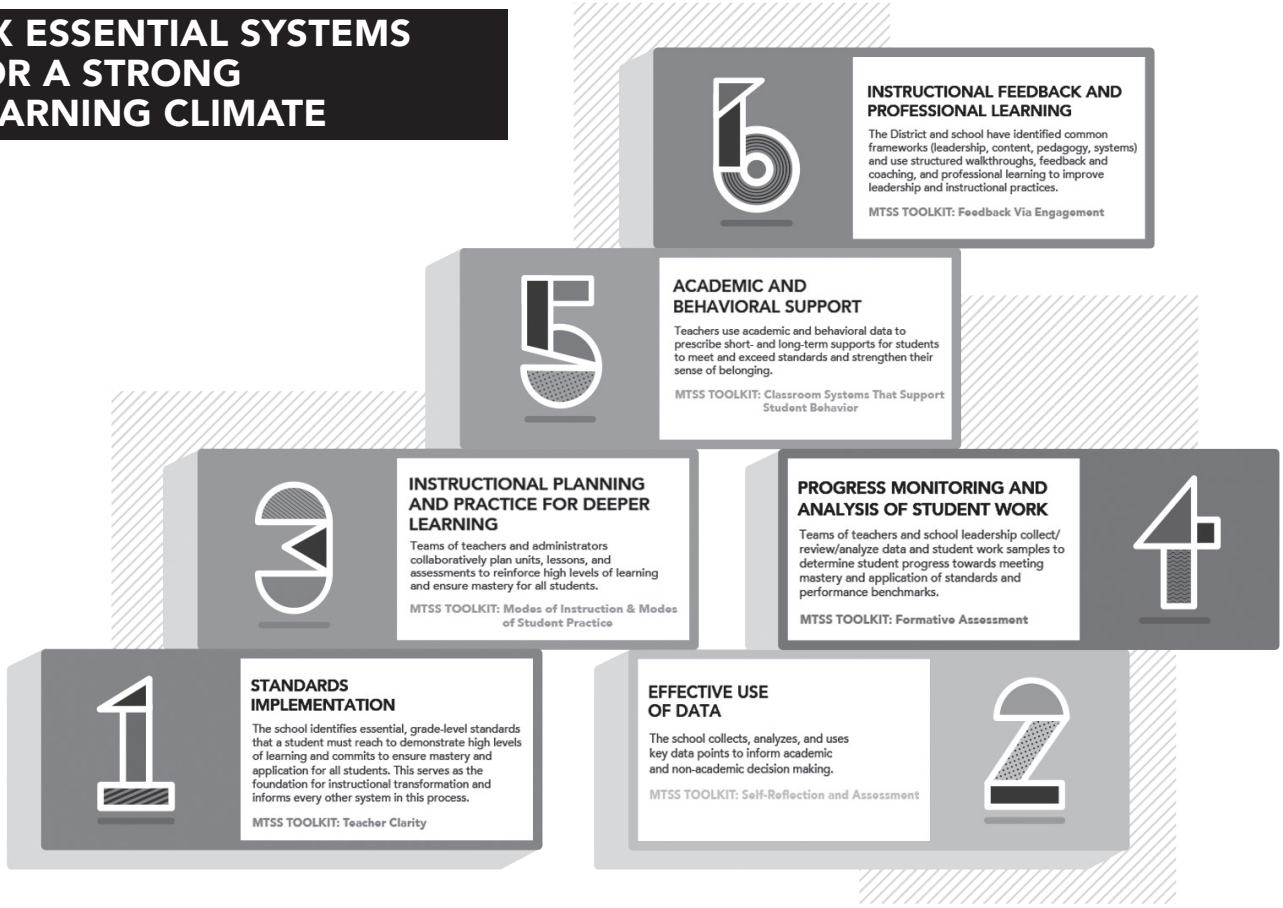
JCPS values our diversity and strives to be inclusive and aware of the cultural differences of our students and staff while providing equitable opportunities and access. For effective interactions with JCPS families who prefer to communicate in a language other than English, our district guarantees access to trained and assessed interpreters. The interpretation services that we offer include Face-to-Face Interpretation, Over-the-Phone Interpretation, and Video Remote Interpretation. JCPS parents/guardians can access these services for school-related matters by visiting, calling, or sending a note to their child's school. JCPS is committed to providing certified interpretation services to ensure an equitable educational experience.

> Research has shown that disparity in suspension rates accounts for as much as one-fifth of the Black-white achievement gap (Morris and Perry, 2016). Further exclusionary consequences exacerbate such consequences as apathy, anger, and disengagement, which in turn increase the likelihood of more consequences. When students perceive an unfair distribution of punishment, such as suspension, an environment of anxiety is created, with achievement outcomes decreasing and students reporting less of a sense of belonging (Bottiani, Bradshaw, & Mendelson, 2016; Perry & Morris, 2014).

The JCPS commitment to racial equity and our district Racial Equity Plan necessitate awareness, action, and accountability around all practices, especially culturally competent teaching, bias awareness and prevention training, and equitable treatment of **all** students. All staff members are expected to use this handbook fairly and without discrimination in every situation.

Additionally, we have taken measures to consider and be sensitive to a student's age and the developmental appropriateness of our Behavior and Range of Corrective Strategies. We know that at different stages of development, a student's capacity to understand their behavior develops and grows. Our handbook takes this into consideration and allows for such growth and maturity. As a result of JCPS's commitment to the critical importance of building and sustaining positive adult-to-student and student-to-student relationships, there is a renewed focus on celebrating and recognizing appropriate student behaviors, cultural competence, age-appropriate and developmentally appropriate supports and consequences, and communication. Every student, parent/guardian, and school staff member receives a copy of this handbook and receives instructions on how to use it. Versions of this handbook were adopted by the JCBE on November 21, 1977, and were revised in 1979, 1980, 1982, 1985, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998,1999, 2000, 2001, 2002, 2005, 2007, 2008, 2009, 2011, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023.

SIX ESSENTIAL SYSTEMS FOR A STRONG LEARNING CLIMATE



THE SIX ESSENTIAL SYSTEMS

A system is a purposeful aggregation of interconnected practices that, when implemented with fidelity, produce a cohesive synergy between teaching and learning. In JCPS, our systems are defined by shared beliefs, collective commitments, clear indicators of success, and alignment with our three JCPS Pillars: culture and climate, racial equity, and the Backpack of Success Skills. Systems are surrounded and influenced by their environment(s), described by their structure(s) and purpose(s), and expressed in their function(s).

SYSTEM 1

- **Purpose:** To align teaching and learning with rigorous standards
- **Belief:** All students must be able to demonstrate high levels of learning and mastery and application of all Kentucky Academic Standards (KAS). This serves as the foundation for instructional transformation and informs every other system in this process.
- **Commitment:** JCPS educators will teach the KAS and ensure that all students have the knowledge, skills, and dispositions for future success. JCPS educators will have a deep working knowledge of the KAS and Practices.

SYSTEM 2

- **Purpose:** To improve performance by analyzing and acting on the evidence
- **Belief:** The collection, analysis, and use of key data points inform academic and non-academic decisions.
- **Commitment:** JCPS schools will implement a system and protocols designed to understand, analyze, and prioritize responses to relevant data within and across students, classrooms, departments, and the school.

SYSTEM 3

- **Purpose:** To enhance planning through shared responsibility and accountability
- **Belief:** The collaborative planning process leads to effective and engaging instructional practices, such as choice in student assignments, rigorous demonstrations of learning, deep understanding of content and real-world applications with connections to success skills, and collective ownership of student mastery.
- **Commitment:** JCPS schools ensure that collaborative teams plan and deliver highly effective core instruction that is aligned with the approved curriculum, is culturally responsive, and is accessible to all students in the classroom.

THE THREE PILLARS

Culture and Climate

Culture is defined as the underlying beliefs, values, assumptions, and ways of interacting that contribute to the unique interpersonal and intellectual environment of a school. Culture is shaped by the shared expectations, experiences, and philosophies of the school staff as well as the values that guide adult behavior. It is expressed through shared attitudes, beliefs, and commitments. Culture also includes the organization's vision, values, norms, systems, symbols, language, assumptions, beliefs, and habits.

The National Center on Safe and Supportive Classroom Environments defines *school climate* as "a broad, multifaceted concept that involves many aspects of the student's educational experience." They go on to say, "A positive school climate is the product of a school's attention to fostering safety; promoting a supportive academic, disciplinary, and physical environment; and encouraging and maintaining respectful, trusting, and caring relationships throughout the school community no matter the setting—from pre-K/elementary school to higher education" (retrieved May 7, 2019, **https://safesupportivelearning.ed.gov**).

Racial Equity

Racial equity is both an outcome and a process. As an outcome, racial equity is achieved when race no longer determines one's academic outcomes—when every student has what they need to succeed, no matter the color of their skin, ethnicity, nationality, or first language spoken. As a process, schools apply racial equity when students who have been marginalized by structural racial inequities are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives. When we achieve racial equity, all students, including students of color, are owners, planners, and decision-makers in the systems that govern their lives. Equity will be achieved through acknowledgment and accountability for past and current inequities, resulting in all people, particularly those most impacted by racial inequities, being provided the infrastructure needed to thrive.

Backpack of Success

The Backpack of Success is a P–12 initiative that ensures that every single student receives an education in which academic achievement and personal development go hand-in-hand to empower students with skills they need to be successful students, professionals, and citizens of our community. The focus of the Backpack is to build upon a firm foundation in literacy and numeracy and to ensure that all students will be actively engaged in their learning and ready for key educational transitions, all while developing the critical skills needed to be successful after graduation.

The purpose of the Six Essential Systems is to establish a common instructional language, to provide a blueprint of the effective practices implemented by high-achieving schools, and to inform district-level support.

SYSTEM 4

- **Purpose:** To inform instructional decisions and increase student learning
- **Belief:** The analysis of student progress data and student work is essential to determine the effectiveness of instructional practices and a student's mastery of standards.
- **Commitment:** JCPS educators systematically track individual student progress toward standards-based competency during the instructional cycle. Samples of student work are analyzed to identify performance trends and instructional needs.

SYSTEM 5

- **Purpose:** To provide equitable learning opportunities for all
- **Belief:** When provided the appropriate supports, all students can be successful with academics and behavior.
- **Commitment:** Collaborative teams utilize key data points to determine short- and long-term supports for behavior and academics. Scheduled progress checks will be incorporated to ensure that students receive timely supports, which are adjusted as needed. The *Multi-Tiered Systems of Support* (*MTSS*) *Handbook* serves as a comprehensive plan and is implemented with fidelity.

SYSTEM 6

- **Purpose:** To cultivate continuous instructional improvement
- **Belief:** An effective system for observing and coaching teachers throughout the year improves instructional practices and informs professional development.
- **Commitment:** Schools will implement a high-frequency walk-through system to provide individualized feedback and coaching for teachers multiple times throughout the year. A data monitoring system is used to measure impact and inform professional development.

OFFICE OF CLIMATE AND CULTURE: SUPPORTING OUR STUDENTS AND BUILDING COMMUNITY

Focus Area 1: Improving School Culture

School culture is the "story" of the school—the beliefs, norms, attitudes, and behaviors that play a key role in how the school operates on a daily basis. Research says that school culture is a driving force behind student achievement. School culture can be described on a continuum from positive to toxic. The interconnectedness of adults—and the relationships that are fostered from these dynamics—contribute to a positive or toxic school culture.

JCPS staff training and learning opportunities around Social-Emotional Learning and Trauma-Informed Care assist in establishing a healthy and positive school culture. We are committed to providing a safe, stable, and understanding environment that builds on the strengths of students and families who have been impacted by trauma. Additionally, children and families are provided information about treatment resources across various child-serving systems.

Positive School Culture	Toxic School Culture
• Relationship Building • Behavioral Recognitions and Rewards • Social-Emotional Skill Building • Restorative Practices • Compassion for Students • Building Community	• Withdrawal/Isolation • Focus on Inappropriate Behavior • Hostile Relationships • Punitive Policies and Practices • Indifference to Needs of Students • Individualistic Perspective

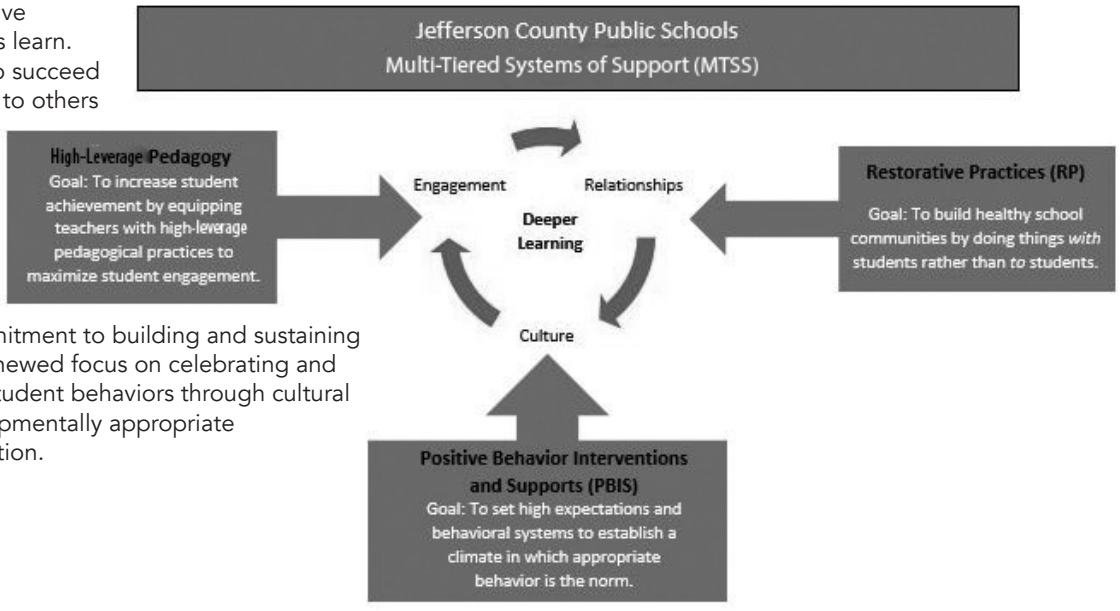
The *SSBIH* moves away from using solely punitive practices and toward using restorative approaches that build healthy communities, increase social capital, decrease antisocial behavior, repair harm, and restore relationships. The handbook moves from the singular focus on student safety to an integrated focus promoting school community and family partnerships and creating racially equitable outcomes through anti-racist practices.

Focus Area 2: Increasing Engagement

Increasing student engagement means personalizing learning (Deeper Learning, *Vision 2020* strategy 1.1.2). To personalize learning, teachers use many research-based practices that increase engagement. These strategies include frequent opportunities to respond, modeling, guided and authentic practice, consistent routines, teacher-facilitated instruction, and positive feedback. Teachers also use culturally responsive teaching and differentiated instruction to increase student engagement. Teachers work in Professional Learning Communities (PLCs) to analyze data, which aids them in designing their instruction. Research shows that students who are more engaged in their learning are more likely to demonstrate appropriate behavior. Knowing that behavior and academics go hand in hand, JCPS provides teachers with opportunities throughout the year to improve their understanding of these practices.

Focus Area 3: Fostering Relationships

Research shows that positive relationships help students learn. Students are more likely to succeed when they feel connected to others in their school and classroom community and are less likely to behave in ways that disrupt the school environment.



As a result of JCPS's commitment to building and sustaining relationships, there is a renewed focus on celebrating and recognizing appropriate student behaviors through cultural competence, age-/developmentally appropriate supports, and communication.

SCHOOL ATTENDANCE

All students are required by law to attend school every day and to be on time for school and all classes. Tardiness is not just being late for school as traditionally interpreted; it is defined by law as "any amount of instructional time missed." This includes being late to school or leaving school before classes are dismissed. Students are required to sign in on an Entry Log if they are late to school or to sign out of school on an Exit Log if they leave the building during any part of the instructional day.

What is chronic absenteeism?

Did you know that last year, nearly one out of four students in JCPS were chronically absent, meaning they missed 10 percent or more of instructional time? Why is reducing chronic absence so important?

- Students suffer academically if they miss 10 percent or more of school days.
- Studies show that students who miss too many days in kindergarten and first grade often have trouble mastering reading by the end of third grade. Attending school regularly helps students feel better about school and themselves.
- When students are absent, schools get fewer resources from the state, resulting in less funding to pay for teachers and instructional materials. Chronic absence in kindergarten predicts chronic absence the following year, so even the attendance patterns of our youngest students affect future funding.

What is chronic absenteeism? KDE defines *chronic absenteeism* as any student who misses 10 percent or more of their enrolled days during the academic year. Chronic absenteeism differs from truancy (only addresses unexcused absences) in that it includes missing school days for any reason—excused absences, unexcused absences, and suspended days.

What are the possible causes of absenteeism?

- Barriers—Illness and lack of health, vision, and dental care; unsafe path to school; poor transportation; involvement with child welfare or juvenile justice; trauma
- Negative school experiences—Struggling academically or socially; bullying; lack of appropriate accommodations for disability; suspensions; negative attitude of parents due to their own school experience; incidences that trigger a traumatic experience
- Lack of engagement—Lack of culturally relevant, engaging curriculum; no meaningful relationships with adults in school; stronger ties with peers outside of school; unwelcoming school climate; failure to earn credits/no future plans; unidentified disabilities
- Misconceptions—Absences are only a problem if they are unexcused; missing two days a month doesn't affect learning; sporadic absences are not a problem; attendance only matters in higher grades.

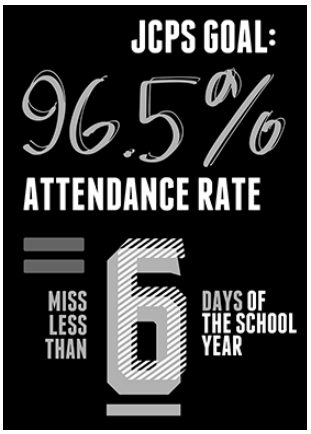
How can staff support student attendance at my school?

- Know your data—Track students who miss school for any reason. Early identification of at-risk students and trends in absenteeism will help with home communications and specific interventions. Take advantage of existing tools (e.g., Persistence to Graduation Tool) to assist you with monitoring your students.
- Communicate with home—Write or call families/caregivers as early as possible with student attendance data to raise awareness. Help with action plans to overcome barriers.
- Identify root causes—Assess prevalent reasons for absences. Create positive home and community partnerships to build support systems (e.g., health, transportation, and school climate).

What can parents and guardians do to support attendance?

- Set a regular bedtime and morning routine.
- Lay out clothes and pack backpacks the night before.
- Don't let your child stay home unless they are truly sick. Keep in mind that complaints of a stomachache or headache can be a sign of anxiety and not a reason to stay home.
- If your child seems anxious about going to school, talk to teachers, school counselors, or other parents for advice on how to make your child feel comfortable and excited about learning.
- Develop back-up plans for getting to school if something comes up. Call on a family member, a neighbor, or another parent.
- Avoid medical appointments and extended trips when school is in session.

In January of the 2019 academic year, JCPS launched the **#EVERYDAYCOUNTS** initiative to empower parents, students, and the general public with information about the importance of consistent school attendance. JCPS stands behind a districtwide goal for all students of "No More Than 6." Learn more at **www.jcpseverydaycounts.com**.





JCPS PREVENTION AND SUPPORT SERVICES

Students' safety and well-being are of the utmost importance to all JCPS staff members. The current major public health concerns for children and youth concerning substance use, mental illness, bullying, suicide, and racial trauma are of high concern for the district as well. Currently, JCPS has several preventative and intervening measures in place to address bullying, suicide, addiction, and mental health needs.

