SOUTHGATE INDEPENDENT SCHOOL

Student Discipline Code of Conduct

When We Believe, We Achieve



SECTION I

STUDENT DISCIPLINE CODE

PURPOSE STATEMENT

Public Schools have the moral and legal responsibility to provide an education for all children. Students have the responsibility to take advantage of the educational opportunities provided. Parents or guardians have the responsibility to see that children take advantage of the educational opportunities provided.

The purpose of this document is to provide a guideline so that:

- STUDENTS WILL KNOW THEIR RIGHTS AND RESPONSIBILITIES.
- STUDENTS WILL KNOW WHAT BEHAVIOR IS UNACCEPTABLE AS WELL AS THE CONSEQUENCES FOR SUCH BEHAVIOR.
- STUDENTS WILL BE ASSURED THAT THEY WILL BE TREATED ACCORDING TO THE RIGHTS AND RESPONSIBILITIES OUTLINED IN THIS DOCUMENT.
- STUDENTS WILL KNOW THAT THE CODE WILL BE APPLIED CONSISTENTLY THROUGHOUT THE SOUTHGATE PUBLIC SCHOOL.
- STUDENTS WILL KNOW WHAT BEHAVIORS ARE EXPECTED OF THEM TO ENSURE A POSITIVE LEARNING EVIRONMENT FOR ALL.

Parents and students have many rights guaranteed by state and federal laws and court decisions. These rights end when and where they begin to interfere with the rights of others. Most importantly, students need to know that every right carries with it the responsibility to exercise that right wisely and that failure to do so may result in loss of privileges. The responsibility for conduct is in the hands of each individual student and when an action by a student is not in line with an accepted standard, specific consequences shall be applied as outlined in this document.

The intent of this code is to help students maintain acceptable and safe behavior that ensures a positive learning environment. Used properly by Southgate students, parents, teachers, administrator, and all other school personnel, this document is an instrument that will help provide an atmosphere that will enable all students to get the most out of their learning opportunities, thus allowing them to be competitive as an adult.

To attain the goals outlined in this code of student conduct, it is necessary to establish cooperative relationships among students, parents, and educators. These goals may be achieved through acceptance of the following responsibilities.

Jurisdiction of Code

This code will be in effect on school property during regular school hours as well as other places and times where teachers and school administrators have jurisdiction over students, including, but not necessarily limited to school sponsored activities, functions, field trips, fund raisers, and athletic events. This code also applies to students when they are being transported to and from these special events of the school.
**Legal note – Various state laws and school board policies mandate certain administrative functions which are not part of this code and this code neither restricts nor denies those functions.

Application of Code

The solution to a problem or the resolution of a conflict within the educational setting usually can be accomplished on an informal basis by the people most frequently involved, the teacher and the student. **It is expected therefore, that every effort will be made by the teacher to handle the situation with the student at the time the unacceptable behavior occurs.** If it is the misconduct of a serious nature, more drastic action must be taken immediately.

Good order and discipline are a must in assuring a safe and orderly educational environment. Establishing firm discipline early and being consistent as the student progresses should reduce the need for extreme methods of discipline. As students mature and advance in school they are expected to assume a greater degree of responsibility for their behavior. Accordingly, the type of disciplinary action may vary with the age and situation as well as the type of misconduct.

Under appropriate heading, the code outlines those kinds of student behavior which are considered unacceptable and the consequences for such behavior. With a few exceptions, a range of consequences has been provided for each incident of misconduct. This range is offered in order to provide school personnel with some flexibility in dealing with unacceptable behavior.

The examples of behaviors and options to be used are general in nature and are meant to serve as a guide. Persons administering the options should use flexibility in applying this code of discipline to allow for extenuating circumstances. They may apply any of the options listed as deemed appropriate under the circumstances of the conduct violation.

When considering the consequences the following circumstances should be reviewed:

1. **Age** and/or grade level of the student
2. **Frequency** of misconduct
3. **Seriousness** of particular misconduct
4. **Attitude** of the student
5. **Degree of cooperation** of the student
6. **Identified educational disability** of the student, if any

SECTION II

RIGHTS AND RESPONSIBILITIES

A. Students Rights and Responsibilities

1. Students have the right to:

a. In General
Students are guaranteed their applicable rights as provided by the Constitution of the United States of America and the Commonwealth of Kentucky.

Students may express their opinions as long as no evidence exists that they are materially and substantially interfering with the operation of the schools or that their assumed rights are infringing on the rights of others.

b. Non-Discrimination
Each student shall be entitled to participate without discrimination because of sex, race, color, national origin, religion or handicap in educational opportunities and school activities that the board sponsors and for which the student qualified. (Title VI, The Civil Rights Act of 1964, Title IX, The Educational Amendments of 1972, and Section 504, Rehabilitation Act of 1973, American Disabilities Act of 1990.)

Students have the right to be treated as individuals and to expect equal, consistent and just decisions from employees of the board.

c. Procedural Due Process
Students shall have a right to procedural due process concerning major disciplinary actions against them.

Students shall have the right to file grievances for alleged violations of federal laws in accordance with the grievance procedures established by Title IV (Sex Discrimination), the Rehabilitation Act of 1973 and others. They have the right to a fair and impartial hearing before a board-appointed compliance officer.

d. Academic Grades
Students have a right to receive academic grades based only upon academic achievement.

e. Student Records
Students have a right of access to their records and the guarantee of confidentiality of their academic records outside the school system.

f. Dress and Appearance
Students have the right to be able to learn without being offended and/or distracted by the clothing or appearance of others.

Students have the right to wear clothing and shoes which are attractive, fashionable, modish, or "in style", provided they are properly fitted and not hazardous or harmful to themselves or others.

