



*Moving  
Forward  
Together*

**NEWPORT  
INDEPENDENT**

**CODE OF CONDUCT  
GUIDANCE**

2023-2024

# Newport Independent Board of Education

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## VISION

We envision a day when every student in Newport Independent Schools engages and thrives in educational excellence.

- *Educational excellence imparts a perpetual thirst for learning.*
- *Excellence is defined as the condition of being superior and outstanding*

## MISSION

The Newport Independent School District will partner with families and the community to nurture, educate, and instill core values in all students to ensure they reach their fullest potential.

## Non-Discrimination Notice

The Newport Independent School District does not discriminate on the basis of race, color, national origin, age, religion, marital status, gender, disability or genetic information in the employment, educational programs, or activities as set forth in compliance with federal and state statutes and regulations. The lack of English skills is not a barrier to admission and participation in programs and activities including career and technical education. Any persons having inquiries concerning compliance or if you believe you have been discriminated against in any of these areas, contact:

Mr. Tony Watts, Superintendent  
Newport Independent Schools  
30 W 8th Street  
Newport, KY 41071  
(859) 292-3001

Office of Civil Rights  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

## **PURPOSE**

The purpose of this handbook is to provide a concise outline of rights and responsibilities of students in the Newport Independent Schools and of those people, including parents/guardians and school personnel directly involved in the educational process. All Board of Education policies and procedures, this Code of Conduct, and each school's Student Handbook should be used in providing the students of Newport Independent Schools with access to a high-quality education and a safe and inviting environment that nurtures and challenges each student to reach their full potential.

## **POLICY STATEMENT**

The Newport Board of Education's primary concern is all students who wish to learn can do so in an environment conducive to learning and that disciplinary means be employed on behalf of those who would destroy or deny such an environment. In an attempt to promote this environment, a Code of Conduct has been developed.

This Code of Conduct provides for the consistent treatment of all pupils, fairness as required by constitutional due process and an atmosphere of open communication and clearly understood rules. The Code of Conduct encourages behavior that will enable the pupils to develop to their fullest potential. Students will be responsible for this code during the school day, at school sponsored or related activities, on school buses, and walking to and from school. It is expected that sound, fair, and equitable judgment should be considered by pupils, teachers, principals, parents/guardians, and others in applying the principles of the Code of Conduct. This policy applies to all students enrolled in the Newport Independent Schools. The Code of Conduct is the result of expressed concerns on the part of the community and provides for an annual review by the school community and the Newport Board of Education to ensure an effective document which meets the needs of the total educational community.

**Each principal will meet with all their students and staff during the first week of each school year to review the District Code of Conduct and School Handbook.**

### **Supervision of Pupils' Conduct (KRS 161.180):**

- (1) Each teacher and administrator in the public schools will, in accordance with policies and procedures of the Board of Education made and adopted for the conduct of pupils, hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school sponsored trips and activities
- (2) The various boards of education of the Commonwealth of Kentucky, and the principals of the public schools, may use teacher aides in supervisory capacities, such as playground supervision, hallway supervision, lunchroom and cafeteria supervision, and other like duties, including but not limited to, recreational activities and athletic events, relating to the supervision and control of the conduct of pupils; and while so engaged, such teacher aides will have the same authority and responsibility as is granted to and imposed by law upon teachers in the performance of the same or similar duties.

*Questions concerning the Code of Conduct should be directed to:*

**Jennifer Stewart**  
**Director of Pupil Personnel**  
**Newport Independent Schools**  
**30 W. 8th Street**  
**Newport, KY 41071**  
**(859) 292-3001**

**[Jennifer.Stewart@Newport.kyschools.us](mailto:Jennifer.Stewart@Newport.kyschools.us)**

Dear Parent or Guardian:

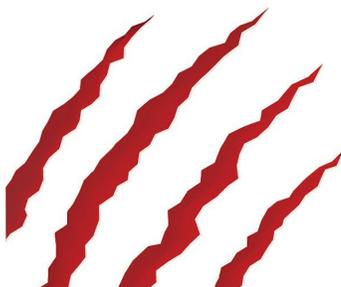
The Newport Independent School District is committed to “Educational Excellence” by providing every student with a high-quality education. To achieve this goal, we must have high expectations for our staff, students, and parents. We must work together to nurture, educate, and instill core values in all students to ensure they reach their potential.