Students at an increased risk of substance abuse or suicide-related behavior may also be dealing with a multitude of social and personal factors. Certain populations, including adolescents, LGBTQIA populations, as well as some racial and ethnic minorities, are at an increased risk for bullying and social isolation. Everyone should be familiar with warning signs of self-harm or distress and intervene immediately. Warning signs include the following:

- Talking about wanting to die
- Looking for ways to hurt oneself
- Feelings of hopelessness or having no reason to live
- Talking about being a burden to others
- Talking about feeling trapped or in unbearable pain
- Acting anxious or behaving recklessly
- Sleeping too little or too much
- Withdrawing or feeling isolated
- Extreme mood swings
- Increasing use of alcohol or drugs
- Giving away prized possessions

If you recognize these warning signs, it is recommended that you seek help immediately by calling your child's physician or school counselor. If you are a student and worried about a peer, talk to a trusted adult immediately about your concerns. In the event of an emergency, please call 9-1-1 or go to the nearest emergency room.

Parents, caregivers, and family members are a vital part of any young person's life and are an important support for the young person who may be facing difficulty in life. Other proactive factors that assist with decreasing a student's risk for self-harming or inappropriate behavior include strong peer and community connections, early detection and treatment of mental illness and/or substance use, and access to evidence-based mental health and substance-use prevention and treatment services. Specific resources, training, and district supports related to bullying prevention, suicide prevention, and addiction are provided below. Families, students, and JCPS staff are encouraged to access these resources at the first sign of concern. Again, student mental health and well-being are paramount to their success and a priority of JCPS.

TRAUMA-INFORMED CARE

JCPS is committed to creating trauma-informed, resilience-building, and culturally competent environments districtwide and in all of our schools where students, faculty, staff, and families feel physically and psychologically safe. We recognize the impact trauma can have on students and staff across multiple areas, including but not limited to, academics, behavior, and social-emotional success. We are committed to promoting the six guiding principles of trauma-informed systems—safety, trustworthiness and transparency, peer support, collaboration and mutuality, empowerment, voice and choice, and equity—for all students and staff in order to maintain a trauma-informed climate and culture that builds resilience, promotes positive mental health and wellness, and maximizes learning to reach our potential.

Overview

Trauma can be defined as witnessing or experiencing an event that poses a real or perceived threat. In JCPS, we strive for every building and staff member to work from a trauma-informed approach. As a district, we understand that trauma impacts behavior, learning, and relationships; therefore, we must have a holistic approach to meeting students where they are in order to create psychologically safe environments where all students can thrive.

Being trauma-informed is a shift in mindset. Trauma-informed staff create spaces that are psychologically safe for all individuals. Trauma-informed environments promote authentic feelings of being physically, socially, emotionally, and psychologically safe.

The goal is to ensure practitioners are trained to use TIC strategies to recognize signs of trauma, consider the presence of trauma in student behavior or stress, and create trauma-sensitive plans and solutions to support students and all members of the community.

At the district level, this includes the following:

- Required trauma/racial-trauma training for all staff members
- Trauma teams
- Adopting a districtwide trauma plan
- Reviewing policies when disciplining students
- Working to create psychologically safe environments for students and staff alike
- Adopting a districtwide social-emotional learning curriculum (Character Strong)

At the classroom level, this includes the following:

- Creating corrective, emotionally safe relationships with students
- Creating psychologically safe classrooms and schools through a trauma-informed school climate and culture
- Creating psychological safety for individual students through safety messages
- Using trauma-informed academic correction strategies
- Using the trauma lens to inform IEP, FBA, and 504 Plans for students with trauma-related concerns
- Addressing cognitive distortions that negatively impact student academic and social functioning and behavior in school

- Managing trauma reminders in the classroom
- Understanding the impact of trauma on learning
- Integrating self-regulation and calming strategies into classrooms
- Developing and implementing trauma-informed safety plans
- Utilizing trauma-informed disciplinary responses
- Infusing trauma-informed practices at the universal, targeted, and intensive intervention tiers
- Creating awareness that racial trauma impacts individuals in the school setting and providing supports for students and staff alike

Other Resources:

JCPS TIC Site
Trauma Overview

BULLYING PREVENTION AND SUPPORT

All JCPS students deserve a bullying-free, safe, and thriving environment in which to learn and grow. We are committed to ensuring that staff and students have the resources they need to prevent, report, and/or respond to any concerns of bullying or cyberbullying.

Pursuant to KRS 158.148, *bullying* is defined as:
(1) (a) As used in this section, "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:

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

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

Cyberbullying is bullying that takes place using electronic technology. Bullying includes the use of racial slurs and hate speech.

Bullying Reporting Procedures

JCPS takes all bullying and cyberbullying allegations very seriously. As a result, we have numerous ways that students and parents/guardians can report potential bullying incidents. Concerned parents/guardians, peers, or staff have the following reporting options:

1. Report incidents to their school administrator.
2. Access our online reporting system. Visit the JCPS website at **www.jefferson.kyschools.us**, and click on the *Bullying* icon (at the top of the page) or the Incident Reporting Hotline circle (at the bottom of the page). When reporting an incident, individuals may identify themselves or remain anonymous, according to their preference. Upon receiving a tip line report, both district and school administrators are made aware of the report so that the school can begin the investigative process.
3. Call **1-888-393-6780** to access the JCPS Hotline.

All bullying and cyberbullying incidents, whether reported via the tip line or through a school administrator, are investigated, resolved, and documented at the school level in alignment with district protocol. In addition, schools are required to report ongoing bullying issues to the district using the reporting procedures and guidelines outlined above.

Procedures for When School Is Not in Session

Concerns and reports of bullying/harassment that are non-school-related and/or occur outside of school hours, off school property, and not during the school calendar year can still be reported to the JCPS Bullying Tip Line. Though the event(s) will be reviewed by school administration, it will not be documented in Infinite Campus for punitive consequence. The information will be documented in the CallsPlus Hotline Dashboard.

A school administrator or designee will contact the student(s) involved and parent(s) to discuss the nature and seriousness of the complaint, provide resources to help the students involved, and identify steps for progressing forward after the event. Contact with the parent should be documented in the PLP tab of Infinite Campus. The Compliance Hotline Action Form will still be returned to the appropriate assistant superintendent's office within the allocated time and documented in the CallsPlus Hotline Dashboard.

Olweus Bullying Prevention Program

The Olweus Bullying Prevention Program (OBPP) is a comprehensive, schoolwide program that involves the entire school community in the form of schoolwide interventions, classroom activities, and individual interventions. To reduce bullying, it is important to change the climate of the school and the social norms with regard to bullying. It must become normative for staff and students to notice and respond when a child is bullied or left out. The Olweus Bullying Prevention Coordinating Committee (BPCC) is a representative group from the school. Our goal is to train all BPCCs for implementation at all schools. The BPCC undergoes a comprehensive, highly organized two-day training by a certified Olweus trainer-consultant. This team then meets at least once monthly to plan bullying-prevention activities; train and motivate staff, students, and parents; and ensure that efforts are focused and ongoing.

School-Based Decision Making School Bullying Policy

All JCPS schools are required to have a Bullying Prevention Policy to include cyberbullying, established through the School-Based Decision Making (SBDM) Council. The policy is reviewed annually to communicate/remind stakeholders of expectations, processes, and procedures; determine if there are any adjustments to be made; and ensure that there are safe and user-friendly ways for stakeholders to report concerns at the school level. In addition, schools will ensure that stakeholders are aware of the district's online resources regarding bullying reporting and support resources.

JCPS Bullying Prevention Website
https://www.jefferson.kyschools.us/student-support/bullying

The website includes the following resources:

- Department Contacts
- Definition of *Bullying*
- Protocol for Reporting
- Warning Signs
- Prevention
- Bimonthly Newsletter *(Bullying Prevention Post)*
- Websites:
  - —**Stopbullying.gov** (U.S. Department of Health and Human Services)
  - —**The Kentucky Center for School Safety** (family education for school safety)
  - —**Pacer.org** (bullying prevention resources)
  - —**National Online Safety** (practical strategies for online safety)
  - —**Comprehensive Cyberbullying Guide for Parents** (educating parents on cyberbullying)
  - —**JCPS Bullying Prevention LibGuide** (high-quality bullying prevention and intervention resources)
  - —**The Anti-Bullying Guidebook** (Recognize, prevent, and stop bullying.)
  - —**Easy OnTime** (information on bullying awareness for youth)
  - —**STEPS** (public service specialist contacts)

SUICIDE PREVENTION AND SUPPORT

In JCPS, we strive to support students' mental health needs. We use evidence-informed suicide prevention trainings for students that are both interactive and engaging.

Suicide prevention training resources may be found here: **https://education.ky.gov/school/sdfs/Pages/Suicide-Prevention-and-Awareness.aspx**. An online version of the parent training is available at **https://drive.google.com/file/d/1w1zH24YZmQ1zFaX3nwfANCnnhy3GAQ3H/view?usp=sharing**. If students, teachers, or parents are concerned about the mental health of a student, or themselves, they are encouraged to reach out to their school counselor or local mental health professional. In an emergency situation, please call 9-1-1 or go to the nearest emergency room for assistance.

In 2019, KRS 156.095 was amended to require all public middle and high school students to receive suicide prevention training by **September 15** of each school year.

JCPS also trains fifth-grade students in suicide prevention using the Lifelines curriculum specifically designed for younger students. Additionally, KRS 156.095 requires that all school district employees with job duties requiring direct contact with students in grades six through twelve receive one hour of suicide prevention training every year. In addition to legislative requirements, elementary school teachers and staff also receive training on suicide prevention.

Students in second through fourth grade also receive classroom counseling lessons on mental wellness and learn specific strategies on how they can take care of their mental health.

Resources and Community Partners:

- The Brook: (502) 426-6380
- University of Louisville (UofL) Peace Hospital: (502) 451-3333
- Seven Counties: (502) 589-8070
- Wellstone: (812) 284-8000
- National Suicide Prevention Lifeline: 988
- National Crisis Text Line: Text CONNECT to 741741
- American Foundation for Suicide Prevention: **https://afsp.org/**
- Ask a Nurse: Suicide Prevention Video: **https://www.youtube.com/watch?v=4iY9ZLkaOt0&feature=youtu.be**

ADDICTION PREVENTION AND SUPPORT

JCPS seeks to ensure the safety of all students by making certain that supports are in place for students who use alcohol, tobacco, e-cigarettes, and other drugs. Students bringing or using alcohol, tobacco, or other drugs will face consequences outlined in the *SSBIH*. However, it is imperative students also receive preventative information and appropriate resources related to the use or abuse of these controlled substances. Additional supports and information can also be found at the following sites:

Resources and Community Partners

Seven Counties Services

(502) 589-8070
914 E. Broadway, 3rd Floor, Louisville, KY 40204

Has a range of substance services, including the following:
- Early Intervention: brief assessment, youth and parent education and support sessions, assistance in referring to other needed community resources, case management, and follow-up
- Adolescent Intensive Outpatient Program (IOP): meets for three hours, three times a week and is designed to treat youth who have been using alcohol and/or drugs
- Acute Child Psychiatric Services: intensive outpatient treatment, ages 3–18
- Family Recovery Program (FRP): in-home therapy services
- Children's Crisis Stabilization Unit (CSU): ages 3–18

The Brook

(502) 426-6380
8521 LaGrange Rd., Louisville, KY 40242

- STAR Program: Adolescent (ages 13–18) on-site, inpatient eight-week rehab
- Intensive outpatient treatment (IOP)/20 sessions

The Brook uses the Seven Challenges model of recovery in all levels of care. Free level-of-care assessments are available 24/7. Accepts commercial insurances and all Medicaid MCOs.

UofL Peace Hospital

(502) 451-3333
2020 Newburg Rd., Louisville, KY 40205

- Acute inpatient (psychiatric and substance use disorders)
- Crossroads: partial hospitalization, Mon.–Fri. intensive day treatment

OLOP utilizes the Seven Challenges model of recovery in all levels of care. Free level-of-care assessments are available 24/7. Accepts commercial insurances and Medicaid MCOs.

The Morton Center

(502) 456-1025
1028 Barrett Ave., Louisville, KY 40204
www.themortoncenter.org

- Adolescent Early Recovery Program (includes intensive outpatient program)
- Intensive treatment is accompanied by group, expressive, family, and individual therapy, as well as education, with decreasing intensity.
- Family participation in this program is strongly recommended.
- Billable through most insurance plans

Bradford Group/Innerview

(502) 491-3799
4229 Bardstown Rd., #311, Louisville, KY 40218

- Accepts all major medical insurance plans (private)
- Medicaid only covers detox.
- Serves adolescents ages 13 and up

Maryhurst

(502) 438-9639
1015 Dorsey Ln., Louisville, KY 40223
3201 Portland Ave., Louisville, KY 40212
https://www.maryhurst.org/maryhurst-renewal-counseling-and-wellbeing-services
Outpatient counseling for adolescents and families

Haven Family Services

Josh Schwetman, Program Supervisor: **(502) 458-1171**
https://boysandgirlshaven.org/programs/haven-family-counseling/

- Outpatient substance abuse treatment for children and adolescents, up to age 21
- Office-based, home-based, or school-based services

Parent Support/Drug-Free Kids Parent Hotline

(855) DRUGFREE/(855) 378-4373
http://drugfree.org
Get one-on-one help to address your child's substance use. "We have trained and caring master's-level specialists ready to listen, help you find answers, and make an action plan to help your loved one. Support is available in English and Spanish."

12-Step Support Groups

Alcoholics Anonymous (AA): **(502) 582-1849**
www.louisvilleaa.org

Al-Anon and Alateen: **(502) 458-1234**
www.kyal-anon.org

Narcotics Anonymous (NA): **(502) 569-1769**
nalouisville.net

Casey's Law

Involuntary treatment for substance use/addictions
http://caseyslaw.org

RIGHTS AND RESPONSIBILITIES OF ENTIRE JCPS COMMUNITY

Supporting appropriate student behavior requires a high level of commitment from students, parents/guardians, staff, administrators, and members of the JCBE. These stakeholder groups have rights and responsibilities that are designed to reflect both the mutual respect and accountability required of all people involved in supporting student behavior. The rights and responsibilities for each group are outlined in this section.

Student Rights and Responsibilities

All students have the right to:

- Be treated with courtesy, respect, and dignity.
- Attend school and be valued members of the school community.
- Learn in a safe environment that is free of bullying, harassment, and discrimination.
- Receive instruction in order to learn school behavior expectations and social and emotional skills.
- Access appropriate supports and services to succeed in school.
- Receive a written copy and clear explanation of the *SSBIH*, including the process to appeal disciplinary decisions.
- Tell their side of the story and/or report unfair treatment to a person in authority.
- Participate in decision making to determine which interventions and consequences will be used in response to disciplinary issues.
- Maintain personal privacy. Personal belongings may be searched only if the principal has a reasonable suspicion that the student possesses evidence of a crime, stolen goods, drugs, weapons, or other illegal or prohibited items (JCBE policy).
- Have a parent/guardian or advocate present at conferences on readmission from out-of-school suspension.

All students have the responsibility to:

- Show respect and courtesy to all students, staff, families, and school visitors. This includes respecting individual differences, cultural diversity, and the property of others.
- Attend school daily, be prepared for class, engage in classroom activities, and complete all assignments.
- Contribute to a safe classroom environment by managing their own behavior and reporting harmful or dangerous situations to an adult.
- Understand and follow all school rules and instructions given by school staff.
- Bring to school only those materials that are allowed.
- Inform parents/guardians of school-related issues and give them any materials sent home by the school or district.

Parent/Guardian Rights and Responsibilities

All parents/guardians have the right to:

- Be treated with courtesy, respect, and dignity.
- Feel welcomed, valued, and connected to school staff and the school community.
- Access opportunities to learn school behavior expectations.
- Receive a written copy and clear explanation of the *SSBIH*, including the process to appeal disciplinary decisions.
- Work in partnership with school staff to support their child's learning and healthy development at home and at school.
- Engage in regular, two-way, meaningful communication with school staff regarding their child's academic and behavioral progress. This includes the right to be notified in a timely manner when their child is removed from the instructional environment for a substantial amount of time due to their behavior.
- Monitor student academic progress (e.g., through Parent Portal).
- Actively participate with school staff in solving problems related to the child's behavior.
- Advocate for their child and report any unfair treatment to a person in authority.

All parents/guardians have the responsibility to:

- Show respect and courtesy to all students, staff, families, and school visitors. This includes respecting individual differences, cultural diversity, and the property of others.
- Provide a working phone number in order for schools to effectively communicate with families.
- Review the content of the *SSBIH* with their child.
- Understand the school's behavior expectations.
- Work with the school as a collaborative partner. This includes working with staff to maximize their child's strengths and to support the child to make changes in their behavior as needed.
- Inform school officials about concerns in a timely and respectful manner.
- Support their child to resolve problems peacefully while at school in order to contribute to a safe and positive school climate. This includes helping the child express anger without verbal attacks or physical violence.

Teacher/Staff Rights and Responsibilities

All teachers/staff have the right to:

- Be treated with courtesy, respect, and dignity.
- Work in a safe environment that maximizes staff performance and student learning.
- Access opportunities for professional development and training to assist in creating and maintaining a thriving classroom environment that is respectful, engaging, vibrant, and culturally relevant.
- Access support for addressing student behavior when such conduct cannot be handled within the classroom environment.

All teachers/staff have the responsibility to:

- Show respect and courtesy to all students, staff, families, and school visitors. This includes respecting individual differences, cultural diversity, and the property of others.
- Intentionally implement race-conscious interventions in an effort to reduce disproportional behavior outcomes for students and have plans for monitoring and evaluation.
- Foster ongoing, positive relationships with all students and families.
- Welcome families to be engaged in the learning process both in the classroom and at home.
- Create a positive classroom and school climate for all students, using effective classroom management strategies that extend to all classroom environments.
- Explicitly teach, acknowledge, and reinforce behavior expectations.
- Provide social and emotional skill instruction.
- Intervene promptly when inappropriate behavior occurs. This includes providing corrective feedback, reteaching behavioral expectations, following the Individual Education Programs (IEPs) and Behavior Support Plans of students, and adhering to procedures for student removals from the classroom environment when needed.
- Work with students and their parents/guardians to develop, implement, and monitor behavior interventions that support students in changing their behavior, using a progressive system of support.
- Apply the *SSBIH* in a fair, equitable, and consistent manner and accurately record inappropriate student behavior following the established protocol.
- Respect the right of students to maintain personal privacy. Personal belongings may be searched only if the principal has a reasonable suspicion that the student possesses evidence of a crime, stolen goods, drugs, weapons, or other illegal or prohibited items (JCBE policy).
- Follow up promptly on reports of bullying as required by JCBE policy.

School Administrator Rights and Responsibilities

All school administrators have the right to:

- Be treated with courtesy, respect, and dignity.
- Work in a safe environment that maximizes staff performance and student learning.
- Access support from district central office to create and maintain a thriving classroom environment that is respectful, engaging, vibrant, and culturally relevant.

All school administrators have the responsibility to:

- Show respect and courtesy to all students, staff, families, and school visitors. This includes respecting individual differences, cultural diversity, and the property of others.
- Intentionally implement race-conscious interventions in an effort to reduce disproportional behavior outcomes for students.
- Foster ongoing, positive relationships with all students and families.
- Create a safe and caring school climate that maximizes learning.
- Welcome families to be engaged in the learning process both in the classroom and at home.
- Create, monitor, and assess a schoolwide management system.
- Welcome parents/guardians as valued partners in their child's learning. This includes creating opportunities for regular, two-way communication and active participation at problem-solving meetings by accommodating schedules and meeting language needs.
- Review the *SSBIH* with students, staff, and parents at the beginning of each school year and revisit it as necessary throughout the year.
- Guide the School-Based Leadership Team and Student Support and Intervention Team in using and reviewing schoolwide behavior data and evaluating the effectiveness of behavioral interventions. This includes monitoring data to identify and address disparities.
- Ensure that all school staff meet the expectations outlined in the section entitled "Teacher/Staff Rights and Responsibilities."
- Support staff in implementing appropriate behavior interventions.
- Apply the *SSBIH* in a fair, equitable, and consistent manner and accurately record inappropriate student behavior and interventions and consequences following the established protocol.
- Follow procedures for student removals from the classroom environment. Notify parents immediately if a student's inappropriate behavior results in an out-of-school suspension.
- Notify parents, in a timely manner, of an inappropriate behavior and the consequence, if there is not an out-of-school suspension.
- Respect the right of students to maintain personal privacy. Personal belongings may be searched only if the principal has a reasonable suspicion that the student possesses evidence of a crime, stolen goods, drugs, weapons, or other illegal or prohibited items (JCBE policy).
- Respond promptly on reports of bullying as required by JCBE policy.
- Ensure that accurate and complete data-entry procedures are being followed and ensure that collection, monitoring, and evaluation systems are utilized at the school level. This includes using disaggregated data to allocate resources to support student behavior as well as evaluating program and staff effectiveness.

