

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.

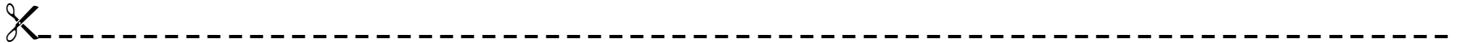
Signed by (Check one.): ☐ eligible student ☐ parent/guardian

_____ 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 form, see the *Code of Acceptable Behavior and Discipline* 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

***Code of Acceptable Behavior and Discipline and the
Student Bill of Rights***

As the parent/guardian of _____, I have read and
discussed the *Code of Acceptable Behavior and Discipline* 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 31.

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

Students achieve at higher levels when their schools operate in a safe and orderly manner. The Jefferson County Public School (JCPS) District recognizes that an orderly and positive environment is a key to learning. We hold high expectations for students, and we expect students to demonstrate responsibility for their actions and be accountable for the impact of those actions. JCPS is committed to being proactive in helping students learn from any inappropriate choices.



This two-part booklet is an important step toward achieving and maintaining a districtwide environment that is conducive to learning. The first part, the *Code of Acceptable Behavior and Discipline*, describes how we expect students to conduct themselves. It explains the process that staff members use to enforce the code, and it outlines consequences for misbehavior. The second part, the *Student Bill of Rights*, describes how staff members ensure that students' rights, as guaranteed by law, are protected. Your understanding and observance of these fundamental rules will enable all of us to focus our attention on schools' primary mission of teaching and learning.

Every student and parent/guardian should take the time to read and discuss this booklet together in detail. Students should be aware of the specific rules and also understand their rights and responsibilities. Parents/Guardians, we urge you to set appropriate expectations for your child's behavior and to support school staff in the event your child is disciplined.

Once you have read this booklet, we ask that you sign the form on page 3 and return it to the school. This response will signify that you are knowledgeable of the booklet's contents. If you have questions about disciplinary processes—at any time during the school year—please contact your principal. We appreciate your cooperation in helping JCPS serve as a successful and respectful learning community that supports the well-being of all students.

Donna M. Hargens, Ed.D.
Superintendent



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The *Code of Acceptable Behavior and Discipline* 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 nor with the school's ability to provide it. Kentucky Revised Statute (KRS) 158.440 states "every student should have access to a safe, secure, and orderly school that is conducive to learning." This *Code of Acceptable Behavior and Discipline* 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.

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

This code was adopted by the Jefferson County Board of Education 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, ~~and 2013~~, and 2014.

Student, Staff, and Parent/Guardian Responsibilities

A student's responsibilities are to:

- Be at school every day unless an absence is excused.
- Bring notes from parents/guardians or medical professionals for excused absences.
- Be on time and prepared for school and classes.
- Sign in or out of school on entry/exit logs.
- Understand and obey school and classroom rules and follow the *Code of Acceptable Behavior and Discipline*.
- Complete classwork and homework on time.
- Work to excel academically.
- Respect the rights and property of students and staff.
- Behave in a safe and responsible manner.
- Behave respectfully to others, avoiding profanity, insults, threats, and harassment.
- Follow the school dress code and use proper hygiene.
- Ask teachers or school staff members for help with problems/concerns.
- Report to a classroom teacher or school staff member, when necessary, a violation of the *Code of Acceptable Behavior and Discipline*.
- Practice good citizenship by being helpful and honest whenever there is a problem.
- Complete and sign a student-dropout questionnaire if the student is 18 years or older and is dropping out of school.

A staff member's responsibilities are to:

- Keep accurate records of grades, attendance, and behavior.
- Maintain entry/exit logs for students who are not present for the entire instructional day.
- Engage each student in the educational process to promote appropriate behavior.
- Inform the parent/guardian early about attendance, behavior, and/or academic problems.
- Assign appropriate classwork and homework and provide clear directions.
- Create a classroom environment in which students can ask for help and feel safe and respected.
- Help students understand class and school rules and the *Code of Acceptable Behavior and Discipline*.
- Assist the parent/guardian in finding help with health and social problems.
- Seek training and education in the establishment of safe and successful schools.
- Employ fair and consistent discipline to teach students responsible behavior.
- Set high expectations for student behavior and academics and help students reach their goals.



- Refer to the principal/designee reports of code violations that may warrant suspension or expulsion of a student and to make other reports required by law.
- Encourage all students to participate in school activities.
- Be a role model who demonstrates self-control and responsible citizenship in the school.

A parent's/guardian's responsibilities are to:

- Stress to his or her child the importance of an education.
- Keep the school up to date on telephone numbers and address changes, medical problems, and family or social problems, including documentation of guardianship or any other change in legal status, that may affect his or her child's school performance.
- Notify the school on the day on which his or her child is absent.
- Keep the school up to date with the names of anyone allowed to sign his or her child out of school.
- Send his or her child to school on time every day.
- Provide notes to explain and confirm excused absences and tardies within three school days of the student's return.
- Make sure that his or her child has time, space, materials, and help for homework.
- Be involved in what goes on in school and attend parent-teacher conferences.
- Support the school's discipline measures and assist the school with discipline when needed.
- Keep up to date with his or her child's progress and review, sign, and return progress reports and report cards.
- Review the *Code of Acceptable Behavior and Discipline*, the *Student Bill of Rights*, and the school rules with his or her child.
- Provide, upon enrollment, a sworn statement on an official form when a student has been adjudicated guilty/expelled for an offense involving weapons, alcohol, and/or drugs.
- Complete and sign a student-dropout questionnaire when his or her child who is 16 years old, but not yet 18, drops out of school.

