

Quick Reference Guide to the Student Support and Behavior Intervention Handbook

Progressive Discipline Process

Progressive Intervention and Discipline—

Every reasonable effort should be made to correct inappropriate student behavior using logical consequences and restorative action. Significant disciplinary responses, such as out-of-school suspension, are used for the most serious situations. When an exclusionary disciplinary response is used (e.g., in-school suspension, out-of-school suspension), it must be paired with one or more interventions. In a progressive approach to intervention and discipline, students have 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 discipline—or the behavior increases in frequency, intensity, or duration—the next level of intervention/disciplinary response is used. The progressive approach to intervention and discipline does not apply to most Level 4 offenses. All interventions and disciplinary responses should

be selected, implemented, and assessed to help students do the following:

- Understand why the behavior is unacceptable 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

Because inappropriate behavior may be symptomatic of underlying problems that students are experiencing, 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. The interventions and disciplinary responses described here should be carefully matched to the needs of the student and the overall context of the situation.

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

The discipline of Exceptional Child Education (ECE) students with disabilities is subject to state and federal law in addition to the *Student Support and Behavior Intervention Handbook*. To the extent any conflict exists, state and federal law will prevail. In deciding disciplinary measures, the local school will take into consideration the district's ECE procedures if the conduct in question was caused by or had a direct and substantial relationship to the student's disability or was the direct result of the school's failure to implement the IEP.

Unacceptable Behavior Definitions

Arson

Arson is defined as attempting to set, aiding in setting, or setting a fire.

Assault/Sexual Abuse/Sexual Assault/Criminal Abuse

Assault/Sexual abuse/Sexual assault/Criminal abuse is defined as intending to cause or causing physical injury to another person by means of a deadly weapon or dangerous instrument or intentionally causing physical injury to another person. Sexual assault or physical sexual abuse of any kind is considered assault.

Bullying/Cyberbullying

Bullying/Cyberbullying is defined by KRS 158.148 as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated.

Drug/Alcohol/Tobacco/Electronic Cigarette Distribution

Drug/Alcohol/Tobacco/Electronic cigarette distribution is defined as any offense of trafficking or distribution of drugs, alcohol, tobacco, and/or electronic cigarettes (tobacco and electronic cigarettes defined on page 39). This policy includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, look-alike drugs/alcohol, and all related items defined as tobacco or electronic cigarette products. A student found to be in possession of more drugs/alcohol than would be consumed by one person will be presumed to be trafficking as prescribed by law.

Drug/Alcohol Possession/Under the Influence

Drug/Alcohol possession/Under the influence includes 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.

Under the influence will be determined by having an administrator and another adult verify that the student's behavior(s) indicate(s) 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.

Fighting/Striking Faculty, Staff, or Other Officials

Fighting/Striking faculty, staff, or other officials is defined as the deliberate use of physical force toward a faculty member, staff member, or other school official when serious injury is caused or intended.

Fighting/Striking Student

Fighting/Striking student is defined as the use of physical violence between two students or the use of violence by a student on another person when there is no injury as determined by the school administrator (excludes verbal confrontations, threats, intimidation, and other encounters where no injury is intended). Administrators may use professional judgment in cases where the investigation yields a clear aggressor/initiator and may differentiate consequences accordingly.

Forgery/Counterfeiting

Forgery/Counterfeiting is defined as the creation or alteration of a written instrument (e.g., check, transcript, identification, currency, communication, or any other official document).

Gambling

Gambling is defined as participating in games of chance or skill for money or profit.

Inappropriate Sexual Behavior

Inappropriate sexual behavior is defined as possession of pornography, sexual contact, and/or indecent exposure.

Inappropriate Use of District Technology

Inappropriate use of district technology is defined by a violation of the JCPSNet Acceptable Use Policy. The expectation of the policy is as follows:

The Board of Education supports reasonable access to various information formats for stu-



Behavior and Range of Corrective Strategies

See page 1 for the Progressive Discipline Process.

**Grades
Pre-K–5**

LEVEL 1

These interventions will involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school and in the classroom. These interventions will typically involve a **parent/guardian conference, office time-out, cooling-off period, peer mediation, referral to student support staff, or detention**. Staff should use these responses in a graduated fashion.

LEVEL 2

These interventions will involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions will typically involve **short-term time in a Positive Action Center (PAC), time-out, or in-school suspension**. Staff should use these responses in a graduated fashion.