Central Office Rights and Responsibilities

All central office staff have the right to:

- Be treated with courtesy, respect, and dignity.
- Work in a safe environment that maximizes staff performance.

All central office staff have the responsibility to:

- Show respect and courtesy to all students, staff, families, and school/district visitors. This includes respecting individual differences, cultural diversity, and the property of others.
- Intentionally implement race-conscious interventions in an effort to reduce disproportional behavior outcomes for students and have plans for monitoring and evaluation.
- Provide schools with the necessary resources, professional development, and technical assistance to implement the *SSBIH.*
- Communicate to all district staff that creating a positive school culture, supporting positive student behavior, and developing appropriate interventions and consequences are critical district priorities.
- Ensure that accurate data collection, monitoring, and evaluation systems are available and utilized at the school and district levels. This includes using disaggregated data to allocate resources to support student behavior as well as evaluating program and staff effectiveness.
- Create a safe and caring climate for all district stakeholders.
- Engage in ongoing monitoring of the implementation of the *SSBIH* and intervene as needed to ensure that it is enforced in a fair and equitable manner.

Board of Education Rights and Responsibilities

All Board of Education members have the right to:

- Be treated with courtesy, respect, and dignity.

All Board of Education members have the responsibility to:

- Show respect and courtesy to all students, staff, families, and school visitors. This includes respecting individual differences, cultural diversity, and the property of others.
- Use qualitative and quantitative data to evaluate, approve, or reject policies that promote thriving classroom environments that are respectful, engaging, vibrant, and culturally relevant.
- Ensure that district administrators utilize appropriate data collection, monitoring, and evaluation systems.
- Receive regular data reports.
- Expect schools to develop and implement research-based, data-driven plans to reduce lost learning time and disproportionality in student consequences.

Protections for Students With a Disability

Nothing in this handbook replaces or substitutes any student rights as guaranteed by the Individuals with Disabilities Education Act (IDEA) or state law. Students with a disability will always be entitled to the rights and protections afforded to them by state and federal law and shall not be removed from the classroom environment unless doing so is in accordance with the law.

KENTUCKY ADMINISTRATIVE REGULATIONS FOR SPECIAL EDUCATION PROGRAMS

JCPS is committed to providing all students with a fair and equitable application of behavior support systems. For information regarding students with disabilities, under IDEA, including students in the referral process, please refer to JCPS Exceptional Child Education Procedures on the ECE webpage (**https://www.jefferson.kyschools.us/department/exceptional-child-education/ece-programs**). For information regarding students with disabilities under Section 504, please refer to the JCPS *Section 504 Guidebook* (**https://www.jefferson.kyschools.us/department/exceptional-child-education/section-504**)

707 KAR 1:002–707 KAR 1:380

Free Appropriate Public Education. (1) An LEA shall make a free appropriate public education (FAPE) available to all children with disabilities aged three (3) to twenty-one (21) residing within its district's boundaries who have not received a high school diploma, including children with disabilities who have been suspended or expelled for more than ten (10) school days in a school year. FAPE shall be provided to each child with a disability even though the child has not failed or been retained in a course and is advancing from grade to grade based on the child's unique needs and not on the child's disability. An LEA shall not be required to provide FAPE to a student eighteen (18) years old or older, who is placed in an adult correctional facility if, in the educational placement prior to placement in the correctional facility, the student was not identified as a child with a disability and did not have an IEP.

To access Kentucky Administrative Regulations regarding Exceptional Child Education under IDEA, go to **https://apps.legislature.ky.gov/law/kar/titles/707/001/**

- **707 KAR 1:002 Definitions** (Pg. 3)
- **707 KAR 1:270 Kentucky special education mentor program** (Pg. 2)
- **707 KAR 1:290 Free appropriate public education** (Pg. 11)
- **707 KAR 1:300 Child find, evaluation, and reevaluation** (Pg.14)
- **707 KAR 1:310 Determination of eligibility** (Pg. 18)
- **707 KAR 1:320 Individual Education Program** (Pg. 21)
- **707 KAR 1:340 Procedural safeguards/complaints (**Pg. 28)
- **707 KAR 1:350 Placement decisions** (Pg. 39)
- **707 KAR 1:360 Confidentiality of information** (Pg. 41)
- **707 KAR 1:370 Children with disabilities in private schools** (Pg. 43)
- **707 KAR 1:380 Monitoring and recovery of funds** (Pg. 48)
- **Index** (Pg. 52)

Parents/Guardians may also request a copy of the above information by contacting their school's administration or the chief of Exceptional Child Education (ECE) at VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218 or **(502) 485-3890**.

EVIDENCE-BASED BEST PRACTICES TO SUPPORT STUDENT BEHAVIOR

JCPS's MTSS plan, including our tiered intervention structures for academic and behavior support, can be found in our *MTSS Manual* at **https://sites.google.com/jefferson.kyschools.us/jcpsmtss/home?pli=1**.

Classroom and Teacher-Based Supports

Proactive systems of supports assist all students in achieving social, emotional, and academic success. Proactive supports provide clear, consistent expectations so that every student knows exactly what is expected across school settings. When a student demonstrates an inappropriate behavior, a teacher determines a reason for the inappropriate behavior and takes action to reduce and eliminate the behavior. Teachers modify conditions that perpetuate the inappropriate behavior, eliminate punitive consequences, and implement restorative responses, thus promoting a safe and respectful classroom environment.

Proactive Supports

- Create a culturally responsive classroom climate.
- Create positive expectations that are clearly defined, taught, and maintained in all settings.
- Teach and reteach classroom expectations throughout the year (e.g., routines, transitions, procedures, especially after breaks).
- Include students in setting classroom norms.
- Model and practice expectations in the appropriate setting (e.g., group work, individual work).
- Use pre-correction strategies to remind students of expectations before the next task.
- Utilize more positive than corrective interactions (at a ratio of 4:1) between staff and students, students and students, and staff and staff.
- Set up classroom and acknowledgment systems that support student engagement and increase appropriate behavior.
- Provide opportunities for students to actively engage in their learning.
- Provide immediate positive feedback when students meet or exceed expectations.
- Build positive relationships with students and families (e.g., use Restorative Practices circles).
- Communicate and collaborate with the student's parent or guardian.
- Teach prevention lessons (e.g., social and emotional learning, bullying prevention, suicide prevention, and trauma-informed practices).
- Frequently provide individual and groups of students opportunities to respond to content.
- Access additional resources at the following: *What Works Clearinghouse (WWC) Practice Guide: Reducing Behavior Problems in the Elementary School Classroom*. **https://ies.ed.gov/ncee/wwc/PracticeGuide/4**

Addressing Inappropriate Student Behavior

- Determine appropriate intervention for the behavior. **https://spportal.jefferson.kyschools.us/departments/academicservices/srt/rti/Navigation/Home(1).aspx** (JCPS ID is required to access.)
- Communicate and collaborate with the student's parent or guardian.
- Teach replacement behaviors to address misbehaviors.
- Change student seating.
- Pace the lesson more quickly to promote on-task behavior.
- Respond calmly, restating the appropriate behavior.
- Restructure classroom practices based on student needs (e.g., structured recess, structured lunch, visual schedules).
- Use progress-monitoring tools in the classroom (e.g., on-task monitoring form, replacement behavior, ratio of interactions tracking form, reflection sheets, behavior contracts).
- Utilize strategies from the Classroom Management Modules. **https://www.jefferson.kyschools.us/classroom-management-modules**
- Establish and consistently implement corrective responses for rule violations (e.g., student loses time for valued activity, in-class time-out, time-out in another class, restitution given for property damage, restitution given for relationship damage, positive practice, loss of points of privileges).
- Use restorative affective statements and affective questions. **https://www.jefferson.kyschools.us/restorative-practice**
- Engage in student-teacher impromptu conferencing with active listening.
- De-escalation techniques are taught and modeled.
- Continuously assess, seek feedback on, and develop management skills for teachers' own behaviors and biases.

Schoolwide Supports

Schoolwide interventions aim to engage the student's support system to ensure successful learning. The strategies and interventions should be applied consistently to change the conditions that contribute to the student's inappropriate behavior. Support staff, both school-based and within the broader community, should not only model expectations but also be involved in supporting appropriate school behavior. Staff will use these consequences in a graduated fashion.

Proactive Supports

- Create a culturally responsive schoolwide climate.
- Create positive schoolwide expectations that are clearly defined and taught.
- Continuously teach and reteach schoolwide expectations throughout the year (e.g., schedule for teaching by week/month, after breaks).
- Model and practice expectations in appropriate settings (e.g., cafeteria, hallways, bus, restroom).
- Establish a schoolwide acknowledgment system with opportunities for individual and schoolwide recognition.
- Effectively and actively supervise in common areas (e.g., all staff in hallways during transitions, hallway sweeps).
- Increase supervision in non-classroom settings.
- Refer to before- and after-school programs for additional support (e.g., coaches, mentors, club activity sponsors).
- Employ targeted strategies for groups of students (e.g., mentoring programs, bullying-prevention lessons for selected students, suicide drop-in centers).
- Design social and emotional skills instruction groups (e.g., conflict management, anger management, aggression replacement, empathy building, resilience building, organization skills) that can be used proactively and responsively. **https://sites.google.com/a/jefferson.kyschools.us/jcps-tic/page-types**
- Use universal screeners and assessments to proactively identify students in need of targeted and intensive interventions and supports.
- Establish an individual student support, response, or problem-solving team.
- Establish in-school conflict-resolution programs (e.g., peer mediation).
- Use Restorative Practice strategies (e.g., affective statements and questions, conflict resolution, responsive circles).
- Use parent-engagement strategies (e.g., newsletters, family nights, celebrations).
- Design support and advisory groups that engage parents, students, and the community.
- Access additional resources at the following: *What Works Clearinghouse (WWC) Practice Guide: Preventing Dropout in Secondary Schools.* **https://ies.ed.gov/ncee/wwc/PracticeGuide/24**

Addressing Inappropriate Student Behavior

- Communicate and collaborate with the parent or guardian.
- Use responsive interventions and appropriate referrals (e.g., JCPS Crisis Response Team, Seven Counties Services, school-based services, referrals to Family Resource and Youth Services Centers [FRYSCs], social services).
- Refer to school-based mental health professionals.
- Mental health evaluation referral (e.g., mobile assessments, counseling services)
- Alcohol/Drug evaluation referral (e.g., Substance Abuse IOP)
- Threat assessment evaluation referral
- Refer to community organizations, including conferencing and community mediation when students have issues with other students or school staff.
- Community service
- Restorative Practice strategies (Restorative Questions, circles, Re-engagement Plan, Return From Suspension Plan)
- Use individual student planning tools (e.g., Behavior Support Plan, Behavior Function Identification Worksheet, Behavior Collection Form).

Bus and Transportation Supports

These interventions often involve support staff, administrators, and bus drivers working collaboratively to improve both student support and increase overall safety during transport.

Proactive Supports

- Create appropriate bus behavior expectations that are clearly displayed and modeled for students.
- Greet students each day.
- Continuously revisit and review bus behavior expectations throughout the year.
- Maintain positive expectations for all students, at all times.
- Build positive relationships with students and their families.
- Inform students that they have important responsibilities in ensuring group safety.
- Give instructions in a positive manner.
- Set a good example by following rules yourself—obey traffic laws, be punctual, keep a clean bus, and be courteous.
- Foster a positive experience for all students riding the bus.
- Positively recognize students who display appropriate behavior on the bus.
- Connect with the students on the bus by addressing the students by name and engaging in more positive than corrective interactions.
- Temporarily or permanently assign seats for all students on the bus.

Addressing Inappropriate Student Behavior

- Get to know students as individuals so that behaviors can be anticipated.
- Assign seats for all students on the bus.
- Discuss student behaviors with the parent/guardian.
- Review bus behavior expectations with students.
- Temporarily move student(s) to or from a seat at time of behavior.
- Respond calmly, restating appropriate behavior.
- Communicate and collaborate with school administration.
- Look for nonverbal clues; listen for verbal clues that might indicate potential misbehavior.
- Support student bus behavior plans and other interventions developed with support staff.
- For a student with a disability, convene an Admissions and Release Committee (ARC) meeting.



PROGRESSIVE CONSEQUENCES

Progressive Interventions and Consequences—Effective interventions and consequences refrain from interrupting a student's education to the greatest extent possible. The goal is to change, not simply manage, behavior. Every reasonable effort should be made to correct inappropriate student behavior using logical consequences and restorative responses, examined through a mental health and trauma lens. Inappropriate behavior may be symptomatic of underlying problems that students are experiencing, like trauma, academic challenges, or a student's disability. It is critical that all staff be sensitive to issues that may influence student behavior and respond in ways that are most supportive of student needs. This may require the involvement of school counselors, outside support agencies, mental health practitioners, psychologists, or members of the ARC.

The interventions and consequences described here should be carefully matched to the needs of the student and the overall context of the situation. Significant consequences, such as out-of-school suspensions, are used for the most serious situations. When an exclusionary consequence is used (e.g., in-school suspension, out-of-school suspension), it should be paired with one or more interventions (e.g., referral to staff, parent conference, mediation). Consequences that are paired with meaningful and developmentally appropriate instruction and guidance offer students the space to make mistakes, learn from them, and receive support to change their behavior over time. When a specific student behavior does not change using the lowest identified level of intervention and/or consequence—or the behavior increases in frequency, intensity, or duration—the next level of intervention and consequence is used. The progressive approach to intervention and consequences can apply to some Level 4 incidents. However, the safety of students and staff will always be an important consideration.

Additionally, as in any school-related setting, incidents occurring on the bus that compromise the safety of students and staff may result in a faster progression of consequences. For a student with a disability, the ARC or 504 Committee must convene and determine if the behavior was a manifestation of the child's disability and follow JCPS ECE and 504 procedures. Refer to 707 KAR 1:340. Section15. Manifestation Determination. **(https://apps. legislature.ky.gov/law/kar/707/001/340.pdf)**. For information regarding students with disabilities under Section 504, please refer to the JCPS Section 504 webpage **(https://www.jefferson.kyschools.us/department/exceptional-child-education/section-504)**.

All interventions and consequences should be selected, implemented, and assessed to help students do the following regardless of setting:

- Understand why the behavior is inappropriate and the harm it has caused
- Take responsibility for their actions
- Understand what they could have done differently in the same situation
- Learn social strategies and skills to use in the future
- Understand the progression of more serious consequences if the behavior reoccurs
- Take measures to repair the harm the behavior may have caused to themselves and others

If a Level 1 or Level 2 corrective strategy is used to address the same behavior more than three times, an administrator may use their professional judgment and move to a Level 3 consequence, resulting in a possible short-term suspension of one to three days. The parent/guardian should be made aware of the repeated behaviors and partner with the school on a plan to successfully address the behavior and transition back into the school setting.

In alignment with progressive consequences, administrators are provided a graduated list of resolutions that can be used to support student inappropriate behavior. In JCPS, these consequences are tiered to reflect a range of possible consequences reflective of the range of identified behaviors in our schools. For our K–12 students, consequences begin at a Level 1 and end at a Level 4.

Due to age appropriateness, Early Childhood Level consequences begin at a Level 1 and end at a Level 3. Consequences increase in seriousness as administrators progress from Level 1, Level 2, Level 3, and/or Level 4. Both Early Childhood and K–12 interventions and consequences are outlined below.

The ARC may convene to review the IEP for students with disabilities to address behaviors with behavior supports. The discipline of students with disabilities is subject to the requirements of state and federal law in addition to the *SSBIH*. To the extent any conflict exists, state and federal law will prevail.



INTERVENTIONS AND CONSEQUENCES

Early Childhood and Preschool Students

School staff members shall ensure that all procedures and consequences meet the developmental stages of the Early Childhood student. Keep in mind that behaviors that seem inappropriate for older students may be expected behavior for preschool-age students. The school administration and staff should consult and collaborate with the Early Childhood Office in the development and administration of interventions and consequences. When behaviors require additional support, a collaborative team that includes both parent/guardian and school-based support will develop an individualized behavior support plan. School-based support may include the instructional coach, ECE resource teacher, mental health practitioner, and/or school counselor. For students with more intensive needs, collaboration will occur with district and external behavioral health partners. Consultation with the Early Childhood compliance specialist must occur when an out-of-school placement is being considered. Approval is required from the Early Childhood director and assistant superintendent for out-of-school placement of an Early Childhood student.

Interventions and Consequences for Early Childhood/Preschool

LEVEL 1	**Mild—Classroom Level** Student displays only minor inappropriate behaviors, which are developmentally expected and should be viewed as learning opportunities rather than inappropriate behavior. Thus, staff should approach these situations as teaching opportunities rather than something that requires a reprimand. Examples of minor inappropriate behavior include yelling, peer conflict, delaying or refusing to follow directions, inability to accept feedback, crying, pouting, or whining. Students at Level 1 are typically responsive to the universal strategies that should be in place in all classrooms and implemented regularly by all teachers in all settings. This includes behavior expectations that are taught directly to all children through discussion, modeling, and role-play. Communicate with children at eye level, and reference behavior expectations when providing specific acknowledgment for desirable behavior and when correcting inappropriate behavior.
LEVEL 2	**Moderate—Classroom/Administrator Level** Student displays moderate inappropriate behavior that requires official documentation. Examples of Level 2 behaviors include repeated failure to follow directions; elopement attempt; or biting, kicking, or striking a student or staff member with minimal to no physical harm. Level 2 behaviors must be documented on a Student Disciplinary Form and submitted to the office for administrative approval and documentation in Infinite Campus. Some Level 2 behaviors may require administrative intervention. Parent contact must be made, either by the referring teacher/staff or by the administrator. The administrator will document and communicate administrative intervention provided with the staff member submitting the Student Disciplinary Referral Form. Documentation will be sent home by the office to the parent/guardian via the bus monitor and/or email within 24 hours and preferably on the day of the behavior.
LEVEL 3	**Severe—Administrator Level** Student displays serious inappropriate behavior that requires immediate administrative intervention and written documentation. Examples of Level 3 behaviors that result in moderate to significant injury to students or staff include intentionally throwing items aimed at students or adults, intentionally striking students or adults, and self-harm. **All** Level 3 behaviors require administrative intervention. Parent contact must be made by the administrator immediately regarding the consequence and restraint (if applicable). Documentation will be sent home by the office to the parent/guardian via the bus monitor and/or email within 24 hours and preferably on the day of the behavior.

The use of corporal punishment as defined in Board Policy 09.433 and 704 KAR 7:170 is prohibited in the district.