The Code of Conduct helps us to create a positive learning environment. We ask that you read through the Code of Conduct with your student and encourage them to follow the rules, procedures, and expectations. We are committed to providing a safe environment for all students so they feel safe and can learn without distractions.

We look forward to a great 2023 – 2024 school year. We need your help to make this the best school year possible. If you ever need assistance, please call your student’s principal. Let’s work together to achieve Educational Excellence. Thanks in advance for your support and cooperation.

Sincerely,

Tony Watts  
Superintendent



*The Newport Independent School District will partner with families and the community to nurture, educate, and instill core values in all students to ensure they reach their fullest potential.*

**NEWPORTWILDCATS.ORG**

📞 859.292.3001    📠 859-292-3073    📍 30 West 8th Street, Newport, KY 41071

## POSITIVE BEHAVIOR INTERVENTIONS & SUPPORTS (PBIS)

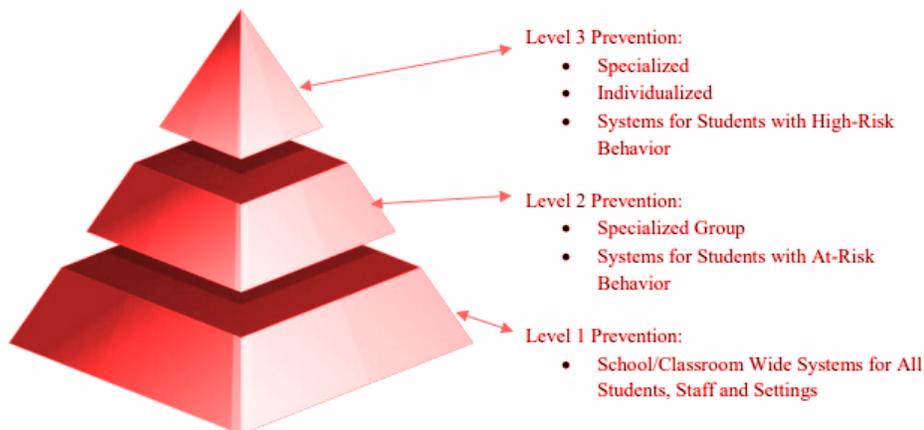
Newport Independent Public Schools facilitates the Positive Behavior Intervention and Supports (PBIS) framework which includes proactive strategies for defining, supporting, and teaching appropriate behaviors to create positive learning environments. Attention is focused on sustaining a three-level system of support to enhance student learning. Students often need encouragement and new skills to improve behaviors and assistance in learning to do so. School staff recognizes that maintaining and changing student behaviors involves a continuum of acknowledgements, supports, and interventions. (Center for Positive Behavior Intervention Supports, University of Oregon)

Newport Independent Public Schools has embraced PBIS, as the primary tool to address student misbehavior and to enhance school climate and culture across the district. PBIS is a research-based model that studies have shown to improve student academic and behavior outcomes. Our schools strive to ensure all students have access to effective behavioral practices and interventions. PBIS provides a framework for analyzing school-wide behavior referrals to make decisions and solve problems based on their individual school needs.

Parents and student(s) will notice PBIS in our schools when they see and hear each school's clearly defined expectations for all school settings and by the rewards student(s) can obtain by meeting these expectations and the range of interventions and supports student(s) will receive.

### Successful PBIS implementation will help us:

- Have more engaging, responsive, preventative, and productive learning environments.
- Improve classroom management and address disciplinary issues through interventions designed and implemented based on continuous data analysis.
- Improve supports for students whose behaviors require more specialized assistance.
- Maximize academic engagement and achievement for all students



PBIS schools organize their evidence-based behavior practices and systems into an integrated collection or continuum in which students experience support based on their behavior responsiveness to intervention. A three-level prevention logic requires that all students receive support at the universal or primary level. If the behavior of some students is not responsive, more intensive behavioral supports are provided, in the form of a group contingency (selected or secondary level) or a highly individualized plan (intensive or level).