2. Each student has the responsibility to:

a. In General
Students must assume an increasing number of responsibilities as they mature and progress through the school system. Teachers shall guide students in defining and assuming responsibilities.

b. Specifically
Students have a responsibility to respect the rights of other students and to follow the regulations and policies established by school authorities.

Students have the responsibility to attend all classes daily and on time.

Students have the responsibility to provide the school with an admissible explanation and documentation concerning each absence.

Students have the responsibility to obtain and make up, within the specified time, work that has been missed.

Students have the responsibility to observe the basic standards of cleanliness, modesty, and good grooming.

Students have the responsibility to wear clothing and shoes that contribute to their own health and safety as well as that of others.

B. Teacher Rights and Responsibilities

1. Teachers have the right to:

    a. The support of co-workers, administrators, and parents.

    b. Work in an educational environment with a minimum of disruption.

    c. Expect all assignments, including homework, to be completed and turned in as assigned.

    d. Remove any student from class whose behavior significantly disrupts a positive learning environment for no more than one (1) class period during which time the student will be in the office or other designated areas.

    e. Safety from physical harm and freedom from verbal abuse.

    f. Be provided written information, including the nature of the student behavior, of any student with whom they are to work with or come in direct contact with, where a written, documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function (KRS 161.195).

    g. Provide input to aid in the formulation of policies that relate to their relationships with students and school personnel.

    h. Take action necessary in emergencies to protect their own person or property or the persons or property of those in their care.

2. Teachers have the responsibility to:

    a. Meet and instruct assigned classes in the assigned location at the time designated.

    b. Plan a program of study that, as much as possible, meets the individual needs, interests, and abilities of the students.

    c. Create a classroom environment that is conducive to learning and appropriate to the maturity and interest of the students.

    d. Prepare for classes assigned and show written evidence of preparation upon request of immediate superior.

e. Guide the learning process through the establishment of curriculum goals and develop clear objectives to meet the goals.

f. Maintain confidentiality of student records.

g. Employ a variety of instructional techniques and instructional media consistent with the physical limitations of the location provided and the needs and capabilities of the individuals or student groups involved.

h. Strive to implement by instruction and action the district's philosophy of education and instruction goals and objectives.

i. Assess the accomplishments of students on a regular basis and provide progress reports, including reports to parents as required, and/or Individual Education Program and course curriculum outlines when or where appropriate.

j. Assess the learning needs of students on a regular basis, seeking the assistance of district specialists.

k. Take all necessary and reasonable precautions to protect students, equipment, materials and facilities.

l. Maintain accurate, complete, and correct records and their confidentiality as required by law, district policy, and administrative regulation.

m. Assist the administration in implementing all policies and rules governing student conduct for the classroom and school related activities as set forth by the Southgate Public School Code of Conduct.

n. Make provisions for being available to students and parents for education-related purposes outside the instructional day.

o. Plan and supervise purposeful assignments for teacher aide(s) and volunteer(s) and, cooperatively with department heads or instructional and guidance facilitator, evaluate their job performance.

p. Strive to maintain and improve professional competence.

q. Attend staff meetings and serve on staff committees required.

r. Act in accordance with the bylaws and policies set forth by the Southgate Board of Education, Kentucky Revised Statutes. and Kentucky Administrative Regulations.

s. Carry out all duties as directed by the principal.

t. Exemplify the high standards set forth in this code through action, dress, and speech.

C. Parents/Guardians Right and Responsibilities

1. Parents/Guardians have the right to:

a. Send their child to a school that is safe and secure, and where learning is valid.

b. Know that disruptions to the learning process will be dealt with fairly and swiftly.

c. Expect the school to maintain high academic standards.

d. Receive reports of child's academic progress.

e. Review any pertinent information that may be contained in the student's personal records.

f. Expect the students' records to be maintained in a confidential manner (KY Family Education Rights and Privacy Act and Federal Family Educational Rights and Privacy Act.)

g. Enroll students in the Southgate Independent School District where they shall attend classes regularly and promptly with minimal interruptions.

2. Parents/Guardians have the responsibility to:

a. Establish and maintain in their home a positive attitude toward education.

b. Actively participate in their child's school work and communicate with the school.

c. Encourage their child's regular daily attendance and report any absence to the school.

d. Inform their child about the disciplinary procedures of the school emphasize their importance as set forth in the Code of Student Conduct.

e. See that their child exhibits neatness and cleanliness in personal attire and hygiene.

f. Cooperate with the school when their child is involved in a discipline matter.

g. Provide written documentation of any student with whom there exists a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function.

h. Inform the school of any condition or circumstance that may affect the child's ability to learn, to attend school regularly, or to participate in school activities.

i. Support the efforts of school personnel.

j. Demonstrate respect for the teachers, administrators, and school personnel at school and at all school related activities.

k. Provide and keep current, accurate, up-to-date census information on file at each child's school.

l. Provide adequate confined supervision for their child at all times when they are absent or suspended from school.

D. Principals/Designated Educators Rights and Responsibilities

1. Principals/Designated Educators have the right to:

a. Receive the support of students, parents, teachers, and other school officials in carrying out the educational programs and policies established by the school system.

b. Provide input for the establishments of procedures and regulations that relate to the school.

c. Be protected from physical harm and verbal abuse.

d. Have written knowledge of any student with whom there exists a documented history of physical abuse of a school employee or of

carrying a concealed weapon on school property or at a school function (KRS 161.195).

e. Take necessary action in emergencies to protect their own person or property or the persons or property of those in their care.

f. Suspend any student whose conduct disrupts the educational process.

g. Administer the school environment to provide the proper learning environment.