- Ensure that his or her child has current immunizations and required medical examinations.
- Expect his or her child to dress appropriately, to abide by the school's dress code, and to practice good hygiene.
- Expect his or her child to be responsible and respectful and to behave appropriately in school.
- Pay required fees and fines (unless on fee waiver).

Misbehavior on the School Bus

Student safety is a top priority, and 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 behavior 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 an alternative school. If suspension from a school bus prevents an Exceptional Child Education (ECE) student from attending school, the ECE suspension procedures on page 12 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 assistant superintendent of Diversity, Equity, and Poverty Programs.

Local School Rules

The Jefferson County Board of Education is responsible for formulating the *Code of Acceptable Behavior and Discipline* 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 code as adopted by the Board. 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 *Code of Acceptable Behavior and Discipline*, 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 on pages 17 through 20.

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).

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, verbal or physical abuse 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 code 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.

Discipline Process

Most discipline is handled by teachers in the classroom. When in-class measures do not correct a misbehavior, the teacher or staff member will submit a written discipline referral to the appropriate administrator. The administrator may use in-school measures or may suspend the student from 1 to 20 days, depending on the seriousness of the misbehavior. A



student suspended for one to ten days generally has an informal hearing before he or she is suspended. If the suspension is for more than ten days, a formal hearing is conducted unless that hearing is waived by the parent/guardian.

The discipline of ECE students with disabilities is subject to state and federal law in addition to the *Code of Acceptable Behavior and Discipline*. 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 Individual Education Program (IEP).

For serious misbehavior or if previous measures have failed to correct behavior problems, a student may be assigned by the assistant director of Student Relations to an alternative school, where the school is equipped to deal with and correct behavior problems. A principal also may recommend that a student be expelled. Students may be expelled only by the Board of Education (KRS 158.150).

The following is a partial list of disciplinary measures that are available for the classroom, school, Central Office, and Board of Education.

Corporal punishment is prohibited.

Classroom Teacher's Disciplinary Measures

- Posted rules/Clear expectations
- Seating assignments
- Modeling appropriate behavior
- Cues/Signals of approval/disapproval of behavior
- Verbal reprimand
- Notification to parent/guardian or parent/guardian conference
- Assignment of constructive assignments/tasks
- Student-teacher conference
- Assignment to class/team detention
- Development of behavior contract
- Temporary classroom removal
- Referral to guidance counselor

- Referral to principal/designee
- **Positive Behavioral Interventions and Supports (PBIS)**
- **Restorative practice**

Administrator's Disciplinary Measures

- Parent/Guardian conference
- Temporary restriction from school activities
- Change in student's schedule (with notification to parent/guardian)
- Temporary removal from other students
- Assignment to after-school detention
- Assignment to In-School Adjustment Program (ISAP)
- Assignment to Positive Action Center (PAC)
- Recommendation for evaluation
- Suspension of bus-transportation privileges for bus misconduct (Review suspension procedures for ECE students.)
- Assignment of constructive assignments/tasks
- Recommendation of transfer to another school/program
- Suspension from school
- Initiation of pre-expulsion procedures
- Recommendation for assessment by JCPS Safe and Drug-Free Schools/Student Relations
- ~~Referral to Suspension/Tuancy Off-site Program (STOP)~~
- **Positive Behavioral Interventions and Supports (PBIS)**
- **Restorative practice**

Central Office Administrator's Disciplinary Measures

- Parent/Guardian conference
- Change in school/program
- Recommendation for assessment by JCPS Safe and Drug-Free Schools/Student Relations
- Placement in alternative school
- Recommendation for expulsion

Board of Education's Disciplinary Measure

- Expulsion



Discipline Referral Procedures

If classroom discipline measures do not correct a student's misconduct or if his or her behavior is a serious offense, the student is referred to a school administrator by a staff member.

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 return 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

As a result of student misbehavior, the school may arrange a conference with the parent/guardian. 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 or chooses not to attend the conference, 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 to the Family Resource and Youth Services Centers (FRYSCs), to community agencies, or to JCPS Safe and Drug-Free Schools/Student Relations 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 ~~Violations and Consequences~~ and Range of Corrective Strategies charts on pages 24 and 25.

- 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 pages 16 and 17.
- A short-term, local school suspension is for one to ~~five~~ **three** school days.



- A ~~long-term, Central Office Board~~ suspension is for six to ~~20~~ **ten** school days.
- ~~Long-term Board~~ suspensions may be referred to the assistant director of Student Relations for a conference and decision.
- An ECE student may not be suspended to the ~~Central Office Board~~ 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 ~~long-term, Central Office Board~~ 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. A 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 classwork 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 29).

- 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.

