

***Please read and discuss this with your child.**

TODD COUNTY SCHOOL DISTRICT

**CODE OF ACCEPTABLE
BEHAVIOR AND DISCIPLINE
2022-2023**

**TODD COUNTY BOARD OF EDUCATION
205 Airport Road
ELKTON, KENTUCKY 42220
(270) 265-2436**

**THE TODD COUNTY SCHOOL DISTRICT
PROVIDES EQUAL EDUCATIONAL AND EMPLOYMENT OPPORTUNITIES**

INTRODUCTION

The Board of Education requires high standards of personal conduct from each student to promote respect for the rights of others and to accomplish the purposes of the schools. The Board also requires compliance with established standards and rules of the district and the laws of the community, state, and nation.

The central purpose of the school system is to educate each student to the highest level possible. To support the success of the educational program, the Board directs employees to hold each student accountable to Code standards in a fair manner. Compliance with the standards is necessary to provide:

- Orderly operation of the schools
- A safe environment for students, district employees and visitors to the schools
- Opportunities for students to achieve at a high academic level in a productive learning environment
- Assistance for students at risk of failure or of engaging in disruptive behavior
- Regular attendance of students
- Protection of property

This code applies to all students in the District while at school, on their way to and from school, while on the bus or other District vehicle, and while they are participating in school-sponsored trips and activities or when they engage in activities that affect the educational process and disrupt the learning environment. The Superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administration and implementation of this Code within his/her school in a uniform and fair manner without partiality or discrimination.

Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook.

Teachers and other instructional personnel are responsible for administering Code standards in the classroom, halls, and other duty assignment locations.

Under the Kentucky Guidelines for School Based Decision-Making Councils, schools have authority to establish additional policies and discipline procedures within the framework of Board established rules and regulations. Please check with your child's school for specific rules and regulations.

This Code establishes minimum behavior standards. Recognizing that each school, grade, or class may require special provisions, school councils, administrators and teachers have full authority to make rules to enforce these standards in keeping with their areas of responsibility.

EXAMPLES:

- Other Board of Education policies
- The District's Safety Plan
- Student records information (FERPA)
- The District's Special Education policy and procedures manual
- Kentucky Revised Statutes and Administrative Regulations
- Council policies
- School handbooks

STATEMENT OF NONDISCRIMINATION

The Board of Education does not discriminate on the basis of age, race, color, sex, disability, genetic information, parental status, marital status, race, national origin, religion, disabling condition, or veteran status in the programs, activities and services it provides, as required by law.

Individuals who have questions concerning compliance with this requirement should contact the Superintendent at the Board of Education's Central Office.

As a person attending public school in the United States of America, students may participate in activities that *DO*

NOT:

1. materially or substantially disrupt the education process
2. present a clear and present danger to the health and safety of others or property
3. infringe on the rights of others

Specifically, students have the right to:

1. an orderly educational atmosphere conducive to learning
2. personal safety and security while at school and school-sponsored activities
3. academic grades based on academic performance, not on conduct

Students have the responsibility to:

1. comply with district, school and classroom rules
2. follow directions given by teachers and other school personnel
3. immediately report student threats to harm others to a teacher, counselor or school administrator
4. give their best effort to tasks assigned by their teacher, coach or other person who works with them

REQUIRED STANDARDS

A professionally planned and positive school atmosphere is necessary for academic progress and a safe environment. Therefore, students shall not interfere with the orderly environment of the school or school activity. The following are examples of student misconduct and responses thereto. **However, in a document of this nature it is impossible to list all examples. Therefore, student misconduct and responses thereto are not limited to only those examples and responses that are listed herein.**

ATTENDANCE

Regular and punctual school attendance is both a privilege and a responsibility of the student. Good attendance is necessary for satisfactory progress and high academic achievement. Examples of attendance violations include, but are not limited to:

- Absence from school without valid excuse
- Tardy without valid excuse
- Truancy will not be tolerated. Truancy will result in appropriate action including court appearance

SELF-CONTROL

Students shall exercise self-control as required by the particular situation in keeping with school and district rules or be subject to removal from the regular classroom setting, transportation system, or participating in extracurricular activities, pending investigation that she/he has violated either the district behavior standards or the school council's criteria for participation. Examples of prohibited behaviors include, but are not limited to:

- Fighting and physical attacks
- Possession of a weapon
- Threats by verbal or written statements, including via social media, or gestures with intent to harm or demean others or any act of bullying
- Use of alcohol or prohibited drugs
- Use of prohibited tobacco products

SCHOOL PROPERTY

School property belongs to the community and the state. It must be protected and preserved for educational and community use. Therefore, students shall respect school property and the property of others. Examples of prohibited behaviors include, but are not limited to:

- Theft of school property or personal property of employees or other students
- Abuse of school or personal property to include intentional or careless damage or destruction
- Extortion of money or property
- Prohibited use of electronic media and other District technological resources
- Littering

RESPECT FOR OTHERS

Schools shall work cooperatively and productively with each other and with school personnel in a manner that is consistent with standards of respect and courtesy. Examples of prohibited behaviors that would detract from a safe and orderly learning environment include, but are not limited to:

- Making abusive and harassing statements regarding race, gender, disability, religion or nationality
- Use of profanity
- Lying
- Cheating
- Ignoring or breaking rules and procedures established to maintain order
- Otherwise behaving in a manner disrespectful of others including bullying

The Board has included samples of prohibited behaviors to help the reader understand how the behavior standard will be enforced. Other behaviors not included in the examples may also be prohibited.

