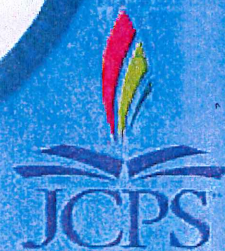




Student Response and Behavior Intervention Handbook



Updated 2016



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

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

Student's Name

Teacher



JEFFERSON COUNTY BOARD OF EDUCATION
Louisville, Kentucky

ACKNOWLEDGMENT OF RECEIPT OF

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

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

Parent's/Guardian's Signature

Date

Parent's/Guardian's Signature

Date

Student's Signature

Date

Please sign this form, and return it to the school office within one month after enrollment each school year.





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2015-16

A Message From the Superintendent

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



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

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

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

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

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

Donna M. Hargens, Ed.D.
Superintendent

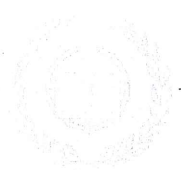


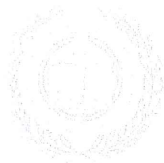
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The *Student Response and Behavior Intervention Handbook* and the *Student Bill of Rights* shall be posted at each school.

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



Introduction

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

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

This handbook was adopted by the JCBE on November 21, 1977, and was revised in 1979, 1980, 1982, 1985, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2005, 2007, 2008, 2009, 2011, 2013, 2014, 2015, and 2016.

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

A Shift in Culture, Climate, and Practice

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

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

Creating Trauma-Sensitive Schools to Improve Learning

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

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

Positive Relationships

Research shows that positive relationships help students learn. Students are more likely to succeed when they feel connected to others in their school and classroom community and are less likely to behave in ways that disrupt the school environment. Skills and strategies to be used by staff for building positive relationships with students include the following:

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

(MADISON)

School Climate and Culture

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

Schools with a positive climate and culture have the following:

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

United States Department of Education

Guiding Principle 1: Climate and Prevention

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

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

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

Guiding Principle 3: Equity and Continuous Improvement

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



Expectations and Responsibilities of Entire JCPS Community

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

Student Expectations and Responsibilities

All students can expect to:

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

All students have the responsibility to:

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

Parent/Guardian Expectations and Responsibilities

All parents/guardians can expect to:

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

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All parents/guardians have the responsibility to:

- Show respect and courtesy to all students, staff, and school visitors.
- Review the content of the *Student Response and Behavior Intervention Handbook* with their child.
- Understand the school's behavior expectations.
- Work with the school as a collaborative partner. This includes working with staff to maximize their child's strengths and support the child to make changes in his or her behavior as needed.
- Inform school officials about concerns in a timely and respectful manner.
- Support their child to resolve problems peacefully while at school in order to contribute to a safe and positive school climate. This includes helping the child express anger without verbal attacks or physical violence.

Teacher/Staff Expectations and Responsibilities

All teachers/staff can expect to:

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

All teachers/staff have the responsibility to:

- Show respect and courtesy to all students, staff, and school visitors.
- Foster ongoing, positive relationships with all students and families.
- Create a positive classroom and school climate for all students, using effective classroom management strategies that extend to all school environments.
- Explicitly teach, acknowledge, and reinforce behavior expectations.
- Employ a Multi-Tiered System of Support.
- Provide social and emotional skill instruction that meets the district's Multi-Tiered System of Support.
- Intervene promptly when inappropriate behavior occurs. This includes providing corrective feedback, reteaching behavioral expectations, following the Individual Education Programs (IEPs) and Behavior Support Plans of students, and adhering to procedures for student removals from the learning environment when needed.
- Work with students and their parents/guardians to develop, implement, and monitor behavior interventions that support students in changing their behavior, using a progressive system of support.
- Apply the *Student Response and Behavior Intervention Handbook* in a fair, equitable, and consistent manner and accurately record inappropriate student behavior following the established protocol.
- Respect students' right to maintain personal privacy. Personal belongings may be searched only if the principal has a reasonable suspicion that the student possesses evidence of a crime, stolen goods, drugs, weapons, or other illegal or prohibited items (JCBE Policy).
- Follow up promptly on reports of bullying as required by JCBE policy.

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School Administrator Expectations and Responsibilities

All school administrators can expect to:

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

All school administrators have the responsibility to:

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

Central Office Rights and Responsibilities

All central office staff can expect to:

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

All central office staff have the responsibility to:

- Show respect and courtesy to all students, staff, and school/district visitors.
- Provide schools with the necessary resources, professional development, and technical assistance to implement the *Student Response and Behavior Intervention Handbook*.
- Communicate to all district staff that creating a positive school culture, supporting positive student behavior, and developing appropriate student discipline practices are critical district priorities.
- Ensure that appropriate data collection, monitoring, and evaluation systems are available and utilized at the school and district levels. This includes using disaggregated data to allocate resources to support student behavior as well as evaluating program and staff effectiveness.
- Engage in ongoing monitoring of the implementation of the *Student Response and Behavior Intervention Handbook* and intervene as needed to ensure that it is enforced in a fair and equitable manner.

Board of Education Rights and Responsibilities

All board of education members can expect to:

- Be treated with courtesy, respect, and dignity.

All board of education members have the responsibility to:

- Show respect and courtesy to all students, staff, parents, and administrators.
- Use qualitative and quantitative data to create and evaluate policies that promote thriving school environments that are respectful, engaging, vibrant, and culturally relevant.
- Ensure that district administrators utilize appropriate data collection, monitoring, and evaluation systems.
- Approve, modify, or deny recommendations for student expulsions following review of an order from an Independent Hearing Officer (IHO).

Protections for Students With a Disability

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

Restorative Practices

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

Fundamental Principles

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

Positive Behavior Intervention Supports

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

Fundamental Principles

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

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

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

Compassionate Schools Project

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

Fundamental Principles

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

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

WATCH D.O.G.S.

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

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

Fundamental Principles

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

Deeper Learning

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

Fundamental Principles

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

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

Bus Safety

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

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

Local School Rules

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



Due Process

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

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

Due-process procedures will be followed before any suspension, unless immediate suspension is necessary to protect persons or property or to avoid disruption of the ongoing educational process. In such cases, due-process procedures must be followed within three school days.

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

Right to Counsel

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

Physical Restraint

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

Physical Restraint and Seclusion

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

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

Harassment/Discrimination

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

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

Bullying/Hazing

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

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

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

Retaliation Prohibited

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

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

Progressive Discipline Process

Progressive Intervention and Discipline—Every reasonable effort should be made to correct inappropriate student behavior using logical consequences and restorative action. Significant disciplinary responses, such as out-of-school suspension and expulsion, are used for the most serious situations. When an exclusionary disciplinary response is used (i.e. in-school suspension, out-of-school suspension), it must be paired with one or more interventions. In a progressive approach to intervention and discipline, students have the space to make mistakes, learn from them, and receive support to change their behavior over time. When a specific student behavior does not change using the lowest identified level of intervention and/or discipline, or the behavior increases in frequency, intensity, or duration, the next level of intervention/disciplinary response is used. The progressive approach to intervention and discipline does not apply to most expellable offenses. All interventions and disciplinary responses should be selected, implemented, and assessed to help students do the following:

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

Because inappropriate behavior may be symptomatic of underlying problems that students are experiencing, it is critical that all staff be sensitive to issues that may influence student behavior and respond in ways that are most supportive of student needs. The interventions and disciplinary responses described here should be carefully matched to the needs of the student and the overall context of the situation. (MADISON)

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