~~Suspension Truancy Off-Site Program~~

~~As an alternative to a suspension from school, a local school administrator may refer students in grades four through twelve to STOP. Students in STOP will receive instruction at one of seven regional centers and receive credit for their attendance and classwork. If a student is assigned to STOP and fails to attend, he or she is suspended from school. Students who are under suspension for a drug offense, weapons violation, or assault or who are considered to be a danger to themselves or others are not eligible for STOP. The district does not provide transportation to STOP sites.~~

Formal Hearing

When a student has been suspended to the ~~Central Office Board~~ 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/Expulsion 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 Individual Education Program (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 ~~conten-~~
~~plated~~ 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 (~~if age 14 or older or younger as appropriate~~ 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, Functional Behavioral Assessment (FBA), Behavior Intervention Plan (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 positive behavior interventions and supports 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.**
- ~~Reviews the IEP and placement in relation to the behavior in question to determine:~~

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 substantial 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 *Code of Acceptable Behavior and Discipline* 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. ~~The ARC returns the student to the placement from which the student was removed unless the district and the parent agree to a change in placement as part of modification of the BIP or because of violations involving illegal drugs, weapons, or serious bodily injury. 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 *Code of Acceptable Behavior and Discipline* 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 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 alternative education setting up to 45 school days.**

Placement in an Alternative School or Program

~~Placement in a district alternative school or program may be considered by the ARC as part of the district's continuum of placement options. For students with very serious behavior violations, the school refers the student to the JCPS Safe and Drug-Free School Department for an assessment and a conference with the assistant director of Student Relations. The ECE student may be suspended to the Central Office Board for a minimum of two days. The ARC chairperson:~~

- ~~Secures consultation from the ECE coordinator of placement or designee.~~

For students with very serious behavior violations, the school may suspend the ECE student to the Board for a minimum of two days and refer the student to the JCPS Safe and Drug-Free Schools Department for an assessment and conference with the assistant director of Student Relations. If the ARC considers placement in a district alternative school or 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.**



- Refers the student to the JCPS Safe and Drug-Free Schools Department for an assessment and a conference with the assistant director of Student Relations. The ECE student may be suspended to the Central Office for a minimum of two days.
- Invites a representative of the alternative school to the ARC meeting.
- Convenes an ARC meeting to consider placement options, including an alternative school or program. 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 alternative education setting 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 alternative education 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 alternative schools and programs.

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 members who have knowledge about the student shall meet to review the Section 504 Adaptation Plan and, if applicable, the Behavior Plan. If the proposed consequence includes a change in placement, the Section 504 team completes a Manifestation Determination. If the conduct is not related to the student's disability, the student can be disciplined in the same manner as nondisabled students. If the conduct is related to the student's disability, the student may not be suspended. The 504 team considers the following:

- Revising the Section 504 Adaptation Plan;
- Completing an FBA and a BIP; and
- Determining the need for ECE assessment to determine eligibility for services under the IDEA.

If the suspension is required in order to protect persons or property or to avoid disruption of the ongoing educational process, the student first must be granted an informal hearing and then may be suspended. The 504 Committee shall convene as soon as possible.

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 (Individuals with Disabilities Education Improvement Act).

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 *Code of Acceptable Behavior and Discipline* 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 a Functional Behavioral Assessment (FBA) and a Behavior Intervention Plan (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 Mani-



festation 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 *Code of Acceptable Behavior and Discipline*, 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 an alternative school/program.

Appeals are to be made in writing and mailed/delivered to the appropriate administrator. If a par-

ent/guardian/student needs help writing a letter of appeal, he or she may contact Safe and Drug-Free Schools/Student Relations at **485-3335** for assistance. Refer to the chart on page 18.

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 ~~Five~~ **Three** School Days

The following procedures are required when a parent/guardian/student appeals a short-term/local school suspension of one to ~~five~~ **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 Gheens Academy, 4425 Preston Highway, Louisville, KY 40213). 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 18.

Appeal Procedure for ~~Long-Term/Central Office Board~~ Suspensions—Six to ~~20~~ **Ten** School Days

The following procedures are required when a parent/guardian/student appeals a ~~long-term/Central Office Board~~ suspension of six to ~~20~~ **ten** school days.



Appeal Process

Short-Term/Local School Suspension 1 to 5 3 School Days	Long-Term/Central Office Board Suspension 6 to 20 10 School Days	Long-Term/Central Office Board Suspension With Recommendation for Placement in an Alternative School	Placement in an Alternative School
<p>Send/Take written appeal to:</p> <p>Administrator who suspended student</p> <p>↓</p> <p>Principal</p> <p>↓</p> <p>Assistant Superinten- dent</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 Relations</p> <p>↓</p> <p>Director, Safe and Drug-Free Schools/Stu- dent Relations</p> <p>↓</p> <p>Assistant Superintendent of Diversity, Equity, and Poverty Programs</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 Relations</p> <p>↓</p> <p>Director, Safe and Drug-Free Schools/Stu- dent Relations</p> <p>↓</p> <p>Assistant Superintendent of Diversity, Equity, and Poverty Programs</p> <p>↓</p> <p>Superintendent</p> <p>↓</p> <p>Board of Education</p>	<p>Send/Take written appeal to:</p> <p>Assistant Director, Student Relations</p> <p>↓</p> <p>Director, Safe and Drug-Free Schools/Stu- dent Relations</p> <p>↓</p> <p>Assistant Superintendent of Diversity, Equity, and Poverty Programs</p> <p>↓</p> <p>Superintendent</p> <p>↓</p> <p>Board of Education</p>

**Appeals must be made in writing.
See pages 17 through 20 for addresses.**

If a student is not assigned alternative placement, this is the last step of the appeal process.



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 Relations (Jefferson County Public Schools, Dawson Orman Education Center, 900 South Floyd Street, Louisville, KY 40203). 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 Relations, you may appeal to the director of Safe and Drug-Free Schools/Student Relations (Jefferson County Public Schools, Dawson Orman Education Center, Room 221, 900 South Floyd Street, Louisville, KY 40203). 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 Relations.
5. If your appeal is denied by the director of Safe and Drug-Free Schools/Student Relations, you may appeal to the assistant superintendent of Diversity, Equity, and Poverty Programs (Jefferson County Public Schools, Dawson Orman Education Center, Room 221, 900 South Floyd Street, Louisville, KY 40203). 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 Safe and Drug-Free Schools/Student Relations. This is the last step in the appeal process. Refer to the chart on page 18.

