

DATE:

May 23, 2023

AGENDA ITEM (ACTION ITEM):

Consider/Approve the 2023-2024 KCS D Code of Conduct and Expected Behavior.

APPLICABLE BOARD POLICY:

01.11: General Powers and Duties of the Board

HISTORY/BACKGROUND:

In an effort to narrow and focus, cuts and condensing of information have been made to the Code of Conduct and Expected Behavior for the 23-24 school year. Over the years, the Code of Conduct and Expected Behavior has broadened its focus to include items which are not related to behavior or the information has repeated in multiple places throughout the document. The 23-24 addition goes back to the original intention, conduct and behavior. The document has been reorganized to have a more natural flow, including changing the formatting from two columns to a traditional page. The content has been reduced and condensed from 48 pages in 2022-2023 to 31 pages in 2023-2024. Here is summary of information which has been removed, condensed, and added for the 2023-2024 school year: Summary of information which has been removed: School phone numbers, listing of parent, student, and staff rights, Examples of Tier 1 strategies, Health Services Section, Disclosures which are distributed the first day of school. Summary of Information which has been condensed: MTSS information, Bullying and Harassment, Expected Bus Behavior, Levels of Discipline P-5 (integrated into a P-12 chart), attendance. Summary of Information which has been added: Additional information on Restorative Practices, chronic disruptive behavior as discipline violation (required by HB 538), revised consequences for alcohol/THC possession, use, and/or under the influence, linked guidance document for P-K discipline.

FISCAL/BUDGETARY IMPACT:

0.00

RECOMMENDATION:

Approval of the 2023-2024 KCS D Code of Conduct and Expected Behavior

CONTACT PERSON:

Todd Dupin, Director of Pupil Personnel



Principal/Administrator



District Administrator



Superintendent

Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.

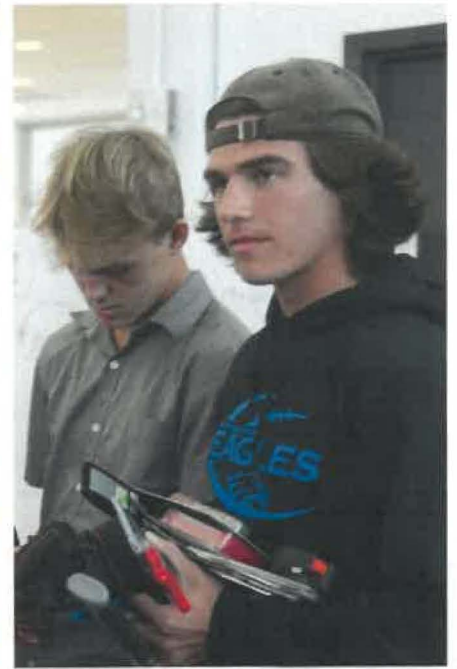
Principal –complete, print, sign and send to your Director. Director –if approved, sign and put in the Superintendent's mailbox.

Kenton County School District Code of Conduct and Expected Behavior 2023-24

Dr. Henry Webb, Superintendent

Board Members:

Jesica Jehn, chairperson;
Karen Collins, vice-chairperson;
Carl Wicklund, Erin McConnell
and Shannon Herold



Mission

The mission of the Kenton County School District is to provide a world-class education ensuring ALL students are transition ready and prepared for the 21st Century Economy.

Motto

It's about all Kids!

District-Wide Goals

- **Transition Readiness Rate 100%**
- **Attendance Rate 96.25%**

Core Beliefs

- **It's About ALL Kids.**
- **It is our responsibility to ensure every child reaches his or her maximum learning potential.**
- **All students deserve a safe, positive and supportive environment.**
- **Every student should have an adult advocate in the school setting.**
- **Students learn best when actively engaged in the learning process.**
- **Maintaining high expectations leads to higher levels of student achievement.**
- **All students are inspired to learn when provided rigorous, relevant, innovative and creative learning opportunities in a positive environment.**
- **Recognition and appreciation of cultural, social, physical and economic differences creates a healthy learning community.**
- **Sharing and using results to inform our decisions about instruction, resources and curriculum leads to higher levels of student achievement.**
- **Students, educators, staff, families, businesses and the community share in the responsibility for creating an environment in which all students can learn and succeed at high levels.**
- **High quality public education is essential to our democracy and economic growth.**

CBAS Pillars

- **Student Learning and Progress**
 - **Ensure academic success for all students so that every student reaches his/her maximum learning potential**
- **Student Readiness**
 - **Ensure all students are prepared with the knowledge, skills and dispositions to be transition ready**
- **Engaged, Well-Rounded Students**
 - **Engage students in a way that contributes to their overall development and future wellbeing**
- **Community Engagement and Partnerships**
 - **Ensure all stakeholders in the community have the opportunity to meaningfully engage and support all schools in the KCSD**
- **Professional Learning/Quality Staff**
 - **Ensure that every student has quality teachers and adults that promote the learning and well-being of students**
- **Fiscal and Operational Systems**
 - **Ensure the district is financially responsible/efficient and using its resources to further the district mission**
- **Safety and Well-Being**
 - **Ensure students are educated in an optimal environment that is safe, secure, and conducive to learning. This includes both physical safety as well as the social/emotional needs of each student**

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<https://www.kenton.kyschools.us>

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2023-24 Code of Conduct & Expected Behavior

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PHILOSOPHY AND RATIONALE

Our policies and procedures have been developed through the cooperative efforts of students, parents, teachers, and administrative personnel of the Kenton County School District using a variety of sources designed to improve and maintain a positive and safe learning environment. We ask that all students, staff and members of our learning community treat others as you would like to be treated. Using "Positive Behavioral Intervention and Supports" (PBIS), we strive to maintain a positive school culture through the expectations and rules for conduct for our students, staff and our learning community.

This document has been developed for the following purposes:

- To provide consistent and equitable treatment of all students in the Kenton County School District.
- To outline disciplinary procedures to ensure that students learn in a positive and safe environment.
- To inform all concerned parties of regulations and behavioral procedures affecting the educational program as it pertains to individual rights and responsibilities.
- To provide the basic procedures which will be followed in disciplinary matters and the meanings and explanations of the procedures and the violations.

The **Kenton County School District Code of Conduct & Expected Behavior** outlines expected behaviors for students and consequences for actions. Students will be responsible for adherence to this code in school, at school sponsored or related activities, on school buses, and at any extra-or co-curricular activities at, or away from school **and will be subject to disciplinary action should they violate this code.**

The **Code of Expected Conduct & Expected Behavior** is reviewed and updated every two years by the school community and the Board of Education to ensure an effective document, which meets the changing needs of the educational community. This document was updated in July of 2022. Minor changes are made during off years and the document is approved annually by the Board of Education per board policy. Board Policy [09.42](#) AND [09.438](#)

Distribution of the Code of Conduct

Each student is given information on how to access the Kenton County School District Code of Expected Behavior and Conduct electronically. Schools will provide a printed copy by request. This code is viewed as a minimum requirement for students of the Kenton County School District. School Based Decision Making Councils (SBDM) at each school may strengthen individual rules of the Code of Expected Behavior and Conduct with review and/or approval of the Kenton County Board of Education. Schools will publish all areas where school policy is stronger than the Code of Expected Behavior and Conduct. An example could be school dress codes.



Stay in the know by following the KCSD on twitter @TheKCSD.

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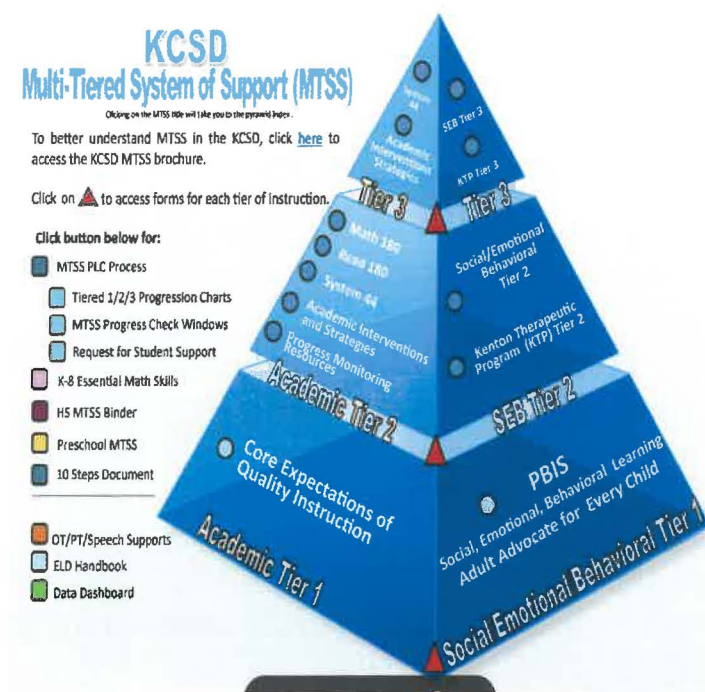
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Multi-Tiered Systems of Support (MTSS)

(Moved from p. 20)

The Kenton County School District is committed to providing a world class education to all students. An integral component of this commitment is the MTSS framework. The MTSS framework is designed to support academic and **social emotional behavior (SEB)** success for all students. The KCSO MTSS framework is built on a foundation of high quality instruction, **Trauma Informed Care** which encompasses the following: **Social Emotional Learning, Adult Advocate for every child**, Positive Interventions and Supports (PBIS) and **Restorative Practices**. This foundation supports a commitment to evidence-based practice, intervention, and assessment to provide all students with the level of support to meet their individual needs. [MTSS Parent Guide](#). The MTSS framework includes three tiers of intervention:



Tier 1 Interventions are school wide and classwide supports available to all students.

