



Student Response and Behavior Intervention Handbook



Directory Information Opt-Out Form

For All Students

Complete this form to exercise your right to privacy.

The district has designated a student's **name, 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. 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 (excluding video records), 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.

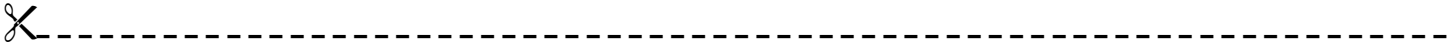
Signed by (Check one.): eligible student parent/guardian

_____ Signature

_____ Name (Please print.)

_____ Address

_____ City/State/ZIP



Military Recruiter Opt-Out Form

For High School Students Only

Complete this form to exercise your right to privacy.

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 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.): student parent/guardian

_____ Signature

_____ Name (Please print.)

_____ Address

_____ City/State/ZIP

For an explanation of the state and federal laws applicable to this for, see the *Student Response and Behavior Intervention Handbook* and the *Student Bill of Rights*.



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

***Student Response and Behavior Intervention Handbook
and the Student Bill of Rights***

As the parent/guardian of _____, I have read and discussed the *Student Response and Behavior Intervention Handbook* and the *Student Bill of Rights* with my child. I grant permission for my child to access the Internet and electronic mail through the JCPS Network and have conveyed to my child the standards outlined on page 37.

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 after enrollment each school year.





A Message From the Superintendent

As the superintendent of Jefferson County Public Schools (JCPS), I am charged with ensuring that all of our schools have a culture and climate that are conducive to learning. In doing so, it is essential that students behave in an acceptable manner, and that staff create an environment that is engaging and inclusive. It is also imperative that the *Student Response and Behavior Intervention Handbook* clearly outline acceptable behavior and appropriate consequences for unacceptable behavior.



This handbook was revised this year after months of input from parents, students, staff, and the community. JCPS also examined model handbooks from other districts that have had successful implementation, reduced suspensions, and increased positive behavior from students. You will see in this revised handbook that all unacceptable behaviors and the possible consequences are clearly defined, which will allow schools to respond quickly and appropriately. It also provides accountability for the school district. Identifying the exact unacceptable behavior, instead of using a vague description, allows us to track behaviors, prescribe the appropriate consequences, address those behaviors proactively, and develop strategies to prevent future behaviors.

The revisions to this handbook clearly illustrate high expectations with an emphasis on safety. The district increased possible consequences for students who disrupt learning or challenge the safety of our staff and students.

Proactive changes to the handbook also allow room for administrators to respond, restore, remove, readmit, and reflect on the student's behavior. The handbook clearly outlines a behavior management system that ensures proactive adult responses are the first step toward preventing poor behavior. I also understand that strong, engaging pedagogy and teaching are determinants of better behavior.

Our new strategic plan, *Vision 2020: Excellence With Equity*, details the steps we must take to reach our goal of being the best urban school district in the United States. It calls for all students and staff to be considerate, proper, ethical, and focused on learning. The revisions to the handbook support the strategic plan by clearly articulating behavioral expectations of students and appropriate responses from teachers and administrators.

Moving forward, I am convinced revisions to the handbook will help students learn and teachers teach. Safety for and appropriate behavior by all will always be top priorities.

Donna M. Hargens, Ed.D.
Superintendent



Table of Contents

Directory Information Opt-Out Form	1
Military Recruiter Opt-Out Form	1
Acknowledgment of Receipt Form	3
A Message From the Superintendent	5
Introduction	8
Student, Staff, and Parent/Guardian Responsibilities	8
Misbehavior on the School Bus	9
Local School Rules	9
Due Process	10
Right to Counsel	10
Physical Restraint	10
Harassment/Discrimination	10
Bullying/Hazing	10
Retaliation Prohibited	10
Discipline Process	11
Classroom Management and Discipline Measures	11
Administrative Discipline Measures	11
Central Office Director's Disciplinary Procedure	11
Board of Education's Disciplinary	11
Discipline Referral Procedures	11
Parent/Guardian Conference	12
Role of the School Guidance Counselor	12
Suspension Procedures	12
Formal Hearing	13
Suspension/Expulsion Procedures for Exceptional Child Education (Special Education) Students	13
Placement in a Success Pathway or Program	15
Suspension/Expulsion Procedures for Students Disabled Under Section 504	16
Due Process and Appeal	16
Appeal Procedure for Short-Term/Local School Suspensions—One to Three School Days	17
Appeal Procedure for District Suspensions—Six to Ten School Days	17
Appeal Procedure for District Suspension With Recommendation for Placement in a Success Pathway	17
Appeal Process	18
Appeal Procedure for Placement in a Success Pathway	19
Expulsion	20

NOT
UPDATED



Zero Tolerance	20
Possession/Under the Influence	20
Aggressive Behavior	21
Assaultive Behavior	21
Weapons/Dangerous Instruments	22
Look-Alike Weapons and Drugs	22
Restorative Pathway Offenses	22
Removal From the Classroom	22
Success Pathways	23
Youth Gangs	23
Criminal Violations	23
Violations/Student Misconduct	23
Elementary School Behavior and Range of Restorative Strategies	24
Middle and High School Behavior and Range of Restorative Strategies	25
Elementary School Behavior and Restorative Strategies	26
Discipline for Elementary School Children	26
Discipline for Middle School Children	26
Discipline for High School Children	27
Attendance/Truancy Policy	27
Cell Phone Use	29
Communication Devices	29
Electronic Equipment	30
JCPSNet Student Acceptable Use Policy	30
Student Searches	31
Student Bill of Rights Preamble	34
Student Bill of Rights (1–13)	34
Discrimination Grievance Procedure	38
Glossary	39
Index	41
Intervention Strategies	43

The *Student Response and Behavior Intervention Handbook* and the *Student Bill of Rights* shall be posted at each school.

**For help in mediating harassment/
discrimination issues, contact the JCPS
Compliance and Investigations
director at 485-3341.**



Introduction

The JCPS District has a responsibility to provide an education for the children in its district. Under law, this right cannot be taken away without cause. Students have the responsibility to conduct themselves in a way that does not interfere with the rights of other students to an education or with the school's ability to provide it. Kentucky Revised Statute (KRS) 158.440 states that "every student should have access to a safe, secure, and orderly school that is conducive to learning." This *Student Response and Behavior Intervention Handbook* outlines proper student behavior. It was developed by students, parents, teachers, school administrators, and community leaders and adopted by the Jefferson County Board of Education (JCBE).

Every student, parent/guardian, and school staff member receives a copy of this handbook and receives instructions on how to use it. Staff members may use reasonable judgment on how to apply the handbook, but the handbook will be enforced fairly and equitably without discrimination. Students are responsible for following the handbook from the time they leave home for school until they return home after school as well as whenever they are on school property, on the school bus, or at any school-sponsored event.

This handbook was adopted by the JCBE on November 21, 1977, and was 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, and 2016.

"If a child doesn't know how to read, we teach. If a child doesn't know how to swim, we teach. If a child doesn't know how to multiply, we teach. If a child doesn't know how to drive, we teach. If a child doesn't know how to behave, we ... teach? ... punish? Why can't we finish the last sentence as automatically as we do the others?"
—Tom Herner, President of the National Association of State Directors of Special Education, 1998

A Shift in Culture, Climate, and Practice

Vision 2020: Collaborations—Relationships, cooperation, and partnerships among students, staff, families, and community are fundamental to the success of our students.

The *Student Response and Behavior Intervention Handbook* moves us away from reactionary and exclusionary practices and toward proactive approaches that focus on building student and staff skills and competencies which in turn leads to greater productivity and success. The handbook moves us from a singular focus on safety to a comprehensive focus on creating the conditions that make every classroom and every school a great place to learn and grow. The handbook embodies our belief as a school district that students learn by pushing and testing limits, getting feedback about their behavioral choices, and making the changes needed to become contributing members of a community of learners. The handbook is also designed to reflect a commitment to student equity. This means that we hold all students to the same high expectations but provide different kinds of support to reach those expectations. (MADISON)

Creating Trauma-Sensitive Schools to Improve Learning

Professional educators know that many students face personal challenges that adversely affect their learning in school. Unfortunately, many children have been traumatized by directly or vicariously experiencing violence, hopelessness, loss (or fear of loss) of loved ones, or other kinds of devastating experiences.

Trauma changes people. Just as physical assault on the body can cause bodily impairment, psychological trauma can result in a mental injury that impacts such things as a child's ability to regulate emotions, attend to classroom activities, and/or achieve normal developmental milestones. However, this does not mean that traumatized children and adolescents cannot grow up to be healthy and happy adults, despite the often substantial obstacles they face.



Positive 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. Skills and strategies to be used by staff for building positive relationships with students include the following:

- Know your students' strengths and cultural identities.
- Communicate understanding and empathy.
- Structure tasks for student success.
- Reinforce behavior in a positive manner.
- Use factual, objective language to define expectations and address behavior.
- Ask open-ended questions.
- Stay calm in tense situations.
- Remain neutral whenever possible.

(MADISON)

School Climate and Culture

JCPS defines *school climate* as the elements in a school related to effective leadership, positive relationships, engaging teaching and learning, a welcoming physical environment, and safety. Positive relationships are critical to creating a positive school climate. School leaders set the tone and expectations for the entire school community, paving the way for all members of that community to take meaningful steps to improve school climate.

Schools with a positive climate and culture have the following:

- Positive relationships with all stakeholders—students, parents, teachers/staff, school police, and community partners
- Training and resources to resolve conflicts peacefully and respectfully, with suspensions used only as a disciplinary measure of last resort
- Supports for students who are experiencing emotional crisis, trauma, or serious challenges in their homes or communities
- Effective communication among schools, parents, and communities
- Clean, well-maintained, and welcoming environments that clearly demonstrate school pride and a love of learning
- A learning environment where students and staff feel physically and emotionally safe

United States Department of Education

Guiding Principle 1: Climate and Prevention

Schools that foster positive school climates can help to engage all students in learning by preventing problem behaviors and intervening effectively to support struggling and at-risk students.