Appeal Procedure for ~~Long-Term/Central-Office Board~~ Suspension With Recommendation for Placement in an Alternative School

The following procedures are required when a parent/guardian/student appeals a ~~long-term/Central-Office Board~~ suspension and placement in an alternative school.

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 Relations (Jefferson County Public Schools, Dawson Orman Education Center, 900 South Floyd Street, Louisville, KY 40203). 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 Relations, you may appeal to the director of Safe and Drug-Free Schools/Student Relations (Jefferson County Public Schools, Dawson Orman Education Center, Room 221, 900 South Floyd Street, Louisville, KY 40203). 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 Relations.
5. If your appeal is denied by the director of Safe and Drug-Free Schools/Student Relations, you may appeal to the assistant superintendent of Diversity, Equity, and Poverty Programs (Jefferson County Public Schools, Dawson Orman Education Center, Room 221, 900 South Floyd Street, Louisville, KY 40203). 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 Safe and Drug-Free Schools. If a student is not assigned alternative placement, this is the last step of the appeal process.

6. If your appeal is denied by the assistant superintendent of Diversity, Equity, and Poverty Programs, 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 assistant superintendent of Diversity, Equity, and Poverty Programs.
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, P.O. Box 34020, Louisville, KY 40232-4020). 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 18.

Appeal Procedure for Placement in an Alternative School

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

1. Write a letter explaining your reasons for appealing the decision to the appropriate assistant director of Student Relations (Jefferson County Public Schools, Dawson Orman Education Center, 900 South Floyd Street, Louisville, KY 40203). 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 Relations, you may appeal to the director of Safe and Drug-Free Schools/Student Relations (Jefferson County Public Schools, Dawson Orman Education Center, Room 221, 900 South Floyd Street, Louisville, KY 40203). 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 Relations.

3. If your appeal is denied by the director of Safe and Drug-Free Schools/Student Relations, you may appeal to the assistant superintendent of Diversity, Equity, and Poverty Programs (Jefferson County Public Schools, Dawson Orman Education Center, Room 221, 900 South Floyd Street, Louisville, KY 40203). 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 Safe and Drug-Free Schools/Student Relations.
4. If your appeal is denied by the assistant superintendent of Diversity, Equity, and Poverty Programs, 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 assistant superintendent of Diversity, Equity, and Poverty Programs.
5. 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, P.O. Box 34020, Louisville, KY 40232-4020). 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 18.

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.

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.



- ~~An investigation of the offense will be completed by the JCPS Compliance and Investigations Office.~~
- A suspension to the Department of Safe and Drug-Free Schools/Student Relations 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 Relations.
- The assistant director of Student Relations will meet with the parent/guardian and the student.
- The assistant director of Student Relations will forward all documents with the recommendation for expulsion to the assistant superintendent of Diversity, Equity, and Poverty Programs, 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 32.

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 ~~Central Office Board~~ 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 will be notified by local school administration, in accordance with the Police Memorandum of Agreement.
- A referral ~~will~~ **may** be made to JCPS Safe and Drug-Free Schools/Student Relations (**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 Relations 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) ~~results may~~ **result** in an alternative placement.

- Consequences **may** include a six- to ten-day ~~long-term Central Office Board~~ suspension, with a parent/guardian conference.
- The JCPS Compliance and Investigations Office may file a report with the CDW.



- Law enforcement officials will be notified by local school administrators, in accordance with the Police Memorandum of Agreement.
- A referral ~~will~~ **may** be made to JCPS Safe and Drug-Free Schools/Student Relations (**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 ~~will~~ **may** be assigned alternative placement.

Trafficking and Distribution

Any offense of trafficking or distribution of drugs/alcohol ~~will~~ **may** result in alternative placement.

- 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 ~~long-term Central Office Board~~ suspension, with a parent/guardian conference.
- The JCPS Compliance and Investigations Office may file a report with the CDW.
- Law enforcement officials will be notified by local school administrators, in accordance with the Police Memorandum of Agreement.
- A referral ~~will~~ **may** be made to JCPS Safe and Drug-Free Schools/Student Relations (**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 of ~~1 to 5 days~~ or a ~~6- to 20-day, long-term Central Office Board~~ suspension, with a parent/guardian conference (depending upon specifics of the offense) and possible alternative placement.
- Law enforcement officials will be notified by local school administration, in accordance with the Police Memorandum of Agreement.
- A referral ~~will~~ **may** be made to JCPS Safe and Drug-Free Schools/Student Relations. (Options for follow-up will be discussed with the parent/guardian, and recommendations will be made to the local school.)
- Alternative schools or alternative placement ~~will~~ **may** be considered on each offense.
- Local school officials may refer students directly to JCPS Safe and Drug-Free Schools/Student Relations (**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 ~~Central Office long-term Board~~ suspension of six to ~~20~~ **ten** days, with a parent/guardian conference (depending upon specifics of the offense) and possible alternative placement.
- Law enforcement officials will be notified by local school administration, in accordance with the Police Memorandum of Agreement.
- The JCPS Compliance and Investigations Office may file a report with the CDW.
- A referral will be made to JCPS Safe and Drug-Free Schools/Student Relations (**485-3335**). (Resource options will be discussed with the parent/guardian, and recommendations will be made to the local school.)
- Alternative schools or alternative placement will be considered on the first offense. On the second and subsequent offenses, a recommendation will be made for alternative placement or pre-expulsion procedures will be initiated.