Center for Positive behavior Interventions Supports, University of Oregon- For more information about PBIS, visit [www.pbis.org](http://www.pbis.org)

## TRAUMA-INFORMED CARE IN SCHOOLS

All public schools in the Commonwealth of Kentucky are required as part of KRS 158.4416

*to adopt a trauma informed approach to education in order to better recognize, understand, and address the learning needs of students impacted by trauma and to foster a learning environment where all students, including those who have been traumatized, can be safe, successful, and known well by at least one (1) adult in the school setting.*

Newport Independent School District utilizes the four key assumptions often referred to as the Four Rs from the Substance Abuse Mental Health Services Administration (SAMHSA) to establish the outline providing a trauma informed approach. They are as follows:

**Realize** the widespread impact of trauma and understand potential paths to recovery.

**Recognize** the signs and symptoms of trauma in students, families, staff, and others involved in the system.

**Respond** by fully integrating knowledge about trauma into policies, procedures, and practices.

**Resist Retraumatization** of all participants and stakeholders including those being served and the staff providing services.

Additionally, it is important to note that a trauma informed-approach requires a holistic approach to supporting students, teaching, and learning; however, it can also be applied to many different settings. The Center for Disease Control (CDC) Office of Readiness and Response (ORR), in collaboration with SAMHSA’s National Center for Trauma-Informed Care (NCTIC), have identified six key principles of being trauma-informed, which are also utilized by Newport Independent School District.

Key Principles	Concept
Safety	The physical setting is safe and interpersonal interactions promote a sense of safety defined by those served for both students and adults.
Trustworthiness & Transparency	Organizational operations and decisions are made with the goal of building and maintaining trust with students, caregivers, and staff.
Peer Support	Peer support and mutual self-help are key in establishing safety, building trust, enhancing collaboration, and utilizing their experiences to promote healing.
Collaboration	Everyone has a role to play in a trauma-informed approach.
Empowerment	Individual’s strengths and experiences are recognized and built upon. We foster a belief in the ability of individuals, organizations, and communities to heal and promote recovery from trauma.
Cultural, Historical, & Gender Issues	We recognize and eliminate any potential cultural, racial, gender or other biases in order to offer culturally responsive services and leverage the healing value of traditional cultural connections.

Adopting a trauma-informed care approach is not accomplished through one set method. A continuum of trauma-informed practices are utilized in order to assess, implement, and improve upon methods in order to assist students in overcoming barriers to reach their fullest potential. It is embedded in everyday practices and requires ongoing attention, caring awareness, and engagement with students, families, staff, and community stakeholders.

## **SOCIAL EMOTIONAL LEARNING & SUPPORTS**

Social and emotional learning offers opportunities to enhance support of students in a holistic manner. Social and emotional learning supports students in learning behavioral expectations, solving complex problems, working with peers, and viewing situations from different perspectives. Built within the Multi-Tiered System of Supports (MTSS), social and emotional learning is one prevention focused framework for addressing behavioral needs within a larger context

Newport Independent Schools has invested in PBIS systems that address the behavioral side of the MTSS framework. PBIS focuses on increasing positive behavior. School wide SEL focuses on helping students build competencies that help students navigate more effectively. SEL helps students build the knowledge, skills, and attitudes to carry out schoolwide expectations and achieve academic success.

*Collaborative for Academic, Social, and Emotional Learning (CASEL)- For more information about CASEL, visit [casel.org](http://casel.org)*

### **Multi-Tiered System of Supports (MTSS)**

Newport Independent School District believes that all children can learn and achieve high standards when provided with effective teaching, research-based instruction, and access to a standards-based curriculum. Therefore, a comprehensive, multi-tiered system of interventions is available to address student academic and behavioral needs. This system, often called MTSS, is an ongoing system of identifying children who are at-risk for poor learning outcomes and providing them with evidence-based interventions. Staff monitor student intervention services to determine who needs more intensive services. Through this process, federal and state requirements for the identification of students with disabilities can be met. If you have any questions regarding the intervention process or would like to know if your child needs intervention services please contact your child's teacher or principal.