Guiding Principle 2: Clear, Appropriate, and Consistent Expectations and Consequences

Schools that have discipline policies or codes of conduct with clear, appropriate, and consistently applied expectations and consequences will help students improve behavior, increase engagement, and boost achievement.

Guiding Principle 3: Equity and Continuous Improvement

Schools that build staff capacity and continuously evaluate the school's discipline policies and practices are more likely to ensure fairness and equity, and promote achievement for all students.



Expectations and Responsibilities of Entire JCPS Community

Supporting positive 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 Expectations and Responsibilities

All students can expect to:
<ul style="list-style-type: none"> • 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 <i>Student Response and Behavior Intervention Handbook</i>, 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:
<ul style="list-style-type: none"> • Show respect and courtesy to all students, staff, 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 learning 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 Expectations and Responsibilities

All parents/guardians can expect to:
<ul style="list-style-type: none"> • 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 <i>Student Response and Behavior Intervention Handbook</i>, including the process to appeal disciplinary decisions, in a language they understand. • 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 his or her behavior. • 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, and school visitors.
- Review the content of the *Student Response and Behavior Intervention Handbook* 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 support the child to make changes in his or her 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 Expectations and Responsibilities

All teachers/staff can expect 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, and school visitors.
- Foster ongoing, positive relationships with all students and families.
- Create a positive classroom and school climate for all students, using effective classroom management strategies that extend to all school environments.
- Explicitly teach, acknowledge, and reinforce behavior expectations.
- Employ a Multi-Tiered System of Support.
- Provide social and emotional skill instruction that meets the district's Multi-Tiered System of Support.
- 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 learning 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 *Student Response and Behavior Intervention Handbook* in a fair, equitable, and consistent manner and accurately record inappropriate student behavior following the established protocol.
- Respect students' right 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 Expectations and Responsibilities

All school administrators can expect 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 school environment that is respectful, engaging, vibrant, and culturally relevant.

All school administrators have the responsibility to:

- Show respect and courtesy to all students, staff, and school visitors.
- Foster ongoing, positive relationships with all students and families.
- Create a safe and caring school climate that maximizes learning.
- 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 *Student Response and Behavior Intervention Handbook* 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 Expectations and Responsibilities.”
- Support staff in implementing appropriate behavior interventions.
- Apply the *Student Response and Behavior Intervention Handbook* in a fair, equitable, and consistent manner and accurately record inappropriate student behavior and interventions and disciplinary responses following the established protocol.
- Follow procedures for student removals from the learning 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 response, if there is not an out-of-school suspension.
- Respect students’ right 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 appropriate 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 can expect to:
<ul style="list-style-type: none">• Be treated with courtesy, respect, and dignity.• Work in a safe environment that maximizes staff performance.
All central office staff have the responsibility to:
<ul style="list-style-type: none">• Show respect and courtesy to all students, staff, and school/district visitors.• Provide schools with the necessary resources, professional development, and technical assistance to implement the <i>Student Response and Behavior Intervention Handbook</i>.• Communicate to all district staff that creating a positive school culture, supporting positive student behavior, and developing appropriate student discipline practices are critical district priorities.• Ensure that appropriate 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.• Engage in ongoing monitoring of the implementation of the <i>Student Response and Behavior Intervention Handbook</i> 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 can expect to:
<ul style="list-style-type: none">• Be treated with courtesy, respect, and dignity.
All board of education members have the responsibility to:
<ul style="list-style-type: none">• Show respect and courtesy to all students, staff, parents, and administrators.• Use qualitative and quantitative data to create and evaluate policies that promote thriving school environments that are respectful, engaging, vibrant, and culturally relevant.• Ensure that district administrators utilize appropriate data collection, monitoring, and evaluation systems.• Approve, modify, or deny recommendations for student expulsions following review of an order from an Independent Hearing Officer (IHO).

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 learning environment unless doing so is in accordance with the law.



Restorative Practices

Using Restorative Practices ensures that people are happier, more cooperative and productive, and more likely to make positive changes in their behavior because those in positions of authority do things with them, rather than to them or for them. (SOURCE)

Fundamental Principles

- Acknowledges that relationships are central to community building
- Focuses on the harm done rather than only rule breaking
- Creates systems that address misbehavior and harm in a way that strengthens relationships
- Gives voice to the person harmed
- Engages in collaborative problem solving
- Empowers change and growth
- Enhances responsibility

Positive Behavior Intervention Supports

Positive Behavior Intervention Supports (PBIS) is a framework used in schools to create positive learning environments wherein all students can experience academic, behavior, and social-emotional growth. Implementing the five fundamental principles of PBIS can help make schools positive places where students love to learn and staff experience satisfaction in their work.

Fundamental Principles

- Behavior expectations: Students must be provided with clear, consistent, and positively stated expectations for their behavior. The expectations reflect the respect, responsibility, and safety of all.
- Teaching behavior: Schools must be intentional about teaching students what is expected of them at every grade level. This requires teaching them at the beginning of the year and reteaching them throughout the entire year.
- Celebrating positive behavior: When students meet the behavior expectations set for them, staff acknowledge their efforts. Recognition of positive student behavior and strengths is critical to promoting positive behaviors for all students.
- Responding to behavior: When students do not meet the behavior expectations set for them, staff respond in the moment by using a strategy and by providing an opportunity for the student to regain self-control. They also provide a resolution/response that supports a student's repairing the harm result-

ing from his or her behavior and actions in order to maintain the safety of the school community.

- Use of data: Schools use behavior data on a regular basis to guide the teaching and support that take place at the individual student level, classroom level, and school level (DASHBOARD LINK OR REFERENCE).

Compassionate Schools Project

The Compassionate Schools Project (CSP) is an innovative curriculum to meet the needs of 21st-century students. CSP integrates evidence-based approaches from four key areas of skills to develop students into successful, compassionate citizens with emotional and physical well-being.

Fundamental Principles

Through the Compassionate Schools Health and Wellness Curriculum, students will understand, practice, and develop the following:

- Empathy, compassion, caring, and kindness for positive relationships with self and others
- Emotional intelligence: Awareness of own and others' emotions and the ability to respond effectively to manage emotions
- Self-awareness and self-management: The ability to regulate their bodies, their attention, and their behaviors
- The ability to monitor and focus attention and be meaningfully engaged in learning
- Healthy eating attitudes and skills: Openness to a variety of foods and an understanding of how foods affect the body and mind
- Healthy and active lifestyle skills: The skills and understanding they need to find joy in movement and to be empowered to have agency and responsibility in their health

WATCH D.O.G.S.

WATCH D.O.G.S. are fathers, grandfathers, uncles, and other father figures who volunteer for at least one day each year at an official WATCH D.O.G.S. school. As a program of the National Center for Fathering, there are more than 5,348 registered schools in 47 states that participate in the WATCH D.O.G.S. program, in addition to participation in China, Canada, Mexico, Puerto Rico, and Barbados.

Fathers, grandfathers, step-fathers, uncles, and other father figures volunteer to serve at least one day a year in a variety of school activities as assigned by the school principal or other administrator.



Fundamental Principles

- To provide positive male role models for the students, demonstrating by their presence that education is important
- To provide extra sets of eyes and ears to enhance school security and reduce bullying

Deeper Learning

Although there is not a single definition of *deeper learning*, the JCPS Deeper Learning Framework focuses on improving the powers of learners to think, communicate, and care throughout the day and throughout their learning journeys in JCPS and beyond. At the core of *Vision 2020* is the deeper learning goal that “Each student will progress toward mastery of both academic standards and the development of capacities and dispositions necessary for success in college, career, community, and life.”

Fundamental Principles

- Individuals learn in, through, and from meaningful relationships, experiences, and environments. Deeper learning is grounded in helping learners develop the social, emotional, and intellectual knowledge, skills, capacities, and dispositions to thrive in school and beyond through the cultivating of 1) caring, constructive learning relationships, 2) meaningful, personalized, real-world learning experiences, and 3) supportive, equity-focused learning environments.
- By elevating the development of intellectual, social, and emotional learning into daily teaching—weaved into the learning experiences and environments of all learners—deeper learning will serve as a powerful, proactive approach to develop constructive behaviors, individually and collectively, that are tied to real and intrinsic motivations of each learner and his or her desire to find meaning and make a difference.
- Deeper learning in JCPS will involve setting a foundation for learning by teaching social-emotional skills and supporting a strong climate and culture for educator leadership and student voice. In addition, it will involve incorporating meaningful, real-world learning experiences; frequent opportunities for students to work with their peers; and authentic assessments.
- Deeper learning should be considered as a primary core approach and meta-strategy to improve student behavior by helping learners grow essential life capacities and dispositions that they will develop, practice, and hone daily throughout their JCPS learning journey.

- The initial focus capacities and dispositions include, but are not limited to, Innovation, Reflection, Problem Solving, Collaboration, Voice, Negotiation, Respect, Compassion, and Perseverance.

Bus Safety

Student safety is a top priority. Positive and proactive strategies will be implemented to foster positive behaviors and positive relationships.

Misbehavior on a school bus will not be tolerated. The local school has authority over students from the time they leave home in the morning until they return home in the afternoon. This means that the school administrator will address a student's misbehavior on a school bus with disciplinary actions, which may include suspension of bus privileges, in-school disciplinary measures, suspension/expulsion from school, and/or placement in a Success Pathway (pending programmatic/procedural changes). If suspension from a school bus prevents an Exceptional Child Education (ECE) student from attending school, the ECE suspension procedures on page 23 must be followed. School administrators, teachers, or other school personnel may remove immediately or cause to be removed threatening or violent students from the district's transportation system pending any further disciplinary action that may occur. The employee is responsible for implementing a procedure(s) established by the superintendent, which will ensure the safety of all students and staff. The parent/guardian of a student who has been suspended from the bus must arrange transportation for the student to attend school during the entirety of the bus suspension. A student cannot be suspended from the bus for more than ten days in a school year without permission from the director of Student Due Process.

Local School Rules

The JCBE is responsible for formulating the *Student Response and Behavior Intervention Handbook* to apply to its students in each school. All schools shall provide a list of local school rules and in-school discipline measures consistent with the handbook as adopted by the JCBE. The school rules will be developed and adopted by the School-Based Decision Making (SBDM) Council or by the principal, with help from staff, parents/guardians, and students in non-SBDM schools.