- On the first offense, the ~~long-term Central Office Board~~ suspension may be reduced by the assistant director of Student Relations after consulting with the local school principal.
- Local school officials may refer students directly to JCPS Safe and Drug-Free Schools/Student Relations (485-3335).
- ~~A student who has been assigned to an alternative school for assaulting school personnel will not be allowed to return to his or her previously assigned school.~~
- 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 ~~will~~ may be assigned to an alternative school 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 ~~will~~ may be assigned to an alternative school.

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.

Alternative Placement Offenses

Alternative placement 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 ~~20-~~ ten-day ~~long-term Central Office Board~~ suspension, with a parent/guardian conference.
- Law enforcement officials will be notified by local school administration, in accordance with the Police Memorandum of Agreement.
- A referral ~~will~~ may be made to JCPS Safe and Drug-Free Schools/Student Relations (485-3335).
- Assignment to alternative 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.



Range of Consequences Strategies

Elementary School Behavior Violations and Consequences Range of Corrective Strategies BEHAVIOR VIOLATIONS	<div> <div></div> </div>					
	Parent/Guardian Communication and/or Conferences	In-School Discipline Corrective Measures (Restorative Practice/ PBIS/SRTs, etc.)	Short-Term Suspension (1 to 5 3 days)	Long-Term Board Suspension (6 to 20 10 days)	Suspension and Recommendation for Alternative Program ⁺	Expulsion Procedures Initiated ⁺
1. Unexcused tardiness to class/Nonattendance to class						
2. Deliberate disruption						
3. Failure to follow rules or directives ⁺⁺ /Academic dishonesty						
4. Leaving school grounds without permission						
5. Forgery/Counterfeiting			X			
6. Profanity/Vulgarity						
7. Gambling			X			
8. Use/Possession of tobacco products			X			
9. Inappropriate sexual behavior (includes possession of pornography, consensual sexual contact, and all sexual offenses except assault/abuse)						
10. Theft/Vandalism						
11. Robbery						
12. Fighting/Striking student						
13. Fighting/Striking faculty, staff, or other officials						
14. Intimidation/Harassment/Interference with staff or student/Bullying/Harassing communications/Cyberbullying						
15. Drug/Alcohol possession/Under the influence						
16. Drug/Alcohol distribution						
17. Assault/Sexual abuse/Sexual assault/Criminal abuse						
18. Arson						
19. Weapons/Dangerous instruments						
20. Bomb threats/False fire alarms/False police reports/Terroristic threatening/ Fireworks/Explosives ^{***}						
21. All other criminal offenses: kidnapping, extortion, etc. (law)						

+ In-class actions

~~⁺The suspension of Primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.~~

~~⁺⁺For further information on cell phone/telecommunication devices, refer to page 28.~~

~~^{***}Bomb threats made by fourth- and fifth-grade students will result in placement in an alternative school/program.~~

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



Range of Consequences Strategies

Middle and High School Behavior Violations and Consequences Range of Corrective Strategies BEHAVIOR VIOLATIONS						
	Parent/Guardian Communication and/or Conferences	In-School Discipline Corrective Measures (Restorative Practice/PBIS/ SRTs, etc.)	Short-Term Suspension (1 to 5 3 days)	Long-Term Board Suspension (6 to 29 10 days)	Suspension and Recommendation for Alternative Program ^{**}	Expulsion Procedures Initiated ^{**}
1. Unexcused tardiness to class/Nonattendance to class						
2. Deliberate disruption						
3. Failure to follow rules or directives ^{**} /Academic dishonesty						
4. Leaving school grounds without permission						
5. Forgery/Counterfeiting						
6. Profanity/Vulgarity						
7. Gambling						
8. Use/Possession of tobacco products						
9. Inappropriate sexual behavior (includes possession of pornography, consensual sexual contact, and all sexual offenses except assault/abuse)						
10. Theft/Vandalism						
11. Robbery						
12. Fighting/Striking student						
13. Fighting/Striking faculty, staff, or other officials						
14. Intimidation/Harassment/Interference with staff or student/Bullying/Harassing communications/Cyberbullying						
15. Drug/Alcohol possession/Under the influence						
16. Drug/Alcohol distribution						
17. Assault/Sexual abuse/Sexual assault/Criminal abuse						
18. Arson						
19. Weapons/Dangerous instruments						
20. Bomb threats/False fire alarms/False police reports/Terroristic threatening/ Fireworks/Explosives						
21. All other criminal offenses: kidnapping, extortion, etc. (law)						

In-class actions

~~School staff may use an alternative disciplinary action in a particular case with written justification. When expulsion procedures have been initiated or a recommendation for alternative placement has been made, the student will first be suspended to the Safe and Drug-Free Schools/ Student Relations Department so that the case may be expedited.~~

~~**For further information on cell phone/telecommunication devices, refer to page 28.~~



Alternative Programs

Alternative 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 the Safe and Drug-Free Schools/Student Relations Department so that their cases may be expedited for placement in alternative 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, the Safe and Drug-Free Schools/Student Relations Department may assign the student to an alternative school. The decision to assign a student to an alternative school 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 the JCPS Safe and Drug-Free Schools/Student Relations Department to determine appropriate placement.

A student who has been assigned to an alternative program 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 assistant superintendent of Diversity, Equity, and Poverty Programs. Any student who assaults a staff member or brings a gun to school ~~will not~~ **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 code 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 an alternative school 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 an alternative school program or expulsion for assault of school personnel or possession of a weapon, the student will be reassigned by the office of Student Services.