2. Principals/Designated Educators have the responsibility to:

a. Establish and maintain an effective learning climate in the schools.

b. Provide leadership for the school in regard to community input and parental participation.

c. Administer discipline fairly and equally following the guidelines set forth in the code of student conduct.

d. Provide written documentation to those teachers with whom a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function. (KRS 161.195).

e. Maintain confidentiality of student records in accordance with law.

f. Plan, implement, and evaluate the total instructional program.

g. Establish a program of dissemination of information explaining the code of student conduct to the school community.

E. School System Responsibilities

1. The school system has the responsibility to:

a. Make available student services, guidance and psychological services, and evaluation and testing services.
b. Provide and maintain a conducive educational environment for good behavior and learning.
c. Respect students by treating them fairly and impartially.
d. Plan a flexible curriculum and activities to meet the needs of all students and provide the materials necessary to implement those plans.

e. Develop within the school a good working relationship among the staff and with the students.

Procedures to Ensure Rights of Special Education Students

In cases where disciplinary action involves exceptional (special education) students and students who have been referred for evaluation for possible special education placement and/or services the following procedures should be followed:

1. If suspension is essential to protect persons or property or to avoid disruption of the ongoing educational process, then:
    - The student must first be granted an informal hearing and then may be suspended.
    - As soon as practical, the Admissions and Release Committee (ARC) must be convened to determine whether the discipline problem is related to the student's handicapping conditions.
2. If the discipline problem is determined to be related to the handicapping condition
    a. the suspension is immediately lifted, and
    b. the ARC must consider the appropriateness of the placement and/or the Individual Educational Plan; and
    b. If the problem is determined to be unrelated to the handicapping condition, then the student will be disciplined according to the Southgate Independent Discipline Code.
    c. If a discipline problem does not require immediate suspension, the student remains in his/her current school placement and the principal must convene a School Based Admissions and Release Committee (SBARC). The SBARC determines whether the discipline problem is related to the handicapping condition. The SBARC considers the appropriateness of the placement and/or the IEP. If it is unrelated to the handicapping condition, then the student will be disciplined according to the Southgate Discipline Code.

Section 504 Policy Statement

It is the policy of the Southgate Independent Board of Education to provide a free and appropriate education to each handicapped individual within its jurisdiction, regardless of the nature or the severity of the handicap.

It is the intent of the district to ensure that students who are handicapped within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be considered handicapped under this policy, even though they do not require services pursuant to the Individuals with Disabilities Education Act (IDEA).

Due process rights of handicapped students and their parents under Section 504 will be enforced. The Director of Special Programs is the coordinator of Section 504 activities for the Southgate Independent School.

Gifted and Talented Students

GRIEVANCES

Students or parents who wish to file a grievance or appeal concerning the following areas may do so under the process outlined in administrative procedures:

1. The District's process for selecting students for talent pool services;
2. The District's process for formal identification of gifted and talented students; or
3. The appropriateness and/or adequacy of talent pool services addressed in a formally identified student services plan.

This policy and the procedures to implement it shall be made available for public inspection.

REFERENCES

KRS 157.200; KRS 157.224; KRS 157.230; KRS 158.6451; 703 KAR 4:040; 704 KAR 3:285; 704 KAR 20:165; 704 KAR 20:280
Gifted and Talented Education Technical Assistance Guide
KRS 161.052; KRS 161.095

Adopted/Amended 7/13/2000
Order #: 07-07-00

DISTRICT PROVIDES

The District shall formally identify students in grades four through twelve (4 – 8) for participation in the District's Gifted and Talented program. Students in the primary program who display gifted or talented characteristics shall be selected through an informal process, be placed in a talent pool and receive services.
In compliance with applicable statutes and administrative regulations, the District shall provide appropriate multiple service options in an environment that addresses the needs of students eligible for services in one (1) or more of the following categories: intellectual aptitude; specific academic aptitude; creative or divergent thinking; psychosocial or leadership skills; and visual or performing arts needs of these pupils.
The definitions specified in 704 KAR 3:285 shall be used in the operation of the District's programs for gifted and talented students.

IDENTIFICATION/DIAGNOSIS AND ELIGIBILITY

In compliance with 704 KAR 3:285, the Superintendent/designee shall develop strategies to address identification and diagnosis of the strengths, behaviors and talents of these students.

Determination of eligibility for the gifted and talented program shall be based on the student's individual needs, interests and abilities and shall be designed to address environmental and cultural factors that may contribute to the student being overlooked, such as whether the student is economically disadvantaged or underachieving, is a member of a racial or ethnic minority or has a disability.

The District's plan for identifying gifted and talented students shall:

1. Employ a multi-faceted approach and utilize on-going and long-term assessment;
2. Be based on a variety of valid and reliable instruments to include both informal and formal techniques and other data specific to each category of giftedness, consistent with standards established by Kentucky Administrative Regulation;
3. Screen students for all areas of giftedness as defined by KRS 157.200.

Based on data gathered by the Gifted/Talented Coordinator or gifted education teacher, a selection/placement committee shall determine those students who are eligible for gifted education services and the level of the services to be provided. This committee shall consist of the Principal or designee, the Gifted/Talented Coordinator and/or gifted education teacher, regular classroom teacher(s), teacher(s) of students with disabilities, counselor(s), and consulting professional(s), as appropriate.

Prior to official identification and placement of a student, the District shall obtain parental or guardian permission before administering an individual test to the student given as a follow-up to a test routinely administered to all students and used in formal identification. If it is determined that their child is eligible for the program, parents/guardians also shall be notified, at least once annually, of the services included in the gifted and talented student services plan and shall receive a copy of the procedures to be followed should they wish to appeal the appropriateness of services.