CONSEQUENCES OF VIOLATIONS

State and federal law requires special consideration and possible designation of alternative consequences when dealing with behavior and disciplinary issues involving students with disabilities.

NOTE: Responses to student misconduct may be modified for students with disabilities in accordance with an IEP or 504 Plan, using the appropriate committee and all due process procedures.

Behavioral violations of a minor nature should be handled by the classroom teacher who may choose from a variety of response options to include, but not limited to:

- Verbal warning
- Teacher-student conference
- Notification of parents
- Alternative assignment
- Classroom isolation
- Behavior contract
- Referral for counseling/mediation
- Loss of privileges
- Detention
- Other techniques established by council policy

Level I Violations: Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operations of the school. These behaviors can usually be handled by the teacher or other individual staff members but sometimes require the intervention of other school support personnel.

Examples:

- Classroom disturbances
- Classroom tardiness
- Minor instances of disrespect
- Non-defiant failure to complete assignments or carry out directions
- Copying another student's work
- Gambling
- Harassment and/or discrimination

Response Options Examples:

- Verbal reprimand
- Behavioral contract
- Counseling
- Withdrawal of privileges
- Strict supervised study
- Demerits
- Detention
- Conference with parents
- Other actions at the discretion of the individual school's administration

Level II Violations: Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These infractions, which may result from the continuation of Level I behaviors, require intervention of personnel on the administrative level because the imposition of Level I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.

Examples:

- Continuation of modified Level 1 misbehavior
- School tardiness
- Truancy
- Using forged notes or excuses
- Disruptive classroom behavior
- Cutting class
- Destroying property and/or destroying files or deleting work from files or machines
- Displaying, distributing, or creating in any form items which have a disruptive effect on the school environment
- Harassment, bullying and/or discrimination, whether in person or via social media

Response Options Examples:

- Teacher/schedule change
- Modified day
- Behavior modification
- Social probation
- Peer counseling
- Referral to outside agency
- In-house Alternate Education Class/Alternate Learning center/Alternate Behavior Class, Counseling, and Suspension
- Other actions at the discretion of the individual school's administration

Level III Violations: Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. These acts may result from continuation of Levels I and II behavior and/or might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interest of all students.

Examples:

- Fighting (simple)
- Vandalism (minor)
- Stealing
- Threats to others (including bullying)
- Sexual Harassment
- Continuation of unmodified Levels I and II behaviors
- Harassment and/or discrimination (including bullying or harassing)

Response Options Examples:

- Temporary removal from class
- Alternative program
- Counseling
- In-house alternate education class/ an Alternative School/Alternate Behavior Class
- Suspension
- Expulsion
- Other actions at the discretion of the individual school's administration

Level IV Violations: Acts which result in violence to another's person or property or which pose a direct threat to

the orderly operation of schools and/or safety of others in the school. These acts are so serious that they always require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and action by the Board of Education.

Examples:

- Continuation of Unmodified Levels 1, II, and III behaviors
- Extortion
- Bomb threat
- Possession or use of firearms, other dangerous or deadly weapons, dangerous instruments, destructive devices or booby traps or facsimiles thereof (Example: toy gun);
- Assault/battery
- Vandalism
- Theft/possession/sale of stolen property
- Arson
- Possession, use, sale, receipt or transfer of and/or assistance in the sale, receipt or transfer of alcoholic beverages, narcotics, drugs, controlled substances, mood altering substances (such as inhalant) or drug paraphernalia or counterfeit, look-alike or simulated narcotics, drugs, controlled substances or mood-altering substances
- Non-emergency use of or tampering with fire alarm system
- Abusive language directed toward school personnel
- Harassment and/or discrimination

Response Options Examples:

- Suspension
- Alternative School
- Expulsion
- Other actions at the discretion of the individual school's administration

For repeated or more serious violations, administrators may also use these options:

- Suspension (up to 10 days)
- Referral to police
- Referral to court-designated worker
- Petition to Juvenile Court
- Expulsion

SEARCH AND SEIZURE

Students have the right to be secure from unreasonable searches of their person and property. However, school authorities are authorized to search a student if they have reasonable suspicion that the search will reveal evidence that the student has violated or is violating this Code or a school rule or the law. Also, school authorities may conduct general inspections of jointly held property on a regular basis. All searches will be conducted in accordance with Board policy. Students cannot expect to have complete privacy in their use of school property assigned for their use, such as desks and lockers.