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. Disciplinary 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 the code as it is applied to the specific facts of each case. They will follow the code in a fair and equitable manner.

Elementary School Behavior Violations and Consequences

Suspension of Primary 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 Admissions and Release Committee (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.

Behavior Violations

The following is a list of the behavior violations that result in disciplinary actions, which are outlined on pages 24 and 25.

1. Unexcused tardiness to class or homeroom/Nonattendance to class or school/Truancy
2. Deliberate disruption—any deliberate action by the student that results in serious disruption of the educational process or any school-sponsored event, including the safe transportation of students (includes disorderly conduct)
3. Failure to follow rules or directives/Academic dishonesty—failure to follow established school rules, including the dress code, and the refusal/failure to follow reasonable directives of authorized school personnel (includes failure to identify oneself, violations of terms/conditions of suspension, ~~failure to attend STOP~~, failure to comply with in-school disciplinary measures, and academic dishonesty)
4. Leaving school grounds without permission
5. Forgery/Counterfeiting—the creation or alteration of a written instrument (e.g., check, transcript, identification, currency, communication, or any other official document)
6. Profanity/Vulgarity
7. Gambling—games of chance or skill for money or profit
8. Use/Possession of tobacco products—any form of tobacco (e.g., cigarettes, cigars, loose tobacco, dip, chew) except as prescribed by a medical doctor (e.g., nicotine replacement gum or patches)
9. Inappropriate sexual behavior—includes possession of pornography, consensual sexual contact, and all sexual offenses except assault/abuse
10. Theft/Vandalism
Theft—stealing, taking by deception, receiving or being found in possession of property belonging to the school or another person (includes fraud, burglary, embezzlement, larceny, theft, and motor vehicle theft as defined by law)
Vandalism—damaging or defacing school property or the property of school personnel/students (includes criminal mischief)
11. Robbery—theft involving the use of physical force, deadly weapons, or dangerous instruments
12. 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)
13. 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
14. Intimidation/Harassment/Interference with staff or student/Bullying/Harassing communications—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)
15. Drug/Alcohol possession/Under the influence—includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, drug paraphernalia, and look-alike drugs/alcohol
16. Drug/Alcohol distribution—includes alcohol, illegal drugs, prescription drugs, over-the-counter drugs, look-alike drugs/alcohol, and synthetic drugs
17. 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.

18. Arson—intentionally damaging school buildings or property of another person by starting a fire
19. 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.)
20. Bomb threats/False fire alarms/False police reports/Terroristic threatening/Fireworks/Explosives
21. All other criminal offenses—includes, but is not limited to, kidnapping, extortion, etc. (law)

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 JCPS Safe and Drug-Free Schools/Student Relations.

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.

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 subsequent 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. A student receiving an excused absence to pursue an educational enhancement opportunity shall be considered present in school during the excused absence.

As referenced under "**Student, Staff, and Parent/Guardian Responsibilities**," on pages 8 and 9, 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*

~~A student in the JCPS District may not use/activate and/or display a personal telecommunication device on school property during the course of the instructional day unless he or she is acting in the capacity of a volunteer firefighter or Emergency Medical Service (EMS) worker. 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. This offense will be treated as "failure to follow directives" under the Code of Acceptable Behavior and Discipline. 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 per violation. Students are responsible for keeping up with devices they bring to school. The district and the school shall not be responsible for the loss, theft, or destruction of devices brought on school property.~~

~~*These are the expectations of the Board of Education unless you have a Board-approved waiver.~~

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 another 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 *Code of Acceptable Behavior and Discipline*.

These offenses are subject to disciplinary action under the *Code of Acceptable Behavior and Discipline*. 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 alternative placement.

JCPSNet Student Acceptable Use Policy

The Board 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 *Code of Acceptable Behavior and Discipline* 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 Code of Acceptable Behavior and Discipline*;
- 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 Code of Acceptable Behavior and Discipline*.



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



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 *Code of Acceptable Behavior and Discipline* 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 *Code of Acceptable Behavior and Discipline*. 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 School Board, 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 ~~current school year only~~ **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 *Code of Acceptable Behavior and Discipline* 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 are found on pages 17 through 20 of the *Code of Acceptable Behavior and Discipline*.

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.



Glossary

504 Plan—a written plan for students with a disability as defined by Section 504 of the Rehabilitation Act of 1973

Academic Dishonesty—any attempt to gain academic credit or recognition to which one is not entitled or to assist others in doing so

Alternative School/Program—a school or program with the structure and support needed to help a student succeed when he or she is placed from a regular school for unacceptable behavior. A student who has been assigned to an alternative school/program must complete the requirements of the school/program or must receive approval from the assistant superintendent of Diversity, Equity, and Poverty Programs in order to return to another Jefferson County public school.

Appeal—to challenge any teacher's or administrator's action or decision that the student or parent/guardian believes to be unfair or an inequitable application of the *Code of Acceptable Behavior and Discipline* and the *Student Bill of Rights*

ARC (Admissions and Release Committee)—a committee that is responsible for the development, implementation, and monitoring of the IEP (Individual Education Program) for each student being served in ECE Programs

Arson—intentionally damaging property by starting a fire. Arson with staff/students present is a behavior violation that can result in an alternative program placement.

Assault—intending to or causing physical injury to another person by means of a deadly weapon or dangerous instrument or intentionally causing physical injury to another person. Arson with staff/students present, sexual assault, and physical sexual abuse of any kind are considered an assault. (See also KRS 508.010, 508.025, 508.030, and 508.020.)