SERVICES

Each school shall adjust its curriculum to meet the needs of gifted and talented students. Gifted and talented students shall be served in a manner that:

1. Expands and extends the student's learning beyond the standard curriculum;
2. Provides flexible curricular and extracurricular experiences commensurate with the student's interests, needs and abilities; and
3. Helps the student to attain, to a high degree, the goals established by statute and the Board.

Procedures and strategies to implement this policy shall identify the following:

- A variety of appropriate options for grouping by ability, interest and/or need,
- Multiple service options meet requirements for certificate endorsement as established in Kentucky Administrative Regulation. No grade level shall be served by only one (1) gifted education service option,
- Means of obtaining parental input for use in determining appropriate services.
- A gifted and talented student services plan format that provides for matching a formally identified gifted student's interests, needs, and abilities to differentiated service options.

- A plan for reporting to parents, at least once each semester, regarding their child's progress in services included in the student's services plan.

PERSONNEL

The Superintendent shall appoint a Gifted/Talented Coordinator who shall oversee the operation of the District's Gifted and Talented program and assist schools in implementing the provisions of this policy. The Gifted/Talented Coordinator shall oversee the expenditure of funds for gifted education to ensure they are used to provide direct services to identified students.

Teachers of gifted and talented students shall meet requirements for certificate endorsement as established in Kentucky Administrative Regulation. Through professional development activities, all teachers shall receive training on identifying and working with gifted and talented students.

PROGRAM EVALUATION

The Gifted/Talented Coordinator shall coordinate the annual, on-going process of evaluating all aspects of the gifted education program and make recommendations for upgrading those areas found to be deficient. Data collected in the annual evaluation shall be used in the consolidated planning process, and results of the evaluation shall be presented to the council in SBDM schools for review of instructional progress and to the Board who shall determine if District goals are being accomplished.

Extra Curricular Eligibility Policy **Policy No. 8.001**

Date Adopted 082305
Academics: **Revised 022707**
Revised 082510

Revised 092512

All students that participate in extra curricular activities will have their academic progress checked weekly by the principal. Reports will be checked on the first school day of the week, and coaches will be notified that day of any students that are ineligible. Students who are ineligible will also be notified. Reports will only be run one time per week. Any student found to be ineligible is ineligible until the next weekly check of the eligibility list. Ineligible students are not permitted to attend any practices, or dress for games. Instead they should be working to correct any failing grades they may have. Any student who is ineligible for 5 cycles during the same sport/season will be removed from the team.

A student is considered to be ineligible if he/she is failing one (1) core subject (ex. Reading, Language Arts, Science, Social Studies, Math), or one (1) elective, or two (2) special classes (Art, Physical Education, Practical Living, Music, etc.) will be ineligible for a period of 1 week or until the next weekly check of the eligibility list. A student's eligibility status throughout the cycles does not depend on which subject they are failing, or whether they are failing a different subject in any of the cycles.

Grade Three (3) Exemption
Students enrolled in grade three (3) shall be given a transition period through the first midterm. This is done to allow third grade students to adjust to receiving letter grades for the first time and the new expectations due to the content and assessments that begin at this grade level. After the first midterm is received third grade students fall under the same guidelines as the rest of the student body.

Grades will be cumulative for each grading quarter only, not cumulative for the year.

All students are eligible to participate in any extra-curricular activities for the first week of each grading quarter. This will allow students to attend at least one practice/meeting of the activity and make contact with the sponsor or coach of the activity.

If a "week" of school consists of less than 3 school days due to holidays or snow days, the eligibility status of a student will not change until the next full week, or the next opportunity

for at least three school days to be included. This will allow students to accumulate enough grades to assist them in bringing up their grade average.

When a student is ineligible, they will be notified of their status with the following:

1st Ineligibility	Letter to Parent
2nd Ineligibility	Letter to Parent
3rd Ineligibility	Letter to Parent
4th Ineligibility	Letter to Parent
5th Ineligibility	Letter to Parent & Removal from athletic team

The Student and/or Parent are encouraged to contact the teacher(s) for recommendations on how to improve the grade(s).

Teachers will also receive a copy of the eligibility list each week in order that they may make contact with parents and work with the student to improve his/her performance.

Behavior:

A student is considered to be ineligible if he/she is suspended (in school suspension or out of school suspension) due to disciplinary action. The student is ineligible to participate in any school sponsored event including but not limited to sports, dances, parties, field trips, etc. The student is not permitted on school property until the school day following the period of suspension.

SECTION III

COMPULSORY ATTENDANCE

Regular attendance is the responsibility of the parent, guardian, or custodian. Kentucky state law places the responsibility with the parent, guardian, or custodian of enrolling a child in school and keeping the child in regular attendance. (KRS 157.317; 158.030; 159.101; and 159.150)

KRS 158.030 "Common School" defined: who may attend

"Common School" means an elementary or secondary school of the state supported in whole or in part by public taxation. No school shall be deemed a "common school" or receive support from public taxation unless the school is taught by a certified teacher for a minimum school term as defined by KRS 158.070 and every child residing in the district who satisfied the age requirement of this section has had the privilege of attending it. Provided, however, that any child who is six (6) years of age, or who may become six (6) years of age by October 1, shall attend public school or qualify for an exemption as provided by KRS 159.030. Any child who is five (5) years of age, or may become five (5) years of age by October 1, may enter a primary school program.

"Primary School Program" means that part of the elementary school program in which children are enrolled from the time they begin school until they are ready to enter the fourth grade. Notwithstanding any statute to the contrary, successful completion of the primary school program shall be a prerequisite for a child's entrance into the fourth grade. The State Board of Education shall establish, by regulation, methods of verifying successful completion of the primary school program pursuant to the goals of education as described in KRS 158.6451.