Interventions and Consequences for Students K–12

LEVEL 1	Level 1 behaviors represent minor disruptions to the classroom environment. Examples of Level 1 behaviors could be, but are not limited to, being out of one's seat, talking out in class, leaving the classroom without permission, or dress code or device violations. Typically, these are not referred to an administrator until the classroom-level interventions are not correcting the behavior. With Level 1 behaviors, the goal is to correct the behavior while limiting time missed from class. Repeated inappropriate behavior requires a parent/teacher conference, a conference with the counselor, and/or a conference with an administrator. Staff should use consequences in a graduated fashion.
LEVEL 2	Level 2 behaviors represent acts whose frequency or seriousness disrupt the classroom environment of the school. Examples of Level 2 behaviors could be, but are not limited to, horseplay, nonattendance to class, leaving school grounds, or using profane or vulgar language. These violations always result in the involvement of school administration. With Level 2 behaviors, the goal is to correct the behavior by stressing its seriousness while keeping the student in school. Staff should use consequences in a graduated fashion.
LEVEL 3	Level 3 behaviors represent acts against a person(s) or property that indirectly endanger the health or safety of others in the school. Examples of Level 3 behaviors could be, but are not limited to, fighting, harassment, or possession of drugs or alcohol. These behaviors may result in the short-term removal of the student from the classroom environment because of the severe nature of the behavior. Consequence options may include combinations of interventions and consequences. Staff should use consequences in a graduated fashion. Out-of-school suspensions should include a conference with the parent and student the morning the student returns to school at the end of the suspension.
LEVEL 4	Level 4 behaviors represent acts against a person(s) or property that may directly or indirectly endanger the health or safety of others. Examples of Level 4 behaviors could be, but are not limited to, assault, possession of a dangerous instrument, or terroristic threatening. These behaviors always result in administrative action, possible notification of appropriate law enforcement authorities, and immediate removal of the student from school. The school will make a recommendation to the Office of Student Relations for an administrative hearing to determine next steps. In the case of Level 4 violations, consequence options at the school level are limited due to the seriousness of the violation and the direct or indirect endangerment to the health and safety of others. In violations involving safety, the School Safety Team should be consulted to complete the Threat Assessment process and develop relevant safety plans.

The use of corporal punishment as defined in Board Policy 09.433 and 704 KAR 7:170 is prohibited in the district.

In accordance with KRS.158.150, a student who has been removed from the same classroom three times within a 30-day period shall be considered chronically disruptive and may be suspended and no other basis for suspension is necessary. In an instance where a removal is for a Level 1 or Level 2 behavior, the principal shall consult with the zone assistant superintendent prior to imposing an out-of-school suspension.



BEHAVIOR INTERVENTION AND CONSEQUENCE DEFINITIONS

	DEFINITION
Behavior Contract	School staff, with input from the student, agree to a criterion for success. Plans should include a progress monitoring component (daily, weekly, etc.) and a review period and should involve rewards and incentives.
Behavior Reflection	The student uses a protocol (individualized to their needs) provided by school staff to reflect on current behavior, choice making, replacement behaviors, and/or next steps. Staff should review the student's responses, provide feedback, and assist with any identified needs.
Bus Suspension	Bus suspensions can be issued for one way or both ways to school. When suspended from the bus, students must acquire alternative transportation to school for the duration of the suspension. Parents will be notified by letter or electronically. See Bus Safety (page 38) for additional information on bus suspension lengths.
Counselor Conference	Students can request to see a counselor or be referred by school staff. Counselors will collaborate with other school staff, the students' families, or other relevant partners to acquire resources needed to assist the student with improved behavior and choice making.
Detention	Detention is assigned to students outside of the school day. Detention time assigned can vary according to site.
ISAP	When assigned to the In-School Adjustment Program (ISAP), students report to an alternative location in the school. ISAP is assigned during the school day. ISAP is an In-School Removal (INSR), and minutes lost while attending ISAP are accrued and reported to the state. Students receive classroom assignments during ISAP.
Letter	A formal communication is sent to a parent/guardian by mail or electronically. The communication can function as a meeting notice, a recap of a discussion, a briefing on a student conference, etc.

Mental Health/ Emotional Support	Students can request to see a mental health practitioner (MHP) or counselor. Students can also be referred by school staff or their parent/guardian for counseling or mental health support. MHPs and school counselors are credentialed mental health providers and can perform a variety of services, including but not limited to, counseling, threat assessment, mental health screenings, and referrals to other relevant supports. Parent permission is required for ongoing school-based mental health/counseling services. In addition, parent permission is also required for a referral to an outside agency, release of information, or referral for treatment for students under the age of 18.
Mobile Assessment	Mobile assessments are requested by staff for students experiencing crisis, manifesting thoughts or actions related to self-harm or harm of others, etc. Mental health providers perform an on-site threat assessment and/or screening, determine the level of response, and identify needed supports for the student. Parent permission is required for students under the age of 18. When requesting a mobile assessment, schools should follow the guidelines outlined in the JCPS Threat Assessment Guidelines and Threat Assessment Protocol.
Office Time-Out	Office time-outs occur in one of the school offices and function as a time for students to de-escalate or compose themselves following a conversation or event. Office time-out is an INSR, and minutes lost while in an office time-out are accrued and reported to the state.
Parent/Guardian Conference	A conference is held with a student's parent or guardian. Conferences can include discussion of an incident or information gathering about the needs of a student, a new or existing support plan, the student's progress, etc.
Peer Conflict Mediation	Conflict between students is discussed and ideally resolved through a restorative conversation led by peers or a staff member. School staff must obtain parent and student consent prior to the mediation.
Phone Call	A phone call is made to a parent/guardian. The communication can be from a teacher, counselor, or administrator. Conversations can include a meeting notice, a recap of a discussion, a briefing on a student conference, etc.
Positive Action Center (PAC)	The Positive Action Center (PAC) is a non-instructional space in the school building where students can go, or be escorted, to avoid escalation or increased severity of an offense. In this space, staff de-escalate and coach in an attempt to resolve the issue of concern. The PAC consequence should be short-term in nature, not to exceed an instructional period. PAC is an INSR, and minutes lost while assigned to PAC are accrued and reported to the state.
Refer to Youth Services Center/ FRYSC	Students can request to see a Youth Services Center (YSC) coordinator or be referred by school staff. FRYSCs assist JCPS families with removing barriers to learning. Clothing assistance, food assistance, and other social service referrals can be provided through the FRYSC.
Restorative Conversation	During a Restorative Conversation, the Restorative Questions are used to give the student the opportunity to explain what happened from their perspective, identify who was harmed and how, as well as what they need to do to make things right. Consequences for the incident are explained to the student, and they are given clearly communicated expectations for moving forward. Participants may, but are not required to, include those that were affected by a family member.
Restorative Formal Conference	Restorative Formal Conferences are a formal response to wrongdoing where all those involved and affected by an incident come together with a trained facilitator to explore what happened, who is affected, and what needs to be done to make things right. Participants, including those who did something wrong and those affected by the wrong, often include the family and/or friends of both parties.
Restorative Circle	This is a facilitated discussion circle where students, or students and staff, have the opportunity to discuss concerns with one another and resolve conflicts. The facilitator ensures that participants create circle agreements, use a talking piece, and keep focused on the specific issue at hand.
Saturday School	Saturday School is assigned to students outside of the school day, on Saturdays. Time assigned can vary according to site.
School Restitution/ School Bus Restitution	In the event a student damages/destroys property, vandalizes property, litters, or creates a mess, staff can provide the student the opportunity to restore, repair, or improve the situation/equipment/property/campus. The restitution should be related to or relevant to the inappropriate behavior of the student.
Out-of-School Suspension	Not permitting a student to attend school for full or partial day(s) following appropriate due process procedures. Students sent home from school early as a result of an incident should be documented as a partial-day suspension. School cancellations do not count as a suspension day. Parents will be notified by letter or a parent phone call/text message. Suspensions are an out-of-school removal, and minutes lost while suspended are accrued and reported to the state. Suspension of Primary school students shall be considered only in exceptional cases where there are safety issues for the child or others (KRS 158.150).
Student Conference	Staff discuss expectations, gather information, or coach a student regarding their behavior.
Team Time-Out	Teachers on an instructional team collaborate to offer students a reflection or de-escalation space in their classrooms (with consideration for the individual student needs). If students begin to struggle with behavior in their classroom, they can take a time-out in the other teacher's classroom and attempt to resolve the issue of concern so they can remain in class without any or additional consequences. Team time-out is an INSR, and minutes lost while in a team time-out are accrued and reported to the state.

BEHAVIOR CODES

Grades Pre-K–3

BEHAVIOR

Prior to choosing the level of consequence, administrators should consult Progressive Discipline procedures outlined on page **22**.

Note: Suspension of Primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the superintendent/designee (Board Policy 09.434 and KRS 158.150).

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	BEHAVIOR
	●	●		Arson*
	●	●		Assault* I, II, III, IV
●	●			Biting
	●	●		Bomb threat*
	●			Bullying/Cyberbullying
●				Cheating/Academic dishonesty (results in academic consequence)
●	●			Dress code violation
	●	●		Drug/Alcohol distribution*
●	●	●		Drug/Alcohol possession* (referral for treatment)
●	●	●		Drug/Alcohol under the influence* (referral for treatment)
●	●			Extending body parts or throwing objects out of bus door/window
●	●			Failure to remain seated on the bus
●	●			Failure to attend detention
●	●			False information to staff
●	●			Falsely activating a fire alarm/safety equipment
●	●			Fighting—student to student
	●	●		Fireworks/Explosive devices possession or use*
●	●			Forgery/Counterfeiting*
●	●			Gambling*
	●			Harassment/Harassing communications/Sexual harassment toward staff*
	●	●		Harassment/Harassing communications/ Sexual harassment toward student*
●	●			Horseplay
●	●			Inappropriate sexual behavior
●	●			Inappropriate use of district technology
●	●			Inappropriate use of a mobile device
●	●			Intentionally throwing or releasing an object

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	BEHAVIOR
	●			ISAP removal/walk-out
●	●			Leaving class without permission
●	●			Leaving school/bus without permission
●				Loitering on school grounds
●	●			Nonattendance to class/Cutting class
●	●			Profanity/Vulgarity
●	●			Profanity/Vulgarity toward staff/student
	●			Racial slurs/Hate speech toward staff/ student
	●			Refusal/Failure to attend ISAP
	●	●		Robbery*
	●	●		Sexual abuse/Sexual assault*
●	●			Spitting
●	●			Striking—student
	●			Striking—staff or other
●	●			Talking out in class
●	●			Taunting, baiting, inciting a fight
	●	●		Terroristic threatening I, II, III*
●	●			Theft/Vandalism*
	●			Tobacco/Alternative nicotine/Vapor product distribution*
●	●			Unexcused tardiness to class
●	●			Unintentional physical contact—staff
●	●			Use/Possession of tobacco/alternative nicotine/vapor products* (referral for treatment)
●	●			Violation of personal electronic/ telecommunication device policy
	●	●		Weapons/Dangerous instruments*
	●	●		All other criminal offenses: kidnapping, extortion, etc.* (law)

*This infraction is a law violation and reported to the Kentucky Department of Education.

BEHAVIOR CODES

Grades 4–5

BEHAVIOR

Prior to choosing the level of consequence, administrators should consult Progressive Discipline procedures outlined on page **22**.

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	BEHAVIOR
		●	●	Arson*
		●	●	Assault* I, II, III, IV
●	●			Biting
		●	●	Bomb threat*
	●	●	●	Bullying/Cyberbullying
●				Cheating/Academic dishonesty (results in academic consequence)
●	●			Dress code violation
	●	●	●	Drug/Alcohol distribution*
●	●	●		Drug/Alcohol possession* (referral for treatment)
●	●	●		Drug/Alcohol under the influence* (referral for treatment)
●	●	●		Extending body parts or throwing objects out of bus door/window
●	●	●		Failure to remain seated on the bus
●	●			Failure to attend detention
●	●			False information to staff
		●	●	Falsely activating a fire alarm/safety equipment
●	●	●		Fighting—student to student
		●	●	Fireworks/Explosive devices possession or use*
●	●			Forgery/Counterfeiting*
●	●			Gambling*
	●	●	●	Harassment/Harassing communications/Sexual harassment toward staff*
	●	●	●	Harassment/Harassing communications/ Sexual harassment toward student*
●	●			Horseplay
	●	●		Inappropriate sexual behavior
●	●			Inappropriate use of district technology
●	●	●		Inappropriate use of a mobile device
●	●	●		Intentionally throwing or releasing an object

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	BEHAVIOR
	●	●		ISAP removal/walk-out
●	●			Leaving class without permission
●	●	●		Leaving school/bus without permission
●				Loitering on school grounds
●	●			Nonattendance to class/Cutting class
●	●			Profanity/Vulgarity
●	●	●		Profanity/Vulgarity toward staff/student
	●	●	●	Racial slurs/Hate speech toward staff/ student
	●	●		Refusal/Failure to attend ISAP
		●	●	Robbery*
		●	●	Sexual abuse/Sexual assault*
●	●	●		Spitting
●	●	●	●	Striking—student
	●	●	●	Striking—staff or other
●	●			Talking out in class
●	●	●		Taunting, baiting, inciting a fight
		●	●	Terroristic threatening I, II, III*
●	●	●	●	Theft/Vandalism*
	●	●		Tobacco/Alternative nicotine/Vapor product distribution*
●	●			Unexcused tardiness to class
●	●	●		Unintentional physical contact—staff
●	●			Use/Possession of tobacco/alternative nicotine/vapor products* (referral for treatment)
●	●			Violation of personal electronic/ telecommunication device policy
	●	●	●	Weapons/Dangerous instruments*
		●	●	All other criminal offenses: kidnapping, extortion, etc.* (law)

*This infraction is a law violation and reported to the Kentucky Department of Education.

BEHAVIOR CODES — Grades 6–12

BEHAVIOR

Prior to choosing the level of consequence, administrators should consult Progressive Discipline procedures outlined on page **22**.

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	BEHAVIOR
		●	●	Arson*
		●	●	Assault* I, II, III, IV
	●	●	●	Biting
		●	●	Bomb threat*
	●	●	●	Bullying/Cyberbullying
●				Cheating/Academic dishonesty (results in academic consequence)
●	●			Dress code violation
	●	●	●	Drug/Alcohol distribution*
	●	●	●	Drug/Alcohol possession* (referral for treatment)
	●	●	●	Drug/Alcohol under the influence* (referral for treatment)
●	●	●		Extending body parts or throwing objects out of bus door/window
●	●			Failure to remain seated on the bus
●	●			Failure to attend detention
●	●	●		False information to staff
		●	●	Falsely activating a fire alarm/safety equipment
●	●	●	●	Fighting—student to student
		●	●	Fireworks/Explosive devices possession or use*
●	●	●		Forgery/Counterfeiting*
				Gambling*
●	●			Grades 6 through 8
●	●	●		Grades 9 and 12
	●	●	●	Harassment/Harassing communications/ Sexual harassment toward staff*
	●	●	●	Harassment/Harassing communications/Sexual harassment toward student*
●	●			Horseplay
				Inappropriate sexual behavior
	●	●	●	Grades 6 through 8
		●	●	Grades 9 and 12
●	●			Inappropriate use of district technology

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	BEHAVIOR
●	●	●		Inappropriate use of a mobile device
●	●	●		Intentionally throwing or releasing an object
	●	●		ISAP removal/walk-out
●	●			Leaving class without permission
●	●	●		Leaving school/bus without permission
●	●			Loitering on school grounds
●	●			Nonattendance to class/Cutting class
●	●			Profanity/Vulgarity
●	●	●		Profanity/Vulgarity toward staff/student
	●	●	●	Racial slurs/Hate speech toward staff/ student
	●	●		Refusal/Failure to attend ISAP
		●	●	Robbery*
		●	●	Sexual abuse/Sexual assault*
●	●	●		Spitting
	●	●	●	Striking—student
	●	●	●	Striking—staff or other
●	●			Talking out in class
●	●	●		Taunting, baiting, inciting a fight
		●	●	Terroristic threatening I, II, III*
●	●	●	●	Theft/Vandalism*
	●	●		Tobacco/Alternative nicotine/Vapor product distribution*
●	●			Unexcused tardiness to class
●	●	●		Unintentional physical contact—staff
●	●			Use/Possession of tobacco/alternative nicotine/vapor products* (referral for treatment)
●	●			Violation of personal electronic/ telecommunication device policy
		●	●	Weapons/Dangerous instruments*
		●	●	All other criminal offenses: kidnapping, extortion, etc.* (law)

*This infraction is a law violation and reported to the Kentucky Department of Education.



PROGRESSIVE CONSEQUENCES AND RESOURCES PRE-K THROUGH GRADE THREE

As a district, we remain focused on research-based practices that support the social-emotional and mental health development of all students. We strive to mitigate racially disproportionate outcomes for our students while also using age-appropriate early intervention to design wrap-around supports that foster behavioral change over time. Research tells us that exclusionary discipline, like out-of-school suspensions, has multiple negative effects on our youngest students, specifically Primary (preschool through grade three).

In an effort to adhere to best practice, unless required to do so under state law, we do not suspend students in preschool through grade three. If an incident at this grade level involves a law violation (law violations are identified with an asterisk [*] on the Behavior Code charts), the school will perform a Threat Assessment to determine needed supports to ensure the safety of the student and others who may be impacted. Depending on the outcome of the Threat Assessment, schools may need to briefly suspend to ensure safety and develop a support plan. In the event a suspension is warranted, the principal will request approval from their zone assistant superintendent.

BEHAVIOR CODE DEFINITIONS

BEHAVIOR	DEFINITION
Arson in the first degree (KRS 513.020)	(1) A person is guilty of arson in the first degree when, with intent to destroy or damage a building, he starts a fire or causes an explosion, and; (a) The building is inhabited or occupied or the person has reason to believe the building may be inhabited or occupied; or (b) Any other person sustains serious physical injury as a result of the fire or explosion or the firefighting as a result therof.
Arson in the second degree (KRS 513.030)	(1) A person is guilty of arson in the second degree when he starts a fire or causes an explosion with intent to destroy or damage a building: (a) Of another; or (b) Of his own or of another, to collect or facilitate the collection of insurance proceeds for such loss. (2) In any prosecution under this section, it is a defense that: (a) No person other than the defendant had a possessory or proprietary interest in the building, or, if other persons had such an interest, all of them consented to the defendant's conduct; and (b) The defendant's sole intent was to destroy or damage the building for a lawful purpose.
Arson in the third degree (KRS 513.040)	(1) A person is guilty of arson in the third degree if he wantonly causes destruction or damage to a building of his own or of another by intentionally starting a fire or causing an explosion. (2) In any prosecution under this section, it is a defense that no person other than the defendant had a possessory or proprietary interest in the building, or, if other persons had such an interest, all of them consented to defendant's conduct.
Assault in the first degree (KRS 508.010)	Assault in the first degree. (1) A person is guilty of assault in the first degree when: (a) He intentionally causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument; or (b) Under circumstances manifesting extreme indifference to the value of human life he wantonly engages in conduct which creates a grave risk of death to another and thereby causes serious physical injury to another person.
Assault in the second degree (KRS 508.020)	(1) A person is guilty of assault in the second degree when: (a) He intentionally causes serious physical injury to another person; or (b) He intentionally causes physical injury to another person by means of a deadly weapon or a dangerous instrument; or (c) He wantonly causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument.
Assault in the third degree (KRS 508.025)	(1) A person is guilty of assault in the third degree when the actor: (a) Recklessly, with a deadly weapon or dangerous instrument, or intentionally causes or attempts to cause physical injury to: (9) A public or private elementary or secondary school or school district classified or certified employee, school bus driver, or other school employee acting in the course and scope of the employee's employment; or (10) A public or private elementary or secondary school or school district volunteer acting in the course and scope of that person's volunteer service for the school or school district
Assault in the fourth degree (KRS 508.030)	Assault in the fourth degree. (1) A person is guilty of assault in the fourth degree when: (a) He intentionally or wantonly causes physical injury to another person; or (b) With recklessness he causes physical injury to another person by means of a deadly weapon or a dangerous instrument.
Biting	Student attempts to harm another student or staff by biting.
Bomb threat	A threat of a bomb or other explosive device made verbally, in writing, or via social media to a staff, student, or community member.