Tier 2 Interventions are provided for students who need more student specific instruction and support. These interventions occur in small groups both within and outside the classroom.

Tier 3 Interventions provide intensive supports to match the needs of an individual student.

By viewing discipline through an MTSS lens, we are increasing supports for all students. The next section focuses on the areas of **social emotional** behavior MTSS.

Tier 1 Social Emotional Learning

Social Emotional Learning (SEL) is included as part of our MTSS structure. The Collaborative for Academic, Social and Emotional Learning (CASEL) defines SEL as the process of acquiring the skills to recognize and manage emotions, develop caring and concern for others, establish positive relationships, make responsible decisions, and handle

challenging situations effectively. As a school district, we are committed to supporting students in the development of these crucial life skills and understand the role SEL plays in the development of students. SEL is integrated in schools in a variety of ways as part of the MTSS structure. Schools have a choice as to which SEL curricular program they implement:

Tier 1 Adult Advocate for Every Child

An important component of our MTSS Tier 1 support for social, emotional, behavioral (SEB) supports is an adult advocate for every child. As a district, we understand the importance of building positive adult relationships with students and the impact it can have on the success of a student. By structuring our schools so every child has the opportunity to form a meaningful relationship with an adult, we are working to support our students and their future success.

Positive Behavior Intervention Supports (PBIS)

MTSS is an integral part of an intervention-based approach to school discipline. As part of planning for MTSS, each school has developed school wide expectations and a positive reinforcement system through **Positive Behavior Intervention Supports (PBIS)**. Expectations for behavior are taught throughout the school year, reinforced, and

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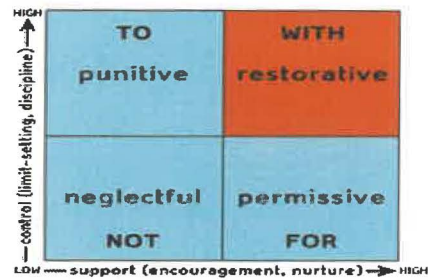
modeled. When appropriate, school level discipline should be combined with a supportive approach to reduce the occurrence of the behavior being repeated (e.g., Restorative Practices). This approach to discipline gives teachers and administrators the opportunity to guide their students to develop the skills needed for success outside the school building and prepares students to become career and college ready.

Tier 1 Restorative Practices

International Institute for Restorative Practices (IIRP) defines Restorative Practices as a social science that studies how to build social capital and achieve social discipline through participatory learning and decision making.

The use of Restorative Practices helps to:

- ⊙ reduce crime, violence and bullying
- ⊙ reduce discipline referrals for students in poverty
- ⊙ improve human behavior
- ⊙ strengthen civil society
- ⊙ provide effective leadership
- ⊙ restore relationships
- ⊙ repair harm



The basic premise of restorative practices is that human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things with them, rather than to them or for them which is illustrated by the Social Discipline Window.

KCSD has a district Trauma Informed Care (TIC) team that is implementing Restorative Practices in a multi-year approach in each school. Restorative Practices has proactive strategies (social discipline window, restorative language, fair process, shame/guilt/empathy theory), responsive strategies (restorative questions, conversations, formal conference) and a proactive and responsive approach (restorative circles). To learn more about Restorative Practices check out International Institute for Restorative Practices (IIRP website).

Access to School Based Therapy from a Community Provider (moved from page 19)

The KCSD understands the role effective mental health plays in a safe and healthy school community. This commitment is illustrated by school counselors, **social workers and school psychologists** at each school and partnerships with community agencies to provide school-based therapy during the school day billed through Medicaid or private insurance. School-based therapy allows our students to access the mental health support they need, increase collaboration between the school and the therapists and reduce the amount of time a student is out of class. Each school has access to a school-based therapist who sees students during the school day. If this is a service you are interested in learning more about, please contact your school. You will be asked to complete a Consent to Share Form which gives the school permission to release your information to the school-based therapist and collaborate with the provider to support the student. The school-based therapist will contact you for more information. Click the link below to access additional information:

[Consent to Share Form](#)

SAFETY

Safety begins with a comprehensive approach: At the frontline of this commitment to school safety are School Resource Officers in all of our school buildings. **Collaboration with local law enforcement supports a safe and secure learning environment in all of our schools.** The Kenton County School District maintains an extensive camera system (interior and exterior) that is integrated with the door access controls at each school location. Single monitored visitor screening systems are managed at each school entrance. All schools have well defined safety plans and procedures which are implemented and practiced. Each school has established a school safety team to regularly review school safety plans for prevention and improvement.

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Every Kenton County School is assessed independently by the State School Security Marshal and monitored for safety and security. All School Level Safety Teams are trained with PREPARE model for crisis prevention and intervention. To learn more about PREPaRE visit this link: [PREPaRE](#). Staff and students are trained in A.L.I.C.E. to help them be better prepared if faced with a dangerous intruder. A.L.I.C.E. is the acronym for Alert -Lockdown -Inform -Counter -Evacuate. Schools participate in drills at least four times per year.

District and school administrators take all threats to school safety seriously and encourage an open line of communication with students, families, and the communities to report any threat to student or school safety. Safety concerns should be reported directly to the school, local law enforcement or to the Kentucky Office of Homeland Security's anonymous [S.T.O.P Tipline](#) at 866-393-6659.

In addition, the KCS D has specific weather and safety protocols in place. To learn more visit this video link: [KCS D Weather and Safety Protocols](#)

Search & Seizure

Student searches may be conducted by a school administrator (or designee per Board Policy [09.436](#)) when reasonable suspicion to believe that the search will reveal evidence that the pupil has violated or is violating either a school rule or law that poses a threat of safety of the student or others. School property (including but not limited to lockers, desks, network systems, etc.) are jointly held by the school and students, and are subject to regular inspection by school authorities. This includes physical searches by school personnel or via the use of trained dogs (ie. bomb/drug detecting service animals) Search of an individual locker, desk, etc. will require reasonable suspicion.

Notification of Police and Removing Students in accordance with [KRS 158.150](#) & [KRS 158.154](#)

The Kenton County School District has adopted policies mandating when the principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, 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, or damage to property, the principal shall immediately report the act to appropriate local law enforcement. Also, school administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a school building setting or from a district transportation system pending any further disciplinary action that may occur.

Maintaining a Safe & Drug Free Environment

The Kenton County Board of Education is committed to student safety and providing a safe and drug free school environment. All property and school campuses under the direction of the Kenton County School District are tobacco free. The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited twenty-four (24) hours a day, seven (7) days a week. If you feel your child has a problem with illegal substances or alcohol, we encourage you to contact your child's school for resources including individual counseling, group counseling, and contacts for professional help. The district also maintains a list of agencies and individual counseling services in the community. Use this link to access the lists:

[Community Agencies: Counseling Services](#)

[\(Moved from p. 4\)](#)

Preventing Bullying Behaviors

(Moved from p. 11)

(KRS 158.154, 158.155, 158.156)

Treat others as you would like to be treated.

What is Bullying?

According to [KRS 158.148](#), 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. The behavior occurs on school premises, on school sponsored transportation, or at a school sponsored event.
2. The behavior disrupts the educational process.

Bullying and/or Cyber-Bullying

- Placing a person in reasonable fear of harm to his or her emotional or physical well-being **or**
- Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power imbalance between the bully and the target **or**
- Interfering with a student having a safe school environment that is necessary for successful educational performance, opportunities or benefits **or**
- Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another person.

What distinguishes bullying from other behaviors?

Bullying refers to:

- Intentional actions that harm, intimidate or humiliate another person physically, emotionally and/or socially.
- Repeated behaviors over time
- Actions which occur within the context of an imbalance of power between the bully and the victim.

Because we believe every student deserves a safe learning environment, the Kenton County School District is committed to dealing with bullying behaviors in our schools.

SEE SOMETHING, SAY SOMETHING



The safety of our students is our number one priority. If you are being bullied or know someone who is being bullied, please report it. If you know of an unsafe situation for a student or a school, please report it. If you don't feel comfortable telling an adult, make an anonymous report using the [S.T.O.P. Tipline](#).

Specific Steps to Report Bullying

If you or someone you know is being bullied or know of any unsafe conditions, please report to any Kenton County Employee (teacher, counselor, advisor, principal, secretary). You may also report anonymously on [S.T.O.P. Tipline](#).

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate

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supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Some instances of peer-to-peer bullying/hazing/harassment, require the employee to report to the alleged victim's Principal, as directed by [KCSD Board Policy 09.42811](#). The Principal/designee shall investigate and address alleged incidents of such misbehavior. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Office of the Superintendent/Designee. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation. Without a report being made to the Principal, Superintendent/Designee, or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/ discrimination.

In applicable cases, employees must report bullying and hazing to appropriate law enforcement authorities and complete documentation as required by the District's harassment/discrimination policies covering federally protected areas.