Due Process

Whenever a student is accused of committing a violation of the *Student Response and Behavior Intervention Handbook*, he or she has the right to due process. This means that he or she must:

1. Be informed of the charges and evidence,
2. Be provided with an opportunity to present his or her 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 must be followed within three school days.

The appeal process for a suspension is outlined beginning on page 25.

Right to Counsel

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

Physical Restraint

School staff may use reasonable physical force to restrain a student whenever it is necessary for self-defense, to protect people or property, or to keep order in the school (704 KAR 7:160).

Physical Restraint and Seclusion

Physical restraint may only be used if a student's behavior poses imminent danger of serious physical harm to self or others and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion, and the use of de-escalation techniques should be used before engaging in restraints or seclusions. Each use of restraint or seclusion must be documented in Infinite Campus, and parents shall be notified by the end of the school day. School personnel who perform restraints should be trained members of the core team, except in cases of clear emergency. School personnel cannot use, at any time, mechanical restraint, chemical restraint, aversive behavioral interventions, physical restraint that is life-threatening, prone or supine restraint, or physical restraint. (See policy 704 KAR 7:160.)

Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child. The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, a revision of strategies currently in place to address dangerous behavior. Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse. Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience. Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior (U.S. Department of Education Restraint and Seclusion: Resource Document, Washington, D.C., 2012).

Harassment/Discrimination

Harassment/Discrimination is intimidation by threats of or acts of physical violence or the expression of hatred, contempt, or prejudice toward an individual for any reason. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical behavior of a sexual nature.

Harassment/Discrimination of any type is not permitted. A student has the right to attend school free from harassment and should not be subjected to discrimination for any reason. Schools will strive to ensure that these rights are protected and that offenders receive appropriate consequences.

Bullying/Hazing

The use of lewd, profane, or vulgar language is prohibited. In addition, students shall not engage in such behaviors as hazing, bullying, menacing, taunting, intimidating, verbally or physically abusing of others, or making threats. This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods (otherwise known as cyberbullying). Such behavior is disruptive to the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.



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

Retaliation Prohibited

Employees and other students shall not retaliate against a student because he or she reports a violation of the handbook or assists or participates in any investigation, proceeding, or hearing regarding the violation. The superintendent/designee shall take measures needed to protect students from such retaliation.

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 and expulsion, are used for the most serious situations. When an exclusionary disciplinary response is used (i.e. 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 expellable 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. (MADISON)

The discipline of ECE students with disabilities is subject to state and federal law in addition to the *Student Response 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.



LEVELS OF STRATEGIES, INTERVENTIONS, AND RESPONSES

<p>LEVEL 1: Provide proactive school-wide and classroom supports to prevent problems. In the event of misbehavior, teach replacement behavior.</p>	<p>Examples of Evidence-Based Classroom 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 irresponsible behavior, determine a reason for the misbehavior and take action to reduce and eliminate the behavior. Modify conditions perpetuating the misbehavior, eliminate pleasant consequence, or implement corrective response, thus promoting a safe and respectful learning environment.</p>	
	<p>Proactive Classroom Supports</p>	<p>Teacher-Based Action to Reduce and Eliminate Misbehavior</p>
	<ul style="list-style-type: none"> • Create positive classroom expectations that are clearly defined and taught. • Continuously teach and reteach classroom expectations throughout the year (e.g., schedule for teaching by week/month, after breaks). • Model and practice expectations in appropriate setting (e.g. group work, individual work). • Use precorrection strategies to remind students of expectations before next task • Use more positive-to-corrective interactions (ratio 3:1) between staff and students, students to students, and staff to staff. • Utilize fluent and consistent corrections for early-stage misbehavior (e.g., CHAMPs, Teacher Encyclopedia). • Create classroom acknowledgment systems to increase responsible student behavior. • Maintain positive expectations for all students, in all settings, at all times. • Implement effective instructional practices. • Actively engage students in learning. • Provide immediate positive feedback. • Build positive relationships with students and families (e.g., utilize Restorative Practice circles). • Teach prevention lessons (e.g., social and emotional learning, bullying prevention, suicide prevention, and trauma-informed practices). 	<ul style="list-style-type: none"> • Provide lessons to teach or reteach the student how to behave responsibly. • Change student seating. • Pace the lesson more quickly to promote on-task behavior. • Actively ignore misbehavior. • Respond calmly, restating the desired behavior. • Restructure classroom practices based on student needs (e.g., structured recess, structured lunch, visual schedules). • Use progress-monitoring tools (e.g., on-task monitoring form, replacement behavior worksheet, ratio of interactions tracking form, reflection sheets, behavior contracts, student point sheets). • 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 or privileges). • Communicate teacher-based actions with parent. • Utilize restorative affective statements and affective questions. • Student-teacher impromptu conferencing with active listening



Examples of Evidence-Based Schoolwide Supports

These interventions often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student's inappropriate or disruptive behavior. Staff should use these responses in a graduated fashion.

- 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 transition, hallway sweeps, etc.)
- Increase supervision in nonclassroom settings.
- Refer to before- and after-school programs for additional support.
- Employ targeted strategies for groups of students (e.g., mentoring programs, bullying prevention lessons for selected students, suicide prevention drop-in centers).
- Design social and emotional skills instruction groups (e.g., conflict management, anger management, Aggression Replacement Training, organizational skills).
- Establish an individual student support, response, or problem-solving team.
- Establish in-school conflict resolution programs (e.g., community conferencing, peer mediation).
- Restorative Practice strategies (affective statements and questions, conflict resolution, responsive circles)
- Use parent engagement strategies (e.g., newsletters, family nights).
- Design support and advisory groups that engage parents, students, and the community.
- Use universal screeners and assessments to proactively identify students in need of supports (e.g., Strengths and Difficulties Questionnaire, Student Risk Screening Scale).
- Use responsive interventions and appropriate referrals (e.g., JCPS Crisis Response Team, Louisville Linked, Seven Counties School-Based Services, referrals to Family Resource and Youth Services Centers [FRYSCs], social services).
- Refer to school-based health or mental health clinic.
- 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.
- Parent/Guardian notification
- Service to school
- Restorative Practice strategies
- Use individual student planning tools (e.g., Behavior Support Plan, Behavior Function Identification Worksheet, Behavior Collection Form).



<p>LEVEL 2: Appropriate Administration—May be appropriate when supports have been put in place in the classroom to address behavior but the behavior has continued to negatively affect the learning of the students and others</p>	<p>Examples of Administrative Interventions and Responses These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. Staff should use these responses in a graduated fashion.</p>	
	<ul style="list-style-type: none"> • Change in schedule or class (with notification to parent or guardian) • Parent or guardian/Student/Teacher/Administrator conference • Refer to individual student support, response, or problem-solving team. • Develop, review, or revise individual student planning tools (e.g., Behavior Support Plan, Behavior Function Identification Worksheet, Behavior Collection Form). • Mental health evaluation referral (e.g., mobile assessments, counseling services). • Alcohol/Drug evaluation referral (e.g., Substance Abuse IOP). • Threat assessment evaluation referral 	<ul style="list-style-type: none"> • Refer to social and emotional skills instruction groups (e.g., conflict management, anger management, Aggression Replacement Training, organizational skills). • Refer to mentoring program. • Refer to community organizations, including conferencing and community mediation. • Refer to in-school conflict resolution programs (e.g., community conferencing, peer mediation). • Reflective or constructive assignment • Loss of privileges • Restitution • Detention • Restorative practice strategies (conflict circle) • In-School Suspension (ISS) or In-School Adjustment Program (ISAP)

<p>LEVEL 3: Short-Term Suspension—May be appropriate when interventions and supports have been put in place but the behavior is escalating (repeated offenses)</p>	<p>Examples of Suspension and Referral Responses These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior. 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.</p>	
	<ul style="list-style-type: none"> • Parent or guardian notification • Parent or guardian/Student/Teacher/Administrator conference • Refer to individual student support, response, or problem-solving team. • Develop, review, or revise individual student planning tools (e.g., Behavior Support Plan, Behavior Function Identification Worksheet, Behavior Collection Form). • Mental health evaluation referral (e.g., mobile assessments, counseling services). • Alcohol/Drug evaluation referral (e.g., Substance Abuse IOP). • Threat assessment evaluation referral 	<ul style="list-style-type: none"> • Develop, review, or revise student reentry plan for optimal success upon reentry in the school. • Develop, review, or revise Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP). • Refer to community organizations, including conferencing and community mediation. • Restorative Practice strategies (responsive circle) • ISS or ISAP • Short-term suspension (one to three days)



<p>LEVEL 4: Request for Long-Term Suspension—May be appropriate when student’s behavior seriously affects the safety of others in the school</p>	<p>Example of Extended Suspension and Referral Responses These interventions involve the removal of a student from the school environment because of the severity of the behavior. 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.</p>	
	<ul style="list-style-type: none"> • Parent or guardian notification • Parent or guardian/Student/Teacher/Administrator conference • Refer to individual student support, response, or problem-solving team. • Develop, review, or revise individual student planning tools (e.g., Behavior Support Plan, Behavior Function Identification Worksheet, Behavior Collection Form). • Mental health evaluation referral (e.g., mobile assessments, counseling services). • Alcohol/Drug evaluation referral (e.g., Substance Abuse IOP). • Threat assessment evaluation referral 	<ul style="list-style-type: none"> • Develop, review, or revise student reentry plan for optimal success upon reentry in the school. • Develop, review, or revise FBA and BIP. • Restorative Practice strategies (transition circle, family conferences) • Long-term suspension (six to ten days) • Long-term suspension may be referred to the assistant director of Student Due Process for a conference and decision. • Recommendation for Success Pathway placement

Corporal punishment is prohibited as a method of correcting behavior.

The staff member describes the student’s behavior and/or records the student’s statements on a Pupil Disciplinary Referral Form or Behavior Incident Form. The form is given to the appropriate administrator.

The administrator meets with the student. The administrator:

1. Reads the referral form to the student.
2. Allows the student to respond to the charges and evidence.
3. Conducts an investigation, if necessary.
4. Decides what action to take and records it on the form.
5. Informs the student of the action to be taken and has the student sign the form.
6. Notifies the parent/guardian of the disciplinary action, as appropriate.
7. Requires the student, if necessary, to take the form home to be signed by his or her parent/guardian and returned to school.
8. Distributes copies of the form.