Bullying/ Cyberbullying (KRS 158.148)	Pursuant to KRS 158.148, *bullying* is defined as: (1) (a) As used in this section, "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: 1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or 2. That disrupts the education process. (b) This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process. **Cyberbullying** is bullying that takes place using electronic technology.
Cheating/Academic dishonesty	Includes, but is not limited to, deceiving, tricking, defrauding, and/or otherwise taking unfair or unethical advantage of a situation to benefit someone's grade, academic standing, or status.
Dress code violation	A student is not in compliance with the expectations in a school's SBDM-approved dress code policy. Masks are considered part of school dress. Students should not be penalized for religious attire.
Drug/Alcohol trafficking or distribution	Any offense of trafficking or distribution of drugs, alcohol on school grounds or at a school event. This includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, and look-alike drugs/alcohol. A student found to be in possession of more drugs/alcohol than would be consumed by one person, in one day, will be presumed to be trafficking as prescribed by law. In addition to consequences, any contraband will be confiscated by school administration. Parents will be contacted and offered information about substance abuse support. The suspension may be reduced by the assistant director of Student Relations after consulting with the local school principal as a result of a successful enrollment in a substance abuse program. Law enforcement officials may be notified by local school administration.
Drug/Alcohol possession/Under the influence	The use or possession of alcohol, illegal drugs, prescription drugs, over-the-counter drugs, drug paraphernalia, and look-alike drugs/alcohol on school grounds or at a school-sponsored event. Any substance that can be reasonably mistaken for a controlled substance is considered a look-alike drug. This includes nonalcoholic beer and wine. Any student who uses, distributes, or represents a look-alike drug as authentic will be treated as if it were authentic, according to state and federal laws. Any prescribed or over-the-counter medications taken during the school day must be given to the school's JCPS Health Services trained staff with the appropriate parent permissions and medical forms submitted. Under the influence will be determined by having an administrator and another adult verify that the student's behavior(s) indicate(s) likely drug or alcohol abuse and that the student should be removed from the school. A student will be considered under the influence when one or more of the following indicators are noted: vomiting, staggering, emitting an indicative odor, exhibiting incoherence/disorientation, slurring speech, exhibiting dilated pupils, admission of guilt, and/or displaying other physical evidence. In addition to consequences, any contraband will be confiscated by school administration. Parents will be contacted and offered information about substance abuse support. The suspension may be reduced by the assistant director of Student Relations after consulting with the local school principal as a result of a successful enrollment in a substance abuse program. Law enforcement officials may be notified by local school administration.
Extending body parts or throwing objects out of bus door/window	Placing any item or body part outside of the bus window resulting in increased risk for injury. This includes throwing objects from a bus window or door.
Failure to remain seated on the bus	Student refuses to stay in seat or assigned seat.
Failure to attend detention	Student fails to attend detention assigned as a behavior consequence.
False information to staff	Student knowingly provides partial, inaccurate, or no information to staff when asked.
Falsely activating a fire alarm/safety equipment	Student pulls, activates, or presses a fire alarm device or extinguisher in a non-emergency situation. This includes tampering with bus evacuation doors and windows and unauthorized propping and opening of school doors.
Fighting—student to student	The use of physical violence between two students or the use of violence by a student on another person (excludes verbal confrontations, threats, intimidation, and other encounters). Administrators may use professional judgment in cases where the investigation yields a clear aggressor/initiator and may differentiate consequences accordingly.
Fireworks/Explosive devices	Possession or use of a device containing gun powder or other combustible chemicals.
Forgery/Counterfeiting	The creation or alteration of a written instrument (e.g., check, transcript, identification, currency, communication, hall passes, or any other official document).

Gambling	Participating in games of chance or skill for money or profit.
Harassment/Harassing communications toward staff or student (KRS 525.070 and KRS 525.080/ Board Harassment Discrimination Policy 09.42811/09.42811 Title IX Sexual Harassment)	Harassment KRS 525.070 (1) A person is guilty of harassment when, with intent to intimidate, harass, annoy, or alarm another person, they: (a) Strike, shove, kick, or otherwise subject the person to physical contact; (b) Attempt or threaten to strike, shove, kick, or otherwise subject the person to physical contact; (c) In a public place, make an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present; (d) Follow a person in or about a public place or places; (e) Engage in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or (f) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event: 1. Damage or commit a theft of the property of another student; 2. Substantially disrupt the operation of the school; or 3. Create a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.
Harassment/Harassing communications toward staff or student (KRS 525.070 and KRS 525.080/ Board Harassment Discrimination Policy 09.42811/09.42811 Title IX Sexual Harassment) *Continued*	Harassing Communications KRS 525.080 (1) A person is guilty of harassing communications when, with intent to intimidate, harass, annoy, or alarm another person, they: (a) Communicate 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; (b) Make a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or (c) Communicate, 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.
Horseplay	Student(s) is/are engaged in roughhousing, pushing, running, excessive play, etc., that are not appropriate or safe on the school bus and in the classroom environment.
Inappropriate sexual behavior (KRS 510.020 and Board Title IX Sexual Harassment Policy 09.428111)	The possession and/or display of pornography, and/or indecent exposure, and/or having inappropriate sexual contact.
Inappropriate use of district technology	Any violation of the JCPSNet Acceptable Use Policy. The entire policy can be found in Appendix C.
Inappropriate use of a mobile device	Use of a mobile or hand-held device to make, transmit, or distribute any inappropriate recording, picture, or image without the consent of the person(s) recorded, or that violates their personal expectations of privacy, the *SSBIH*, or the law.
Intentionally throwing or releasing an object	Intentionally throwing or releasing an object that has the potential to cause a disturbance, injury, or property damage, when the act of throwing or releasing the object is not part of a supervised activity.
ISAP removal/walkout	Students who leave ISAP for any reason without proper authorization from a teacher, administrator, or other school staff. This includes students who must be removed from the ISAP classroom for any inappropriate behavior.
Leaving class without permission/Cutting class	Skipping any portion of a class, an entire class or classes, or live synchronous virtual instruction without authorized permission. This includes students who leave class for any reason without proper authorization from a teacher, administrator, or other school staff.
Leaving school/bus without permission	Students who leave school grounds for any reason without proper authorization and/or without following proper sign-out procedures. This includes getting off the bus at the wrong stop without previous approval.
Loitering on school grounds	Remaining on school grounds when they loiter or remaining in or around a school building or grounds, while not having any reason or relationship involving the school or a school event, or any other license or privilege to be there. This would include remaining on school grounds against direction of school administration or other safety-related directive. This would include trespassing.

Profanity/Vulgarity	Swearing, cursing, or making obscene gestures.
Profanity/Vulgarity toward student or staff	Swearing, cursing, or making obscene gestures specifically targeting school students or personnel.
Racial slur/Hate speech toward staff/ student	Making racial slurs or using hate speech (e.g., verbal, written, or use of sign/symbols) specifically targeting school students or personnel.
Refusal/Failure to attend ISAP	Failure of a student to attend an assignment to the ISAP classroom.
Robbery	Theft involving the use of physical force, deadly weapons, or dangerous instruments.
Sexual abuse/Sexual assault (KRS 510)	Actions, sexual in nature, intending to cause or causing physical injury to another person including by means of a deadly weapon or dangerous instrument, or intentionally causing extreme distress to another person.
Sexual harassment/Board Policy 09.42811 Harassment/Discrimination (Students) and "Board Policy 09.428111 Title IX Sexual Harassment	Unwelcome sexual advances, requests for sexual favors, other verbal and/or physical behaviors of a sexual nature (including sexual violence), and the use of symbols to create a climate that adversely affects the work environment or educational process.
Spitting, Bodily Fluids	The act of forcibly ejecting saliva, bodily fluids, or other substances from the mouth.
Striking—student	Intentional physical contact with a student that does not cause physical injury. If a physical injury occurs, review the Assault codes above. If two students are striking each other, that would be considered "Fighting."
Striking—staff or other	Intentional physical contact with a faculty member, staff member, or other school official that does not cause physical injury. If a physical injury occurs, review the Assault codes above.
Talking out in class	Repetitive talking at inappropriate times or discussing irrelevant content in a manner disruptive to the learning process.
Taunting, baiting, or inciting a fight	Instigating, encouraging, or promoting a physical altercation or disagreement amongst one or more student(s).
Terroristic threatening in the first degree (KRS 508.075) **Penalties—(Class C Felony)** 1. Imprisonment of not less than 5 years and nor more than 10 years. 2. Fine not less than $1,000 and not greater than $10,000.	A person is guilty of terroristic threatening in the first degree when he or she: (a) Intentionally makes false statements that he or she or another person has placed a weapon of mass destruction on: 1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education; 2. A school bus or other vehicle owned, operated, or leased by a school; 3. The real property or any building public or private that is the site of an official school-sanctioned function; 4. The real property or any building owned or leased by a government agency; or 5. The real property or any building owned or leased by a domestic violence shelter as defined in KRS 511.085; or (b) Intentionally and without lawful authority, places a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection. (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed, with the written permission of the chief officer of the school or other institution, as a part of an official training exercise and is placed by a public servant, as defined in KRS 522.010. (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, domestic violence shelter personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.

Terroristic threatening in the second degree (KRS 528.078) **Penalties—(Class C or D Felony)** 1. Imprisonment of not less than 1 year and nor more than 10 years. 2. Fine not less than $1,000 and not greater than $10,000.	A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally: (a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur; (b) Makes false statements by any means, including by electronic communication, indicating that an act likely to result in death or serious physical injury is occurring or will occur for the purpose of: 1. Causing evacuation of a school building, school property, or school sanctioned activity; 2. Causing cancellation of school classes or school-sanctioned activity; or 3. Creating fear of death or serious physical injury among students, parents, or school personnel; (c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or (d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075. (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010. (3) A person is not guilty of commission of an offense under this section if he or she,innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
Terroristic threatening in the third degree (KRS 508.080) **Penalties—(Class A Misdemeanor)** 1. Imprisonment not to exceed 12 months. 2. Fine not to exceed $500.	(1) Except as provided in KRS 508.075 or 508.078, a person is guilty of terroristic threatening in the third degree when: (a) He threatens to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person; or (b) He intentionally makes false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation.
Theft (KRS 514.030)	A person is guilty of theft by unlawful taking or disposition when they unlawfully: (a) Takes or exercises control over movable property of another with intent to deprive them thereof; or (b) Obtains immovable property of another or any interest therein with intent to benefit themselves or another not entitled thereto.
Tobacco/Alternative nicotine/Vapor distribution	A deliberate attempt to distribute tobacco/alternative nicotine/vapor products as defined in the definition provided in the "Use/Possession of tobacco/alternative nicotine/vapor products" section below. Staff will confiscate tobacco/alternative nicotine/vapor products. Parents will be notified and offered information about cessation services, in addition to consequences.
Unexcused tardiness to class	Arrival to class after the designated start time without prior authorization from an administrator, teacher, or school staff member.
Unintentional physical contact—staff	Unintentional physical contact with a faculty member, staff member, or other school official that does not cause physical injury. If a physical injury occurs, review the Assault codes above. For example, a staff member is assisting in breaking up a fight, and a student inadvertently elbows, swats, etc., the staff member.

Use/Possession of tobacco/alternative nicotine/vapor products (KRS 438.305/Board Policy 09.4232)	Possession, consumption, distribution, or selling of any tobacco products, alternative nicotine devices, vapor products, or tobacco-related devices at any time on school property or at off-campus, school-sponsored events. The term *tobacco product* means any cigarette, cigar, snuff, smokeless tobacco product, smoking tobacco, chewing tobacco, and any kind or form of tobacco prepared in a manner suitable for chewing or smoking, or both, or any kind or form of tobacco that is suitable to be placed in a person's mouth. The term also includes little cigars, dissolvables, hookah, and blunt wraps. The term *alternative nicotine product* means a noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. The term *vapor product* means any noncombustible product that employs a heating element, battery, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size and including the component parts and accessories thereto, that can be used to deliver vaporized nicotine or other substances to users inhaling from the device. *Vapor product* includes, but is not limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and every variation thereof, regardless of whether marketed as such, and any vapor cartridge or other container of a liquid solution or other material that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar product or device. The term *tobacco-related devices* means ashtrays, cigarette papers, or pipes for smoking or any components, parts, or accessories of alternative nicotine devices or vapor products.
Violation of Personal Electronic/Telecommunication Device Policy (KRS 158.165/Board Policy 09.4261)	Violation of personal electronic/telecommunication device policy is defined as a violation of the JCPS Telecommunication Device Policy. The expectation of the policy is as follows: Unless a school/council has been granted a waiver pursuant to Board Policy 02.432, students shall not use/activate and/or display a personal telecommunication device on school property during the course of the instructional day unless they are acting in the capacity of a volunteer firefighter or Emergency Medical Service (EMS) worker. The superintendent may approve the use of personal telecommunication devices as provided in the plan submitted by schools that contain a business and information technology career theme. Personal telecommunication device is defined in KRS 158.165 and includes, but is not limited to, cellular telephones, pagers, walkie-talkies, electronic mail devices, MP3 players, iPods, and video gaming systems. Outside the instructional school day, students shall be permitted to possess and use personal telecommunication devices provided they observe the following four conditions: 1. Devices shall not be used in a manner that is disruptive, including, but not limited to, use that: —Poses a threat to academic integrity, such as cheating, —Violates confidentiality or privacy rights of another individual, —Is profane, indecent, or obscene, —Constitutes or promotes illegal activity, or —Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device. 2. Students are responsible for keeping up with the devices they bring to school. The district shall not be responsible for the 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 procedures or the *SSBIH*. These offenses are subject to consequences under the *SSBIH*. In addition, the telecommunication device, including the SIM card, battery, and all other parts of the device, could be confiscated by an administrator and shall be returned to the parent/student/guardian by the end of that school day. Individual schools may set policies that define the progressive consequences for each offense. Administrators have the right to confiscate a phone when a student violates Condition 1, above. In such situations, the phone will be returned at the conclusion of the investigation.
Vandalism	Damaging or defacing school property or the property of school personnel.

Weapons/Dangerous Instruments (Board Policy 05.48)

Weapons/Dangerous instruments are not tolerated in the district. Any student who is knowingly in possession of or who is involved in the transfer, storage, or use of a firearm or explosive device will be referred to an alternative school site for a period of one calendar year and not be allowed to return to their previously assigned school: Handgun; shotgun/rifle; pellet/BB/air gun; paintball gun; replica/toy gun; stun gun/taser gun, knife, blade length less than 2.5 inches; knife, blade length 2.5 inches or greater; blunt object; other object; noxious substance; substance used as weapon

Definitions of State Reported Weapons
Handgun (Firearm): any firearm that can be held and fired with one hand. This category also includes revolvers and pistols.
Shotgun/Rifle: a shoulder firearm with spiral grooves cut in the inner surface of the gun barrel to give the bullet a rotatory motion and thus a more precise trajectory.

Look-Alike Weapons
Any toy or model weapon that looks enough like an authentic weapon to be reasonably mistaken for one. Any student who presents a look-alike weapon to a staff member or another student as a real weapon and/or who uses it to intimidate, threaten, or harass someone will be treated as if they used a real weapon, according to state and federal laws.



JURISDICTION AND APPLICATION OF THE *SSBIH*

The consequences set forth in the *SSBIH* apply to students at all times while they are on JCPS property or attending a JCPS event. JCPS property includes any school or other JCPS facility, including grounds owned or operated by JCPS, JCPS buses, and other JCPS vehicles, and the facility and grounds of any JCPS-sponsored activity involving students. Any student who is present when another student(s) is actively engaging in behavior that violates the *SSBIH* **and** the act is a law violation, may also be subject to consequences if the behavior constitutes active participation.

Student conduct occurring outside of school hours or away from school property may be subject to consequences if the school administration reasonably believes or possesses evidence that the conduct threatens the health or safety of students or staff, or if the conduct causes or is reasonably expected to cause substantial disruption or material interference with school activities.



DUE PROCESS

Whenever a student is accused of committing a violation of the *SSBIH*, they have the right to due process. This means that they must:

1. Be given oral or written notice of the charge against them.
2. Be provided with an opportunity to present their side of the case, and
3. Be provided with an opportunity to appeal the decision.

Due-process procedures will be followed before any suspension, unless immediate suspension is necessary to protect persons or property or to avoid disruption of the ongoing educational process. In such cases, due-process procedures shall be followed within three school days. The appeal process for a suspension is outlined beginning on page **36**.

Family Educational Rights and Privacy Act

Discipline records will be kept by the administrator. Records are accessible to teachers, administrators, the student, and/or the parent/guardian as required by the Family Educational Rights and Privacy Act (FERPA).

Right to Counsel

Persons who are involved in any disciplinary process have the right to legal representation at their own expense.

REPORTING CONCERNS OF IMPROPER TREATMENT OR ABUSE

If, at any time, a parent, guardian, staff member, or other person(s) suspects or witnesses an event that compromises the emotional or physical safety of a student, it should be reported immediately. In JCPS, systems are in place to evaluate, investigate, support, and respond to situations that could present harm to a student. With interest in providing the best service possible to our students and families, we have multiple ways that incidences can be reported. Additionally, there is a JCPS Child Abuse Reporting Policy; details are provided below.

1. If feasible, we urge parents and guardians to call the building principal and report concerns. If that is unsuccessful, the assistant superintendent supporting the school should be contacted.
2. If concerns involve the potential of bullying or harassment, please call our JCPS Hotline at **1-888-393-6780** or visit our website to complete an online report. See the Bullying Prevention resources on page **14** for more support.
3. Parents and guardians may also call the JCPS Call Center at **(502) 313-4357**.

Any allegation made to JCPS staff that involves abuse must be immediately reported in accordance with the JCPS Child Abuse Reporting Policy, which states:

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused, or neglected shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney, or the County Attorney in accordance with KRS 620.030.

Under Kentucky law, there are several authorities to which abuse or neglect can and should be reported. It is the district's policy, in compliance with state law, that you should immediately report incidents of suspected abuse or neglect to:

1. The Department of Social Services—Child Protective Services (CPS) Hotline **([502] 595-4550)** or 24-hour Hotline **(1-877-597-2331)**. If you are unable to reach someone at the CPS Hotline, then call:
2. The Crimes Against Children Unit (CACU) of the Louisville Metro Police Department **([502] 574-2465)**.

The JCPS Child Abuse Reporting Policy can be found at **www.jefferson.kyschools.us/departments/compliance-and-investigations/child-abuse-neglect-and**.

RETALIATION AND DISCRIMINATION PROHIBITED

Employees and other students shall not retaliate or discriminate against a student because they report a violation of the *SSBIH* or assist or participate in any investigation, proceeding, or hearing regarding the violation. The superintendent/designee shall take measures needed to protect students from such retaliation.

STUDENT SEARCHES

JCPS Search and Seizure procedures are located in Appendix D on page **44**.

SUSPENSION PROCEDURES

A principal or an assistant principal can suspend a student for offenses as outlined on the Behavior Codes charts beginning on page **25**.

- A Level 3/short-term school suspension is for one to three school days.
- A Level 4/long-term suspension is for six to ten school days.
- Level 4/long-term suspensions may be referred to the assistant director of Student Relations for a conference.
- A suspension of one to ten school days requires due process, in which the student is told of the charge against them, is given a chance to present their perspective regarding the incident, and is given the right to appeal the decision. Suspension appeal procedures are addressed on page **36**.
- A suspension of 11 to 20 school days requires a formal hearing unless such a hearing is waived by the parent/guardian. For a student with a disability or in the referral process, refer to 707 KAR 1:340. Section 14. Manifestation Determination. For information regarding students with disabilities under Section 504, please refer to the JCPS Section 504 webpage (**https://www.jefferson.kyschools.us/department/exceptional-child-education/section-504**). The procedures for a formal hearing are outlined later on this page.
- A student on suspension may not enter the school or go on any JCPS school grounds unless arrangements for them to do so are made with the principal or assistant principal. The student may not attend any day or night JCPS-sponsored function or ride a JCPS bus for the duration of the suspension. Any violation of these conditions will result in further consequences.
- Make-up work may be requested by a student within three school days of their return from suspension. Make-up work will include only written daily work, tests, and major projects. Some class work cannot be duplicated and therefore cannot be made up. Make-up work will be provided to the student as arranged with the teacher.

The student will have the number of school days of suspension plus one school day from the time they receive the make-up work to submit it to the teacher. When an absence or suspension occurs at the end of a semester or school year, the student or parent/guardian can make arrangements with the school administrator to take tests and turn in major projects. (See page **40**.)

- A suspension will be for a definite number of school days and cannot be extended.
- Parents will be notified by letter or electronically of the behavior resulting in suspension, suspension length, and suspension dates.