LEVEL 3

These interventions will involve the short-term removal of a student from the school environment because of the severity of the behavior (**short-term [one to three days] out-of-school suspension**). The duration of the short-term suspension, if issued, is to be limited as much as practicable while adequately addressing the behavior. Staff should use these responses in a graduated fashion.

LEVEL 4

These interventions involve the removal of a student from the school environment because of the severity of the behavior (**long-term [six to ten days] out-of-school suspension**). They may involve the placement of the student in a safe environment that provides additional structure to address behavior. These interventions focus on monitoring the safety of the school community and ending self-destructive and dangerous behavior. Staff should use these responses in a graduated fashion.

BEHAVIOR	Grades Pre-K–5			
	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Unexcused tardiness to class/Nonattendance to class	●	●		
Spitting	●	●	●	
Leaving class without permission	●	●		
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	●	●	●	
Talking out in class	●	●		
Failure to respond to questions or requests	●	●		
False information to staff	●	●		
Taunting, baiting, inciting a fight	●	●	●	
Excessive noise	●	●		
Horseplay	●	●		
Cheating/Academic dishonesty (results in academic consequence)	●			
Dress code violation	●	●		
Inappropriate use of district technology	●	●		
Violation of personal electronic/telecommunication device policy	Making, transmitting, or distributing any recording of the voice, picture, or image—that has not been approved by or authorized by the school—of any other student, staff member, or other persons in any nonemergency situation and without the consent of the person(s) recorded			
Pre-K through grade three	●	●		
Grades four and five	●	●	●	
Failure to attend detention	●	●		
Loitering on school grounds	●			
Leaving school grounds without permission	●	●	●	
Forgery/Counterfeiting	The creation or alteration of a written instrument (e.g., check, transcript, identification, currency, communication, or any other official document)			
Profanity/Vulgarity	●	●		
Profanity/Vulgarity toward staff	●	●	●	
Gambling	Games of chance or skill for money or profit			
Use/Possession of tobacco products and electronic cigarettes	Any form of tobacco (e.g., cigarettes, cigars, loose tobacco, dip, chew, electronic cigarettes, or similar instruments) except as prescribed by a medical doctor (e.g., nicotine replacement gum or patches)			
Theft/Vandalism	Theft—A person is guilty of theft by unlawful taking or disposition when he or she unlawfully: (a) Takes or exercises control over movable property of another with intent to deprive him or her thereof; or (b) Obtains immovable property of another or any interest therein with intent to benefit himself or herself or another not entitled thereto. Vandalism—Damaging or defacing school property or the property of school personnel/students (includes criminal mischief)			
Pre-K through grade three (less than \$500)	●	●		
Grades four and five (less than \$500)	●	●	●	
Pre-K through grade three (more than \$500)	●	●	●	
Grades four and five (more than \$500)		●	●	●



Behavior and Range of Corrective Strategies

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Grades
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LEVEL 3

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LEVEL 4

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BEHAVIOR	Grades Pre-K–5			
	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Robbery				
Theft involving the use of physical force, deadly weapons, or dangerous instruments			•	•
Fighting/Striking student				
The use of physical violence between two students or the use of violence by a student on another person when there is no major injury as determined by the school administrator (excludes verbal confrontations, threats, intimidation, and other encounters where no injury is intended)	•	•	•	
Fighting/Striking faculty, staff, or other officials				
The deliberate use of substantial physical force toward a faculty member, staff member, or other school official when no serious injury is caused or intended		•	•	•
Intimidation/Harassment/Harassing communications toward staff		•	•	•
Intimidation/Harassment/Harassing communications toward student		•	•	•
Bullying/Cyberbullying		•	•	•
Drug/Alcohol possession/Under the influence (referral for treatment)				
Includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, drug paraphernalia, and look-alike drugs/alcohol	•	•	•	
Drug/Alcohol/Tobacco/Electronic cigarette distribution				
Includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, look-alike drugs/alcohol, and synthetic drugs		•	•	•
Assault/Sexual abuse/Sexual assault/Criminal abuse				
Intending to cause or causing physical injury to another person by means of a deadly weapon or dangerous instrument or intentionally causing physical injury to another person. Sexual assault or physical sexual abuse of any kind is considered assault. Arson with staff/students present is considered an assault.			•	•
Inappropriate sexual behavior				
Includes possession of pornography, sexual contact, and indecent exposure				
Pre-K through grade three	•	•	•	
Grades four and five		•	•	
Arson				
Attempting to set, aiding in setting, or setting a fire			•	•
Weapons/Dangerous instruments				
Possession, transfer, storage, or use of a deadly weapon or use of a dangerous instrument as defined by law (Look-alike weapons will be treated as authentic.)		•	•	•
Bomb threats/False fire alarms/False police reports/ Terroristic threatening/ Fireworks/Explosives			•	•
All other criminal offenses: kidnapping, extortion, etc. (law)			•	•