If your child is involved in an incident related to [KRS 158.156](#), the Principal shall notify parents/guardians in writing and create an incident report with police if required. [All Board Policies and Procedures related to bullying and harassment can be accessed at this link: \[KCSD Board Policies\]\(#\).](#)

CURRICULUM & INSTRUCTION

Virtual Learning-Program (VLP)

As a part of the online Virtual Learning (VL) Program the Code of Conduct standards are expected of all students. Student enrolled in the Virtual Learning Program, must follow all state and District policies/procedures. If there is a violation of the Code of Conduct, including showing a weapon in a virtual environment, students can be immediately removed from the program. Students in VL are required to participate in person for mandatory state testing. If a student falls behind in their coursework they are required to attend tutoring sessions.

Technology in the classroom and the 1:1 program

(Moved from p. 23)

Technology is utilized in all of our classrooms as a means to transform teaching and learning. In such, students are expected to be responsible Digital Citizens and follow the rules set forth in the AUP. As technology is considered a part of the curriculum and should be treated as a text book, technology will not be taken away as a disciplinary measure. Violations of the AUP are treated as a level 1, 2, or 3 offense.

Make-up Policy

Moved from Page 20

Make-up work is the sole responsibility of the student missing school. The student should refer to the school SBDM policy for make-up work guidelines.

BEHAVIOR & DISCIPLINE

Expected Bus Behavior

The **privilege** of riding a school bus will depend upon students obeying the following rules and procedures in accordance with the Kenton County School District and under [702 KAR 5:030 Section 19-20](#). These behavioral expectations apply to students, drivers, and others, whether going to and from home, at the bus stop, on the buses, on our school grounds or in our school buildings.

Bus Seating, Passes, and Issues (moved from page 23)

Similar to classrooms, bus drivers have the right to assign students to seats and limit items brought on the bus. No students will be transported on a bus other than his/her own without a pass that has been signed by the school official. Depending on bus route size, passes may be limited by the school or the transportation department. If there are problems on the bus, please contact the The Kenton County School District Transportation Department.

NOTE: The term "school bus" shall include district-owned vehicles that meet the standards or specifications of the KY Department of Education authorized by law.

Conduct on the Bus

- Students must arrive at the bus stop on time. (It is recommended to arrive 5 minutes before scheduled pick-up time). Students are not to damage the bus and should report any damage to the bus driver. If they do cause damage, their parents or guardians may be held responsible for restitution.
- Students are to obey the driver promptly.
- Students are not to interfere with the vision of the driver.
- Students are not to lean out the bus windows. They must keep their arms, legs, head, and property inside the bus.
- Students are not to block the aisle of the bus or transport animals on the bus, **except in cases of service animals as required by federal law**.
- The driver shall not permit the transport of any object that would block the bus aisle or exit in case of a collision under [702 KAR 5:080 Section 7\(2\)\(e\)](#).
- At no time shall students be permitted to eat, drink, or use tobacco products while riding the bus. [702 KAR 5:080 Section 7 and 17](#)
- Use of electronic communication devices may be permitted providing that the device is not causing a disturbance to others and /or the volume is low enough that instructions can be heard by the driver.
- Picture taking, video recording, and ringing cell phones are prohibited. The ride to and from school are considered school hours and the applicable board policy will apply. For more information refer to the Violations/Definitions section of this document under Communication Devices/Cell Phones.
- Students are to leave the bus only at their regular bus stop or at the school, unless they have written permission of a school administrator.
- Students are to respect the people they pass while on the bus. They are not to yell or make signs to those the bus passes along the road.
- Students who cross the roadway must cross in front of the bus after the driver signals that it is safe to do so.

The bus driver will assist the principal or school administrator in seeing that the above rules and procedures are followed. If any student persists in violating these procedures, the bus driver shall notify the school administrator and transportation manager. The principal has the responsibility of maintaining discipline on all school buses servicing his or her school, **and will do so in cooperation and consultation with the Transportation Department**. The principal is authorized to suspend immediately, as a disciplinary measure, bus riding privileges for any student who is reported to him/her by the bus driver. In addition, the school administrator may suspend bus-riding privileges if the student continues to disobey the rules and procedures. The principal may consult with the transportation department. If a

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suspension from the bus becomes necessary, the principal shall notify the parents orally with a written notice to follow. A copy of the notice is sent to the Director of Transportation. After complying with the above procedures, the superintendent or principal is authorized to exclude a student from transportation services.

*Students who lose their riding privileges shall not be eligible to transfer to another bus while privileges are suspended. Parents are responsible for arranging transportation for their children to and from school. (In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed **which include the bus suspension counting as a full day suspension for students with disabilities.**)*

NOTE: These directives reflect minimum standards. When a student is found to be in violation of the School Bus Policy as outlined in The Kenton County Code of Acceptable Behavior and Conduct, additional disciplinary consequences may be levied at the principal's discretion as the situation warrants.

Due Process

In all discipline cases, school personnel will follow appropriate due process procedures. Ordinarily, a student shall not be suspended before being given oral or written notice of charges constituting suspension, an explanation of the evidence, and an opportunity to present their version of the facts. Whenever a suspension is being given as a consequence, the school will make every effort to contact parents and to share the specifics related to the case. Immediate suspension will only be used if it is essential for safety reasons or to avoid disruption of the educational environment. In these cases, due process guidelines should occur by phone or by written statement within 3 school days following the suspension.

Grievance Procedures

Parents questioning actions taken by the school may do the following:

1. For classroom matters, contact the teacher to discuss the problem.
2. If the teacher meeting does not resolve the problem, the teacher and parents can arrange a meeting with the principal.
3. If the problem is not classroom related, the parents may contact the principal.
4. If none of the above procedures are satisfactory, parents may appeal the school decision and request a conference with the superintendent or designee after discussion with the principal.
5. During this conference, either party may have present individuals relative to factors involved. The other party will be notified in advance if such persons are present.
6. The Superintendent or designee will advise parents in writing of the decision regarding the grievance within 14 days after the conference of the appeal conference.

Grievance procedures are further addressed in [KCSD Board Policy 09.4281: Grievance Procedures](#)

Investigation of a Threat

When a student is believed to have made a threat of harm to another student, a teacher or other school personnel, the school or district will take appropriate steps to investigate the alleged incident and take appropriate disciplinary and legal action as necessary. Part of this process is a threat assessment. A threat assessment is a team approach. It involves evaluating the threat and the circumstances surrounding the threat. The purpose of the threat assessment is to determine if the person poses a threat to others and/or self, determine the level of threat, and take preventive and corrective action as necessary.

Procedures for investigating and responding to a potential threat may include, but are not limited to:

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- Investigation of an alleged incident by principal or his/her designee.
- Removal of the student from the classroom setting or school bus pending disciplinary action resulting from investigation.
- Referral for threat assessment as described in the KCSD threat assessment protocol. The assessment may include the student being interviewed by the school counselor, school psychologist, or other qualified school or district personnel as needed.
- Referral to an outside agency for a safety assessment.
- Notification of and possible further investigation by law enforcement.
- Notification of parents/guardians and others as required by state law and board policy.

Mandatory Reporting

Notification of Law Enforcement or Other Agencies (Moved from p. 37)

Schools must always notify law enforcement and in some cases Child Protective Services in the case of a criminal violation **or suspicion of abuse or neglect**. Depending on the violation, law enforcement may choose to investigate.

Child Abuse (Moved from p. 14)

Child Abuse Per KRS 620.030, any school personnel who knows or has reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make a report to a local law enforcement agency, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney.

Reporting Telephone Numbers:

Cabinet for Health and Family Services **1-877-597-2331**

Kenton County Police 859.392.1940

Kentucky State Police 800.222.5555

Kenton County Attorney Office 859.491.0600

Kenton County Commonwealth Attorney Office 859.292.6580

Domestic Dating Violence and Reporting

As defined in [KCSD Board Policy 03.23253](#), if the victim requests it, school personnel will report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. The report will be discussed with the victim prior to contacting a law enforcement officer. The reporting requirements covering domestic violence and abuse or dating violence and abuse outlined above do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to [KRS 620.030](#). This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust. If a professional as defined in [KRS 209A.020](#) has reasonable cause to believe that a victim with whom she/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, they will provide the victim with educational materials related to domestic violence and abuse or dating violence and abuse. Those materials will include information about how s/he may access regional domestic violence programs under [KRS 209A.130](#) or rape crisis centers under [KRS 211.600](#), and information about how to access protective orders. [Local Domestic Violence and Rape Crisis Resources](#)

Levels of Discipline and Response Examples

The information below outlines the range of options available to school personnel. The levels are provided to address both initial and repeat violations. KCS D school staff have discretion to consider the totality of the circumstances as they make discipline decisions and take into consideration mitigating circumstances such as age, developmental levels, disability, and other pertinent factors which may be relevant in addition to aggravating factors around the incident. **An intervention-based resolution should be considered before responses which remove a student from an instructional setting. If a student is removed from an instructional setting, the removal should be combined with an intervention to prevent repeated behaviors. Restorative Questions and Affective Statements will be used by administrators with every level of Discipline. Students who are suspended from school will have the opportunity to make up all assignments missed during an out of school suspension.**

Level 1 Code of Conduct offenses are minor disruptions to the classroom environment. Typically, these are not referred to an administrator until the classroom level interventions are not correcting the behavior. With Level 1 behaviors, the goal is to correct the behavior while limiting time missed from class. Some examples of an administrator response, in addition to an intervention-based approach resolutions, include but are not limited to: verbal reprimand, student conference, parent/student contact and/or conference, reteaching expectations, community service, withdrawal of privileges, confiscation of tobacco/vapor nicotine products, and alternate supervision. Repeated misbehavior requires a parent/teacher conference, a conference with the counselor, and/or a conference with an administrator. Staff should use responses in a graduated fashion.