KRS 159.010 Parent or custodian to send child to school; age limits for compulsory attendance; written notification sixty days prior to withdrawal; counseling required.

Except as provided in KRS 159.030, each parent, guardian, or other person residing in the state and having in custody or charge any child who has entered kindergarten or any child between the ages of six (6) AND SIXTEEN (16) shall send the child to a regularly public day school for the full term that the public school of the district in which the child resides is in session, or to the public school that the board of education of the district makes provision when the child has reached this sixth birthday and has not passed his sixteenth birthday.

An unmarried child between the ages of sixteen (16) and eighteen (18) who wishes to terminate his public or non-public education prior to graduating from high school shall do so only a conference with the principal or his designee, and the principal shall request a conference with the

Commented [KS1]: Additional requirement through KRS 158.030 to be added (Amended 2012):

Each local school board shall adopt a policy to permit a parent or guardian to petition the board to allow a student to attend public school who does not meet the age requirements of subsection (1) or (2) of this section. The policy shall include an evaluation process that will help determine a student's readiness for school 158.030(3)

parent, guardian, or other custodian. Written notification or withdrawal must be received from the parent, guardian, or other person residing in the state and having custody or charge of

him sixty (60) days prior to withdrawal. The written notification shall be dated and the signature witnessed by the principal of the school or his designee, where the child is in attendance required to attend one (1) hour counseling session where they shall view a media presentation prepared by the department of education which shows economic statistics and other information or potential problems of non-graduates.

A child's age is between sixteen (16) and eighteen (18) when the child has reached his sixteenth birthday and has not passed his eighteenth birthday. Written permission for withdrawal shall not be required after the student's eighteenth birthday. Every child actually resident in this state is subject to the laws relating to the compulsory attendance; neither he nor the person in charge of him shall be excused from the operation of those laws or the penalties under them on the grounds that the child's residence is seasonable or that the parent is a resident of another state.

KRS 159.150 Definition of truancy

Any child who has been absent from school without valid excuse for three or more days or tardy on three or more days is truant. Any child who has been reported as a truant two or more times is considered a habitual truant.

Once a student has met the definition of habitual truancy, they will be referred to mediation or assigned a court designated worker.

Tardiness

Being absent for less than one half of a school day shall be regarded as being tardy.

Students who are tardy are required to come to the office with parent or guardian to sign-in and receive a tardy slip before going to their classrooms.

For a tardy to be considered excused, the child's parent or guardian must accompany them to the office with a valid reason for the tardy.

Students who are tardy without a valid reason (as determined by the principal) and are not signed in by parent or guardian are considered unexcused. Three unexcused tardies makes a student truant and will be dealt with according to state regulations, school, and board policy.

Absences

Absences are days or partial days when students miss school. While we do not want children to come to school when they are sick, it is in the child's best interest that they attend school when at all possible. The following shall apply to absences:

Absences are only considered excused when there is a valid reason (as determined by the principal and board policy) stated in a parent or doctor's note.

Absences will be considered unexcused when there is not a valid reason (as determined by the principal and board policy) stated in a parent or doctor's note.

Absences of three or more consecutive days require a doctor's note to be considered excused absences unless determined otherwise by the principal.

Absences may be excused with a parent's note on five (5) occasions. After that, a doctor's note will be required for the absence to be considered excused.

Students who are absent from school without valid excuse for three days or more, are considered truant and will be dealt with according to state regulations, school, and board policy.

Missed class work and homework may be made-up in accordance with the "Attendance Policy".

Any student who is absent from school on a day of an extracurricular event, is ineligible to participate in the event.

Regular attendance and cooperative attitude are necessary ingredients in an environment that promotes learning.

SECTION IV

DRESS CODE

Revised – First Reading 8/28/07
Second Reading 10/1/07
Revised: August 13, 2009

The final decision of appropriate attire is at the discretion of the Principal, including but not limited to the following.

Dress, manner, and general grooming shall be consistent with reasonable standards. Rules and regulations consistent with these standards have been developed under this code. Exceptions may be allowed when students are involved in special programs such as choral concerts, sports activities, or dress-up days.

Inappropriate, suggestive, and/or distracting appearance and dress: midriff/torso baring or see through clothing, halters, backless dresses, tube and tank tops (unless covered by appropriate outer garments); spandex, leggings or biker shorts, or dresses above mid-thigh; clothing, jewelry, buttons, patches, or signs with insignias, or slogans which are in poor taste, vulgar, profane, suggestive, or obscene; body piercing other than ears; fluorescent coloring or distracting hair styling.

Shorts, skirts, or dresses must extend past the fingertips of the student when extended to their side.

Hats, caps, bandannas, or sunglasses are not to be worn inside the school building during regular school hours.

Shoes – Due to students having Physical Activity, and Physical Education, students are required to wear gym shoes for these classes and activities. When not in these activities/ classes, students may wear appropriate shoes that are safe for traveling through hallways, steps.

SECTION V

FREE SPEECH, ASSEMBLY, AND STUDENT PUBLICATIONS

The single most important function of education is to develop the ability to communicate correctly and clearly.

Many avenues of expression are open to students and they should explore as many of these avenues as possible. Students need to take into consideration viewpoints that differ from their own in order to broaden their own point of view. Students also must learn that they are accountable for what they say, write, or do, and the way in which their words and actions affect other people.

Instances where prior approval or permission is required, students need to consult authority, beginning with the teacher, in order to seek direction.