## **PHILOSOPHY OF RIGHTS AND RESPONSIBILITIES**

The protection and safeguards of the United States Constitution and, more particularly, of the Bill of Rights apply to all students. Responsibility is inherent in all rights. No student or other person involved in the public schools can realize his/her rights unless he also exercises the self-discipline and care to afford all others the same rights and does not allow his/her own actions to infringe upon the rights of others. In a social situation, such as the public schools, all participants, students, parents/guardians, teachers, administrators, and others in the educational process, have the right and responsibility to know the basic standards of conduct and behavior which are expected. The school environment is a community of individuals who live and interact in ways that are based upon commonly shared rules, rights, responsibilities, expectations, and common sense.

## **STUDENTS**

### ***Students have the right to the opportunity for:***

- Meaningful public education, the maintenance of high educational standards, and a system of public education which meets the needs of the individual students.
- Reasonable and timely notice of all rules, regulations, policies, penalties to which they may be subject.
- Physical safety and protection of their personal property.
- Consultation with teachers, counselors, administrators, and other school personnel.
- Free election by peers in student organizations in which all students have the right to seek/hold office.
- Examination by themselves, their parents/guardians, or their authorized representatives of their own personal school records.
- Involvement in school activities without being subject to discrimination on any basis. (Where participation in activities is on a competitive basis, each student has the opportunity to compete on equal basis.)

- Respect from other students and school personnel.
- Presentation of complaints or grievances to school authorities and receipt of authoritative replies from school officials regarding the disposition of their complaints or grievances.

***Each student will:***

- Be responsible for owning conduct and for showing consideration for the rights/property of others.
- Exhibit neatness and cleanliness of personal attire and hygiene.
- Refrain from fighting, creating disturbances, making excessive noise, denying others use of school facilities/buildings, using or carrying any weapon on school premises, intentionally injuring another person, exposing others to harm, or using threats or intimidation against any other person.
- Refrain from using tobacco, vaping products, alcohol or any controlled substances.
- Refrain from gambling, extortion, theft, or any other unlawful activity.
- Show respect for the educational process by taking advantage of opportunities to further his/her education.
- Show respect for the education process and learning environment by refraining from intentional or habitual tardiness or unexcused absence.
- Practice self-control including control of voice and all limbs.
- Complete all learning assignments.

**TEACHERS**

***Teachers have the right to:***

- The support of co-workers and administrators.
- Work in an educational environment with a minimum number of disruptions.
- Expect all assignments, including homework, to be completed and turned in as assigned.
- Remove any student whose behavior significantly disrupts learning for up to one class period to a designated area.
- Be safe from physical harm and freedom from verbal abuse.
- Assist in the formulation of policies that relate to their relationships with students and school personnel.
- Take action necessary in emergencies to protect their own person/property or persons/property of those in their care.

***Teachers have the responsibility to:***

- Provide instructional materials and experiences to students.
- Inform students and parents/guardians of achievement and progress.
- Plan a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
- Administer discipline consistent with the Code of Conduct without discrimination on any basis.
- Evaluate students' assignments and return them with feedback in a timely manner.
- Exhibit exemplary behavior in action, dress, and speech.
- Inform parents/guardians of children's successes, problems, or failures promptly.
- Recognize/reward exemplary behavior or work of students.
- Maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students.
- Recommend for retention in a class any child who fails to meet the basic standards of such class.
- Follow rules and regulations by the Board of Education and/or school administration.
- Determine the facts of any situation before passing judgment.
- Demonstrate respect for parents and students.

**PARENTS AND GUARDIANS**

***Parents/Guardians have the right to:***

- Send their child to school in an environment where learning is prized.

- Expect classroom disruptions to be dealt with fairly, firmly, and quickly.
- Enroll students in the Newport Independent School District where they attend classes regularly and promptly with minimal interruptions.
- Expect the school to maintain high academic standards.
- Review the child's academic progress and other pertinent information in educational records.
- Address grievances concerning their child and receive a prompt reply for any alleged grievance.
- Be treated with courtesy and respect from school personnel and students.