Level 2 Code of Conduct offenses are acts of misbehavior whose frequency or seriousness disrupt the learning environment of the school. These violations always result in the involvement of school administration. With Level 2 behaviors, the goal is to correct the behavior by stressing the seriousness of the offense while keeping the student in school. Some examples of administrator response, in addition to an intervention-based approach resolution, may include but are not limited to: parent conference, reteaching expectations, loss of school privileges, community service, restitution, social probation, after school detention, Friday/Saturday detention, in-school suspension program (class period and/or full day), and short-term loss of bus privileges. Staff should use responses in a graduated fashion.

Level 3 Code of Conduct offenses are acts against a person(s) or property which directly or indirectly endanger the health or safety of others in the school. These offenses always result in the short-term removal of the student from the school environment because of the severe nature of the offense. Response options may include combinations of interventions, resolutions, and discipline. Some examples of response options may include but are not limited to: in school suspension, out of school suspension, and/or denial of bus privileges combined with intervention. Staff should use responses in a graduated fashion. **Out of school suspensions should include a conference with parent and student the morning the student returns to school at the end of the suspension. In addition to a parent/guardian conference, a student reentry plan should be completed for suspensions 5 days or longer in length. Student Re-Entry Plan**

Level 4 Code of Conduct offenses are acts against a person(s) or property which may directly or indirectly endanger the health or safety of others. These offenses always result in administrative action, notification of appropriate law enforcement authorities, and immediate removal of the student from school, including up to a 10 day out of school suspension, or a possible school VLP placement. The school may make a recommendation to the district hearing officer for an administrative hearing to determine next steps. In the case of Level IV violations, response options at the school level are limited due to the seriousness of the violation and the direct or indirect endangerment to the health and safety of others. Level IV behaviors may be recommended for an expulsion hearing before the Board of Education following a district level administrative hearing. Serious vs. minor injury can be a distinction between level 3 and level 4 violations.

Examples of Administrative Intervention-Based Resolutions to Discipline

Administrators have a variety of intervention-based responses and traditional disciplinary options when responding to problem behaviors. The purpose of discipline is to change behavior. **Intervention based approaches should be reflective or restorative or instructional.** Administrators are encouraged to use supportive measures combined with traditional discipline to correct behavior. ***Except in cases of immediate safety risks or illegal activity, every attempt should be made to keep the student in school through the use of an intervention-based approach and delivery of discipline in a graduated manner*** before removing the student from the instructional setting through an out of school suspension. ***Restorative Questions and Affective Statements will be used by administrators with every level of Discipline.***

Examples of Commonly Used Intervention Approaches

RESTORATIVE CONFERENCE	This resolution is a Conference (informal or formal) held between the student and a member of the administrative team that uses affective language and the IIRP Restorative Questions Card. Restorative questions are a tool used to process an incident or conflict. When a situation has occurred, the student(s) who has created the conflict takes some time and answers questions to repair and restore relationships and sense of community.
RESTORATIVE PRACTICES CONTRACT	This resolution is a contract using restorative language in order to identify the root of the issue and action steps for repair and is monitored by administration.
INSTRUCTIONAL SKILLS-BASED ASSIGNMENT	This resolution is an assignment to build skills and knowledge directly aligned to the infraction and provides practice to generalize the skill needed.
REFLECTIVE ASSIGNMENT	This resolution is an assignment to reflect upon the impact of student actions and consequences and to build SEL skills such as empathy and self awareness.
RESTORATIVE ASSIGNMENT	This resolution is an assignment to restore relationships and repair any harm from the infraction.
REFERRAL FOR SCHOOL BASED THERAPY SERVICES	This resolution is a recommendation for a student to receive or be evaluated for services from a school counselor, social worker, or other mental health worker. Examples include, but are not limited to, the following: <ul style="list-style-type: none"> Referral to a school-based therapist or agency which specializes in the treatment of children and adolescents behavioral and emotional needs. A school-based therapist provides mental health services to the student during the school day. The service is paid for by the family and services are available for both Medicaid and private insurance at all schools.
BEHAVIOR CONTRACT	This resolution is a documented contract between the student, parent, and administrator, outlining expectations for behavior and supports. Example Behavior Contract
ATTENDANCE CONTRACT	This resolution is a documented contract between the student, parent, and administrator to address tardy, skipping and/or attendance issues. Example Attendance Contract
SCHOOL COUNSELOR REFERRAL	School counselors are certified/licensed educators with a minimum of a master's degree in school counseling. They assist students by removing barriers to academic achievement, supporting social and emotional development, and supporting college and career readiness. This resolution means a specific service the school counselor may provide such as small group or individual counseling.
MTSS SCHOOL TEAM REFERRAL	This resolution involves referral to a school-based team composed of multi-disciplinary teachers, administrators, and counselors. The MTSS Team uses a positive approach, focused on problem solving, to explore the interventions and approaches which will best meet the needs of the child.
MENTORING	This resolution involves the use of faculty, staff, or other adults to work with a student to develop solutions for problem behaviors. <u>Check & Connect</u> is an example of a structured, school-based support which uses a mentor to support student success. Less structured interventions may be a teacher checking on a student weekly and monitoring progress or a community volunteer meeting regularly with a student.

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Levels of Discipline P-12

Code of Conduct Offense	Level 1	Level 2	Level 3	Level 4
Abuse of an Employee <i>The severity of the offense, prior history, and meeting the standard of the harassment law violation may be used to determine level 3 or 4.</i> <i>Possible level 4 example: pattern of documented incidents of the offense</i>			●	●
Academic Cheating;/Plagiarism	●	●		
Arson				●
Assault (1st, 2nd, 3rd, 4th Degree, or Sexual Assault) <i>Examples: assault resulting in serious injury, assault using a weapon, pattern of documented incidents of the offense</i>				●
Bullying (1st Time Offense)		●	●	
Bullying (2 or more documented Offenses) <i>The severity of the offense, prior history, and meeting the standard of the harassment law violation may be used to determine level 3 or 4.</i> <i>Possible level 4 example: documented pattern of sexual bullying</i>			●	●
Burglary/Larceny/Theft/Stealing/Stolen Property <i>The severity of the offense, prior history, and level of law violation may be used to determine level 3 or 4.</i> <i>Possible level 4 examples: burglary involving a weapon, burglary involving significant expense</i>		●	●	●
Bus Rule Violation <i>For P-5 students, this is only a Level 1 or 2 violation.</i>	●	●	●	
Destruction of Property	●	●		
Dishonesty	●	●		
Disorderly Conduct <i>The severity of the offense, prior history, and meeting the standard of the harassment law violation may be used to determine level 3 or 4.</i> <i>Possible level 4 example: pattern of documented incidents of the offense</i>			●	●
Disruptive Behavior	●	●	●	

Code of Conduct Offense	Level 1	Level 2	Level 3	Level 4
Chronic Disruptive Behavior <i>A student removed from the same classroom 3 times within a 30 day period.</i>		●	●	
Dress Code	●			
Drug/Alcohol Paraphernalia <i>For P-5 students, this may be a Level 1 offense depending on age of the student and circumstances.</i>		●	●	●
Drug/Alcohol Possession/Use/Under the Influence/Distribution <i>1st Offense: 3 days OSS and small group counseling at the school level (Depending on the situation school can request an outside assessment through a community partner.)</i> <i>2nd Offense: 6 days OSS and drug assessment through community partner</i> <i>3rd Offense: 10 days OSS and recommendation for an administrative hearing which may result in expulsion.</i> Based on the severity of the situation, the principal always has the discretion to label drug/alcohol possession/use/under the influence/distribution as a Level 4 offense. <u>Drug Distribution:</u> Level 4 <i>For P-5 students, this may be a Level 1 or 2 offense depending on age of the student and circumstances.</i>			●	●
Drugs: Over the Counter (OTC) Medicine and Non Controlled Prescription Medication	●	●	●	
Fighting (Willful Misconduct) / Severe Willful Misconduct <i>Willingly engaging in physical contact to inflict harm</i>		●	●	
Forgery	●	●		
Fraud		●	●	
Harassment <i>This is always a law violation. If the action does not meet the law definition, a different offense should be used. The severity of the offense and prior history may be used to determine level 3 or 4.</i> <i>Possible level 4 example: displaying of pornographic images or pattern of documented incidents of the offense.</i>			●	●
Hazing		●	●	
Inappropriate Materials	●	●		