SECTION VI

SCHOOL DISCIPLINE OPTIONS

Classroom Discipline Procedures

Discipline problems that are of a common or minor nature are handled by the classroom teacher, who may use a variety of methods including, but not limited to the following:

- Verbal warning/reprimand
- Individual (student/teacher) conference
- Problem mediation/Conflict resolution
- Temporary withdrawal of privileges (This may not include required subjects.)
- Detention
- Temporary isolation from peers and/or immediate learning environment.
- Notifying parents by telephone or letter.
- Referral to administration or counselor

Detention at the close of the school day is permitted under the following conditions:

1. When a pupil is detained beyond the normal dismissal time, the teacher shall give appropriate consideration to factors of pupil transportation, traffic patterns, weather, and any other extenuating circumstances.
2. The age and grade level of the student shall be considered in determining the length of time a pupil may be detained after school. Under no circumstance should a pupil be detained longer that one hour.
3. Notice should be given to the parents or legal guardian when a student is to be detained after school.

Administrative Discipline Options

When a student is referred to the school administration for unacceptable behavior, the administrator may utilize a variety of discipline options including, but not limited to the following:

- Conference involving the teacher, student, and/or parents and administrators
- Disciplinary action initiated by the teacher (detention, parent notification, etc.)
- Consequences appropriate to misconduct (e.g. work detail)
- Immediate parent notification
- Referral to counselor
- Alternative assignment of task or learning environment
- Alternative assignment from classes and all after school activities
- Referral to testing agency
- Administrative/guidance referral to student services and/or outside activities
- Temporary removal/isolation for class with appropriate assigned work
- Alternative Assignment
- Saturday School
- Up to ten (10) days out of school suspension
- Youth agency and/or police involvement
- Restitution (payment) for damages to personal and/or real property
- Recommendation for expulsion

School personnel may initiate alternative options with written justification.

Corporal punishment is not permitted in the Southgate Independent School District. Effective July 1, 1991, no person employed or engaged by any public elementary or secondary educational system within this school district shall inflict, or cause to be inflicted, corporal punishment or bodily pain upon a pupil attending any school or institution within Southgate Independent School District; provided, however, that such person may, within the scope of his/her employment, use and apply such amounts of physical restraint as may be reasonable and necessary to protect oneself, the pupil, or others from physical injury, to obtain possession of weapon or other dangerous objects within control of the pupil, or to protect property from serious harm.

Suspension Procedures

KRS 158.150 Suspension of Students

1. All pupils admitted to the common schools shall comply with the lawful regulations for the government of the schools:

    a.) Willful disobedience or defiance of the authority of the teachers or administrators, use of profanity or vulgarity, assault or battery or abuse of other students, the threat of force or violence, the use or possession of alcohol or drugs, stealing or destruction or defacing of school property or personal property of students, the carrying or use of weapons or dangerous instruments, or other incorrigible misconduct on school property, as well as off school property at school sponsored activities, constitutes cause for suspension or expulsion from school;
    b.) Assault or battery or abuse of school personnel; stealing or willful or wantonly defacing, destroying or damaging the personal property of school personnel on school property, off school property, or at school sponsored activities constitutes cause for suspension or expulsion from school.

2. A pupil shall not be suspended from the common school until after at least the following due process procedures have been provided:

    a.) The pupil has been given oral or written notice of the charge or charges against him/her which constitute cause for suspension.
    b.) The pupil has been given an explanation of the evidence of the charge or charges if the pupil denies them; and
    c.) The pupil has been given the opportunity to present his/her own version of the facts relating to the charge or charges.

These due process procedures shall precede any suspension from the common school unless immediate suspension is essential to protect persons or property or to avoid disruption of the ongoing academic process. In such cases, the due process procedures outlined above shall follow the suspension as soon as practicable, but no later than three (3) days after the suspension.

3. The superintendent or principal of the school may suspend a pupil, but shall report such action in writing to the superintendent and to the parent, guardian, or other person having legal custody or control of the pupil.

The consequences listed below are meant to be used in correspondence with the misbehaviors listed on the following pages.

Level 1 infraction begins with Level 1 consequences. Consequences may progress to the next level for repeat offenders/offenses.

Before a Level 1 behavior may be referred to the office, the classroom teacher must be able to document previous efforts such as assigning the student a teacher detention, parent phone call, parent/teacher conference, etc.

When referring a student to the office, a discipline referral must be completed and submitted to the principal. Students are not sent to the office with the referral. Teachers will place the referral in the box on the principal's door. The student will be called to the office once the principal has had an opportunity to read and discuss the referral with the involved persons.

If a student must be removed from the classroom for time-out purposes, he/she shall be placed with a buddy teacher and the teacher shall contact the parent(s)/guardian(s) at their earliest convenience. This communication shall be documented on the teacher's phone log.

In situations needing immediate administrative attention such as a fight, the classroom teacher is to call the office.

Level 1 Consequences

1. WARNING
2. TEACHER DETENTION
3. PHONE CALL
4. PARENT CONFERENCE
5. see level 2 consequences

***ALL LEVEL 1 BEHAVIORS ARE TO BE HANDLED BY TEAMS.

Level 2 Consequences

1. SCHOOL DETENTION (Referral completed and sent to the office.)
2. ISS/Sat. School
3. 2 DAYS of ISS/2 DAYS of Saturday School
4. see level 3 consequences

Level 3 Consequences

1. SATURDAY SCHOOL or Suspended 1-3 days (discretion of administration)
2. SUSPENSION 3 DAYS
3. SUSPENSION 5 DAYS
4. see level 4 consequences

Level 4 Consequences

1. SUSPENSION 3 DAYS
2. SUSPENSION 5 DAYS
2. RECOMMENDATION FOR EXPULSION

Level 5 Consequences

1. SUSPENSION 5 DAYS
2. RECOMMENDATION FOR EXPULSION

***** ALL LEVEL 5 OFFENSES WILL RESULT IN THE POLICE NOTIFICATION. *****
***** Principal may advance through the steps of consequences at their discretion. *****

INAPPROPRIATE BEHAVIORS

Level 1

1.1 Dress Code is failure to follow guidelines as referred to student handbook.

1.2 Disruption of Class is an intentional act, behavior, conduct, or possession of any device in the classroom, in the school building or upon school grounds which disrupts the educational process.