Discipline records are kept by the administrator. The records are accessible to teachers, administrators, the student, and/or the parent/guardian, as required by

the Family Educational Rights and Privacy Act (FERPA). Suspensions shall be placed in the individual student’s disciplinary record.

Parent/Guardian Conference

The school may arrange a conference with the parent/guardian when proactive measures have been exhausted and the student is removed from the instructional environment. An effort will be made to arrange the conference at a time that is convenient for the parent/guardian and school staff involved. If it is impossible for the parent/guardian to meet at the school, an alternative means of discussion will be arranged.

The conference will be arranged by telephone. If contact by telephone is impossible, the parent/guardian will be contacted by mail.

If the parent/guardian is unable to attend due to circumstances beyond his or her control, attempts should be made to engage the parent via home visits and/or phone calls and the conference will be held with the student. The administrator will report the results of the conference to the parent/guardian.

The purpose of the conference will be to discuss the problem(s) and possible solutions with appropriate school staff. School records and discipline records will



be available at the meeting. The student may be invited to the meeting. The results of the meeting will be recorded on the Pupil Disciplinary Referral Form and kept by the school.

Role of the School Guidance Counselor

A teacher, administrator, or parent/guardian may refer a student to the guidance counselor for assistance.

The guidance counselor may provide help to the student through individual or group counseling. The guidance counselor also may refer students a FRYSC, to community agencies, or to Student Due Process for assessment.

It is recommended that the guidance counselor be notified of referrals and disciplinary action taken.

Suspension Procedures

A principal, assistant principal, or head teacher can suspend a student for offenses as outlined on the Behavior and Range of Corrective Strategies charts beginning on page 31.

- ECE students, those who are disabled under Section 504 of the Rehabilitation Act of 1973, and students who are being assessed for suspected disabilities have additional rights guaranteed under federal and state laws. These are addressed on page 24.
- A short-term, local school suspension is for one to three school days.
- A district suspension is for six to ten school days.
- District suspensions may be referred to the assistant director of Student Due Process for a conference and decision.
- An ECE student may not be suspended to the district for fewer than two school days.
- A suspension of one to ten school days requires an informal hearing in which the student is told of the charge against him or her, is given a chance to present his or her perspective regarding the incident, and is given the right to appeal the decision. If a student is believed to be a danger to himself or herself or to others, he or she may be suspended first and an informal hearing will be scheduled afterward (within three school days).
- A district suspension of 11 to 20 school days requires a formal hearing unless such a hearing is waived by the parent/guardian. The procedures for a formal hearing are outlined on this page.

- A student on suspension cannot enter the school or go on any JCPS school grounds unless arrangements for him or her to do so are made with an administrator. The student cannot attend any day or night JCPS-sponsored function or ride a JCPS bus. Any violation of these conditions will result in further disciplinary action.
- Make-up work may be requested by a student within three school days of his or her 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 he or she receives 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 36).
- A suspension will be for a definite number of school days and cannot be extended except in the case of pre-expulsion procedures.
- Within one day of the informal hearing, the administrator will inform (verbally and/or in writing) the parent/guardian of the decision to suspend a student.

Formal Hearing

When a student has been suspended to the district for 11 to 20 school days, he or she is 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 charges and information collected to support the charges will be provided to the student and the parent/guardian.
- The student will have a chance to present a defense to the charges and may be represented by an attorney at his or her own expense.
- The student will be allowed to present witnesses.
- 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.
- A written transcript of the hearing will be provided if requested.



Suspension Procedures for Exceptional Child Education (Special Education) Students

The following section applies to students who have a disability and are receiving special education and related services or are in the process of being identified, located, evaluated, and possibly placed in an ECE placement.

School officials may suspend students with disabilities and cease educational services for a total of up to five consecutive or five cumulative school days in one school year without providing special education procedural safeguards. An Admissions and Release Committee (ARC) meeting is required for all suspensions of more than five cumulative days in a given school year. Saturday and before- and after-school detentions do not count toward the days of suspension. Additionally, in-school suspensions do not count toward the days of suspension if students with disabilities continue to participate in the general education curriculum and receive their IEP services by an ECE-certified teacher. The principal or his or her designee has discretion to suspend students with disabilities for fewer days than set forth for a single offense.

Given these procedural safeguards stated above, school officials may suspend students with disabilities for up to ten cumulative school days a year. Federal regulations offer some flexibility in suspending students in excess of ten school days in a school year in certain circumstances and with the provision of appropriate educational services.

In order to determine whether the circumstances permit a suspension in excess of ten days per school year, consultation with and approval from a school's Achievement Area assistant superintendent are required. Without such consultation with and approval from the Achievement Area assistant superintendent, the cumulative ten-school-day limit on school suspensions will apply.

The ARC assembles for all suspensions of more than five cumulative days in a given school year. The ARC convenes within ten days of the date on which the decision is made regarding the proposed suspension.

Prior to the ARC meeting, the ARC chairperson:

- Provides a written Notice of Meeting to the parents of the student with a disability at least 24 hours prior to the ARC meeting. The ARC chairperson provides a copy of the Procedural Safeguards Notice (parent rights) to the parent.

- Invites and ensures full participation of the following core members: ARC chairperson, regular education teacher of the student, special education teacher of the student, student (invitation required for students in eighth grade or age 14 or older; if younger than age 14, as appropriate), others as appropriate (e.g., school counselor, school psychologist, community agency representatives).

During the ARC meeting, the membership:

- Analyzes the behavior of concern in depth and determines whether there has been a series of previous behavior incidents or removals that constitute a pattern of behavior.
- Considers all relevant information, including the IEP, FBA, BIP, progress data, observations, Behavior Incident Logs, disciplinary reports from current and past school years, information provided by the parents, and any evaluation information that describes the specific behavior(s).
- Develops a plan for conducting an FBA if an assessment had not been conducted or if the FBA is greater than one year old.
- Develops and implements a BIP if an FBA has already been conducted. In the event that the BIP is greater than one year old or does not exist, the ARC develops and implements the BIP.
- Reviews and modifies the IEP, FBA, and BIP, as necessary, to include appropriate specially designed instruction and behavior intervention services and modifications that are designed with sufficient intensity to address the behavior violation such that it does not recur.
- Considers the use of PBIS and other strategies to address the behavior of concern for a student whose behavior impedes the student's learning or that of others.
- Discusses steps taken by the school to address the behavior of concern subject to suspension.
- Conducts a Manifestation Determination.

The ARC conducts the Manifestation Determination by reviewing the IEP and placement in relation to the behavior in question to determine:

- If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability.
- If the behavior in question was the direct result of the district's failure to implement the IEP/BIP.

The ARC will determine that the behavior is not a manifestation of the student's disability if the conduct in question was not caused by, or had no direct and sub-



stantial relationship to, the student’s disability or was not the direct result of the district’s failure to implement the IEP. If the behavior is not a manifestation, the student may be disciplined in accordance with the *Student Response and Behavior Intervention Handbook* up to ten cumulative days of suspension in a school year.

The ARC will determine that the behavior is a manifestation of the student’s disability if the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability or the conduct was a direct result of the district’s failure to implement the IEP/BIP. If the determination is that the IEP/BIP have not been implemented, the district must take immediate steps to remedy those deficiencies. The ARC conducts an FBA if not completed prior to the change in placement. The ARC reviews the BIP if developed and modifies it to address the behavior. If the behavior has not been previously addressed in the IEP, the ARC should include the development of strategies, including positive behavior interventions, strategies, and supports, to address the behavior. If the behavior is a manifestation of the disability, the ARC may:

- Return the student to the placement from which the student was removed; or
- The student may be disciplined in accordance with the *Student Response and Behavior Intervention Handbook* up to ten cumulative days of suspension in a school year; or
- The ARC and the parent may agree to a change in placement as part of the modification of the IEP and BIP; or
- In the case of behavioral violations involving illegal drugs, weapons, or serious bodily injury, the ARC may order a change in placement to an interim Success Pathway setting up to 45 school days.

Placement in a Success Pathway or Program

For students with very serious behavior violations, the school may suspend the ECE student to the district for a minimum of two days and refer the student to Student Due Process for an assessment and conference with the assistant director of Student Due Process. If the ARC considers placement in a district Success Pathway Program as part of the district’s continuum of placement options, the ARC chairperson must secure consultation from the ECE coordinator of placement or designee. Given consultation, the ARC chairperson:

- Conducts an ARC meeting following the steps above (“Prior to the ARC meeting” and “During the ARC meeting”), including Manifestation Determination, if appropriate.

- Invites a representative of the Success Pathway Team to the ARC meeting.
- Convenes an ARC meeting to consider placement options, including a Success Pathway. Given a thorough review of student performance data, the ARC, including the parent, may determine that a student’s placement needs to be changed. In these cases, the change of placement is not a disciplinary action.

In the event of a behavior violation involving drugs, weapons, or serious bodily injury in which an interim Success Pathway is considered, the ARC chairperson shall secure consultation from the coordinator of ECE placement or designee. The ARC chairperson completes the steps listed above in “Prior to the ARC meeting” and “During the ARC meeting,” including completion of Manifestation Determination. A disciplinary change of placement may occur for up to 45 school days, even if the behavior is determined to be a manifestation of the disability. The ARC may order a change in placement to an interim Success Pathway setting for not more than 45 school days, even if the parent is not in agreement with the proposed placement. If the parent refuses a change of placement as determined by the ARC, the district may choose to request an expedited due process hearing. Following the 45 school days, another ARC is convened to consider all placement options, including a Success Pathway.

This section is a summary of more detailed administrative procedures, which are aligned with the Individuals with Disabilities Education Improvement Act (IDEIA) Amendments of 2004.

Suspension/Expulsion Procedures for Students Disabled Under Section 504

Discipline procedures for disabled students as defined by Section 504 of the Rehabilitation Act of 1973 follow guidelines similar to those that apply to students with disabilities identified under IDEIA.