***Parents/Guardians have the responsibility to:***

- Instill in their children the values of an education.
- Instill in their children a sense of responsibility.
- Help children understand that disruptions in the school are detrimental to the education of all.
- Become familiar with the educational program and the procedures.
- Inform children about disciplinary procedures of the school and emphasize the importance of following the same.
- See that children attend school regularly and promptly.
- Determine the facts of any situation before passing judgment.
- Support the efforts of the school personnel.
- Demonstrate respect for the teachers, students, other parents, administrators, and school personnel at school and all school related activities.
- See that children exhibit neatness and cleanliness in their personal attire and hygiene.
- See that students fulfill their course of requirements.
- Attend parent-teacher conferences or other conferences designed to assist in programming for their child.
- Communicate to the school emergency contact names and working phone numbers , as well as any changes that occur during the year.

**PRINCIPALS**

***Principals have the right to:***

- Expect all students, teachers, and other personnel to comply with school expectations, procedures, and policies.
- The support and respect of students, parents, and staff in implementing procedures and policies of the Board of Education.
- Take reasonable and necessary action to protect their own person or property or the persons or property of those in their care.
- Take appropriate action with respect to any person whose conduct disrupts the educational process.
- Provide input into expectations, procedures, policies, and regulations that relate to the school.
- Be safe from physical harm and verbal abuse.

***Principals have the responsibility to:***

- Help create and foster an atmosphere of mutual respect and consideration among students/staff.
- Administer discipline fairly and equally, following the guidelines set forth herein, but also using his/her own judgment and discretion.
- Exhibit exemplary behavior in action, dress, and speech.
- Direct the development of a program of instruction that explains the Code of Conduct to the school community.
- Recognize the need for instructional/behavior interventions with students referred for discipline.
- Demonstrate respect for parents and students.
- Be knowledgeable of regulations from federal, state, and local agencies.
- Treat all school personnel, parents, and students in a respectful, fair, and equitable manner.
- Respond to concerns of students, parents, and staff.

- Follow the professional code of ethics.
- Maintain confidentiality of student and family personal and sensitive information.

### **EXPECTED BEHAVIORS**

At Newport Independent we believe every student deserves a safe, supportive, equitable, accessible, and orderly learning environment. We believe that appropriate behaviors begin by having a structure for success, teaching expectations, observing learners developing their skills, interacting with learners in a positive manner, and in correcting fluently. We recognize that individual student culture and experiences are an integral part of who we are.

I will show RESPECT for....

MYSELF BY:

- Attending school regularly and being on time.
- Following expectations on rules and directions of adults.
- Doing my schoolwork and homework to the best of my ability.
- Practicing positive behavior choices.
- Remaining on school grounds unless I have permission to leave school.
- Accepting consequences for my own behavior.
- Learning from the consequences of my behavior.
- Choosing not to bring tobacco, nicotine products, alcohol, illegal drugs, or weapons to school.
- Dressing in a way that is appropriate for the learning environment.

I will show RESPECT for....

OTHERS BY:

- Being understanding of others feelings and showing compassion.
- Using positive words with others (no put downs).
- Treating others like I want to be treated.
- Not bullying or threatening.
- Being honest by telling the truth and admitting to things that I have done.
- Working with others in positive ways.
- Keeping my hands to myself.
- Refraining from using profanity in school.
- Working together and/or with adults to manage negative behaviors and emotions.
- Using a respectful, positive, and considerate tone of voice and body language when speaking to others.
- Listening to others when they are speaking to me.

I will show RESPECT for....

LEARNING BY:

- Following school expectations, rules, and school staff directions.
- Keeping focused on my work.
- Coming to school prepared to work.
- Participating in class activities, projects, and discussions.
- Completing my own schoolwork and homework.
- Keeping my eyes on my own paper when taking quizzes and tests.

I will show RESPECT for....