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Code of Conduct Offense	Level 1	Level 2	Level 3	Level 4
Insubordination <i>Refusal to comply with school personnel</i>	●	●		
Late Arrival to School	●	●		
Libel/Slander to an Employee <i>Any statement or portrayal on the internet, social media, or any other communication which falsely disparages the professional competence or reputation of school staff. The severity of the offense and prior history may be used to determine level 3 or 4. Possible level 4 example: Pattern of documented incidents of the offense.</i>			●	●
Marketing/Buying and/or Selling Items			●	
Profanity/Vulgarity	●	●		
Public Display of Affection	●	●		
Robbery		●	●	
Sexual Misconduct <i>Non-consensual either by force or age-includes sexting The severity of the offense, prior history, and law violation may be used to determine level 3 or 4. Possible level 4 example: Non consensual touching of student genitalia. Sharing inappropriate pictures of a student with multiple students.</i>			●	●
Skipping Class/ Skipping School/Leaving School Grounds		●		
Terroristic Threatening <i>Example: Verification of Intent to cause serious physical injury or death to a student. Threat causing evacuation of a</i>				●
Threatening Another Student or Staff Member	●	●	●	

Code of Conduct Offense	Level 1	Level 2	Level 3	Level 4
<i>school building, school property, or school sanctioned activity</i>				
<i>Threatening actions through gestures or verbal threats.</i>				
Tobacco/Paraphernalia <i>This includes vapor products and jules.</i>	●	●		
Truancy		●		
Unexcused Tardy to class	●	●		
Vandalism (Criminal Mischief) <i>The severity of the offense, prior history, and law violation may be used to determine level 3 or 4.</i> Possible level 4 example: Retaliating against a teacher after a poor grade is received by slashing a teacher's tire			●	●
Verbal Abuse If this does not ride to the level of harassment choose a different code (disruptive behavior, insubordination).			●	●
Violation of District Acceptable Use Policy (AUP)	●	●	●	
Violation of Personal Student Telecommunication Device Policy 09.4261	●	●	●	
Weapon: Firearm Only				●
Weapon (Non Firearm) <i>The severity of the offense, prior history, and law violation may be used to determine level 3 or 4.</i> Possible level 4 example: Use of defensive repellents (e.g. pepper spray) to harm another student.			●	●
Weapon Look-Alike/Dangerous Instrument Possession Possible level 4 example: Using a look-alike gun to intimidate or harm			●	●

The linked document has additional guidance for P-2 for administrators to consider for discipline:
[Primary \(P-K\) Behavior Definition Guidance Document](#)

CODE OF CONDUCT OFFENSE DEFINITIONS	
ABUSE OF AN EMPLOYEE Elementary Level 3, 4 Secondary Level 3, 4	<p>Malicious conduct toward a staff member may be subject to legal charges for Abuse of Teacher and/or other statutes. (KRS 161.190) Abuse of teacher prohibited.) – Whenever a teacher, classified employee, or school administrator is functioning in his capacity as an employee of a board of education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher, classified employee, or school administrator when such person 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.</p> <p><i>*Example(s): A student uses language, actions, or behavior that impacts the teacher's ability to perform assigned work duties.</i></p>
ACADEMIC CHEATING/PLAGIARISM Elementary - Level 1, 2 Secondary - Level 1, 2	<p>Doing something unfair or dishonest in order to gain something for oneself or another. Stealing the work of another in order to use it as one's own work. Intentionally misrepresenting the truth. This includes the internet and other electronic sources.</p> <p><i>*Example(s): Turning in another student's paper as your own, paying someone to do your schoolwork for you, giving your work to others to use or copy, looking at another student's work in class, and then copying similar items.</i></p>
ARSON/OR ATTEMPTED ARSON Elementary Level 4 Secondary Level 4	<p>Intentionally starting, or attempting to start a fire within the school, on buses, or on the school grounds, for any purpose that results in destruction or disruption.</p>
ASSAULT Elementary Level 4 Secondary Level 4	<p>Intentionally causing harm to other(s). According to Kentucky Revised Statutes 508.010, 508.025, 508.030, and 508.040, assault is classified in four different ways: Assault in the first degree, second degree, third degree, and fourth degree. The level of the assault will depend upon the nature of the injury sustained and if a deadly weapon or dangerous instrument was used. It should be noted that these are not legal definitions. Due to the ramifications of coding errors for assault offenses, please consult Student Support Services who will work with local law enforcement or the school board attorney regarding how to code assault incidents.</p> <ul style="list-style-type: none"> • 4TH DEGREE – one intentionally or wantonly causes physical injury to another person, or with recklessness one causes physical injury to another person by means of a deadly weapon or a dangerous instrument. • 3RD DEGREE – one recklessly or intentionally attempts to cause physical injury to any school employee. • 2ND DEGREE – one causes physical injury to another person or intentionally causes physical injury to another person by means of a deadly weapon or dangerous instrument. • 1ST DEGREE – one who uses a deadly weapon, dangerous instrument or other means to cause serious physical injury to another. This is the most serious and is reserved for situations when the intent of the offender is to cause death or serious injury. The victim has to incur potential life-threatening injury, serious disfigurement, or prolonged loss of the use of a body part from the incident. • Sexual Assault – unwanted touching in a sexual manner <p><i>*Example(s): Fighting or attacking another person with a weapon to cause serious physical harm that could cause serious physical injury or risk of death. Attacking another person with or without a weapon to cause physical injury.</i></p>

	CODE OF CONDUCT OFFENSE DEFINITIONS
BULLYING Elementary - Level 2, 3 Secondary - Level 2, 3	<p>According to KRS 158.148, 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. The behavior occurs on school premises, on school sponsored transportation, or at a school sponsored event. 2. The behavior disrupts the educational process. <p><i>Please refer to the section on Bullying/Hazing on page 12 for additional information.</i></p>
BULLYING (2 OR MORE DOCUMENTED OFFENSES) Elementary - Level 3, 4 Secondary - Level 3, 4	<p>Two or more documented offenses based on the above definition and the additional information in the bullying section.</p>
BURGLARY/LARCENY/ THEFT/STEALING/ STOLEN PROPERTY (also includes receiving stolen property) Elementary - Level 2, 3, 4 Secondary - Level 2, 3, 4	<p>A person is guilty of burglary when, with the intent to commit a crime, he knowingly enters or remains unlawfully in a building. A building, in addition to its ordinary meaning, means any structure, school, school grounds, bus, or other vehicle where any person lives or where people assemble for purposes of business, government, education, religion, entertainment or public transportation. Thus, breaking into a bus and stealing something from the bus would be counted as burglary. The intentional taking of the property of another person(s) in addition to buying, receiving or having possession of stolen property.</p> <ul style="list-style-type: none"> ● STEALING- take something unlawfully: to take something that belongs to somebody else, illegally or without the owner's permission ● PETTY THEFT - Petty theft is classified as theft of an item or items with a total monetary value under the amount of \$500. Anything more than \$500 is considered grand theft, in which case the charges will be significantly more serious. <p><i>The severity of the offense, prior history, and level of law violation may be used to determine level 3 or 4. Possible level 4 examples: burglary involving a weapon, burglary involving significant expense.</i></p>
BUS RULE VIOLATION Elementary - Level 1, 2 Secondary - Level 1, 2, 3	<p>Conduct on the bus or the bus stop which makes for an unsafe condition for students, drivers and other motorists or others. Multiple documented offenses may result in recommendation for removal from the bus or an administrative hearing. <i>When a student with disabilities is removed from the bus, it is considered a full day out of school suspension for the student.</i></p>
Chronic Disruption Elementary - Level 2, 3 Secondary - Level 2, 3	<p><i>A student is considered to be Chronically Disruptive when they are removed from the same classroom three times within a 30 day period. (KRS 150.158) (Policy 09.426)</i></p>
DESTRUCTION OF PROPERTY Elementary - Level 2, 3 Secondary - Level 2, 3	<p>Causing damage to property belonging to another individual, student, staff or any property belonging to the school.</p>