The Section 504 team completes a Manifestation Determination after a student has been suspended for more than five days within any school year. If the behavior is a manifestation of the disability, the student may be disciplined in accordance with the *Student Response and Behavior Intervention Handbook* up to ten cumulative days of suspension in a school year. The Section 504 team considers the following:

- Revising the Section 504 Adaptation Plan
- Completing/Revising an FBA and a BIP

In the case of an illegal drug/alcohol offense, according to 29 U.C.S. Section 705(20)(C)(iv), as indicated by the Office of Civil Rights, “Students eligible under Section



504 lose the right to a Manifestation Determination and due process hearing if they violate illegal drug or alcohol rules and are determined to be 'current users.' See 29 U.S.C. Section 705(20)(C)(iv). Thus, if there is evidence that the student is a current illegal drug or alcohol user, the Section 504 committee can skip the Manifestation Determination, and the student is subject to the regular disciplinary process that would take place in the case of an illegal drug or alcohol offense by a nondisabled student. If there is no evidence that the student is a current user, it must proceed to make the Manifestation Determination."

Local educational agencies may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not individuals with disabilities.

Due Process and Appeal

Whenever a student is accused of committing a violation of the *Student Response and Behavior Intervention Handbook*, he or she has the right to due process. This means that he or she must:

1. Be informed of the charges and evidence;
2. Be provided with an opportunity to present his or her side of the case; and
3. Be provided with an opportunity to appeal the decision.

The steps in the process for the appeal of a suspension are outlined on the following pages.

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 himself or herself or 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 he or she is placed in a Success Pathway.

Appeals are to be made in writing and mailed/delivered to the appropriate administrator. If a parent/guardian/student needs help writing a letter of appeal, he or she may contact Student Due Process at **485-3335** for assistance. Refer to the chart on page 27.

Failure to follow the appeal procedures within the prescribed time limits as described herein will nullify the right of a student or his or her parent/guardian to appeal.

Appeal Procedure for Short-Term/Local School Suspensions—One to Three School Days

The following procedures are required when a parent/guardian/student appeals a short-term/local school suspension of one to three school days.

1. Write a letter explaining your reasons for appealing the suspension to the school administrator who suspended the student. Take or mail the appeal letter to the school within three school days after the first day of the suspension.
2. If your appeal is denied by the administrator who suspended the student, you may appeal in writing to the principal. The appeal letter must be mailed or delivered to the school 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 Rd., Louisville, KY 40218). The appeal must be made in writing and mailed or delivered 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 27.

Appeal Procedure for District Suspensions—Six to Ten School Days

The following procedures are required when a parent/guardian/student appeals a district suspension of six to ten school days.

1. Write a letter explaining your reasons for appealing the suspension to the school administrator who suspended the student. Take or mail the appeal letter to the school within three school days after the first day of the suspension.
2. If your appeal is denied by the administrator who suspended the student, you may appeal in writing to the principal. The appeal letter must be delivered to the school 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 appropriate assistant director of Student Due Process (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the principal.



4. If your appeal is denied by the assistant director of Student Due Process, you may appeal to the director of Student Due Process (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the assistant director of Student Due Process.
5. If your appeal is denied by the director of Student Due Process, you may appeal to the Chief Equity Officer (Jefferson County Public Schools, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your letter from the director of Student Due Process. This is the last step in the appeal process. Refer to the chart on page 27.

Appeal Procedure for District Suspension With Recommendation for Placement in a Success Pathway

The following procedures are required when a parent/guardian/student appeals a district suspension and placement in a Success Pathway.

1. Write a letter explaining your reasons for appealing the suspension to the school administrator who suspended the student. Take or mail the appeal letter to the school within three school days after the first day of the suspension.
2. If your appeal is denied by the administrator who suspended the student, you may appeal in writing to the principal. The appeal letter must be delivered to the school 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 appropriate assistant director of Student Due Process (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the principal.
4. If your appeal is denied by the assistant director of Student Due Process, you may appeal to the director of Student Due Process (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the assistant director of Student Due Process.

5. If your appeal is denied by the director of Student Due Process, you may appeal to the Chief Equity Officer (Jefferson County Public Schools, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the director of Student Due Process. If a student is not assigned a Success Pathway, this is the last step of the appeal process.
6. If your appeal is denied by the Chief Equity Officer, 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 mailed or delivered within five school days of the day you receive your answer from the Chief Equity Officer.
7. If your appeal is denied by the superintendent, you may appeal to the Board of Education (Jefferson County Public Schools VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the superintendent. This is the last step in the appeal process. Refer to the chart on page 27.

Appeal Procedure for Placement in a Success Pathway

The following procedures are required when a parent/guardian/student appeals the placement in a Success Pathway but does not appeal the suspension.

1. Write a letter explaining your reasons for appealing the decision to the appropriate assistant director of Student Due Process (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The letter must be mailed or delivered within five school days of the decision.
2. If your appeal is denied by the assistant director of Student Due Process, you may appeal to the director of Student Due Process (Jefferson County Public Schools, Lam Building, 4309 Bishop Lane, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the assistant director of Student Due Process.
3. If your appeal is denied by the director of Student Due Process, you may appeal to the Chief Equity Officer (Jefferson County Public Schools, VanHoose Education Center, 3332 Newburg



Road, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the director of Student Due Process.

- If your appeal is denied by the Chief Equity Officer, 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 mailed or delivered within five school days of the day you receive your answer from the Chief Equity Officer.

- If your appeal is denied by the superintendent, you may appeal to the Board of Education (Jefferson County Public Schools VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218). The appeal must be made in writing and mailed or delivered within five school days of the day you receive your answer from the superintendent. This is the last step in the appeal process. Refer to the chart below.

A student may not be allowed to attend school during the appeal process if the principal believes that the student is a danger to himself or herself or to others.

Appeal Process			
Short-Term/Local School Suspension—One to Three School Days	District Suspension—Six to Ten School Days	District Suspension With Recommendation for Placement in a Success Pathway	Placement in a Success Pathway
<p>Send/Take written appeal to:</p> <p>Administrator who suspended student</p> <p>↓</p> <p>Principal</p> <p>↓</p> <p>Assistant Superintendent</p>	<p>Send/Take written appeal to:</p> <p>Administrator who suspended student</p> <p>↓</p> <p>Principal</p> <p>↓</p> <p>Assistant Director, Student Due Process</p> <p>↓</p> <p>Director, Student Due Process</p> <p>↓</p> <p>Chief Equity Officer*</p>	<p>Send/Take written appeal to:</p> <p>Administrator who suspended student</p> <p>↓</p> <p>Principal</p> <p>↓</p> <p>Assistant Director, Student Due Process</p> <p>↓</p> <p>Director, Student Due Process</p> <p>↓</p> <p>Chief Equity Officer</p> <p>↓</p> <p>Superintendent</p> <p>↓</p> <p>Board of Education</p>	<p>Send/Take written appeal to:</p> <p>Assistant Director, Student Due Process</p> <p>↓</p> <p>Director, Student Due Process</p> <p>↓</p> <p>Chief Equity Officer</p> <p>↓</p> <p>Superintendent</p> <p>↓</p> <p>Board of Education</p>
<p>Appeals must be made in writing. See pages 25 through 27 for addresses.</p>			

*If a student is not assigned a Success Pathway, this is the last step of the appeal process.



Expulsion

If the behavior is serious enough, expulsion proceedings may be initiated and the following procedures will be followed:

- An informal hearing will be held at the school.
- A suspension to Student Due Process will be made so the case may be expedited.
- The local school will send a letter recommending expulsion with supporting documents to the assistant director of Student Due Process.
- The assistant director of Student Due Process will meet with the parent/guardian and the student.
- The assistant director of Student Due Process will forward all documents with the recommendation for expulsion to the Chief Equity Officer, who will make a recommendation to the superintendent.
- If the superintendent/designee decides to recommend expulsion, the parent/guardian will be notified of the date, time, and place of a hearing before the Board of Education.

Zero Tolerance

The JCPS District insists that its schools be safe and free of drugs, violence, and weapons. The district follows the guidelines in the Gun-Free Schools Act of 1994, the Safe and Drug-Free Schools and Communities Act of 1994, and the Drug-Free Workplace Act of 1988. Every student and staff member has the right to respectful treatment and freedom from harassment and abuse. When students break rules, they are provided with clear directives and strict consequences. To ensure safe schools, the JCPS District takes necessary action to discover drugs and weapons in schools. A search of school lockers, parking lots, and all other school property may be conducted by school officials and the Police Detection Canine Team. The searches may be random and unannounced. The schools also will exercise the right to search a student whenever there is a reasonable suspicion that the student is in possession of something that violates school rules or endangers others. Refer to page 38.

JCPS is a drug- and alcohol-free district.

Possession/Under the Influence

First Offense

Possession of or under the influence of drugs/alcohol includes look-alike drugs/alcohol and synthetic drugs.

- Consequences may include a six- to ten-day district suspension, with a parent/guardian conference.
- The JCPS Compliance and Investigations Office may file a report with the Court-Designated Worker (CDW).
- Law enforcement officials may be notified by local school administration.
- A referral may be made to Student Due Process (485-3335). (Resource options will be discussed with the parent/guardian, and recommendations will be made to the local school. Information will be shared with the CDW.)
- Suspension may be reduced by the assistant director of Student Due Process after consulting with the local school principal.

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

Second Offense

Possession of or being under the influence of drugs/alcohol (includes look-alike substances) may result in a Success Pathway.

- Consequences may include a six- to ten-day district suspension, with a parent/guardian conference.
- The JCPS Compliance and Investigations Office may file a report with the CDW.
- Law enforcement officials may be notified by local school administrators.
- A referral may be made to Student Due Process (485-3335). (Resource options will be discussed with the parent/guardian, and recommendations will be made to the local school. Information will be shared with the CDW.)
- The student may be assigned a Success Pathway.

Trafficking and Distribution

Any offense of trafficking or distribution of drugs/alcohol may result in a Success Pathway.

- This policy 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 will be presumed to be trafficking as prescribed by law.



- Consequences may include a six- to ten-day district suspension, with a parent/guardian conference.
- The JCPS Compliance and Investigations Office may file a report with the CDW.
- Law enforcement officials may be notified by local school administrators.
- A referral may be made to Student Due Process (**485-3335**). (Resource options will be discussed with the parent/guardian, and recommendations will be made to the local school. Information will be shared with the CDW.)