Formal Hearing

When a student has been suspended for 11 to 20 school days, they are entitled to a formal hearing.

- The hearing will be held within three school days of notification of suspension.
- The parent/guardian will be notified of the date, time, and place of the hearing.
- The hearing officer will be appointed by the superintendent/designee.
- Written allegations and information are collected and will be provided to the student and the parent/guardian.
- The student will have a chance to present a defense to the allegations and may be represented by an attorney at their own expense.
- The student will be allowed to present witnesses, if relevant to the allegations.
- The parent/guardian may waive the right to the formal hearing.
- The parent/guardian will receive the decision of the hearing officer within five school days in writing.

SUSPENSION APPEAL PROCESS

A student or parent/guardian may request that the student stay in school during the appeal of a suspension. A student determined by the principal to be a danger to others or who is highly likely to be so destructive or disruptive that the education of other students cannot continue in a safe and orderly manner shall not be allowed to attend school during the appeal process unless they are referred to an alternative placement.

Appeals should be made in writing and hand-delivered, mailed, or emailed to the appropriate administrator. If a parent/guardian/student needs help writing a letter of appeal, they may contact Student Relations at **(502) 485-3335** for assistance. Refer to the chart on page **37**. Alternative appeal formats may be accepted. These alternative appeal formats may be initiated and approved through the director of Student Relations. Failure to follow the appeal procedures within the prescribed time limits as described herein will nullify the right of a student or their parent/guardian to appeal.

Appeal Procedure for School Suspension

The following procedures are required when a parent/guardian/student appeals a school suspension.

1. Write a letter explaining your reasons for appealing the suspension to the school administrator who suspended the student. Hand-deliver, mail, or email the appeal letter to the school within three school days of notification of the suspension and appeal process.
2. If your appeal is denied by the administrator who suspended the student, you may appeal to the principal. The appeal letter must be hand-delivered, mailed, or emailed to the principal within five school days of the day you receive your answer from the administrator who suspended the student.
3. If your appeal is denied by the principal, you may appeal to the Achievement Area assistant superintendent (Jefferson County Public Schools, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be hand-delivered, mailed, or emailed within five school days of the day you receive your answer from the principal. This is the last step in the appeal process. Refer to the chart on page **37**.



ALTERNATIVE PLACEMENT

The goal of behavior support alternative placement is to help students improve academic skills, become more self-sufficient, and develop self-control. School administrators will implement interventions and/or consequences with all students in an effort to help them be successful. Students who fail to control their behavior after receiving repeated opportunities and consequences from the school, or students who commit serious offenses, will be suspended and referred to Student Relations so that their cases may be reviewed for potential placement in a behavior support alternative school. In situations that involve a staff assault or deadly weapon, the student will be automatically placed in one of our behavior support alternative sites. A student's ability to return to the school of origin will be evaluated by the assistant superintendent for Climate and Culture.

The length of placement will be decided by the JCBE designee and will depend upon the facts and circumstances surrounding the behavior and governing state and federal law.

APPEAL PROCESS

School Suspension	Send/Take written appeal to: **Administrator Who Suspended Student**	**Principal**		**Assistant Superintendent of Suspending School**
Referral To an Alternative Placement	Send/Take written appeal to: **Specialist, Student Relations**	**Assistant Director, Student Relations**	**Climate and Culture Assistant Superintendent**	**Superintendent**

A student who has been assigned to a behavior support alternative school must complete the requirements of that program before they can return to another Jefferson County public school, unless their return is approved by the assistant superintendent of Climate and Culture. Any student who assaults a staff member or brings a gun to school may or may not be allowed to return to their previously assigned school.

JCPS is committed to providing all students with a fair and equitable application of behavior support systems. For information regarding discipline procedures for students with disabilities, including students in the referral process, please refer to 707 KAR 1: 340. Section 13. Discipline. ([Page 37] **https://apps.legislature.ky.gov/law/kar/707/001/340.pdf**). For information regarding students with disabilities under Section 504, please refer to the JCPS Section 504 webpage (**https://www.jefferson.kyschools.us/department/exceptional-child-education/section-504**).

The ARC may consider any circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

Behavior Where Alternative Placement Is Considered

If a student is charged with or convicted of a felony offense (or an offense that would be considered a felony if the student were an adult) committed off the school campus and while not engaged in a school-sponsored activity, Student Relations may assign the student to a behavior support alternative school. Students enrolling in JCPS from out of the district may be referred to Student Relations due to behavior issues at a prior school, criminal charges, or previous enrollment in a camp/behavior support alternative school.

Criminal Violations

When a student violates a law, school administrators may notify the appropriate law enforcement official. Students convicted or charged with gun- or school-related criminal violations in the community may be subject to alternative placement. Prosecution and adjudication of criminal violations shall occur separately from the administration of school procedures. Release of student records to local law enforcement for law enforcement or prosecution purposes is subject to the disclosure requirements of FERPA and the Kentucky Family Educational Rights and Privacy Act (KFERPA).

Appeal of Suspension of Educational Services

If the district refers a student for the suspension of educational services, that student has the right to appeal that decision to the Board of Education. The Board of Education will hold a hearing at which the charge will be read to the student, the student will be allowed to present evidence, a representative from the district will be allowed to respond, and the student may be represented by counsel.

Appeal Procedure for Referral to an Alternative Placement

The following procedures are required when a parent/guardian/student appeals the referral to an alternative placement but does not appeal the suspension. A student may not be allowed to attend school during the appeal process if the principal believes that the student is a danger to themselves or to others.

1. Write a letter explaining your reasons for appealing the decision to the specialist, Student Relations (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The letter must be mailed, emailed, or delivered within five school days of the decision.
2. If your appeal is denied by the specialist of Student Relations, you may appeal to the assistant director of Student Relations (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The appeal must be made in writing, and the letter must be mailed, emailed, or delivered within five school days of the day you receive your answer from the assistant director of Student Relations.
3. If your appeal is denied by the assistant director of Student Relations, you may appeal to the assistant superintendent of Climate and Culture (Jefferson County Public Schools, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be made in writing, and the letter must be mailed, emailed, or delivered within five school days of the day you receive your answer from the director of Student Relations.
4. If your appeal is denied by the assistant superintendent for Climate and Culture, you may appeal to the superintendent (Jefferson County Public Schools, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be made in writing, and the letter must be mailed, emailed, or delivered within five school days of the day you receive your answer from the assistant superintendent for Climate and Culture. This is the last step in the appeal process. Refer to the chart on page **37**.

BUS SAFETY

School bus behavior expectations are established to ensure that all students have a safe ride to and from school each day. Positive and proactive strategies will be implemented to foster appropriate behavior and productive relationships. The school bus is an extension of the classroom, and appropriate behavior is expected at all times. Students are expected to follow the same behavioral standards while riding the school bus as is expected on school property or at school functions, activities, and events. All school rules are in effect while a student is riding the bus or waiting at a designated bus stop.

Violations that occur involving the school bus and/or incidents that occur while students are on the way to school (bus stop/neighborhood) or returning from school (bus stop/neighborhood) may result in a consequence. This means that the school administrator can address a student's inappropriate behavior on a school bus, which may include suspension of bus privileges, in-school consequences, suspension from school, and/or referral/placement in an alternative school. JCPS buses are equipped with digital video cameras. Video recordings may be used to document incidents and responsibility for inappropriate behavior on the school bus.

Safety-related bus incidents may warrant extended bus suspensions. In instances of terroristic threatening, student/staff assault, or weapons possession or use on a bus, a principal may request permission to remove a student from the bus beyond five days per incident. The request should follow the completion of a threat assessment and include a recommended length of bus suspension.

Requests for 6- to 10-Day Bus Suspensions
The principal makes a request to the appropriate zone assistant superintendent, who will review relevant information and provide final approval for bus suspension length.

Requests for 11- to 20-Day Bus Suspensions
The principal makes a request to the appropriate zone assistant superintendent who will consult with the executive administrator of Transportation, the assistant superintendent of Culture and Climate, and chief counsel/designee. This committee will collectively approve the request. Appeals for extended bus suspensions of 11 to 20 days must be made in writing to chief counsel/designee within five days of communication to the parent/guardian. In extreme circumstances, the committee may approve additional bus suspensions beyond 20 days.

Safety Expectations for Bus Riders

B

Be Responsible

- Be on your best behavior.
- Obey the driver's instructions. The driver of a school bus is in complete charge of their passengers.
- Eating, drinking, and smoking are not permitted on the school bus.
- Keep the bus clean. Do not throw trash on the floor.
- Do not mar or deface the bus. Seat covers must not be damaged in any manner. Anyone caught damaging the equipment will be subject to consequences and/or to making restitution.
- Pets and animals are not allowed on the bus at any time.

U

Use Respect

- The driver has the authority to assign seats.
- Use your inside voice.
- Do not wave or shout to pedestrians or occupants or other vehicles. Do not throw objects out of the bus windows.
- Know that using profanity and making obscene gestures on the school bus are prohibited.
- Keep hands, feet, and objects to yourself.
- Do not fight or scuffle on the bus or create any loud disturbances.
- Refrain from talking to the driver, except in an emergency.

S

Stay Safe

- Be seated immediately, and remain seated while the bus is in motion. If a seat is not available, hold onto the back of a seat.
- Keep your head, hands, and feet inside the bus.
- Students may not stand in the stairwell while the bus is in motion.
- Books and backpacks should remain in your lap and not be placed in the aisleway. Instruments and large objects will be allowed on the bus only if they can be held on the lap.
- Do not tamper with the emergency door, fire extinguisher, or other equipment on the bus.

APPENDIX A

District and State Requirements for Enrollment, Attendance, and Absences

Kentucky Law KRS 158.030 states, "... any child who is six (6) years of age, or who may become six (6) years of age by August 1, shall attend public school or qualify for an exemption as provided by KRS 159.030. Any child who is five (5) years of age, or who may become five (5) years of age by August 1, may enter a primary school program" or may wait until the child is six (6) years old. Enrollment of children into the Primary Program at the age of 5 is voluntary; however, once a child is enrolled, Kentucky law makes attendance mandatory. If, however, within two pupil months after enrollment a child is found to be immature or by mutual agreement by the parent, guardian, or other custodian and the school, the student may withdraw with a withdrawal code of W17.

Additional Resources

Kentucky Department of Education (KDE) Attendance Manual: **https://education.ky.gov/districts/enrol/Pages/Pupil-Attendance-Program-Documents.aspx**

JCPS *Pupil Personnel Manual*: **https://www.jefferson.kyschools.us/data-management-planning-and-program-evaluation-division/data-control/attendance**

Compulsory Attendance

As of July 1, 2015, new compulsory attendance laws (KRS 159.010) went into effect, which require all students to attend school until they are 18 years old or have completed a high school program. The district records excused and unexcused absences daily to comply with Kentucky law, KRS 159.150, which states, "Any child who has attained the age of six years but has not reached their eighteenth birthday, who has been absent from school without a valid excuse for three or more days, or [who has been] tardy without a valid excuse on three or more days is a truant. Any student enrolled in a public school who has attained the age of 18 years but has not reached their twenty-first birthday, who has been absent from school without a valid excuse for three or more days, or [who has been] tardy without a valid excuse on three or more days is a truant." The law defines a *habitual truant* as "any student who has been reported as truant two or more times." Kentucky law, KRS 159.990, holds accountable a public school student who has attained the age of 18, but who has not reached their twenty-first birthday, if the student fails to comply with school truancy laws; holds accountable the parent/guardian or custodian of a public school student who has not reached their eighteenth birthday if the student fails to comply with school truancy laws; and holds accountable the court-appointed guardian of a public school student who has been identified as an exceptional child or youth and has not reached their twenty-first birthday if the student fails to comply with school truancy laws. Any parent/guardian or custodian who fails to comply with the requirements may face fines of $100 for the first offense and $250 for the second offense and may be charged with a Class B misdemeanor for each subsequent offense. Charges of educational neglect and/or unlawful transaction with a minor may also be filed.

Absences

An excused absence or tardy is one for which work may be made up. Excused absences and tardies include such circumstances and occasions as a death or severe illness in the student's immediate family, an illness of the student, religious holidays and practices, one day for attendance at the Kentucky State Fair, and other valid reasons as determined by the principal. When a student accumulates a total of ten full-day absences due to illness, parents are required to present a written statement from a medical professional (e.g., doctor, dentist, psychologist) for additional absences during the current school year in order for the student to be excused.

If a student's parent or legal guardian is a member of the United States Armed Forces, including a member of a state National Guard or Reserve unit, and is called to federal active duty, a JCPS principal shall grant the student an excused absence for one school day when the parent/guardian is deployed. The student will also be granted an excused absence for one school day when the parent/guardian returns from deployment. If a student's parent/guardian is stationed out of the country and is granted rest and recuperation leave, the student will be allowed up to ten excused absences for visitation. A student receiving an excused absence for these purposes shall be considered present in school and will have the opportunity to make up schoolwork missed and will not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

Excused absences for the purpose of an Educational Enhancement Opportunity (**https://www.jefferson.kyschools.us/sites/default/files/forms/Educational%20Enhancement%20Opportunity%20Request.pdf**) may be granted for up to ten school days in order for a student to pursue an opportunity that the local school administrator determines to be of significant educational value, provided that the date(s) requested does not conflict with state or district testing periods. Requests must be made on appropriate forms and received by the school five days in advance of the anticipated absence. This opportunity may include, but is not limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one of the core curriculum subjects of English, science, mathematics, social studies, foreign language, or the arts. A principal's determination may be appealed to the superintendent/designee, whose decision may then be appealed to the Board of Education. A student receiving an excused absence to pursue an educational enhancement opportunity shall be considered present in school during the excused absence.

Parents/Guardians are to notify the school on the day on which their child is absent and provide notes to explain and confirm excused absences and tardies within three school days of the student's return.

When a student is truant, the local school clerical and/or administrative staff may:

- Notify the parent/guardian by telephone or in writing of unexcused absence(s).
- Send a letter to the parent/guardian stating that the student is truant after the third unexcused absence.
- Hold a conference with the parent/guardian after the sixth unexcused absence.
- Notify the Pupil Personnel Department electronically via the JCPS Student Attendance Reporting System (SARS) after the sixth unexcused absence and record any interventions conducted at the local school.
- Refer the student to the FRYSC coordinators, school nurses, MHPs or additional collaborating agencies, who will work with the student and their family in support of regular attendance.

When a student has six or more unexcused absences:

- Students who continue to be absent from school may be required to attend a formal district-level review with their parent/guardian to recommend further services or interventions.
- Pupil Personnel staff or a school social worker may visit the home of the student and/or schedule a Parent Engagement Meeting (PEM) in collaboration with additional community agencies to address all barriers to regular school attendance.
- A final notice may be served in person or sent by certified mail to the parent/guardian.
- Pupil Personnel staff or a school social worker may require a parent/guardian conference and/or file an educational neglect report with Child Protective Services (CPS).
- A student may be referred to Family Court by the assistant director of Pupil Personnel and may be subject to legal action if absences continue to accumulate.

Make-Up Work

A student receiving an excused absence shall have the opportunity to make up missed schoolwork and not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence. A student returning to school after an excused absence or suspension may request make-up work within three school days of their return to each class. The student will have the number of school days of absence or suspension plus one school day from the time they receive the make-up work to complete the work and submit it to the teacher. For ECE students, this must be done in accordance with the IEP. For Section 504 students, this must be done in accordance with their 504 Plan.

The local SBDM Council or, if none exists, the principal, with input from teachers and parents, shall establish rules regarding make-up work for unexcused absences other than suspensions.

APPENDIX B

Use of Physical Restraint and Seclusion

704 KAR 7:160. Use of physical restraint and seclusion in public schools. The JCPS Board of Education Policy regarding restraint and seclusion, based on the regulation, can be found at http://policy.ksba.org/Chapter.aspx?distid=56.

RELATES TO: KRS 156.160(1)(h), 158.444(1)
STATUTORY AUTHORITY: KRS 156.160(1)(h), 156.070, 158.444 (1)
NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160(1)(h) and 158.444 (1) give the Kentucky Board of Education the authority to promulgate administrative regulations related to medical inspection, physical and health education and recreation, and other regulations necessary or advisable for the physical welfare and safety of the public school children. This administrative regulation establishes the requirements for the use of physical restraint and seclusion in districts and the notification and data reporting requirements for the use of physical restraint and seclusion in districts and does not prohibit the lawful exercise of law enforcement duties by sworn law enforcement officers.

Section 1. Definitions.

(1) "Aversive behavioral interventions" means a physical or sensory intervention program intended to modify behavior that the implementer knows would cause physical trauma, emotional trauma, or both, to a student even when the substance or stimulus appears to be pleasant or neutral to others and may include hitting, pinching, slapping, water spray, noxious fumes, extreme physical exercise, loud auditory stimuli, withholding of meals, or denial of reasonable access to toileting facilities.

(2) "Behavioral intervention" means the implementation of strategies to address behavior that is dangerous or inappropriate, or otherwise impedes the learning of the students.

(3) "Chemical restraint" means the use of medication to control behavior or restrict a student's freedom of movement that includes over-the-counter medications used for purposes not specified on the label but does not include medication prescribed by a licensed medical professional and supervised by qualified and trained individuals in accordance with professional standards.

(4) "Dangerous behavior" means behavior that presents an imminent danger of physical harm to self or others but does not include inappropriate behaviors such as disrespect, non-compliance, insubordination, or out of seat behaviors.

(5) "De-escalation" means the use of behavior management techniques intended to:
   (a) Mitigate and defuse dangerous behavior of a student; or
   (b) Reduce the imminent danger of physical harm to self or others.

(6) "Emancipated youth" means a student under the age of eighteen (18) who is or has been married or has by court order or otherwise been freed from the care, custody, and control of the student's parents.

(7) "Emergency" means a sudden, urgent occurrence, usually unexpected but sometimes anticipated, that requires immediate action.

(8) "Mechanical restraint" means the use of any device or equipment to restrict a student's freedom of movement, but does not include:
   (a) A device implemented by trained school personnel or utilized by a student that has been prescribed by an appropriate medical or related services professional that is used for the specific and approved purposes for which the device was designed;
   (b) An adaptive device or mechanical support used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of the device or mechanical support;
   (c) A vehicle safety restraint if used as intended during the transport of a student in a moving vehicle;
   (d) Restraint for medical immobilization; or
   (e) An orthopedically prescribed device that permits a student to participate in activities without risk of harm.

(9) "Parent" means a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian of the student.

(10) "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, but does not include:
   (a) Temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of encouraging a student to move voluntarily to a safe location;
   (b) A behavioral intervention, such as proximity control or verbal soothing, used as a response to calm and comfort an upset student;
   (c) Less restrictive physical contact or redirection to promote student safety; or
   (d) Physical guidance or prompting when teaching a skill or redirecting the student's attention.

(11) "Positive behavioral supports" means a school-wide systematic approach to embed evidence-based practices and data-driven decision-making to:
   (a) Improve school climate and culture in order to achieve improved academic and social outcomes;

(b) Increase learning for all students, including those with the most complex and intensive behavior needs;

(c) Encompass a range of systemic and individualized positive strategies to reinforce desired behaviors;

(d) Diminish reoccurrence of inappropriate or dangerous behaviors; and

(e) Teach appropriate behaviors to students.

(12) "Prone restraint" means the student is restrained in a face down position on the floor or other surface, and physical pressure is applied to the student's body to keep the student in the prone position.

(13) "School personnel" means teachers, principals, administrators, counselors, social workers, psychologists, paraprofessionals, nurses, librarians, school resource officers, sworn law enforcement officers, and other support staff who are employed in a school or who perform services in the school on a contractual basis.

(14) "School resource officer" is defined in KRS 158.441(2).

(15) "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 timeouts, supervised in-school detentions, or out-of-school suspensions.

(16) "Student" means any person enrolled in a preschool, school level as established in 703 KAR 5:240, Section 5, or other educational program offered by a local public school district.

