

KRS	EXPLANATION	POLICY/PROCEDURE
KRS 158.148	<p>(1)(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:</p> <ol style="list-style-type: none"> 1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or 2. That disrupts the education process. <p>(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.</p>	<p>09.422/Bullying/Hazing 09.438/Student Discipline Code</p>
KRS 158.148	<p>(5)(a) Each local board of education shall be responsible for formulating a code of acceptable behavior and discipline to apply to the students in each school operated by the board. The code shall be updated no less frequently than every two (2) years, with the first update being completed by November 30, 2008.</p> <p>Excerpted from (5)(b)</p> <ul style="list-style-type: none"> • Superintendent/designee - responsible for implementation and supervision of code • School Principal - responsible for administration and implementation of code • School Council - responsible for selection and implementation of appropriate discipline/classroom management techniques to carry out code • Board - responsible for establishing a process for a two-way communication system for notification of emergencies 	<p>02.4241/School Council Policies 05.4/Safety (Facilities) 09.438/Student Discipline Code 09.438 AP.1/Reporting of Code Violations 09.438 AP.21/Parent Notification of Code Violation</p>
<p>KRS 158.148 KRS 158.154 KRS 158.156 KRS 158.444 KRS 525.070 KRS 525.080</p>	<p>(5)(c) The code shall prohibit bullying.</p> <p>(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.</p> <p>(e) The code shall contain:</p> <ol style="list-style-type: none"> 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 158.156 or 158.444. 	<p>09.4/ Student Behavior 09.221/Supervision of Students 09.221 AP.1/Supervision of Students 09.2211/ Employee Reports of Criminal Activity 09.2211 AP.21/Documentation of Reporting Required by Law 09.422/ Bullying and Hazing 09.422 AP.21/Bullying Reporting Form 09.4281/Grievances 09.42811/Harassment and Discrimination 09.438/Student Discipline Code 09.438 AP.1/Reporting of Code Violations</p>

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KRS 158.148	(5)(f) The principal of each school shall apply the code of behavior and discipline uniformly and fairly to each student at the school without partiality or discrimination.	09.42/Student Conduct 09.431/Due Process 09.42811/Harassment and Discrimination 09.428111/Title IX Sexual Harassment
Formation of Code - Acceptable Behavior/Discipline Recommendations		
Classroom Management Techniques (identify appropriate discipline and classroom management techniques to carry out the code).		02.4241/School Council Policies 09.43/Student Disciplinary Processes
Expected Behavior (identify types of behavior expected from each student)		06.34/Conduct on Bus 06.342/Hazards in and on Bus 08.2323/ Access to Electronic Media 09.4/ Student Behavior 09.422/Bullying and Hazing 09.423/Use of Alcohol, Drugs and Other Prohibited Substances 09.4232/Tobacco, Alternative Nicotine, or Vapor Products 09.425/Assault and Threats of Violence 09.426/Disrupting the Educational Process 09.4261/Telecommunication Devices 09.427/Dress and Appearance 09.428111/Title IX Sexual Harassment
Consequences (identify consequences for failure to obey the standards) KSBA NOTE: Many districts develop a sliding scale of consequences based on the severity of the offense. It is recommended that “zero tolerance” penalties be avoided so that staff members are provided sufficient discretion to determine the appropriate response based on the specific facts and to avoid automatic responses that can pose potential due process issues.		06.34/Conduct on Bus 09.123/Absences and Excuses 09.4294/Driver’s License Revocation 09.428111/Title IX Sexual Harassment 09.432/Detention 09.433/Corporal Punishment 09.434/Suspension 09.4341/Alternative Education 09.435/Expulsion
Responsibilities (identify student, parent teacher, counselor, and principal responsibilities)		09.42/Student Conduct 09.43/Student Disciplinary Processes
Due Process (identify procedures for student due process because of school suspension, exceptional children, primary)		09.428111/Title IX Sexual Harassment 09.431/Due Process 09.434/Suspension 09.4341/Alternative Education 09.435/Expulsion
Non-Discrimination (cite reasons why the code of behavior and discipline should be uniformly applied to each student at the school without partiality or unlawful discrimination)		08.131/Students with Disabilities 09.42811/Harassment/Discrimination 09.428111/Title IX Sexual Harassment
Communication (establish procedures for school postings, dissemination to guidance counselors, use in student discussion, inclusion in school handbooks and providing copies for employees and parents)		09.438/Student Discipline Code
School Property Incidents (identify procedures for school property incidents and law enforcement)		02.31/School Resource Officers 05.48/Weapons 09.421/Care of School and Personal

		Property 09.436/Search and Seizure 09.4361/Police Officers in the School
Immediate Removal from the Classroom (develop procedures for threatening or violent student removal or suspension from the classroom)		09.425/Assault and Threats of Violence 09.425 AP.21/Record of Removal
Formation of Code - Acceptable Behavior/Discipline Recommendations		
Intervention Strategies (discipline action up to and including expulsion from school for weapons, drug, assault, and abuse violations) (dropout prevention for requesting districts and KDE dropout reporting requirements)		05.48/Weapons 08.14/Guidance and Mental Health Service Providers 08.141/At-Risk Students 09.423/Use of Alcohol, Drugs and Other Prohibited Substances 09.425/Assault and Threats of Violence 09.438/Student Discipline Code
Other Pertinent Provisions		
KRS	EXPLANATION	POLICY/PROCEDURE
KRS 158.148	(5)(g) A copy of the code of behavior and discipline adopted by the board of education shall be posted at each school. Guidance counselors shall be provided copies for discussion with students. The code shall be referenced in all school handbooks. All school employees and parents, legal guardians, or other persons exercising custodial control or supervision shall be provided copies of the code.	09.438/Student Discipline Code
KSBA RECOMMENDATIONS: <ul style="list-style-type: none"> • Include contact information (email address, telephone number) for key District and school administrators. • Include an acknowledgement form for the student and parent to sign and return to school to keep in the student's file. • Although there is no requirement to review the code annually, either a committee or a designated administrator should review the annual policy update received from KSBA each spring for code implications. • Include the code in student handbooks • Post a copy of the code in the schools and on the District and school websites. • Request that the Board direct its attorney to review the code each time it is amended. 		