Bomb/Terrorism Threat—a statement that an explosive device or a dangerous chemical/biological/nuclear substance has been/will be placed on school property or at a school-sponsored event

Bullying—repeated, deliberate physical, verbal, or social attacks or intimidation directed toward another person. There is a marked imbalance of power between the bully and the victim. Bullying may be done by one individual or a group. Cyberbullying is bullying that takes place using electronic technology.

Burglary—entering or unlawfully remaining in a building, vehicle, or other enclosed area with the intent to commit a crime

Code—refers to the *Code of Acceptable Behavior and Discipline*

Consensual Sexual Contact—deliberately engaging in sexual relations with another person on school grounds or at a school-sponsored event

Criminal Abuse—when a student intentionally or recklessly tortures, confines, or punishes another student who is under 12 years of age or who is physically or mentally helpless

Corporal Punishment—any type of physical punishment. Corporal punishment is prohibited by the Board of Education.

Criminal Violation—any action that violates the law. Students and parents/guardians who commit a crime on school property or in the care of the school may be prosecuted.

Dangerous Instrument—any object or substance capable of causing serious injury that one uses, attempts to use, or threatens to use to harm another person

Deadly Weapon—an object that has no normal purpose other than to hurt or kill people (includes knives)

Discrimination—making a distinction in the treatment of people due to the reasons set out in the Board's Harassment Discrimination Policy

Disorderly Conduct—committing or attempting to commit a breach of peace (includes unlawful assembly, disturbing the peace, disturbing meetings, and resisting an officer)

Disruption—any deliberate action by the student that interferes with the educational process

Distribution—selling or giving anything against the law or the rules of the school/school district to another student

Drug—a prescription drug or controlled substance as defined by law

Due Process—telling a student what he or she has done wrong and providing evidence, giving him or her the opportunity to answer the charge(s), and ensuring the right to appeal any disciplinary action

ECE (Exceptional Child Education) Programs—programs available for students who qualify as disabled and need special education and/or related services

Embezzlement—misappropriating or misapplication of money or property entrusted to one's care, custody, or control (includes altering financial records)

Entry Log/Exit Log—an official document that is kept in the school office and used for students to sign when late to school or when leaving early from school

Excused Absence—when a student is not present in school for reasons of illness, a visit to a medical professional, a death in the family, a religious holiday, or another reason approved by the school administrator

Exhibitionism—the showing or inappropriate exposure of the buttocks, pubic area, or female breasts

Expulsion—the involuntary removal of a student from school for more than 20 days

Explosive—a device or object that is likely to explode

Extortion—the obtaining of money or property from an unwilling person by intimidation or threat of physical force

Failure to Follow Directives—the willful refusal by a student to respond appropriately to reasonable directions from authorized school personnel (including failure to identify oneself) or to accept in-school disciplinary measures

Fee Waiver—release of the responsibility of paying required instructional fees or charges. A student or parent/guardian of a student who is eligible for free or reduced-price meals may apply for a waiver of required instructional fees.

Felony—the classification of serious crimes defined by law

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)

Forgery/Counterfeiting—falsifying, altering, or producing documents or signatures

Fraud—obtaining money or property by false pretenses or deception

FRYSC (Family Resource and Youth Services Center)—support programs created as part of KERA (Kentucky Education Reform Act) to help students succeed in school by meeting some of their basic needs. Community services may be offered at the centers or by referral to agencies in the community.

Gambling—betting money or property on the outcome of any event

Harassing Communications—when a student (in a school setting, at a school-sponsored event, or using an electronic account provided by the school) communicates with or about another student or school employee—anononymously or otherwise—by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication, in a way that a reasonable person would agree causes the recipient to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication



Harassment—persistent efforts with intent to annoy or worry another person with repeated attacks or threats of physical violence or the expression of hatred, contempt, or prejudice toward an individual. This can occur in virtual as well as physical environments, and it can include the deliberate damaging or theft of another student's property.

Hearing—a chance to present one's case. Informal hearings are held for most disciplinary actions. A formal hearing is held when a student has been suspended to the Central Office for 11 to 20 days or has been recommended for expulsion.

Intimidation—preventing or attempting to prevent school personnel or students from performing their responsibilities through threats, violence, verbal/physical harassment, or sexual harassment

ISAP (In-School Adjustment Program)—a disciplinary measure where the student remains in school while all privileges are suspended and classes are not attended. Generally, the student develops a behavior management plan and then is either given regular class assignments or instructional packets to complete.

JCPS Safe and Drug-Free Schools/Student Relations—a JCPS program that provides students with assessment, prevention, intervention, and referral services for violence, use of tobacco products, and alcohol/drug-related problems

Leaving School Grounds—leaving the school building and the school property without permission from staff. Failure to respond to a call to the office may be treated as leaving school grounds.

Look-Alike Drug—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 the same as if it were authentic, according to state and federal laws.

Look-Alike Weapon—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 uses it to intimidate, threaten, or harass someone will be treated the same as if he or she used a real weapon, according to state and federal laws.

Make-Up Work—assignments provided for students returning from an absence (includes only written daily work, tests, and major projects)

Medical Professional—a person who is licensed to provide medical services (doctor, dentist, psychologist, etc.)

Paging Devices—instruments used to contact someone as defined by state law. Paging devices include pagers, cellular telephones, and other telecommunication devices as defined by state law.