1.3 Verbal Abuse of another Student is an intentional or willful maligning or gross insult of another student.

1.4 Failure to attend teacher's detention is missing a teacher's detention.

1.5 Public display of affection

1.6 Class Tardiness is failure to be in the room and in a seat when the teacher is ready to begin class.

Level 2

2.1 Use of Profanity is the use of any language, act, expression, or remark which is offensive to modesty or decency.

2.2 Leaving classroom is the leaving of any classroom without first obtaining permission from the teacher in charge.

2.3 Abuse of Personal Property is willfully or wantonly defacing, destroying, or damaging the personal property of school personnel on school property, off school property, or at school sponsored activities. (Automatically #2 on Consequences)

2.4 Defiance of Authority is any verbal or nonverbal refusal to comply with a lawful directive or order of a school employee or authorized agent (KRS 158.110 subsection 1). You must obey all school adults: administrators, teachers, assistants, bus drivers, custodians, lunchroom workers, and adult volunteers. You must do what school adults ask you to do. You must not talk back to adults. If you do not obey the instructions and/or directions that a school adult gives you is failure to comply.

2.5 Intimidation/Threatening /Harassment is the intentional unlawful threat by word or act to do violence to the person or property of another or the doing of any act which creates a fear or agitation within the other person.

2.6 Possession, Display, or Distribution of Obscene Materials or Objects is the possession or circulation of obscene materials or objects.

2.7 Lying/False Report is the false allegations of misconduct of another person of the fabrication of an incident or act. It is also being purposefully untruthful to any adult and/or impeding the investigation process.

2.8 Misuse or Abuse of Technology is the malicious or unauthorized use of technological or media equipment for purposes including but not limited to fraud, deception, harassment, or any other unlawful or non-academic reason.

2.9 Possession of Matches or Lighters is having either on school grounds before, during, or after school.

2.10 Use or Possession of Pager/Electronic Devices during school hours is the use or possession of a telecommunication (including but not limited to iPods, cell phones, computerized games, etc.) device while on school property or while attending a school sponsored or school related activity on or off school property that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor (unless permission is granted, by school personnel, for a specific reason). (KRS 158.165).

2.11 More than (3) school tardies.

2.12 Cafeteria Disruption is any intentional act that may lead students to become loud or unruly; such as, but not limited to, throwing food.

2.13 Use, Possession, or Display of Gang Paraphernalia. No student shall be permitted while on school property to use, possess, or display gang related paraphernalia including but not limited to color flags, emblems, or codes that may indicate gang. (Starts with Consequence #2)

2.14 Truancy/Unexcused absences. (Start with Consequence #2)

2.15 Failure to attend a School Detention. (Start with Consequence #2 and detention will be doubled on first offense.)

2.16 Theft of student property is the taking of any item that belongs to another student without that student's prior consent.

Level 3

3.1 Abuse of School Personnel is an act that directs speech or conduct toward a teacher, school administrator, or any other school personnel functioning in an official capacity as an employee of the board when the student knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school. Conduct may include but is not limited to assault and/or battery, disrespectful behavior to school employee. (KRS 161.190)

3.2 Leaving school grounds is the leaving of school grounds during the designated school day without first obtaining permission of the principal or assistant principal.

3.3 Extortion is the solicitation, either verbally, in writing or by printed communication, or money or anything of value from another person (regardless of amount) in return for protection or in connection with a threat to inflict harm.

3.4 Inciting student disorder is the intentional promotion or advocacy by word or deed to incite student misconduct by any student for any purpose. The possession of any look-a-like object (such as a toy weapon) or talk of having or bringing a weapon to school that could promote or incite student misconduct, fear, or panic is included within the meaning of this offense.

3.5 Excessive Absenteeism is unauthorized absence from class or school in excess of six (6) days for the total school year, unless accompanied by a physician's statement reporting these days absent and the nature of the illness (KRS 159.150).

3.6 Sexual Harassment is the unwelcome conduct of a sexual nature that a reasonable person would regard as undesirable or offensive. Sexual harassment of other students, teachers, or other school district employees will not be tolerated.

3.7 Possession of tobacco products is the use in any manner of the possession in any form or manner, of tobacco products while in or upon school premises, including, but not limited to, smoking, chewing, or inhaling tobacco or having such products on one's person, in one's school desk, or in one's school locker. (KRS 438.050).

3.8 Vandalism is the willful or malicious destruction, defacement or fouling of any property. Vandalism includes, but is not limited to, breaking windows, writing on walls, destroying restroom fixtures, or use of paint or like materials to deface any portion of the interior or exterior of school property or public conveyance to or from school or a school sponsored event (KRS 512.020 subsection 1). Student must also make restitution.

3.9 Theft of school or teacher property is taking any item that belongs to the school or teacher without prior consent from the teacher or other school personnel.

3.10 Plagiarism is copying any previously written document in part or in full without giving proper credit to the original author or attempting to pass someone else's work off as their own. Any student caught plagiarizing will receive a grade of "zero" for any and all assignments for which they are guilty.

Level 4

4.1 Assault/Physical Attack is the intentional striking or touching of another person or attempt to do so against the other person's will with the intent or likely result to cause harm.