(17) "Supine restraint" means the student is restrained in a face up position on the student's back on the floor or other surface, and physical pressure is applied to the student's body to keep the student in the supine position.

(18) "Timeout" means a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

Section 2. (1) Each local school district shall establish policies and procedures that:

(a) Ensure school personnel are aware of and parents are notified how to access the policies and procedures regarding physical restraint and seclusion;

(b) Are designed to ensure the safety of all students, school personnel, and visitors;

(c) Require school personnel to be trained in accordance with the requirements outlined in Section 6 of this administrative regulation;

(d) Outline procedures to be followed during and after each use of physical restraint or seclusion, including notice to parents, documentation of the event in the student information system, and a process for the parent or emancipated youth to request a debriefing session;

(e) Require notification, within twenty four (24) hours, to the Kentucky Department of Education and local law enforcement in the event of death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty resulting from the use of physical restraint or seclusion;

(f) Outline a procedure by which parents may submit a complaint regarding the physical restraint or seclusion of their child, which shall require the district and school to investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and if appropriate, take corrective action; and

(g) Outline a procedure to regularly review data on physical restraint and seclusion usage and revise policies as needed.

(2) Each local school district shall revise existing policies or develop policies consistent with this administrative regulation within ninety (90) calendar days of the effective date of this administrative regulation.

Section 3. (1) Physical restraint shall not be used in a public school or educational program:

(a) As punishment or consequences;

(b) To force compliance or to retaliate;

(c) As a substitute for appropriate educational or behavioral support;

(d) To prevent property damage, except as permitted under KRS Chapter 503;

(e) As a routine school safety measure; or

(f) As a convenience for staff.

(2) School personnel shall not impose the following on any student at any time:

(a) Mechanical restraint;

(b) Chemical restraint;

(c) Aversive behavioral interventions;

(d) Physical restraint that is life-threatening;

(e) Prone or supine restraint; or

(f) Physical restraint if they know that physical restraint is contraindicated based on the student's disability, health care needs, or medical or psychiatric condition.

(3) Physical restraint may only be implemented in a public school or educational program if:

(a) The student's behavior poses an imminent danger of physical harm to self or others and as permitted under KRS 503.050, 503.070, and 503.110;

(b) The physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication, unless the student uses sign language or an augmentative mode of communication as the student's primary mode of communication and the implementer determines that freedom of the student's hands for brief periods during the restraint appears likely to result in physical harm to self or others;

(c) The student's physical and psychological well-being is monitored for the duration of the physical restraint;

(d) Less restrictive behavioral interventions have been ineffective in stopping the imminent danger of physical harm to self or others, except in the case of a clearly unavoidable emergency situation posing imminent danger of physical harm to self or others; and

School personnel implementing the physical restraint are appropriately trained as required by Section 6 (3) of this administrative regulation, except to the extent necessary to prevent physical harm to self or others in clearly unavoidable emergency circumstances where other school personnel intervene and summon trained school personnel as soon as possible.

(4) When implementing a physical restraint, school personnel shall use only the amount of force reasonably believed to be necessary to protect the student or others from imminent danger of physical harm.

(5) The use of physical restraint shall end as soon as:

(a) The student's behavior no longer poses an imminent danger of physical harm to self or others; or

(b) A medical condition occurs putting the student at risk of harm.

Section 4. (1) Seclusion shall not be used in a public school or educational program:

(a) As punishment or consequences;
(b) To force compliance or to retaliate;
(c) As a substitute for appropriate educational or behavioral support;
(d) To prevent property damage in the absence of imminent danger of physical harm to self or others;
(e) As a routine school safety measure;
(f) As a convenience for staff; or
(g) As a substitute for timeout.

(2) Seclusion may only be implemented in a public school or educational program if:
(a) The student's behavior poses an imminent danger of physical harm to self or others;
(b) The student is visually monitored for the duration of the seclusion;
(c) Less restrictive interventions have been ineffective in stopping the imminent danger of physical harm to self or others; and
(d) School personnel implementing the seclusion are appropriately trained to use seclusion.

(3) The use of seclusion shall end as soon as:
(a) The student's behavior no longer poses an imminent danger of physical harm to self or others; or
(b) A medical condition occurs putting the student at risk of harm.

(4) A setting used for seclusion shall:
(a) Be free of objects and fixtures with which a student could inflict physical harm to self or others;
(b) Provide school personnel a view of the student at all times;
(c) Provide adequate lighting and ventilation;
(d) Be reviewed by district administration to ensure programmatic implementation of guidelines and data related to its use;
(e) Have an unlocked and unobstructed door; and
(f) Have at least an annual fire and safety inspection.

Section 5. (1) All physical restraints and seclusions shall be documented by a written record of each use of seclusion or physical restraint and be maintained in the student's education record. Each record of a use of physical restraint or seclusion shall be informed by an interview with the student and shall include:
(a) The student's name;
(b) A description of the use of physical restraint or seclusion and the student behavior that resulted in the physical restraint or seclusion;
(c) The date of the physical restraint or seclusion and school personnel involved;
(d) The beginning and ending times of the physical restraint or seclusion;
(e) A description of any incidents leading up to the use of physical restraint or seclusion including possible factors contributing to the dangerous behavior;
(f) A description of the student's behavior during physical restraint or seclusion;
(g) A description of techniques used in physically restraining or secluding the student and any other interactions between the student and school personnel during the use of physical restraint or seclusion;
(h) A description of any behavioral interventions used immediately prior to the implementation of physical restraint or seclusion;
(i) A description of any injuries to students, school personnel, or others;
(j) A description as to how the student's behavior posed an imminent danger of physical harm to self or others;
(k) The date the parent was notified;
(l) A description of the effectiveness of physical restraint or seclusion in deescalating the situation;
(m) A description of the school personnel response to the dangerous behavior;
(n) A description of the planned positive behavioral interventions which shall be used to reduce the future need for physical restraint or seclusion of the student; and
(o) For any student not identified as eligible for services under either Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act, documentation of a referral under either law or documentation of the basis for declining to refer the student.

(2) If the student is not an emancipated youth, the parent of the student shall be notified of the physical restraint and seclusion verbally or through electronic communication, if available to the parent, as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached within twenty-four (24) hours, a written communication shall be mailed to the parent via U.S. mail.

(3) The principal of the school shall be notified of the seclusion or physical restraint as soon as possible, but no later than the end of the school day on which it occurred.

(4) The physical restraint or seclusion record as outlined in subsection (1) of this section shall be completed by the end of the next school day following the use of seclusion or physical restraint.

(5) If the parent or emancipated youth requests a debriefing session under Section 2(1)(d) of this administrative regulation, a debriefing session shall be held after the imposition of physical restraint or seclusion upon a student.

(6) The following persons shall participate in the debriefing session:
(a) The implementer of the physical restraint or seclusion;
(b) At least two (2) of any other school personnel who were in the proximity of the student immediately before or during the physical restraint or seclusion;
(c) The parent of an unemancipated student;
(d) The student, if the parent requests or if the student is an emancipated youth; and
(e) Appropriate supervisory and administrative school personnel, which may include appropriate Admissions and Release Committee members, Section 504 team members, or response to intervention team members.

(7) The debriefing session shall occur as soon as practicable, but not later than five (5) school days following the request of the parent or the emancipated youth, unless delayed by written mutual agreement of the parent or emancipated youth and the school.

(8) The debriefing session shall include:
(a) Identification of the events leading up to the seclusion or physical restraint;
(b) Consideration of relevant information in the student's records and information from teachers, parents, other school district professionals, and the student;
(c) Planning for the prevention and reduction of the need for seclusion or physical restraint, with consideration of recommended appropriate positive behavioral supports and interventions to assist school personnel responsible for implementing the student's IEP, or Section 504 plan, or response to intervention plan, if applicable, and consideration of whether positive behavioral supports and interventions were implemented with fidelity; and

(d) For any student not identified as eligible for services under either Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act, consideration of a referral under either law and documentation of the referral or documentation of the basis for declining to refer the student.

(9) All documentation utilized in the debriefing session shall become part of the student's education record.

Section 6. (1)(a) All school personnel shall be trained in state administrative regulations and school district policies and procedures regarding physical restraint and seclusion.

(b) All school personnel shall be trained annually to use an array of positive behavioral supports and interventions to:

1. Increase appropriate student behaviors;
2. Decrease inappropriate or dangerous student behaviors; and
3. Respond to dangerous behavior.

(c) This training may be delivered utilizing web-based applications.

(d) This training shall include:

1. Appropriate procedures for preventing the need for physical restraint and seclusion, including positive behavioral supports and interventions;
2. State administrative regulations and school district policies and procedures regarding physical restraint and seclusion;
3. Proper use of positive reinforcement;
4. The continuum of use for alternative behavioral interventions;
5. Crisis prevention;
6. De-escalation strategies for responding to inappropriate or dangerous behavior, including verbal deescalation, and relationship building; and
7. Proper use of seclusion as established in Section 4 of this administrative regulation, including instruction on monitoring physical signs of distress and obtaining medical assistance if necessary.

(2) All school personnel shall receive annual written or electronic communication from the district identifying core team members in the school setting who have been trained to implement physical restraint.

(3) A core team of selected school personnel shall be designated to respond to dangerous behavior and to implement physical restraint of students. The core team, except school resource officers and other sworn law enforcement officers, shall receive additional yearly training in the following areas:

(a) Appropriate procedures for preventing the use of physical restraint except as permitted by this administrative regulation;

(b) A description and identification of dangerous behaviors that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations, in order to determine whether the use of physical restraint is safe and warranted;

(c) Simulated experience of administering and receiving physical restraint, and instruction regarding the effect on the person physically restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;

(d) Instruction regarding documentation and notification requirements and investigation of injuries; and

(e) Demonstration by core team members of proficiency in the prevention and use of physical restraint.

Section 7. The following data shall be reported by the district in the student information system related to incidents of physical restraint and seclusion:

(1) Aggregate number of uses of physical restraint;

(2) Aggregate number of students placed in physical restraint;

(3) Aggregate number of uses of seclusion;

(4) Aggregate number of students placed in seclusion;

(5) Aggregate number of instances of substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty to students related to physical restraint and seclusion;

(6) Aggregate number of instances of substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty to school personnel related to physical restraint and seclusion; and

(7) Aggregate number of instances in which a school resource officer or other sworn law enforcement officer is involved in the physical restraint or seclusion of a student. (39 Ky.R. 678; 1207; 1400; eff. 2-1-2013; Crt eff.12-9-2019.)

APPENDIX C

JCPS Student Acceptable Use Policy

The JCBE 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 required by this policy and related procedures, which apply to all parties who use district technology. This access is offered through the JCPS networks.

Communication, data, and files transferred through the JCPS networks are not private. They may be reviewed by specific district personnel, or by someone appointed by them (e.g., independent contractors, law enforcement), to ensure that all JCBE policies, administrative procedures, and state and federal laws are followed. Violation of this policy may result in disciplinary action in accordance with the *Student Support and Behavior Intervention Handbook*.

Student Safety Procedures and Guidelines

The superintendent/designee shall develop and implement appropriate administrative procedures to provide guidance for access to electronic media. Procedures shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the internet, email, and other district technological resources), and issues of privacy versus administrative review of electronic files and communications.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in digital messaging, and cyberbullying awareness and response.

Internet safety measures, which shall apply to all district-owned devices with internet access or personal devices that are permitted to access the district's networks, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the internet;
- Safety and security of minors when they are using electronic mail, digital messaging, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;
- Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- Restricting minors' access to material harmful to them.

Student Use

- Specific expectations for appropriate internet use shall be reflected in the *Student Support and Behavior Intervention Handbook*, including appropriate orientation for students.
- A technology protection measure may be disabled by the JCBE designee during use by an adult to enable access for bona fide research or other lawful purpose.
- Students are responsible for appropriate behavior when using the JCPS networks and other district resources, just as they are in classrooms and school hallways. Therefore, general school rules for expectations and district behavior guidelines apply. Access to network services is provided, and students are expected to act responsibly. Based on the acceptable use guidelines outlined in this policy, the system administrators will deem what is inappropriate use, and their decisions are final.
- The administration and staff may revoke or suspend user access when these terms are violated.

A student shall:

- Follow school and district behavior expectations to be a respectful and responsible digital citizen.
- Use online/network resources (including email) as instructed and for educational purposes.
- Store and share only appropriate material.
- Use school and/or personal technology only at approved times for appropriate purposes.

A student shall NOT:

- Access, send, or willfully receive any content that is inappropriate, offensive, harassing, or profane in nature or that promotes violence or illegal activity, except in support of a legitimate educational purpose, which is permitted with teacher approval and oversight.
- Willfully waste resources or use them for non-academic purposes (e.g., file storage, printing, bandwidth)
- Use or share the student's or another person's username or password with others.
- Compromise the JCPS networks and their settings in any way (e.g., hacking, spamming, bypassing security)
- Use the JCPS networks for personal gain, entertainment, political promotion, or activities unrelated to school, except for incidental personal use, which is permitted.
- Violate copyright laws or commit plagiarism, including the copying of software, music, or other copyright protected files.
- Intentionally damage or steal district or personal technology-related property.
- Engage in cyberbullying, harassment, or disrespectful conduct toward others.

Student Independent Resource Opt-Out

- Computer and mobile device use is a vital part of the District's instructional plan, particularly in presenting personalized learning opportunities for all students.
- With the *JCPS Everyone:1* program, each student will use the device assigned to them to gain knowledge, develop skills, and extend the student's current capabilities. A student's device will be used daily to support and guide learning within the District's instructional plan, which encompasses both school use and use beyond the school day or outside of the school setting, including, but not limited to, use in the provision of Extended School Services (ESS); and use on Non-Traditional Instructional (NTI) days.

  These resources are for academic purposes only. While using these resources, a student must abide by the JCPS *Student Support and Behavior Intervention Handbook*, the JCPS Student Acceptable Use Policy, and applicable state and federal laws.
- For a student to opt out of use of district technology resources outside of the district's instructional plan, including non-NTI home-based use, a parent/guardian must provide written notice to the school principal. The student will still use district-provided technology resources in the classroom, for ESS services, and on NTI days, as part of the District's instructional plan.

APPENDIX D

Search and Seizure

Reasonable Suspicion

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

Authorized Personnel

Searches of a pupil's person or their personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the principal/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (e.g., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or their personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

Witness/Personal Searches

When a pat down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil, and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students.

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

Strip Searches

No strip searches of students shall be permitted.

Failure to Cooperate

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

Regular Inspection

School property, such as lockers, desks, network systems, technology resources, and accounts owned or supplied by the district, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items that are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker, or technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

Illegal Items

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

Other Disruptive Items

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

Disposition of Items

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

References:

1 New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)
KRS 161.180; KRS 531.335
Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

APPENDIX E

COVID-19 Behavior Guidance

Approved by the JCBE, February 5, 2021

Our first priority is to keep our students and staff safe. Immediately following safety is our commitment to supporting and educating all children. No doubt, our most successful resolutions will be those that help our students understand the importance of safety, and to the greatest degree possible, allow them to stay in the classroom/school. As you are building systems to support behavior in this new context, please consider the following:

1. Clear Expectations: Your school staff, and students, should have a clear understanding of what it means to properly wear a mask/face covering and to social distance. Students should be taught and shown how it looks to wear their mask properly, covering nose and mouth. Your new social distancing procedures for classrooms, hallways, cafeterias, gyms or general spaces, etc. should be taught to students and modeled.
2. Modeling: It will be critical that all staff model your school's PPE expectations at all times. If students feel their safety is being compromised or that staff members aren't expected to follow the "rules," issues will arise.
3. Affect: Remember, students will not be able to see our mouths, thus making it very difficult for them to interpret our tone or affect. All we have is our voices, eyes, and physical gestures to communicate. Some students might find this stressful, intimidating, or even inciting as a result of lived experiences. As leaders, we will need to consider the tone of voice we use, the manner with which we approach students for redirection, and the expressions of our eyes. Additionally, we will have to influence, coach, and lead our staff to consider and do the same.

IMPORTANT NOTE: Any disciplinary action that involves a student who currently has an IEP/504 plan or a student in the referral process, please contact your ECE Implementation Coach for guidance on how to implement disciplinary actions in accordance with IDEA. If the ECE Implementation Coach has questions, he/she should contact your ECE Zone Specialist. Please note that removals from virtual learning are considered the same as any removal from the brick and mortar environment and must be recorded.

We have many online videos, Positive Behavior Interventions and Supports (PBIS) resources and materials, and school-based support persons that can assist you with any of these considerations. Please don't hesitate to reach out to your Behavior Support Resource Teacher or Behavior Support System Coordinator, for support or access to these materials.

Behavior Codes

The two primary behaviors that relate to added COVID-19 safety procedures are; student unwillingness to wear a mask; or student unwillingness to practice social distancing. Those behaviors can occur in a classroom, in a school building common space, on school grounds, at a school-sponsored event, or on a bus. In response to those possibilities, we will be adding the following 4 codes to Infinite Campus (IC). Two apply to school-based incidents and two apply to bus-related incidents. This will allow us to be able to easily differentiate between challenges we are experiencing in buildings versus on our buses, and adjust responses accordingly.

New codes:

- Social Distancing Noncompliance
- Mask Noncompliance
- Bus Social Distancing Noncompliance
- Bus Mask Noncompliance

Behavior Definitions and Determinations

Mask Noncompliance: (pertaining to mask noncompliance in a classroom, school building common space, on school grounds, or at a school-sponsored event) If a student is in need of a mask, one will be provided by the school. If a student is visibly in possession of a mask and has it around his/her neck, hanging to one side, or pulled down under nose or under the mouth, prompt the student to readjust their mask to its correct place over the nose and mouth. If the student complies without resistance, that is not a disciplinary event.

Mask noncompliance is a Level 1 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

As all of us have experienced, especially when wearing a mask for several hours of time, we might drink water, eat, or simply adjust our masks. It is our intent to be patient but diligent with our safety expectations.

It is possible mask related incidents can be more serious in nature.

1. If a student is redirected and reacts with profanity, or engages in another unacceptable behavior in the SSBIH, BUT corrects the mask noncompliance, the SSBIH guidelines for the most severe behavior exhibited should be considered when assigning consequences to that incident.

2. If a student does not have a mask visibly present, refuses to respond to redirection, ignores, or becomes combative, a consequence should be issued. That level of noncompliant behavior should be considered a high level safety concern, so should be considered a Level 3 or 4. Any individual not wearing a mask is compromising the health and safety of those around them. *See important note above for students who have an IEP or 504 plan.

In either case above, the consequence should be focused on the most severe behavior exhibited. Additionally, it is critical to identify why the student is refusing to comply with mask expectations. While it is defiant behavior, it is also a safety concern for the student and others. If barriers exist that are impacting the student's sense of safety and willingness to keep themselves and others safe, that information will be critical to avoid future non-compliance. The progression of discipline resolutions should be documented and consistent with the examples provided.

Social Distancing Noncompliance: (pertaining to social distancing noncompliance in a classroom school building common space, on school grounds, or at a school-sponsored event) The primary response to students' interacting too closely should be prompting and cueing to create appropriate space, return to an assigned space/seat, etc. There is no question students are going to be excited to see each other and interact socially after such a long virtual school experience. We want to both be understanding, but also ensure staff and students are safe. If the student responds to your prompt, that is not a behavior incident.

If a student is not responding to a prompt, refusing to comply, or uses profanity, etc., the consequence should be focused on the response behavior as it would in a walk out of class or refusal to attend ISAP situation. The progression of discipline resolutions should also be documented and in line with progressive discipline guidelines included in the SSBIH.

Social Distance noncompliance is a Level 1 or 2 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

Bus Mask Noncompliance: (pertaining to mask noncompliance at a bus stop, bus compound, or on the bus) If a student is in need of a mask, one will be provided by the bus driver. If a student is on the bus stop or on the bus and visibly in possession of their mask and has it around their neck, hanging to one side, or pulled down under their nose or under their mouth, prompt the student to readjust their mask to its correct place over the nose and mouth. **If the student complies without resistance, that is not a disciplinary event and/or the student should be permitted to board the bus.**

If a student does not have a mask visibly present, or responds with profanity, refuses to respond, ignores, or becomes combative, a consequence can be provided or the student can be refused access to the bus. The consequence should be focused on the response behavior as it would in any similar situation (i.e. refusal to sit down, sit in an assigned seat, arm out the bus window). The progression of discipline resolutions should also be documented and in line with the examples provided.