Violence is not tolerated in the district.

Aggressive Behavior

Aggressive behavior includes fighting, intimidating, threatening, committing terroristic threatening, harassing students and/or staff, making bomb threats, vandalizing, robbery, and falsely activating a fire alarm or committing arson.

- Consequences may include a short-term, local school suspension or a district suspension, with a parent/guardian conference (depending upon specifics of the offense) and possibly a Success Pathway.
- Law enforcement officials may be notified by local school administration.
- A referral may be made to Student Due Process. (Options for follow-up will be discussed with the parent/guardian, and recommendations will be made to the local school.)
- A Success Pathway placement may be considered on each offense.
- Local school officials may refer students directly to Student Due Process (**485-3335**).

Assaultive Behavior

Assaultive behavior includes assaulting another student, intimidating through violence, practicing exhibitionism (exposing genitals, pubic area, buttocks, or female breasts—KRS 531.300 [4d]), and sexually harassing another student and/or a staff member.

- Consequences may include a district suspension of six to ten days, with a parent/guardian conference (depending upon specifics of the offense) and possibly a Success Pathway.
- Law enforcement officials may be notified by local school administration.
- The JCPS Compliance and Investigations Office may file a report with the CDW.
- A referral may be made to Student Due Process (**485-3335**). (Resource options will be discussed with

the parent/guardian, and recommendations will be made to the local school.)

- A Success Pathway may be considered on the first offense. On the second and subsequent offenses, a recommendation will be made for a Success Pathway or pre-expulsion procedures will be initiated.
- On the first offense, the district suspension may be reduced by the assistant director of Student Due Process after consulting with the local school principal.
- Local school officials may refer students directly to Student Due Process (**485-3335**).
- A student who has assaulted school personnel may or may not be allowed to return to his or her previously assigned school. District personnel will determine the appropriate educational setting.

Weapons/Dangerous Instruments

Weapons/Dangerous instruments are not tolerated in the district.

Any middle or high school student who is knowingly in possession of or who is involved in the transfer, storage, or use of a firearm or explosive device may be assigned to a Success Pathway and expelled for a period of one calendar year and not be allowed to return to his or her previously assigned school. Any middle or high school student who uses a dangerous instrument may be assigned to a Success Pathway.

The Board of Education has the power to modify the alternative placement or the expulsion requirement on a case-by-case basis. Expulsion requirements for students with disabilities shall be modified on a case-by-case basis in order to comply with IDEIA 2004 or Section 504 of the Rehabilitation Act of 1973. Upon completion of the discipline, the student will be reassigned by the office of Student Services.

Look-Alike Weapons and Drugs

Any toy or model weapon that looks enough like an authentic weapon to be reasonably mistaken for one will be considered a look-alike weapon. Any student who represents 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. 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.



Restorative Pathway Offenses

Restorative pathway offenses include, but are not limited to, fighting, assault, striking students or school personnel, committing terroristic threatening, trafficking/distributing drugs/alcohol, extorting, robbing, sexually assaulting, making bomb threats, possessing or transferring a deadly weapon, using a dangerous instrument as defined by the Criminal Code of Kentucky (includes look-alike weapons), committing arson with others present, and stealing or willfully or wantonly defacing, destroying, or damaging personal property of school personnel on or off school property or at school-sponsored activities.

- Consequences may include a six- to ten-day district suspension, with a parent/guardian conference.
- Law enforcement officials may be notified by local school administration.
- A referral may be made to Student Due Process (**485-3335**).
- Assignment to restorative pathway placement or pre-expulsion procedures will be started.
- Legal action will be initiated when appropriate.

Removal From the Classroom

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting, pending any further disciplinary action that may occur. Each school will be responsible for developing a procedure(s) for the immediate removal of threatening or violent students from a classroom setting. Each school shall submit the procedure(s) to the superintendent/designee for review and approval. School employees are responsible for implementing the procedure(s) that has been reviewed and approved by the superintendent/designee.

Success Pathways

Success Pathway Programs help students improve academic skills, become more self-sufficient, and develop self-control. Students who fail to control their behavior after receiving repeated disciplinary measures from the school or students who commit serious offenses will be suspended to Student Due Process so that their cases may be expedited for placement in restorative pathway programs. 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 Due Process may assign the student to a restorative pathway school. The decision to assign a student to a Success Pathway for off-campus behavior shall include a review and consideration of the

exceptional status of the student and any appropriate federal and state laws. Students who enter JCPS from out of the district, from private or parochial schools, or from juvenile justice facilities may be referred to Student Due Process to determine appropriate placement.

A student who has been assigned to a Success Pathway must complete the requirements of that program before he or she can return to another Jefferson County public school, unless his or her return is approved by the Chief Equity Officer. Any student who assaults a staff member or brings a gun to school may or may not be allowed to return to his or her previously assigned school.

Youth Gangs

Gang activity will not be tolerated on school grounds or at any school activity. Students will not wear or display explicit gang symbols. Violation may result in suspension or other appropriate action.

Criminal Violations

Students may be charged with criminal violations of local, state, or federal ordinances/statutes/laws if violations of this handbook fall under the appropriate jurisdiction. When a student violates a law, school administrators will notify the appropriate law enforcement official. Prosecution and adjudication of criminal violations shall occur separately from the administration of school procedures.

Violations/Student Misconduct

Student misconduct generally will result in classroom discipline or in-school discipline. Some violations are so serious that they will result in suspension, expulsion, or placement in a restorative pathway program as required by Zero-Tolerance Policies and state and federal laws. These violations include assault of school personnel or students; extortion; robbery; sexual assault; arson with staff or students present; stealing or willfully or wantonly defacing, destroying, or damaging personal property of school personnel on or off school property or at school-sponsored activities; distribution of drugs and alcohol; and knowingly possessing a deadly weapon. Upon completion of a restorative pathway program or expulsion for assault of school personnel or possession of a weapon, the student will be reassigned by district personnel.

Please note the charts that list violations and the consequences for each. We believe that students of different ages and grade levels need different consequences for their behavior. Therefore, there are separate charts for elementary and middle/high school students. Disciplin-



Behavior and Range of Corrective Strategies

See page 17 for the Progressive Discipline Process.

Grades PK–5

LEVEL 1

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 irresponsible behavior, determine a reason for the misbehavior and take action to reduce and eliminate the behavior. Modify conditions perpetuating the misbehavior, eliminate pleasant consequence, or implement corrective response, thus promoting a safe and respectful learning environment. Schoolwide supports often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student's inappropriate or disruptive behavior. Staff should use these responses in a graduated fashion.

LEVEL 2

These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions may involve **short-term in-school suspension**. Staff should use these responses in a graduated fashion.

LEVEL 3

These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior (**short-term [1 to 3 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 [6 to 10 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	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 Making, transmitting, or distributing any recording that has not been approved by or authorized by the school of the voice or image of any other student, staff member, or other persons in any nonemergency situation and without the consent of the person(s) recorded				
PreK 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 Swearing, cursing, or making obscene gestures	●	●		
Profanity/Vulgarity toward staff Swearing, cursing, or making obscene gestures toward staff	●	●	●	
Gambling Games of chance or skill for money or profit	●	●		
Use/Possession of tobacco products 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 unlawfully: (a) Takes or exercises control over movable property of another with intent to deprive him thereof; or (b) Obtains immovable property of another or any interest therein with intent to benefit himself or another not entitled thereto. Vandalism—Damaging or defacing school property or the property of school personnel/students (includes criminal mischief)				
PreK through grade three (less than \$500)	●	●		
Grades four and five (less than \$500)	●	●	●	
PreK through grade three (more than \$500)	●	●	●	
Grades four and five (more than \$500)		●	●	●



Behavior and Range of Corrective Strategies

See page 17 for the Progressive Discipline Process.

Grades PK-5

LEVEL 1

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 irresponsible behavior, determine a reason for the misbehavior and take action to reduce and eliminate the behavior. Modify conditions perpetuating the misbehavior, eliminate pleasant consequence, or implement corrective response, thus promoting a safe and respectful learning environment. Schoolwide supports often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student's inappropriate or disruptive behavior. Staff should use these responses in a graduated fashion.

LEVEL 2

These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions may involve **short-term in-school suspension**. Staff should use these responses in a graduated fashion.

LEVEL 3

These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior (**short-term [1 to 3 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 [6 to 10 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 PK-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/Interference with staff or student/Bullying/Harassing communications/Cyberbullying				
With intent to deliberately place another person in fear of bodily injury or other substantial physical or emotional discomfort (includes sexual harassment, verbal abuse, threatening, bullying, menacing, wanton endangerment, stalking, harassing communications, and 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 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				
PreK 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)			●	●



Behavior and Range of Corrective Strategies

See page 17 for the Progressive Discipline Process.

Grades 6–12

LEVEL 1

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 irresponsible behavior, determine a reason for the misbehavior and take action to reduce and eliminate the behavior. Modify conditions perpetuating the misbehavior, eliminate pleasant consequence, or implement corrective response, thus promoting a safe and respectful learning environment. Schoolwide supports often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student's inappropriate or disruptive behavior. Staff should use these responses in a graduated fashion.

LEVEL 2

These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions may involve **short-term in-school suspension**. Staff should use these responses in a graduated fashion.

LEVEL 3

These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior (**short-term [1 to 3 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 [6 to 10 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 6–12			
	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				
Making, transmitting, or distributing any recording that has not been approved by or authorized by the school of the voice or image of any other student, staff member, or other persons in any nonemergency situation and without the consent of the person(s) recorded	●	●	●	
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				
Swearing, cursing, or making obscene gestures	●	●		
Profanity/Vulgarity toward staff				
Swearing, cursing, or making obscene gestures toward staff	●	●	●	
Gambling				
Games of chance or skill for money or profit				
Grades six through eight		●	●	
Grades nine through twelve		●	●	●
Use/Possession of tobacco products				
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 unlawfully: (a) Takes or exercises control over movable property of another with intent to deprive him thereof; or (b) Obtains immovable property of another or any interest therein with intent to benefit himself or another not entitled thereto.				
Vandalism—Damaging or defacing school property or the property of school personnel/students (includes criminal mischief)				
Less than \$500		●	●	
More than \$500			●	●



Behavior and Range of Corrective Strategies

See page 17 for the Progressive Discipline Process.