Unacceptable Behavior Definitions

Continued from page 1

dents and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner. The JCPS District offers students access to electronic information through the JCPS Networks.

The full policy language can be found on page 37 of the online *Student Support and Behavior Intervention Handbook*.

Intimidation/Harassment/Harassing Communications Toward Staff

Intimidation/Harassment/Harassing communications toward staff is defined by activity or actions performed with intent to deliberately place a staff member in fear of bodily injury or other substantial physical or emotional discomfort (includes sexual harassment, verbal abuse, threatening, bullying, menacing, wanton endangerment, stalking, and harassing communications). Any of the aforementioned behaviors apply, even if performed with electronic devices.

Intimidation/Harassment/Harassing Communications Toward Student

Intimidation/Harassment/Harassing communications toward student is defined by activity or actions performed with intent to deliberately place a student in fear of bodily injury or other substantial physical or emotional discomfort (includes sexual harassment, verbal abuse, threatening, bullying, menacing, wanton endangerment, stalking, and harassing communications). Any of the aforementioned behaviors apply, even if performed with electronic devices.

Profanity/Vulgarity

Profanity/Vulgarity is defined as swearing, cursing, making obscene gestures, or using hate speech.

Profanity/Vulgarity Toward Staff

Profanity/Vulgarity toward staff is defined as swearing, cursing, making obscene gestures, or using hate speech toward staff.

Robbery

Robbery is defined as theft involving the use of physical force, deadly weapons, or dangerous instruments.

Theft/Vandalism

Theft/Vandalism is defined by:

Theft—A person is guilty of theft by unlawful taking or disposition when he or she unlawfully:

- Takes or exercises control over movable property of another with intent to deprive him or her thereof; or
- Obtains immovable property of another or any interest therein with intent to benefit himself or herself or another not entitled thereto.

Vandalism—Damaging or defacing school property or the property of school personnel

Use/Possession of Tobacco Products and Electronic Cigarettes

JCPS is a tobacco-free district. Students may not possess, consume, display, distribute, or sell any tobacco products, tobacco-related

devices, or electronic cigarettes at any time on school property or at off-campus, school-sponsored events.

The term *tobacco product* means any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. Examples include, but are not limited to, cigarettes, cigars, little cigars, dry snuff, moist snuff/chewing tobacco, dissolvables, hookah, and blunt wraps.

The term *electronic cigarette* means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

The term *tobacco-related devices* means ashtrays, cigarette papers, or pipes for smoking or any components, parts, or accessories of electronic cigarettes, including cartridges.

Violation of Personal Electronic/Telecommunication Device Policy

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:

- 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.
- 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.

- Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
- Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the district's Acceptable Use policy or procedures or the *Student Support and Behavior Intervention Handbook*.

These offenses are subject to disciplinary action under the *Student Support and Behavior Intervention Handbook*. In addition, the telecommunication device, including the SIM card, battery, and all other parts of the device, could be confiscated by an administrator and should 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 should be returned at the conclusion of the investigation.

The full policy language can be found on page 37 of the online *Student Support and Behavior Intervention Handbook*.

Weapons/Dangerous Instruments

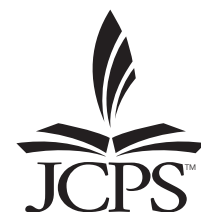
Weapons/Dangerous instruments are not tolerated in the district.

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 his or her previously assigned school.

The Board of Education has the power to modify the alternative placement on a case-by-case basis. Upon completion of the discipline, the student will be reassigned by the office of Student Services.

Look-Alike Weapons

Look-alike weapons is defined as 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 he or she used a real weapon, according to state and federal laws.



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AdminCodeofConduct(SSBI)Guide Elementary 7/17 dw