	CODE OF CONDUCT OFFENSE DEFINITIONS
DISHONESTY Elementary - Level 1, 2 Secondary - Level 1, 2	Intentionally misrepresenting the truth.
DISORDERLY CONDUCT Elementary - Level 3, 4 Secondary - Level 3, 4	In Kentucky, a person is guilty of disorderly conduct, when in a public place and his/her intentional action causes public inconvenience, annoyance or alarm, or creates an imminent risk. <i>It should be noted that these are not legal definitions. Due to the ramifications of coding errors for disorderly conduct, please consult Student Support Services who will work with local law enforcement or the school board attorney regarding how to code disorderly conduct incidents.</i> KRS 525.055 KRS 525.060 *Example(s): - Refusing to obey a staff member during an emergency situation such as a fire or fire drill. Fighting and refusing to stop. Conduct creating an imminent risk of fighting or other violence. Opening of exterior doors other than single monitored entrance. Tampering with security cameras. Intentionally reporting false tips to administrators/teachers.
DISRUPTIVE BEHAVIOR Elementary - Level 1, 2, 3 Secondary - Level 1, 2, 3	Disrupting the educational environment at school or on buses including, but not limited to, throwing objects, horseplay, etc... *Example(s): Screaming out in class or common student spaces (hallways, bathrooms, commons, lunchroom, gym), causing a scene with dramatic behaviors or noise. Slapping each other as play, pulling desks out from under students and inappropriate comments are all examples. *Inappropriate use of technology (cell phones, etc...) which is disruptive, should be coded under Violation of District Acceptable Use Policy or Violation of Personal Electronic/Telecommunication Device Policy .
DRESS CODE Elementary - Level 1 Secondary - Level 1	Workplace environments have expectations for dress. School SBDM Councils may enhance expectations for student dress. The dress code ensures appropriate clothing that is not offensive, provocative or disruptive and that reinforces safe behaviors and a safe and orderly learning environment. For safety reasons, shoes must be worn at all times. We strongly encourage that shoes be secure through fit or strapping.
DRUGS/ALCOHOL/ PARAPHERNALIA Drug/Alcohol Possession/Use/Under the Influence Elementary - Level 2, 3, 4 Secondary - Level 3, 4 Drug/Alcohol Distribution Elementary - Level 4 Secondary - Level 4 Possession/Distribution of Drug Paraphernalia Elementary - Level 2, 3, 4 Secondary - Level 2, 3, 4	This includes alcoholic beverages, narcotics, drugs, counterfeit drugs, synthetic drugs, look-alike drugs, prescription medicine, edibles, THC liquids, or other intoxicating substances as defined in KRS Chapter 218A . Drugs may also refer to any intoxicating substance, including synthetic drugs or other substances however taken or used, including inhaling, ingesting, and/or injecting and to any prohibited volatile substance as defined in KRS 217.900 used or intended for an abusive or intoxicating purpose. Drugs defined as prescription must be taken in accordance with school policy requiring a written pre-approved medical form completed by a physician. Possession of alcohol/drugs or being under the influence of alcohol/drugs is prohibited on school property or at a school-sponsored function. Possession includes items found on school property or at a school sponsored function. (To include, but not limited to the locker assigned to the student, vehicles driven by the student, any other place deposited by the student including purse, backpack, garbage container, etc.). Some examples of drug paraphernalia may be pipes, roach clips, hemostats, rolling papers, e-cigarettes, vapes, jules, etc. This list is not exhaustive. Drug/Alcohol Distribution

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	CODE OF CONDUCT OFFENSE DEFINITIONS
	<p><i>This is the sale of, transfer of, or the intent to sell or transfer alcoholic beverages, narcotics, drugs, counterfeit drugs, look alike drugs, or other intoxicating substances</i></p> <p><u>Alcohol and THC (Possession/Use/Under the Influence):</u> <i>1st Offense: 3 days OSS and small group counseling at the school level (Depending on the situation school can request an outside assessment through a community partner.) 2nd Offense: 6 days OSS and drug assessment through community partner 3rd Offense: 10 days OSS and recommendation for an administrative hearing which may result in expulsion.</i></p> <p><u>For all other drugs (Possession/Use/Under the Influence):</u> <i>1st Offense: 10 day suspension but waived to 5 days if family decides to accept referral for a substance abuse assessment from an accepted provider and accepts the recommendation of the assessment. The assessment must be from a provider approved by the school district. 2nd Offense: Immediate 10 day suspension and recommendation for administrative hearing which may result in expulsion.</i></p> <p><u>Drug Distribution: Level 4</u></p>
DRUGS: OVER THE COUNTER (OTC) MEDICINE AND NON CONTROLLED PRESCRIPTION MEDICATION Elementary - Level 1, 2, 3 Secondary - Level 1, 2, 3	<p>Distribution, sale, or possession of any over-the-counter ("OTC") product or non-controlled prescription medication in a manner inconsistent with established procedure.</p> <p>Examples include, but are not limited to, the following: Keeping any OTC remedy (e.g., aspirin, Tylenol®, antihistamines such as Benadryl®, or laxatives) or non-controlled prescription (e.g., an antibiotic or decongestant) in a backpack or locker. Use of an OTC substance without prior notification of, and authorization by, school officials. Providing, selling, offering, or obtaining any such item to/from another student (no evidence of misrepresentation as a drug).</p> <p><u>KCSD: Medication Guidelines</u></p>
FIGHTING (Willful Misconduct) Elementary Level 2, 3 Secondary - Level 2, 3	<p>Willingly engaging in physical contact for the purpose of inflicting harm on the other person. Any provocation (verbal/physical) may be considered a mitigation of the charge. A student who finds himself/herself the victim of an attack should make every effort to get out of the situation including blocking, running, and calling for help</p> <ul style="list-style-type: none"> ● SEVERE - Persistent engagement by either party with no regard to given directivities, may be considered severe willful misconduct. <p>*Fighting which does not rise to the level of a law violation.</p>
FORGERY Elementary - Level 1, 2 Secondary - Level 1, 2	<p>Occurs when a person, with intent to defraud, deceive or injure another, falsely makes, completes or alters a written instrument (e.g., checks, transcripts, official identification).</p> <p>*Example(s): Forged notes of any kind including absence notes, forged signature on permission slips or items being returned to school for any reason, false notes from doctors or others.</p>
FRAUD Elementary - Level 2, 3 Secondary - Level 2, 3	<p>A deception deliberately practiced in order to secure unfair or unlawful gain and/or a piece of trickery; a trick.</p>
HARASSMENT Elementary - Level 3, 4 Secondary - Level 3, 4	<p>This violation means performing any of the following with intent to intimidate, harass, annoy or alarm another person. (<u>KRS 525.070</u>)</p>

	CODE OF CONDUCT OFFENSE DEFINITIONS
	<p>(1) Strikes, shoves, kicks, or otherwise subjects his/her to physical contact; (2) Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact; (3) In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present;</p> <p>(4) Follows a person in or about a public place or places; (5) Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or</p> <p>(6) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:</p> <ol style="list-style-type: none"> 1. Damages or commits a theft of the property of another student; 2. Substantially disrupts the operation of the school; or 3. Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment. <p><i>Note: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.</i></p>
HAZING Elementary - Level 2, 3 Secondary - Level 2, 3	<p>Any humiliating or dangerous activity expected of a student to belong to a group, regardless of their willingness to participate.</p> <p><i>Please refer to the section on Bullying/Hazing on page 12 for additional information.</i></p>
IMPROPER DRIVING Secondary - Level 3	<p>Intentionally placing self or other person(s) in harm's way or endangering the safety, health and/or welfare of self or others on school property or at school sponsored events, including but not limited to recklessly operating a motor vehicle.</p> <p><i>*Example(s): Speeding or unsafe reckless driving in a school parking lot, acting as if you are going to run over another person.</i></p>
INAPPROPRIATE MATERIALS Elementary - Level 1, 2 Secondary - Level 1, 2	<p>Possession, handling, transmitting, or using inappropriate materials including, but not limited to, those that degrade, attack or endorse an ethnic background, religion and race, health, safety, sexually explicit, pornographic, and libelous items.</p>
INAPPROPRIATE SEXUAL CONDUCT Secondary - Level 2, 3	<p>Consensual sexual activity on school grounds or during a school sponsored event</p>
INSUBORDINATION Elementary - Level 1, 2 Secondary - Level 1, 2	<p>Refusal to comply with a reasonable request of school personnel. Defiance of authority</p> <p><i>*Example(s): Anything that could be rational and law abiding students are asked to do and they refuse. If a teacher says to stop- Stop. Includes failure to complete assignments and failure to comply with discipline.</i></p>
LIBEL/SLANDER TOWARD ANY EMPLOYEE Elementary - Level 3, 4 Secondary - Level 3, 4	<p>Any statement or portrayal (written/verbal/posted, etc.) on the Internet or any other communication that falsely disparages anyone's professional competence and/or reputation. NOTE: In addition to school level consequences, our employee(s) and/or the District have the right to file criminal charges and/or civil litigation.</p>

	CODE OF CONDUCT OFFENSE DEFINITIONS
MARKETING OR BUYING AND/OR SELLING OF ITEMS Elementary - Level 3 Secondary - Level 3	Marketing, buying and/or selling of items not previously approved by the building principal.
PROFANITY/VULGARITY Elementary - Level 1, 2 Secondary - Level 1, 2	Spoken or written words that are recognized as swear or curse words. Some words while profane or vulgar may be deemed for grounds of other classification according to the code of conduct. The school principal makes the final decision on what constitutes word(s) as profanity/vulgar or other violation.
PUBLIC DISPLAY OF AFFECTION (PDA) Elementary - Level 1, 2 Secondary - Level 1, 2	Inappropriate embracing, touching, kissing and/or activities that others see or witness to include viewing through security cameras.
ROBBERY Elementary - Level 3, 4 Secondary - Level 3, 4	The taking or attempting to take anything of value from the care, custody, or control of another person or persons by force or threat of force and/or putting the victim in fear
SEXUAL MISCONDUCT Elementary - Level 3, 4 Secondary - Level 3, 4	Subjecting another person(s) to sexual contact by forcible compulsion; or participant(s) subjecting another person to sexual contact who is incapable of consent because he/she: is physically helpless; less than sixteen (16) years old; or is mentally incapacitated including willing participant(s). This includes any type of Sexual Activity, Misconduct or Exposure at school, on the school bus or at any school sponsored event for any age student including (sexting) the act of sending sexually explicit messages or photos, videos, audio or visual files electronically, primarily between cell phones or other electronic media. This needs to be reported to the Cabinet for Health and Family Services in addition to law enforcement.
TERRORISTIC THREATENING Elementary - Level 4 Secondary - Level 4	<u>Terroristic Threatening in the second degree is defined in state law (KRS 508.078)</u> (1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally: b) Makes false statements by any means, including by electronic communication, for the purpose of: 1. Causing evacuation of a school building, school property, or school-sanctioned activity; 2. Causing cancellation of school classes or school-sanctioned activity; or 3. Creating fear of serious bodily harm among students, parents, or school personnel[BD(1) Terroristic Threats will NOT be tolerated. *Example(s): Pulling fire alarms, threatening to kill another person, bomb threats, posting threats or weapons on social media. Students charged with terroristic threatening by law enforcement could face penalties and fines outlined in KRS 532.060 and 534.030 In addition, 2023 HB 538's amendments to KRS 158.150, requires each Board of Education to adopt a policy requiring the expulsion from school for a period of at least 12 months for a student who is determined, by the board, through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the district (Policy 09.435).
THREATENING ANOTHER STUDENT OR STAFF MEMBER	Any statement, communication, conduct or gesture, including those in written form, directed toward another student or a member of the staff that causes reasonable