Grades 6–12

LEVEL 1

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 irresponsible behavior, determine a reason for the misbehavior and take action to reduce and eliminate the behavior. Modify conditions perpetuating the misbehavior, eliminate pleasant consequence, or implement corrective response, thus promoting a safe and respectful learning environment. Schoolwide supports often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student's inappropriate or disruptive behavior. Staff should use these responses in a graduated fashion.

LEVEL 2

These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions may involve **short-term in-school suspension**. Staff should use these responses in a graduated fashion.

LEVEL 3

These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior (**short-term [1 to 3 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 [6 to 10 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 6–12			
	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/Interference with staff or student/Bullying/Harassing communications/Cyberbullying				
With intent to deliberately place another person in fear of bodily injury or other substantial physical or emotional discomfort (includes sexual harassment, verbal abuse, threatening, bullying, menacing, wanton endangerment, stalking, harassing communications, and cyberbullying)		●	●	●
Drug/Alcohol possession/Under the influence (referral for treatment/intervention)				
Includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, drug paraphernalia, and look-alike drugs/alcohol		●	●	
Drug/Alcohol 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				
Grades six through eight				
		●	●	●
Grades nine through twelve				
			●	●
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)				
			●	●



ary measures are generally progressive, but with serious offenses, the school staff may initiate a different disciplinary action.

School staff will use reasonable discretion in the use of this handbook as it is applied to the specific facts of each case. They will follow the handbook in a fair and equitable manner.

Elementary School Behavior Violations and Consequences

Suspension of elementary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

Discipline Procedures for Early Childhood Preschool Students

School staff members shall adapt all disciplinary procedures and consequences to meet the developmental levels of the Early Childhood Preschool student. Itinerant, resource, and administrative staff of the Early Childhood Program shall be involved in the development and administration of discipline/remediation measures. An appropriate ARC meeting shall be conducted to discuss any discipline that would involve out-of-class placement for ECE Early Childhood students suspected of having disabilities.

Tobacco Products

JCPS is a tobacco-free district.

Smoking or other use of tobacco is prohibited; this includes the action of "smoking" with an electronic device or similar instrument. Students may not carry or possess tobacco products on school property or at school functions. School personnel have the authority to confiscate tobacco products. If a student violates this rule, he or she will be subject to in-school disciplinary measures and the parent/guardian will be notified and/or asked to come in for a conference.

Violators will be given information about the health risks of tobacco use and information about the help available if they decide to quit. After repeated offenses, a student may be suspended. The length of the student's suspension may be reduced by his or her participating in programs recommended by Student Due Process.

Attendance/Truancy Policy

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.

As of July 1, 2015, new school 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. Students who have previously dropped out but are younger than 18 years old must reenroll in school or they will be considered truant under the law. JCPS staff are here to support each student with reenrollment and ensure that he or she finds an educational program that is engaging and beneficial to his or her future.

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 his or her 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 his or her 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 an *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 his or her 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 his or her 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 his or her 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 subse-



quent offense. Charges of educational neglect and/or unlawful transaction with a minor may also be filed.

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 (doctor, dentist, psychologist, etc.) 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 a Reserve unit, and is called to federal active duty, a JCPS principal will 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 school work missed and will not have his or her class grades adversely affected for lack of class attendance or class participation due to the excused absence.

Excused absences for the purpose of educational enhancement 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. 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, and 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 habitually absent, the local school clerical and/or administrative staff will:

- Refer the student to the FRYSC coordinators, where available, who will work with the student and his or her family in support of regular attendance.
- 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 after the sixth unexcused absence and state any interventions conducted at the local school.

When a student has six or more unexcused absences:

- An assistant director of Pupil Personnel or a school social worker may visit the home of the student.
- A final notice may be served in person or sent by certified mail to the parent/guardian.
- An assistant director of Pupil Personnel 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.
- 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.

Make-Up Work

A student receiving an excused absence shall have the opportunity to make up missed schoolwork and not have his or her 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 his or her return to each class. The student will have the number of school days of absence or suspension plus one school day from the time he or she receives the make-up work to complete the work and submit it to the teacher.



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.

Telecommunication Devices

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 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 an other individual,
 - Is profane, indecent, or obscene,
 - Constitutes or promotes illegal activity or activity in violation of school rules, 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 Response and Behavior Intervention Handbook*.

These offenses are subject to disciplinary action under the *Student Response and Behavior Intervention Handbook*. In addition, the telecommunication device, including the SIM card, battery, and all other parts of the device, will be confiscated by an administrator and

may be returned only to the parent/guardian. Individual schools may set policies that define the length of confiscation time for each offense, not to exceed 30 calendar days at a time for each violation.

Electronic Equipment

While under the authority of JCPS, students will use computers and other electronic equipment in compliance with applicable rules and state law. Students are prohibited from using electronic equipment (including, but not limited to, computers, audio and video players/records, faxes/telephones, and duplicating machines) to send, receive, access, or duplicate material that is pornographic, threatening, harassing, or otherwise violates classroom, local school, or district rules. Violations may result in suspension and/or a Success Pathway.

JCPSNet Student Acceptable Use Policy

The Board of Education supports reasonable access to various information formats for students 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.

Access is a privilege, not a right.

Students are responsible for appropriate behavior when using the JCPS Networks, just as they are in classrooms and school hallways. Therefore, general school rules for behavior apply. Access to network services is offered to students who agree to act in a considerate and responsible manner, and parent permission is required. Based on the acceptable use guidelines outlined in this section, 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.

By signing the Acknowledgment of Receipt of the *Student Response and Behavior Intervention Handbook* and the *Student Bill of Rights* contained on page 3, the parent/guardian authorizes the district to grant the student access to the JCPS Networks. By the signature of the parent/guardian and the student, the student agrees to abide by the following rules for acceptable use of electronic media. To opt out of the use of the JCPS Networks, the parent/guardian must provide written notice of such opt-out to the school principal.



Students will:

- Use the JCPS Networks for educational purposes, such as conducting research for assignments consistent with the JCPS academic expectations; and
- Use appropriate language, avoiding swearing, vulgarities, and abusive language.

Students will NOT:

- Transmit or receive materials in violation of federal or state laws or regulations pertaining to copyrighted or threatening materials, or transmit or receive obscene or sexually explicit materials;
- Use the JCPS Networks for personal or commercial activities, product promotion, political lobbying, or illegal activities;
- Break into/Attempt to break into another computer network;
- Damage/Attempt to damage, move, or remove software, hardware, or files;
- Use unauthorized multiuser games;
- Send or forward chain letters;
- Download or use unauthorized software products that adversely affect network performance;
- Create or share computer viruses;
- Share access to their JCPS Network account or use another person's account;
- Maliciously attempt to harm or destroy data of another user;
- Use the JCPS Networks to otherwise violate the *JCPS Student Response and Behavior Intervention Handbook*;
- Use the JCPS Networks to disrupt the efficient operation and/or educational programs of JCPS.

Communications through the JCPS Networks are not private and may be reviewed by JCPS personnel, or by someone appointed by them, to ensure that all guidelines are followed. Violation of these terms will result in a loss of access to the JCPS Networks and may result in other disciplinary action under the guidelines of the *JCPS Student Response and Behavior Intervention Handbook*.

Student Searches*

Although students have the right to freedom from unreasonable search and seizure, school officials have the 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, maintain order, and/or protect people and property.

Searches may include the student and his or her 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.



Student Bill of Rights

DRAFT



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 his or her rights by honoring his or her responsibilities as outlined in the *Student Response and Behavior Intervention Handbook* 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 and 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 his or her right to an education under the *Student Response and Behavior Intervention Handbook*. 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 his or her 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 his or her 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 his or her 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 he or she receives the make-up work to complete the work and submit it to the teacher.

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 his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her 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, 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 1 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 1 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 **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 him or her. 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 him or her 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 his or her manner of dress and otherwise to arrange his or her 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 his or her 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 for self-defense, to protect others or property, or to maintain order (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 he or she meets 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, 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 his or her 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 his or her 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 him or her. This means that the student has the right to know what he or she is accused of doing, the right to know the evidence for the charge, and the right to present his or her perspective regarding the charge.

The student or parent/guardian has the right to appeal any action taken by the school that he or she believes to be an unfair or inequitable application of the *Student Response and Behavior Intervention Handbook* 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. He or she should do the following:

1. First, try to resolve the problem by discussing it with the people involved.
2. If that is unsuccessful, he or she 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, he or she may contact the assistant superintendent at **485-3494**.
4. When appealing a suspension, the appeal must be in writing.

Procedures for appealing suspensions and due process begin on page 25 of the *Student Response and Behavior Intervention Handbook*.

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 must file a written complaint by following the Jefferson County Board of Education 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, Room 152D
Louisville, KY 40209-1104
485-3341

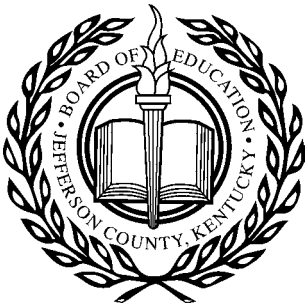
For further information regarding confidentiality and student records, you may contact your school principal or the director of Pupil Personnel.