Physical Restraint—using physical force to hold a student to prevent him or her from hurting someone or destroying property (704 KAR 7:160)

Police Detection Canine Team—a unit consisting of a police officer and a trained dog. The principal may request the use of the team to conduct a search of school lockers, parking lots, and all other school property.

Police Referral—a report filed by the school administrator with the police department for felony offenses. Police determine whether an arrest is warranted. The principal or administrator has the discretion whether to sign a complaint for offenses that do not warrant arrest.

Possession—holding something stolen or against rules/laws or hiding it in clothing or property

Pre-Expulsion Procedures—initial steps taken to begin the process of expelling a student from school

Referral Form—a written report (Pupil Disciplinary Referral Form) of a behavioral violation that is submitted to a principal or other administrator for decision of disciplinary action

Robbery—theft involving the use of physical force, deadly weapons, or dangerous instruments

Searches—to go through or look carefully and thoroughly to find or discover something. School officials have the right to search students or their property whenever there is reasonable suspicion that they have something that violates school rules or endangers others.

Serious Bodily Injury—bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty

Sexual Assault—sexual contact by force or intimidation

Sexual Harassment—includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical behavior of a sexual nature

Stalking—engaging in behavior that intentionally alarms, annoys, intimidates, or harasses the student victim to the point that it causes mental duress for the student who is being stalked. This may include threatening physical injury or death, sexually harassing or annoying behaviors, or other behaviors that are persistent and intimidating to the student victim.

~~**STOP (Suspension/Tuancy Off-site Program)**—an alternative to suspension where a student can attend school at one of seven regional sites~~

Suspension—involuntary removal of a student from class attendance or school attendance for 1 to 20 days

Telecommunication Devices—devices that emit an audible signal, vibrate, display a message, or otherwise summon or deliver a communication to the possessor

Terroristic Threatening—making a statement of intention to commit a crime that is likely to cause death, physical injury, or substantial property loss

Theft—taking property that belongs to the school or another person without permission

Tobacco Products—any product that contains the prepared leaves of a tobacco plant and that is used for smoking, chewing, or snuffing

Truant—any student who has been absent from school without valid excuse for more than three days or tardy on more than three days

Unexcused Absence—when a student is not present in school and does not have a valid excuse

Vandalism—intentionally damaging or defacing the property of the school or another person

Wanton Endangerment—an action that puts others at serious risk of death, serious physical injury, or substantial danger of physical injury

Weapon—any object that is used to hurt or intimidate another person. This includes dangerous instruments and deadly weapons as defined by law.

Zero Tolerance—refers to the policies adopted by the Board of Education to ensure that schools are safe and free of drugs, violence, and weapons as required by 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



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Intervention Strategies



Preventive Measures

Student Response Teams

It is the vision of Jefferson County Public Schools (JCPS) that all students graduate prepared to reach their full potential and contribute to our society throughout life. In order to remove barriers to student learning that may occur, the district has created Student Response Teams (SRTs). These teams operate on three levels: School-Based, Academic Achievement Area, and District Committee. The School-Based Teams consist of a committee of school staff who promote positive school culture and act as a resource for helping improve student behaviors. Academic Achievement Area Teams provide immediate district support to each school in the district's six areas through district-staffed contacts to help students who are struggling the most as well as additional district support for students from special schools or with special needs. The District Student Response Team Committee regularly examines data, such as school climate, discipline referrals, and attendance, while listening to the needs of School-Based and Academic Achievement Area Teams in order to determine what additional supports are needed to help schools with maximizing student learning.

An overriding principle of SRTs is to adhere to four culture and climate nonnegotiables:

1. Relationships are a foundation in creating a sense of belonging.
 - a. Respectful, supportive relationships among and between students, educators, support staff, and parents
 - b. Power of teacher language/words—caring, authentic interactions
 - c. Every student and staff member is treated with respect and dignity.
2. Clear established routines and procedures—taught (through interactive modeling), practiced, and reinforced
 - a. Norms—developed with students, used as a touchstone for every interaction and problem
 - b. Rules for safety in place; logical consequences are used for discipline issues.
3. Frequent opportunities for students to exercise voice and choice
 - a. Class meetings (Morning Meetings, Circle of Power and Respect [CPR], Problem-Solving Meetings, Check-In Meetings) are intentional and part of classroom culture and routines.
 - b. Opportunities provided for meaningful, authentic conversation between students
4. Differentiated learning based on equity for each student
 - a. Focus on academic success for each student
 - b. Every minute of every day counts.
 - c. Power of teacher language/words—reflective, descriptive feedback, inquiry-based, multiple perspectives

Resiliency Quadrant

In order to meet students' needs, the district has developed a "resiliency quadrant" to identify problem areas in the life experiences of children as well as the coordinated school and community interventions required to make them successful. Some of the strategies that may be used include Strength-Based Practice, a positive approach that centers on the belief that students can develop strengths and use past successes to curb problem behaviors; Safe Crisis Management; Response to Intervention Behavior; and assessments made by community- and JCPS-based mental health services.

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 may be used with students. The goal of this strategy is to manage conflict tensions among students by repairing harm and building relationships. A key component of this process is the involvement of individuals in decisions in which they are personally affected by providing opportunities to share feelings, build relationships, and solve problems. Students are encouraged to express their feelings through engagement and explanation and by providing clarity to issues.~~

~~Where applicable, aspects of restorative practices may be used with students. Restorative practices are a set of responses that may supplement or substitute the traditional range of 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.~~

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 commu-

nication 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.

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



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.