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	CODE OF CONDUCT OFFENSE DEFINITIONS
Elementary - Level 1, 2, 3 Secondary - Level 1, 2, 3	apprehension of physical harm to person or property but does not rise to the level of harassment or to the level of terroristic threatening.
TOBACCO/SMOKING PARAPHERNALIA Elementary - Level 1, 2 Secondary - Level 1, 2	Use, possession, sale or transfer of tobacco products or possession of smoking paraphernalia (lighters, matches, tobacco packs, electronic cigarettes, jules, or other alternative nicotine product or vapor product etc.) Violation of this section (KRS 438.311) may also result in a fine and/or community service work assigned by the court.
VANDALISM (Criminal Mischief) Elementary - Level 3, 4 Secondary - Level 3, 4	The intentional destruction, injury, disfigurement, or defacement of any public or private property without consent of the owner or person having custody or control (i.e. by cutting, tearing, breaking, marking, painting, drawing, or covering with filth). Loss of \$500.00 or more requires a police report.
VERBAL ABUSE Elementary - Level 3, 4 Secondary - Level 3, 4	Using abusive and demeaning language: words that attack or injure an individual, words that cause one to believe an untrue statement, or words that speak falsely of an individual. This can include talking back, name calling, and/or creating socially rude interactions. If this does not rise to the level of harassment please choose a different code (disruptive behavior, insubordination).
VIOLATION OF DISTRICT ACCEPTABLE USE POLICY (AUP) Elementary - Level 1, 2, 3 Secondary - Level 1, 2, 3	Modifying the network or computer hardware and/or software to accomplish a goal outside of the district's original intent. Students have a right to an expectation of privacy while on school grounds. Due to this, unauthorized taping, duplication, audio, video, or other means or methods are strictly prohibited. This may include posting unauthorized materials online. *School-issued technology shall not be taken away from students as a consequence. Devices are to be considered in the same capacity as a textbook and should be treated as so. The technology department should be contacted for extenuating circumstances regarding student behavior and use of technology.
VIOLATION OF PERSONAL ELECTRONIC / TELECOMMUNICATION DEVICE POLICY Elementary - Level 1, 2, 3 Secondary - Level 1, 2, 3	<p>Personal Telecommunications Device means a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including, but not limited to a media device, a smartphone, a tablet, a camera, a recorder, social media, cellular phone.</p> <p>Students and staff have a right to an expectation of privacy while on school grounds and on the bus. In response, unauthorized taping, duplication, picture taking, audio, video, or other means or methods are strictly prohibited. Personal electronic devices may be used by students during the school day with teacher permission for instructional purposes or as defined in SBDM policy. Sharing data between students via cable, peer to peer networking, or infrared during a classroom activity is only permitted with teacher approval. Devices will not be used to disrupt the educational process which includes, but is not limited to, posing a threat to academic integrity, violating confidentiality or privacy rights of an individual. Exceptions may be made by the principal on a case by case basis. <u>By choosing to allow your student to bring any type of COMMUNICATION DEVICES/CELL PHONES/OTHER DEVICES to school, parents/legal guardians agree and support the following:</u></p> <ul style="list-style-type: none"> • When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. • <u>The contents of cell phones may be searched by school administration with reasonable cause.</u> In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian. CONFISCATION MAY INCLUDE THE CELL PHONE, DEVICE, SIM CARD AND/OR MEMORY CARD.

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	CODE OF CONDUCT OFFENSE DEFINITIONS
	<ul style="list-style-type: none"> • KRS 158.165 The school district accepts no responsibility for use, breakage, theft or loss of these personal items and to AUP (Acceptable Use Policy) violations. • Disruption of the learning environment through a personal device can be addressed through disruptive behavior. <p>*Example(s): Students taking pictures of other students on their phones, modifying it and sending it to others. Students taking pictures/texting about other students and spreading rumors about the student in the messages. Students taking pictures of themselves or others, sending it around for personal gain. Students recording on school premises. Additionally, students using applications and/or social websites to intimidate, humiliate, or annoy another person may fall into this category.</p> <p><i>*School-issued technology shall not be taken away from students as a consequence. Devices are to be considered in the same capacity as a textbook and should be treated as so. The technology department should be contacted for extenuating circumstances regarding student behavior and use of technology.</i></p>
WEAPON (FIREARM ONLY) Elementary - Level 4 Secondary - Level 4	Use, Possession, Sale, Transfer or Distribution – A firearm is any weapon that will expel a projectile by the action of an explosive. This offense encompasses manufacture, sale, or possession of firearms on school property or at a school function. (KRS 527.070).
WEAPON (NON FIREARM) Elementary Level 3, 4 Secondary Level 3,4	Use, Possession, Sale, Transfer or Distribution – of any object determined by the principal with the intent to be dangerous, perceived to be dangerous, and/or capable of being readily used by one person to inflict severe bodily injury upon another person; examples include but are not limited to: air guns, knives, artificial knuckles, club, baton, nunchaku karate sticks. (KRS 527.070)
WEAPON LOOK-ALIKE/ DANGEROUS INSTRUMENT POSSESSION Elementary - Level 3, 4 Secondary - Level 3, 4	Possible level 4 example: Using a look-alike gun to intimidate or harm.

**Examples may include but are not limited to the list included.*

Administrative Hearing Process for Level 4 Violations (Moved from p. 27)

Level 4 Code of Conduct violations are the most serious offenses. These offenses are acts against a person or persons which may directly or indirectly endanger the health and safety of others. These offenses always result in removal from school and may result in a recommendation to the district hearing officer for an administrative hearing to determine next steps. These violations will also result in notification of law enforcement. The purpose of the administration hearing is to provide an additional level of due process for the student and to determine if the student should be provided with an alternate educational opportunity or be recommended for an expulsion hearing with the Board of Education. Students can bring legal representation to the administrative hearing. If the offense involves a student with disabilities, the procedures mandated by federal and state law and set forth in local policies and procedures for students with disabilities will be followed.

Resources: [Expulsion Board Policy 09.435](#), [Expulsion Hearing Form 09.435 AP.2](#)

ATTENDANCE

(Moved from p. 14)

KCSD Attendance Policy

The purpose of the KCSD Attendance Policy is to emphasize the importance of attendance to a student's education and the responsibility of the student and parent. Every effort has been made to provide consistency, fairness, and due process in its development. The Kenton County Attendance Policy not only allows for a limited number of excused attendance events, providing students and parents some flexibility, but also provides consequences for unexcused attendance events. Excessive, unexcused attendance events, including absences, tardies, late arrivals and/or early dismissals, may contribute to the loss of credits for the semester or retention for the school year. While all attendance events negatively affect student learning and performance, chronically absent students have attendance events exceeding 10% of the school year. They do not meet school attendance policies, which may impact credits, promotion, retention, and graduation. Disciplinary action for truancy may include a referral to Juvenile Court for Habitual Truancy or Educational Neglect.

Attendance Procedures

As a school district, we are committed to your **student's** success. -We know missing school is usually the first warning sign a student could be struggling. **We will be contacting you when your student misses school. We will also be bringing it to your attention if your student has been chronically absent in the past or begins to miss days of school.**

We want to be a partner in your **student's** success. **Attendance Procedures**

- Every student who is absent in the Kenton County School District will receive notification from the school their child attends. This notification may be a personal phone call or from an electronic messenger.
- In addition to the punitive consequences for truancy, school level interventions occur to support students and families and help reduce barriers to school attendance before the accumulation of 3 or more unexcused absences. This may include an attendance contract, a needs assessment, or referral for services.
- Chronically absent students and their parents/guardians will also receive notifications from the school and support to improve daily attendance.
- After 3 unexcused absences, a letter will be sent informing the parent/guardian of the absences and the consequences of accumulation of additional absences.
- After 4 unexcused absences, information is sent to the County Attorney's office. The County Attorney sends a letter to the parent/guardian explaining consequences of additional unexcused absences.
- After 6 unexcused absences, the parent/guardian is sent a Final Notice.
- If accumulation of further absences continue, one or more of the following actions may be taken by the district:
 - Educational Neglect may be filed with the Cabinet for Families and Children
 - Petition may be filed through Family Court for educational neglect
 - Truancy petition may be filed with the Court Designated Worker

Excused Attendance Events

Students who are absent from school are required to have a **legitimate excuse (Policy 09.123)**. *A maximum of ten (10) excused days each year may be excused with a signed note from a parent/guardian or doctor. After the 10th excused absence per parent/physician, a Medical Excuse Form* must be completed by the physician's office for each absence thereafter.* Within three (3) days of a student's return to school, he/she must present a written and dated note signed by the parent/guardian or physician explaining the absence. **Absences will remain unexcused until a legitimate note is received.**

It is also important to remember it is better to miss a partial day of school than a full day. If your child is well, please do not use a full day absence for an unavoidable scheduled appointment, oversleeping, or feeling better after waking up sick with no fever or contagious symptoms.