Index

Appeal Procedures:		Range of Corrective Strategies	24, 25
Appeal Process Chart	18	Referral, Discipline	11, 40
Due Process	10	Removal From the Classroom	22
District Suspension	17	Responsibilities, Student, Staff, and Parent/Guardian	8
District Suspension With Recommendation		Rights:	
for Placement in a Success Pathway	17	Academic Grades	34
Short-Term Suspension	17	Access to Services	36
Attendance/Ttruancy Policy	27	Assembly	36
Behavior Violations	26	Confidentiality	34
Elementary School Behavior and		Counsel	10
Range of Corrective Strategies	24	Dress and Appearance	36
Middle and High School Behavior and		Due Process and Appeal	37
Range of Corrective Strategies	24	Education	34
Bill of Rights	33	Freedom from Abuse	37
Bomb Threats	21, 34, 39	Freedom From Harassment and Discrimination	38
Cellular Telephones	39	Freedom From Unreasonable Search and Seizure of Property ...	37
Classroom, Removal From the	2	Freedom of Expression	36
Conference, Parent/Guardian	12	Make-Up Work	34
Corporal Punishment	2	Participation	37
Counsel, Right to	12	Representation and Involvement	36
Criminal Violations	23, 39	School Publications and Communications	36
Dangerous Instruments	22, 39	Role of the School Counselor	12
Disciplinary Measures:		Rules	9
Administrator's	11	Search and Seizure	31
Board of Education's	11	Student Safety	31, 40
Chief of Police	11	Success Pathway Program	23
Classroom Teacher	11	Suspension	11
Disciplinary Procedure	10	Student Discipline	11
Early Childhood Preschool Students	26	Success Pathway	19
Referral Procedure	11	Due Process and Appeal	16
Discrimination	10, 38, 39	Exceptional Child Education Students	13
District Suspension	17, 19	Formal Hearing	13
Drugs:		Make-Up Work	29, 40
Look-Alikes	21, 22, 40	Misbehavior on the School Bus	9
Zero Tolerance	20, 23, 40	Procedures	12
Due Process	10, 37, 39	Range of Corrective Strategies	24, 25
Early Childhood Preschool Students	26	Section 504 Students	16
Electronic Equipment	30	Telecommunication Devices	29
Expulsion	20, 39	Tobacco Products	27, 40
Formal Hearing	13	Trafficking and Distribution	21
Gangs, Youth	23	Truancy Policy	27
Glossary	39	Weapons	20, 22, 27, 40
Harassment/Discrimination	10, 39	Look-Alike	22, 27, 40
Intervention Strategies	43-46	Zero Tolerance:	
Look-Alike Drug	21, 22, 40	Alcohol	20
Look-Alike Weapon	22, 27, 40	Drugs	20
Make-Up Work	29, 40	Possession/Under the Influence	20
Misbehavior on the School Bus	9	Tobacco Products	27
Misconduct	23	Trafficking and Distribution	21
Paging Devices	29, 40	Violence	21
Parent/Guardian Conference	12		
Physical Restraint	10, 40		
Placement in a Success Pathway	15, 19		
Possession/Under the Influence	20, 40		

NOT
UPDATED



Intervention Strategies

DRAFT



Student Response Teams/ Positive Behavioral Interventions and Supports

It is the vision of the Jefferson County Public Schools (JCPS) that all students graduate prepared to reach their full potential and contribute to our society throughout life. With the goal of ensuring that all students have access to the most effective instructional and behavioral practices and interventions possible, JCPS has created Student Response Teams/Positive Behavioral Interventions and Supports Teams. SRT/PBIS Teams provide an operational framework that guides the selection, integration, and implementation of evidence-based behavioral practices for improving behavioral outcomes for all students. SRT/PBIS Teams operate on three levels: School-Based, Academic Achievement Area, and District.

The School-Based SRT/PBIS Team consists of a committee of school staff members who promote positive, proactive behavioral practices. School-based teams implement a schoolwide tiered system for behavioral supports. Tier I or Universal Interventions are proactive and positive, and they apply to all students across all school settings. Tier II Interventions apply to some students (5 to 15 percent) who are experiencing behavioral challenges and who thus require strategic, targeted instruction. Tier III Interventions apply to fewer students (1 to 5 percent) who are experiencing greater behavioral challenges and who thus warrant intensive small-group and individualized instruction. School-Based SRT/PBIS Teams collect and analyze behavioral data, set measurable behavioral outcomes supported and evaluated by data, ensure training and consistent implementation of effective practices to achieve identified outcomes, and refine systems to efficiently and effectively support the implementation of effective practices. The School-Based SRT/PBIS Team works closely with the School-Based Response to Intervention (RtI) Team, which designs and implements tiered academic supports for students.

Academic Achievement Area SRT/PBIS Teams provide proactive supports to school-based teams, such as training for faculty and individual staff members, coaching, consultation, co-teaching, accessing resources and materials, and data collection/analysis. Achievement Area Teams assist school teams to refine tiered intervention systems. When needed, Achievement Area Teams provide immediate support to help students with heightened behavioral challenges.

The District SRT/PBIS Committee regularly solicits input from district and school leaders and examines data to discern district needs. In response, the District SRT/

PBIS Committee, along with Louisville Linked, secures appropriate resources; coordinates services with community partners; and collaborates with local, regional, and national experts. Community partnerships, with the aid of Louisville Linked, exist with area mental health services, medical clinics, institutes of higher education, businesses, and community organizations. Further, the District SRT/PBIS Committee designs training programs to support SRT/PBIS outcomes. Example training programs include Culturally Responsive Instruction, Engaging Diverse Learners, Restorative Practices, Effective Classroom Management Practices, Social Skills Instruction, Understanding the Rage Cycle in Youth, Functional Behavioral Assessment/Behavior Intervention Program Development, and Aggression Replacement Training.

Restorative Practices

Where applicable, aspects of restorative practices (RP) may be used with students. Restorative practices are a set of responses that may supplement or substitute traditional corrective strategies. The goal of this strategy is to manage conflict among students by repairing harm and restoring relationships while building personal responsibility. A key component of this process is the involvement of individuals in decisions affecting them. Restorative responses seek to encourage students and the school community to resolve conflicts through expression, engagement, and explanation. JCPS offers a graduated continuum of developmentally appropriate RP responses, which may be used at every stage of the existing range of corrective strategies for specified school behaviors.

Continuum of Restorative Practices

Restorative Communication

Restorative communication consists of using affective statements between school officials and students in conflict. These statements are designed to uncover the harm done, repair and resolve the conflict in an informal manner. Restorative communication serves to de-escalate, prevent and resolve conflict.

Peer Mediation

Peer mediation involves the student(s) in conflict as well as an adult facilitator and student mediators trained in problem solving and conflict resolution. These informal mediating sessions are conducted to manage conflict, humanize and repair the harm done.

Peer Accountability Boards

Peer Accountability Boards involve trained student volunteers presiding over cases where they make a determination of harm done, obligation and repair with those directly impacted by the action.



Intervention Strategies

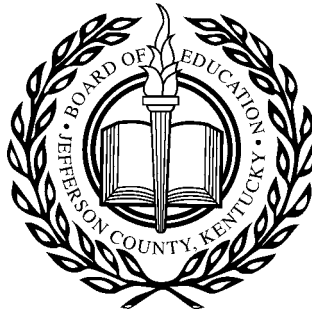
Prior to exclusionary responses to disciplinary infractions, JCPS provides a list of prevention and intervention strategies that may be used to help support positive student behaviors. These include:

- **Positive Action Centers**—an area of the school set aside to teach replacement behaviors
- **Behavior Intervention Plan**—developing a plan for correcting inappropriate or disruptive student behaviors. Plans offer positive behavioral interventions, strategies, and supports for students (with or without disabilities).
- **Student conference**—discussing with students the behavior issues and developing with the students the potential interventions that could address the social, academic, and personal issues related to the behavior
- **Conflict resolution**—promoting problem-solving skills and techniques, such as conflict and anger management, active listening, and effective communication
- **Functional Behavioral Assessment**—gathering information about students' behavior and using assessments to determine the best approaches to managing and improving behaviors
- **Individual Education Program**—including a group of individuals who are responsible for identifying and evaluating students with disabilities in developing an education plan (which may encompass academic and social components) to help students with disabilities be successful in the least restrictive environment
- **Mentoring**—pairing students with mentors (either school-based or community-based) to help with their personal, social, and academic development
- **Family outreach**—involving parents in their children's behavior plan by making them aware of the issues (either written, phone, or meeting) and seeking their assistance in correcting the behavior
- **Peer mediation**—using a conflict-resolution strategy in which students help other students with developing solutions to behavior/social problems
- **Referral to appropriate substance abuse and counseling services**—when students may be dealing with substance abuse problems, it may be the case that more intense counseling is needed (school- or community-based).
- **Referral to community-based organizations**—using community agencies to help meet the needs of students, including after-school programs, counseling, conflict resolution, tutoring, and social skills development
- **Referral to school-based health and mental health services**—some students may need individualized mental health counseling to help deal with their personal challenges. Parents/Guardians should be notified of the services and may be involved in the sessions if necessary.



Developmental Considerations (Cavanaugh, 2007)	Age-Appropriate RP Strategy/Outcome (Pavelka, 2013)	Suggested RP Model (Bazemore and Umbreit, 2001; O'Brien, 2000, 2007, 2008)
Ages 5–6: <ul style="list-style-type: none"> • Understands feelings • Develops empathy • Learning about friendships 	Healing Dialogue	Restorative Communication Peer Mediation
Ages 7–9: <ul style="list-style-type: none"> • Understands belonging • Learns about trust, listening to others, honesty and respect 	Healing Dialogue	Restorative Communication Peer Mediation
Ages 10–11: <ul style="list-style-type: none"> • Can speak truthfully and respectfully • Can show diplomacy • Capable of displaying peacemaking skills 	Healing Dialogue/ Consensual Case Plan	Restorative Communication Peer Mediation Peer Accountability Boards
Ages 12–14: <ul style="list-style-type: none"> • Can distinguish the problem from the person • Capable of problem solving 	Healing Dialogue/ Consensual Case Plan	Restorative Communication Peer Mediation Peer Accountability Boards
Ages 15–17: <ul style="list-style-type: none"> • Can facilitate communication between and restore dialogue to both parties • Can negotiate removal of blame and punishment 	Healing Dialogue/ Consensual Case Plan	Restorative Communication Peer Mediation Peer Accountability Boards

Questions concerning the *Student Response and Behavior Intervention Handbook* and the *Student Bill of Rights* should be directed to the director of Student Due Process (485-3803).

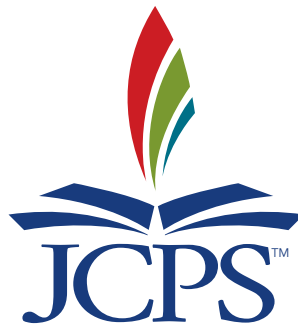


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