PHYSICAL RESTRAINT/CORPORAL PUNISHMENT

Employees are authorized by law to physically restrain students as necessary for the following reasons: to protect themselves, students, or others from physical injury; to get possession of a weapon or other dangerous object; or to protect property from serious harm. Corporal punishment is not allowed per Todd Board of Education Policy.

STUDENT RECORDS

Records containing student information shall be made available to the parent of the student, guardian, or eligible student on written request. Eligible students include those 18 years of age or older or those enrolled in a post-secondary school program. For information concerning access or corrections to student records, contact the Principal or the Superintendent at the Central Office address and telephone number listed on the front cover.

REPORTS TO LAW ENFORCEMENT OFFICIALS

When principals or other certified staff reasonably believe that certain violations have taken place, they are required by law to immediately report them to law enforcement officials. Violations on or off school property or at a school-

sponsored function requiring a report to law enforcement officials include:

- Assault resulting in serious physical injury
- Suspected child abuse
- A sexual offense
- Kidnapping
- Assault involving the use of a weapon
- Possession of a firearm in violation of the law
- Possession of a controlled-substance in violation of the law
- Damage to school property
- Any violation of the law

In addition to violations of this Code, students may also be charged with criminal violations.

WEAPONS

Students are never allowed to bring a weapon to school. The Board urges parents and other citizens to make sure that students do not have inappropriate access to weapons.

Both Board policy and the law prohibit the carrying, bringing, using, or possessing of any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity. Except for authorized law enforcement officials, the Board specifically prohibits the carrying of concealed weapons on school property.

When a student violates the prohibition on weapons, the Principal shall immediately make a report to the Superintendent, who shall determine whether further action by the principal, including, but not limited to a recommendation for expulsion is to be made to the Board. Generally, it is the Board's policy the penalty for students bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under the control of the District shall be expulsion for a minimum of twelve (12) months as required by the Gun-Free Schools Act of 1994 and KRS 158.150. However, the Board reserves the right and recognizes the obligation to consider such charges on a case by case. District employees are required to report to law enforcement officials when they know, or have reasonable cause to believe, that conduct has occurred constituting the carrying, possession or use of a deadly weapon on the school premises, on a school bus, or at a school sponsored or sanctioned event.

SUSPENSION, EXPULSION & DUE PROCESS

For certain violations, administrators, such as the Superintendent and Principal, may remove (suspend) a student from school for up to ten (10) days per incident. Unless immediate suspension is necessary to protect persons or property or to avoid disruption of the educational process, students shall not be suspended until they have been given due process (required by law). Due process must be given before educational benefits are taken away and shall include:

1. Oral or written notice of the charge(s) against them;
2. An explanation of the evidence, if the student denies the charge(s).
3. An opportunity for the student to present his/her own version of the facts concerning the charge(s).

A report of the suspension shall be made in writing to the Superintendent and to the parent of the student being suspended. Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

Following the required due process set forth above, at the request of a principal/head teacher and upon recommendation of the superintendent, the Board, following a hearing, may expel any pupil from the regular school setting for misconduct as defined by law for periods longer than ten (10) days. In case of expulsion, provision for educational services will be required unless the Board determines on the record, supported by clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff and cannot be placed in a state-funded agency program. Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity to be notified of the hearing before the Board.

REPORTING HARRASSMENT/DISCRIMINATION

Any student or parent who feels that they or their child has been harassed (including bullying/hazing), whether directly or through social media, or discriminated against should report this to a teacher or a school administrator for appropriate action.

GRIEVANCES

Students and parents wishing to express an educational concern or grievance shall observe the following order of appeal:

1. Teacher
2. Principal
3. School council, where appropriate
4. Superintendent
5. Board

Information on filing a formal complaint or grievance is available at each school and at the Central Office.

This Code has been reviewed by the Attorney for the Board of Education and the Board of Education adopted it on July 11, 2022 at their regular scheduled board meeting.

Schools have distributed copies of the Code to all students and employees of the district and to parents of the students, including those who enroll after the beginning of the school year. The Superintendent has directed that the Code be posted in each school, with the Principal being responsible for seeing that guidance counselors and other personnel discuss its content with students in a timely and age-appropriate manner. In addition, each school will reference the Code in the school's handbook(s). On request, the Principal shall provide help for non-English speaking, blind, deaf, or non-reading students and parents so that they can have access to the information contained in this Code.

Each year, the Board of Education will review the Code in preparation for the coming school year. It welcomes suggestions as to how to improve this document.

Individuals may send written comments and/or suggestions to the Todd County Board of Education, 205 Airport Road, Elkton, Kentucky 42220 or call (270) 265-2436.

CONFIRMATION OF RECEIPT OF THE ACCEPTABLE BEHAVIOR CODE

(Please sign and send back to the student's homeroom teacher.)

I have received a copy of the Code of Acceptable Behavior and Discipline for the 2022-2023 school year.

I have read the code and understand its content.

Parent

Date

Student

Date

Date Form Received by School