Bus Mask noncompliance is a Level 1 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

Bus Social Distancing Noncompliance: (pertaining to social distancing at a bus stop, bus compound, or on the bus) The primary response when students interact too closely to one another on the bus should be assigned seating. There is no question students are going to be excited to see each other and interact socially after such a long virtual school experience. We want to both be understanding, but also ensure drivers and students are safe. **If the student responds to your prompt to sit in the appropriate seat, that is not a behavior incident.**

If a student does not respond to a prompt, refuses to comply, or uses profanity, etc., the consequence should be determined in the manner used to address student behavior in any other situation when a student refuses to sit in their assigned seat on the bus. The progression of discipline resolutions should also be documented and be consistent with the examples provided.

Bus Social Distance noncompliance is a Level 1 or 2 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior

Resolutions for COVID-19-Related Behavior Codes

If a student is involved in an incident and violates a code in the SSBIH, you should follow the same procedures you would observe during non-COVID-19 conditions. **All SSBIH guidelines should be followed, including due process, progressive discipline, and SSBIH outlined resolution options.**

If a student is non-compliant with mask wearing or social distancing non-compliance, coupled with another violation of the SSBIH, you may intervene in accordance with the SSBIH. Additionally, if a student is wearing a mask with inappropriate language or visuals, these would be considered dress code violations. Masks with racially charged material may also be coded as "Racial slurs/Hate speech toward staff/student."

Equity and Procedural Compliance

The process for will be an adjustment for staff, parents, and students. We know some students and staff will return with trauma suffered during the pandemic and social justice related incidents in our community. Additionally, our immediate attention will be on safety and creating an environment in which all students feel comfortable, welcomed and accepted.

As a district we have committed to making racial equity a reality for our students and have a laser focus on bias reduction. The guidance shared in this document was created to ensure our school-level and District-level practices align with our mission and are applied consistently and fairly across the District.

Compliance with the procedures, data reporting/entry, and Virtual School transition expectations outlined above are mandatory. These guidelines exist to ensure that we have a consistent and effective set of expectations for student behavior related to masks and social distancing, and appropriate, progressive responses to student misbehavior available to school staff. The guidelines attempt to take into account the impact of COVID-19 on our students and staff, and offer guidance regarding how we can provide support and deploy additional supports and resources to ensure a safe classroom environment for students and staff.

ECE RESOURCES

- *Special Ed Connection*—**8 Tips to Mask Wearing**
- *Special Ed Connection*—**How to Transition Students EBD to School**
- *Special Ed Connection*—**Restorative Questions for Challenging Behavior**
- *Special Ed Connection*—**How to Follow BIP During Pandemic**
- *Special Ed Connection*—**Keeping Students Safe During Transportation COVID**
- *Special Ed Connection*—**Reasonable Accommodations for Students Who Cannot Wear Mask**
- *Special Ed Connection*—**Social Distancing Mask Wearing Helping Students with Autism**
- *Special Ed Connection*—**What Constitutes a Removal for Purposes of MDR During COVID**

APPENDIX F

Medicaid Annual Parent Notification Letter

The Jefferson County Public School District is pleased to provide your child with special education and related services as stated in their Individualized Education Program (IEP) or your child who qualifies for basic medical necessity through Expanded Access. Your child is entitled to free services, which means at no cost to you.

State and federal laws allow school districts to be Medicaid service providers for children with disabilities who are eligible under the Individuals with Disabilities Education Act (IDEA) or students who require medical services and their districts participates in Expanded Access; both are enfolded in the Medicaid program. This means that our school district can bill the Department of Medicaid for related health services stated in your child's IEP or for children who qualify for essential medical services.

Our school district is approved by the Kentucky Department for Medicaid Services to participate in the Medicaid School-Based Health Services Program. School claims for Medicaid payment for these services will not affect your child's receipt of health services from your family physician or other health providers in any way.

Our school district cannot submit claims to Medicaid for your child's services if you do not want us to do so. Our district billing Medicaid for these services will not change your child's IEP services or your right to receive Medicaid services if your son or daughter continues to be eligible for Medicaid services.

If you wish to deny the district's access to reimbursement from Medicaid for health services in your child's IEP or necessary medical services, you should do so in writing. Our school district will continue to bill Medicaid for special services unless you notify us in writing that you wish us to stop. We will remind you once a year. If you wish to stop the district from submitting claims to Medicaid for your child, send a written statement to the district's Medicaid Liaison.

If you have any questions or concerns about your child's Medicaid coverage, please contact David Allan at (502) 485-3285.

If we do not hear from you, we will begin or continue to submit claims to Medicaid for your child's services. I want to thank you for your support of our efforts.

APPENDIX G

Jefferson County Public Schools
Student Disciplinary Referral Form

Student's Name: _____

Race/Sex: _____ ECE: Y ☐ N ☐ Grade: _____ Class Period/Time: _____

Administrator's Name: _____ Date: _____

Referring Teacher: _____

Interventions Prior to Referral: ☐ Reminder/Re-teaching ☐ Verbal or Nonverbal Redirection ☐ Designated Cool-Down Area ☐ Seat Change ☐ Student Conference ☐ Logical/Restorative Response ☐ Behavior Contract ☐ Parent Conference ☐ Other _____

Reason for Referral

Behaviors		Possible Motivation
☐ Profanity/Vulgarity	☐ Harassment or Intimidation	☐ Obtain Peer Attention
☐ Horseplay	☐ Fighting/Striking	☐ Obtain Adult Attention
☐ Leaving Class Without Permission	☐ Bullying/Cyberbullying	☐ Obtain Items/Activities
☐ Talking Out in Class	☐ Theft/Vandalism	☐ Avoid Peer(s)
☐ Racial Slur/Hate Speech	☐ Sexually Inappropriate	☐ Avoid Adult
☐ Dress Code	☐ Weapons/Dangerous Instruments	☐ Avoid Task or Activity
☐ Intentionally Throwing or Releasing an Object	☐ Other _____	☐ Don't Know
☐ Electronic Violation	_____	☐ Other _____
	_____	_____
		_____

Brief Description of Behavior Event: _____

ADMINISTRATOR USE ONLY

Behavior Event (Refer to the *SSBIH*.): ☐ Level 1 ☐ Level 2 ☐ Level 3 ☐ Level 4

Description of In-School Action Taken: _____

_____

_____

_____

_____
Administrator's Signature

Additional Action Taken: ☐ Arrest ☐ Restraint ☐ Parent Contacted

Commodity Code: 5690404-1681729 F-400-1

Student Disciplinary Referral Warehouse Form 7/21 dw

Equal Opportunity/Affirmative Action Employer Offering Equal Educational Opportunities

Student Bill of Rights

Preamble

A student has legal rights guaranteed by the Constitution of the United States. These can be exercised in school as long as they do not interfere with the rights of others or the school's responsibility to provide safe and orderly schools. The Jefferson County Public School (JCPS) District encourages each student to balance the expression of their rights by honoring their responsibilities as outlined in the *Student Support and Behavior Intervention Handbook (SSBIH)* and the *Student Bill of Rights*.

1. The Right to an Education

Under Kentucky law, children between the ages of 5 and 21 years have a right to an education. This education is provided free of charge to students until they have completed a 12-year program or reached their twenty-first birthday. (Children eligible for Exceptional Child Education [ECE] services are guaranteed a Free Appropriate Public Education [FAPE] between the ages of 3 and 21.)

Discipline is necessary to maintain a climate that is conducive to learning, and a student may forfeit their right to an education under the *SSBIH*. A student's right to an education will not be taken away without due process, as guaranteed by the Constitution of the United States.

2. The Right to Academic Grades Based on Academic Performance

Academic grades will be assigned based on academic performance. Academic grades will not be reduced as punishment for misconduct. A student is entitled to an explanation of how their academic grades were determined.

3. The Right to Make-Up Work

A student receiving an excused absence shall have the opportunity to make up missed schoolwork and not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence. A student returning to school after an excused absence or suspension may request make-up work within three school days of their return to each class. The student will have the number of school days of the absence or suspension plus one school day from the time they receive the make-up work to complete the work and submit it to the teacher. ECE students will follow Individual Education Program (IEP) recommendations during this process.

The local School-Based Decision Making (SBDM) Council or, if none exists, the principal, with input from teachers and parents, shall establish rules regarding make-up work for unexcused absences other than suspensions.

4. The Right to Confidentiality of/Access to Student Records

The Family Educational Rights and Privacy Act (FERPA) and KRS 160.700–160.730 guarantee to parents/guardians of students younger than age 18 and to eligible students age 18 and older the right to:

- Inspect and review the student's educational records within 45 days of the day the school receives a request for access.
- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- Request an amendment of the student's educational records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights.
- File with the U.S. Department of Education, Family Policy Compliance Office, 400 Maryland Avenue, S.W., Washington, D.C. 20202-8520, a complaint concerning alleged failures by the district to comply with the requirements of FERPA.

School records of active students are maintained and kept by the school office in a secure location. Records include credits earned, standardized test results, academic portfolios, grade point averages (GPAs), behavioral and psychological evaluations, screening and health records, attendance records, and directory information. The file may contain temporary disciplinary records.

In order to inspect, review, or transfer educational records, the eligible student and/or the parent/guardian must complete the Student Educational Request Form. To request the amendment of educational records, the parent/guardian or eligible student must submit the request in writing to the school principal.

Under the provisions of FERPA, the district may release, without written consent, a student's educational records to school officials with a legitimate educational interest; to other school systems, colleges, and universities to which the student intends to enroll or transfer; and to certain other agencies specified by state and federal law. A school official is a person employed by the district, a person serving on the Board of Education, a person or company with whom the district has contracted as its agent to provide a service instead of using its own employees, or a person serving on an official committee or assisting another school official in performing their tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill their professional responsibility. No other person may inspect, review, or transfer a student's educational records without:

- The written consent of the eligible student;
- The written consent of the parent/guardian if the student is under 18 years of age; or
- A properly issued court order or subpoena.

The district has designated a student's name, school, mailing address, guardian email address, grade level, honors and awards, photograph (excluding video records), and major field of study as directory information. The district has also designated a student's date of birth as directory information only for purposes of the U.S. Department of Education Free Application for Federal Student Aid (FAFSA) Completion Project. The district may release directory information without written consent to organizations or individuals with a legitimate educational interest and purpose unless the eligible student and/or parent/guardian submits the Directory Information Opt-Out Form on page **3** to the school office within one month after enrollment each school year. Federal law requires the district to comply with requests from military recruiters for the name, address, and telephone number of secondary school students, unless the student or the parent/guardian opts out of the release of such information to military recruiters.

To opt out of the release of the student's name, address, and telephone number to military recruiters, the student (regardless of age) or parent/guardian must submit the Military Recruiter Opt-Out Form on page **3** to the school office within one month after enrollment. The opt-out request will remain in effect for the entire high school career.

5. Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students the right to:

- **Consent before a student is required to submit to a survey that concerns one or more 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. These protected areas are as follows:**
  - —Political affiliations or beliefs of the student or student's parent;
  - —Mental or psychological problems of the student or student's family;
  - —Sex behavior or attitudes;
  - —Illegal, antisocial, self-incriminating, or demeaning behavior;
  - —Critical appraisals of others with whom respondents have close family relationships;
  - —Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  - —Religious practices, affiliations, or beliefs of the student or parents; or
  - —Income, other than as required by law to determine program eligibility.
- **Receive notice and an opportunity to opt a student out of:**
  - —Any other protected information survey, regardless of funding;
  - —Any nonemergency, 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
  - —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 the following items upon request before administration or use:**
  - —Protected information surveys of students;
  - —Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - —Instructional material used as part of the educational curriculum.

The district will notify parents or eligible students at the start of each school year of the specific or approximate dates of the planned activities or surveys listed above and will provide reasonable notification of activities or surveys planned after the school year begins. The parent or eligible student may opt out of participation in the specific activity or survey. Parents or eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-5901.

6. The Right of Access to Services for All Students With Disabilities/Child Find

A student with a disability will be provided FAPE. Students who are eligible for special education include those students who have hearing impairments, vision impairments, emotional and behavioral disorders, both deafness and blindness, health impairments, specific learning disabilities, mental disabilities, multiple disabilities, speech and language impairments, physical disabilities, autism, developmental delay, or traumatic brain injuries and who, because of these impairments, need special education and related services. Anyone who knows of a child younger than 22 years of age who may have a disability and may need special education is urged to contact a school counselor or the ECE Office at **(502) 485-3170**. The JCPS District will contact the parent/guardian to decide if the child needs to be referred for services. The district also will use screening information, student records, and test results collected on all students to help locate students who may need special education. All information collected will be confidential.

7. The Right to Representation and Involvement

A student has the right to be represented by peers in making decisions that affect them. These include decisions about standards of achievements, conduct, elections, activities, and other facets of student life. Each student is encouraged to exercise this right by seeking to serve as a Student Council representative, a club officer, or a representative of a school or district committee. In general, any student may make suggestions on matters that affect them through the local school's Human Relations Committee and/or Student Council.

8. The Right to Freedom of Expression

A student has the right to freedom of expression as it relates to speech, assembly, appearance, publications, and the circulation of petitions. This right must be exercised in such a way that it does not interfere with the rights of others or the orderly operations of the school. A student is encouraged to form opinions and express them in a responsible manner. Conduct that interferes with the learning process or the orderly operations of a school may be restricted.

- A student has the right to assemble peacefully as long as such assembly does not interfere with the learning process or the orderly operations of the school.
- A student has the right to choose their manner of dress and otherwise to arrange their own personal appearance subject to the school rules and regulations regarding dress or appearance. However, any such rules must relate to a specific educational purpose, such as health, safety, full participation in classes or school activities, and/or preventing the disruption of the educational process.
- School publications, such as the school newspaper, will be free from censorship or prior restraint. School officials may establish guidelines for school newspapers and other publications, including the restriction of libelous or obscene material or materials that would incite others. Guidelines must be consistent with governing legal standards and with the rules and regulations of the Board of Education. A student involved in any such publication is responsible for knowing their legal responsibilities and the consequences for failure to follow the guidelines.
- A student or student group has the right to access the pages of the student newspaper and to distribute leaflets, pamphlets, and other literature on school grounds as long as school regulations for their distribution are followed. The distribution of materials must not interfere with the orderly operations of the school nor violate the rights of others.

9. The Right to Freedom From Abuse

A student has the right to freedom from verbal and/or physical abuse by school staff or other students. Punishments that are cruel and unusual, demeaning, degrading, humiliating, excessive, or unreasonable are prohibited. The use of obscene or abusive language by school staff or students is prohibited. Corporal punishment is prohibited. However, staff may use reasonable physical force to restrain a student if their behavior poses an imminent danger of physical harm to self or others. (704 KAR 7:160).

10. The Right to Participate

A student has the right to be a member of a school club or organization as long as they meet the criteria for membership. School clubs and organizations must apply criteria for membership to all applicants equally. A student may petition the principal to form a new school club or organization. If the club or organization meets the guidelines of the Jefferson County Board of Education (JCBE), a faculty sponsor will be selected by the principal and students. The students and their faculty sponsor are entitled to use school facilities, including classrooms and the public-address system, as approved by the principal.

11. The Right to Freedom From Unreasonable Search and Seizure of Property*

A student has the right to freedom from unreasonable search and seizure of their person and property. School officials, however, have a right under the law to search students or their property whenever there is a reasonable suspicion that they have something that violates school rules or endangers others. Students may be searched to maintain the ongoing educational process, to maintain order, and/or to protect people and property. Searches may include the student and their locker, desk, automobile, or personal belongings. A personal search includes a search of a student's accessories (purse, wallet, backpack, cell phone, notebooks, gym bag, etc.) and/or outer garments (pants/skirt pockets, shirt/blouse pockets, pant legs, socks, shoes, jacket pockets, waistband, etc.) that **would not** require disrobing. The Police Detection Canine Team may conduct random and unannounced searches of general school areas, including school lockers and parking lots. A hand-held metal detector may be used by a school official who has reasonable suspicion that the student is in possession of a weapon.

*This section is a summary of the district's student search procedure.

12. The Right to Due Process and Appeal

A student has the right to due process anytime a charge is made against them. This means that the student has the right to know what they are accused of doing, the right to know the evidence for the charge, and the right to present their perspective regarding the charge.

The student or parent/guardian has the right to appeal any action taken by the school that they believe to be an unfair or inequitable application of the *SSBIH* or the *Student Bill of Rights*. Students and parents/guardians will be informed of these rights at the beginning of the school year or when the student enrolls in school.

The student or parent/guardian must initiate the appeal. They should do the following:

1. First, try to resolve the problem by discussing it with the people involved.
2. If that is unsuccessful, they should request an informal hearing with the principal/designee. A decision can be expected within five school days. A written decision may be requested.
3. If the student or parent/guardian is not satisfied with the decision, they may contact the assistant superintendent:
   High school— **(502) 485-7350**
   Middle school—**(502) 485-3673**
   Elementary school—**(502) 485-7344**
4. When appealing a suspension, the appeal must be in writing.

Procedures for appealing suspensions and due process begin on page **36** of the *SSBIH.*

13. The Right to Freedom From Harassment and Discrimination

JCPS has adopted and will follow districtwide policies that forbid harassment and discrimination in providing equal educational opportunities. In cases where a student and/or parent/guardian thinks that a student has been harassed or discriminated against for any reason, the parent/guardian/student may file a written complaint by following the JCBE Discrimination Grievance Procedure. A copy of the procedure and the necessary forms for filing are available in the local school or in the Compliance and Investigations Office.

Discrimination Grievance Procedure

The following steps are to be followed:

1. Discuss the grievance with the principal of the school.
2. Expect a decision at the end of the informal meeting or within a reasonable time thereafter (five school days).
3. File with the director of Compliance and Investigations a formal written complaint within five school days of the informal decision if the principal's decision is unsatisfactory in resolving the issue.

Compliance and Investigations Office
Jefferson County Public Schools
C. B. Young Jr. Service Center
3001 Crittenden Drive
Louisville, KY 40209-1104
(502) 485-3341

14. The Right to Freedom From Sex-Based Harassment and Discrimination

JCPS adheres to Title IX, a federal law that prohibits discrimination and harassment on the basis of sex in federally funded programs and activities. In instances where a student believes they have been treated differently or harassed based upon sex, the student or parent/guardian should report the concern to the school Title IX coordinator. The school Title IX coordinator will inform the student or parent/guardian of supportive measures and will discuss the district Title IX policies and procedures, when applicable. For additional information or questions, contact the district Title IX coordinator at District Title IX Coordinator, Jefferson County Public Schools, C. B. Young Jr. Service Center, 3001 Crittenden Drive, Louisville, KY 40209-1104, **([502] 485-3499)**.

15. The Right to Know Teacher Qualifications

Our district receives federal funds for Title I and Title II programs as a part of the Every Student Succeeds Act (ESSA). As mandated by ESSA, 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 baccalaureate degree major of the teacher 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.

You can access information about the professional certification of your child's teacher(s) at **https://wd.kyepsb.net/EPSB.WebApps/KECI/**. If you would like to request our assistance in getting this information, please contact the JCPS Title I/Title II Office by phone at **(502) 485-3240**. Be prepared to give your child's name, the name of the school your child attends, the names of your child's teacher(s), and an address or email address where the information may be sent.

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Questions concerning the *Student Support and Behavior Intervention Handbook* and the *Student Bill of Rights* should be directed to the Office of Student Relations (**[502] 485-3335**).

Jefferson County Board of Education

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Corrie Shull, Vice-Chair

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Superintendent
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If you need assistance in reading or understanding any part of this communication, please contact your child's school for language support. The school will schedule a professional interpreter in person or over the phone to provide oral translation.