Home/Hospital Instruction Program (HHI)

Parents/guardians who are anticipating a student's **temporary** extended absence due to illness or other health related issues(**more than 5 consecutive instructional days**) should contact the school for information on [home/hospital instruction](#).

Educational Enhancement Opportunity (EHO)

In accordance with [KRS 159.035 \(2\)](#), up to 10 school days may be used to pursue an educational enhancement opportunity determined by the school principal to be of significant value. These opportunities may include, but are not limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in a core curriculum subject. To request an EHO, please request a copy from the school or access it at the link below. Once completed, please return it to the school principal for approval. A student receiving an excused absence **with an approved EHO** shall have opportunity to make up school work missed and shall not have his or her class grades adversely affected for lack of class attendance or class participation due to the excused absence. Students are responsible for making up work missed during this opportunity.

[Educational Enhancement Opportunity Form](#)

Unexcused Attendance Events

Unexcused attendance events include attendance events not meeting excused guidelines ([Policy 09.123](#)). Students with unexcused attendance events may not be permitted to attend school functions on unexcused absence days.

Truancy: Truancy is punitive which means the student faces discipline for missing school. Truancy only focuses on the number of unexcused absences. Students who are habitually truant not only face the same lack of academic and social progress as a chronically absent student but also face court charges. Truant students have used the 10 days of district allowed parent notes and medical excuses.

[KRS 159.010 for Compulsory Attendance](#)

[KRS 159.150 Definition of Truancy](#)

[KRS 159.150 Habitual Truancy](#)

No Pass / No Drive

No Pass/No Drive Law ([KRS 159.051](#)) pairs the responsibility of maintaining good grades and attendance in the classroom with the privilege of driving. The No Pass/No Drive law states that a student will be denied his or her driver's learning permit/license or have his or her license revoked for 1) academic deficiency 2) dropping out of school as a result of unexcused absences or 3) traditional drop out. A student shall be considered academically deficient when he or she has not received passing grades in at least four courses, or the equivalent of four courses (66%). If a sixteen or seventeen- year-old student (with a driver's permit or license) accumulates 9 or more unexcused absence events, does not meet the academic requirements, attendance requirements, or if they drop out of school, the school will report the student as noncompliant. **Any absences due to suspension shall be deemed as unexcused absence events.** At minimum, the student needs to be in compliance for an entire semester/trimester prior to reinstatement.

GENERAL DEFINITIONS

BUS SUSPENSION	Not permitting a student to ride the school bus to or from school for full or partial day (s) following appropriate due process procedures. While suspended, it will be the legal parent/guardian's responsibility to transport their child to/from school. Transportation is a privilege, not a right.
COMMUNITY SERVICE	Duties performed for the benefit of the school or community. Examples include but are not limited to cleaning, outside work, or assisting students or staff.
DETENTION	Detaining a student after school, before school, or during the student's free time (e.g. lunch) with advance notice to the parent and/or student as appropriate. Detention may be used as a teacher or administrator consequence based on school structures.
Virtual Learning Program	The Virtual Learning Program provides a voluntary, personalized learning pathway for students utilizing the Performance Based Instructional concept. In addition to an open enrollment process for all Kenton County students, this option may be offered to parents as part of the district administrative hearing process for Level 4 discipline offenses.
DISTRICT ADMINISTRATIVE HEARING	For Level 4 offenses, that may warrant more than a 10 day suspension, a District Administrative Hearing will be held. Outcomes of this hearing could include any/all disciplinary action outlined in the <i>Code of Acceptable Behavior and Conduct</i> and/or agreed upon by school and student/guardian. An Administrative Hearing may also result in the hearing officer recommending an expulsion hearing with the Board of Education.
EDUCATIONAL NEGLECT	Neglect is failure or lack of prudent care for a child's well-being through lack of adequate supervision, food, clothing, shelter, education, or medical care. An example of educational neglect is poor attendance.
EXPULSION	Removal of student's right to attend school for a period of time over 10 days. Following guidelines of the <i>Code of Expected Behavior and Conduct</i> , the principal may recommend expulsion in writing to the Superintendent. Only, the Board of Education has the authority to expel a student. Also, see school reassignment below.
FAMILY INTERVENTION PLAN	A plan developed during a meeting with a family, student, district representative, school representative, and occasionally the Cabinet for Health and Family Services. This plan is usually developed due to excessive unexcused absences with the goal of intervening and engaging community resources before reporting educational neglect or filing a court petition.
FRIDAY/SATURDAY DETENTION	Extended length detention after school on Friday or on a Saturday (may be used as an alternative to suspension at the principal's discretion).
IN-SCHOOL SUSPENSION	Students are removed from their regular classes to an isolated environment. Students will be in a restricted classroom with very restricted guidelines. Students will not be able to socialize with the student body and will eat lunch in a restricted classroom. Restroom breaks will be limited and closely supervised. Students in ISS will be allowed and expected to complete school work to be included as part of the final grade.
LAW VIOLATIONS	In areas where students violate state or federal laws, <i>charges and consequences in addition to those of the school code may follow through the court system</i> (e.g. theft, vandalism, weapons, tobacco violations, etc.).
POSSESSION	The word possession includes items found in a student's assigned locker, vehicles, and other places where the student deposited items (Purse, backpack, garbage container, etc., but are not limited to).

MULTI-TIERED SYSTEM OF SUPPORTS (MTSS)	The MTSS framework is designed to support academic and social/behavioral success for all students. The KCSD MTSS framework is built on a foundation of high quality instruction, Positive Interventions and Supports (PBIS), Social and Emotional Learning (SEL), and an Adult Advocate for every child.
REPORT TO AUTHORITIES	Any Kenton County employee who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense as specified in KRS Chapter 508 (assault, wanton endangerment, stalking, menacing, terroristic threatening) committed by another student while on school premises, on school sponsored transportation, or at a school sponsored event must immediately make a report to the principal of the school the student attends. The principal will contact the student's legal parent/guardian and make a report to the local school board and local law enforcement agency. A report may coincide with any of the steps above. KRS 158.14
SCHOOL REASSIGNMENT	The superintendent or his/her designee has the right to reassign a student to a different placement within his/her school or to another school within the district following a recommendation for expulsion from the school. This placement may be for up to one calendar year.
SUSPENSION	Not permitting a student to attend school for full or partial day(s) following appropriate due process procedures. While suspended, students do not receive credit for daily assignments, but are allowed to make up major tests, quizzes and projects. While suspended, students are not permitted to attend school-sponsored events.
STUDENT SEARCHES	Although students have the right to freedom from unreasonable search and seizure, school officials have the right, under the law, to search students or their property whenever there is a reasonable suspicion that they have something that violates school rules or endangers others. Students may be searched to maintain the ongoing educational process, maintain order, and/or protect people and property. Searches may include the student and his or her locker, desk, automobile, or personal belongings. Police Canine Teams may conduct random and unannounced searches of general school areas, including school lockers and parking lots if the superintendent has requested. Hand-held metal detectors may be used on students when there is reasonable suspicion that the student is in possession of a weapon.
STUDENT CONFERENCE	Conference (informal or formal) held between the student and a member of the school administrative team.
RESTORATIVE CONFERENCE	Conference (informal or formal) held between the student and a member of the administrative team that uses the IIRP Restorative Questions Card.

DISCLOSURES

Non-Discrimination (Moved from p. 3)

The Kenton County School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs or activities and provides equal access to the Boy Scouts, Girl Scouts of the United States of America, and other designated youth groups.

The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Assistant Superintendent for Human Resources

1055 Eaton Drive

Ft. Wright, KY 41017

(859)344-8888

Family Educational Rights and Privacy Act (FERPA)

In accordance with the [Family Education Rights and Privacy Act](#), parents may review all education records relating to their child. This right is extended to students at age eighteen. **Students have a right to an expectation of privacy while on school grounds. Due to this, unauthorized taping, duplication, audio, video, or other means or methods are strictly prohibited.** Parents also have the right to file complaints if the district does not comply with this act. Parents of graduated students, enrolled in a program for exceptional children, or of students who have otherwise left school, may request the destruction of any personally identifiable information, which was used for the identification, evaluation, or placement of the exceptional child. Such requests must be in writing to the Special Education Director.

In accordance with federal regulations concerning the transfer of educational records, this district will forward records on request to a school in which students seek to enroll. Upon written request, parents can obtain copies of these records and discuss these records if necessary. Parents may request information from the school regarding the professional qualifications of their child's classroom teacher.

Note: All student records are confidential and are only released with proper authorization