4.2 Fighting is an act where both parties are actively involved in physical aggression.

4.3 Smoking or Tobacco use on school grounds or in any school building--each violation is a 3 Day Suspension.

4.4 Racial comments/slurs- any intentional comments directed to any person with the intent to degrade their ethnic background or disability.

4.5 Use, Possession, or Distribution of legal drugs. No student shall possess drugs of any kind (medication or non-medication). Any medication that the student may be on or using must be given to the school office and administered by office personnel.

4.6 Use of ignition instruments is unauthorized use of matches, lighters, or any instrument that could be used to start a fire.

Level 5

5.1 Terrorist-type Threatening

5.2 Possession or Use of an Explosive Device is the possession or use of any combustible or explosive composition or any substance or combination or substances or articles prepared for the purpose of producing a visible or an audible effect by combustion explosion, deflagration or detonation (KRS 437.095, subsection 2).

5.3 Possession or use of weapons/firearms is the possession of use of any instruments which may expel a projectile by the action of explosive and/or which can be or could be used to do harm or create fear of harm or injury. This includes but is not limited to guns or knives.

5.4 Arson/or Attempted Arson is the intentional damaging of property by starting a fire or causing an explosion or the attempt to start a fire or cause an explosion that would likely result in property damage.

5.5 Activation of Fire Alarm is the intentional unjustified activation of a fire alarm or like warning devices (KRS 438.200). (Student responsible subject to fine by the Southgate Fire Department at a minimum of $561.)

Commented [KS2]: Statute Updated to 519.040. Falsely reporting an incident

KRS § 519.040

5.6 Use, Possession, or Distribution of illegal drugs/alcohol or Drug Paraphernalia. No student shall be in possession of alcohol or any illegal drug. No student shall possess drug paraphernalia. Drug paraphernalia means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. Drug paraphernalia included, but is not limited to pipes, scales, roach clips, hypodermic syringes, needles, containers, spoons and other objects designed or intended for use, storing, or concealing controlled substances (KRS 218A.500)

5.7 Possession of Look-alike Items. No student shall possess any item designed in any manner to simulate illegal drugs/alcohol, a device, weapon, gun the possession of which is prohibited by this code.

5.8 Use of ignition instruments is unauthorized use or possession of matches, lighters, or any instrument that could be used to start a fire.

5.9 Commission of Sexual Acts is any physical conduct of a sexual nature that a reasonable person would regard as undesirable or offensive. (i.e., the commission or attempt thereof or the solicitation by word or gesture of any act of a carnal nature including, but not limited to, touching, fondling, sexual intercourse, rape or sodomy of any kind.) Indecent exposure or any part of the body and sexual harassment are offenses within the meaning of this section.

******The infractions described above are not intended to be an exhaustive list, but serve as a sample. School administration may administer consequences ranging from, but not limited to, school detention, after school detention, Saturday School, Suspension, Placement in Alternative Program, or even law enforcement intervention depending on the offense and frequency of infractions by the individual student at the sole discretion of the administrator.**

Harassment and Bullying (may warrant immediate suspension, law enforcement involvement, etc…

- Harassment/sexual harassment/communications
  - Jokes, teasing, touching, grabbing, spreading rumors
  - Visual, written, physical, verbal
  - Unwelcome behavior
  - Harassing Communications (email, phone, mail, etc. . . intention to harm, intimidate, embarrass, humiliate)

Bullying

  - Different levels; physical, emotional, social
  - Teasing to threats of physical harm
  - Mean tricks
  - Slander/intolerance/racial

Commented [KS3]: Per statute update: Definition or Bullying:

- (a) As used in this section, "bullying" means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:
  - 1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or
  - 2. That disrupts the education process.
- (b) This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

KRS § 158.148

Per Statute Update: KRS requires the Code of Conduct:

- (c) The code shall prohibit **bullying**.
- (d) The code shall contain the type of behavior expected from each student, the consequences of failure to obey the standards, and the importance of the standards to the maintenance of a safe learning environment where orderly learning is possible and encouraged.
- (e) The code shall contain:
  - 1. Procedures for identifying, documenting, and reporting incidents of **bullying**, incidents of violations of the code, and incidents for which reporting is required under KRS 158.156;
  - 2. Procedures for investigating and responding to a complaint or a report of **bullying** or a violation of the code, or of an incident for which reporting is required under KRS 158.156, including reporting incidents to the parents, legal guardians, or other persons exercising custodial control or supervision of the students involved;
  - 3. A strategy or method of protecting from retaliation a complainant or person reporting an incident of **bullying**, a violation of the code, or an incident for which reporting is required under KRS 158.156;
  - 4. A process for informing students, parents, legal guardians, or other persons exercising custodial control or supervision, and school employees of the requirements of the code and the provisions of this section and KRS 158.156, 158.444, 525.070, and 525.080, including training for school employees; and
  - 5. Information regarding the consequences of **bullying** and violating the code and violations reportable under KRS 158.154, 158.156, or 158.444.

KRS § 158.148

KSBA Model Policy:
Bullying/Hazing
In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.
ACTIONS NOT TOLERATED
The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.[1] This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of 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

...

Restraint and Seclusion Policy

The Southgate Independent School District complies with state regulations regarding the restraining or seclusion of a student. The Southgate School Faculty have received proper training in the use of restraint or seclusion best practices and will exhaust every alternative option before resorting to any type of restraint or seclusion being administered. However, if the behavior of the student creates an issue of safety or disruption to the learning environment the use of these techniques may be administered.

Electronic Devices

Use of cell phones, radios, cd players, tape players, or electronic devices are prohibited during the school hours of 7:30 a.m.-3:00 p.m.

- Students caught using these items will have them confiscated until a parent comes to the school to claim it.
- ***The school is not responsible for stolen or damaged property***