PROPERTY BY:

- Taking care of things in my school and on school grounds.
- Not bringing dangerous or distracting items such as matches, lighters, weapons, toys, fireworks, alcohol/tobacco/other drugs, medicine not prescribed for me, etc. to school.
- Using materials or a classmate's materials for their intended purpose.
- Using technology as directed by adults.
- Following expectations and rules about safety.
- Refraining from touching a fire alarm unless there is an emergency.
- Using playground equipment in a safe manner.
- Keeping personal technology devices off and out of sight during school hours and while on the school bus except with permission from school staff.



*When I make positive behavior choices, I will be successful. If I do not make positive behavior choices, I will receive interventions to help me learn to make better choices.*

## **Student Support Services**

### **STUDENT HEALTH**

#### **Health Clinic**

Newport Independent offers a FREE school-based health clinic at our Welcome Center location. This clinic is open to all students Tuesdays, Thursdays, and Fridays from 8:00 to 3:00 August through May yearly. The School Based-Health Clinic offers physicals, immunizations, and sick visits with no charge. Please contact the clinic for an appointment at (859) 292-1910. The entrance is on 8th Street through the Welcome Center Courtyard.

#### **Basic Health Requirements**

- All students are required to have a physical examination upon Kindergarten enrollment.
- All students entering the sixth grade are required to have a physical completed no more than one year before entering the sixth grade.
- All students are required to have a valid Kentucky Immunization Certificate on file at all times.
- All students under the age of 7 are required to have a vision examination by January 1 of the first year of enrollment.
- All 5- or 6-year-old students are required to have a dental screening or exam by January 1 of the first year of enrollment.

#### **Dental Health**

Dental services are provided yearly to all Newport Independent students through a third-party vendor. These services occur during the instructional day and require parental consent for treatment. Services may include exams, x-rays, cleaning, and fillings. For more information, please contact your child's school nurse. Those families in need of dental health referrals may contact their child's Family Resource & Youth Services Coordinators.

#### **Vision & Hearing Health**

Student vision and hearing is screened in grades 1- 8 by your school nurses, medical aides, and outside providers. These services occur during the instructional day and results of these screenings are communicated to families. Those families in need of eye or ear health referrals may contact their child's Family Resource & Youth Services Coordinators.

### **EXPECTATIONS RELATED TO MEDICATION**

The use of medication at school by students must conform to all state and federal laws as well as local school board policies and procedures. All prescription medications shall be brought to school in the original container with the label intact and given to school personnel for appropriate storage and dispensing by the school nurse or trained unlicensed personnel. Only prescription medication and dietary supplements authorized by a physician, advanced practice registered nurse, or physician assistant, and parent/guardian will be dispensed. Over-the-counter medication will be accepted when sent to school in the original container and a Medication Administration Consent form has been completed by the parent/guardian. *NOTE THAT NO MEDICATIONS WILL BE RETURNED TO STUDENTS TO TAKE HOME*; parents/guardians will be notified by the school nurse when medications need to be picked up in the office. Medications not picked up by parents/guardians will be destroyed (See Board Policy 09.2241)

Students May Be Permitted To Carry Medication for certain conditions (such as an inhaler for asthma or an Epi-pen for allergic reaction) provided there is prior physician/parent or guardian authorization and school personnel are aware the student is carrying it. (See Board Policy 09.2241)

## **Mental Health**

Each school is staffed with a school counselor. This professional provides services throughout the school including classroom instruction, small groups, and one on one services. The school counselor acts as the liaison between families and more in-depth layers of services. The school counselor is available to students daily. Should you be interested in counseling or mental health services, please contact your child's school and ask to speak with a school counselor.

Newport Independent Schools have also partnered with outside agencies to provide additional mental health services. External counseling services are a parent/guardian choice and families interested in counseling services may contact their child's school counselor to learn more.

Newport Independent Schools offers district based mental health services through our own clinicians and School Psychologists. Given the unexpected demands on our students, many are feeling anxious, fearful, worried, overwhelmed, and sad. Your child's school counselor serves as the primary contact for referral of mental health services.

Newport Primary	(859) 292-3011	Newport School of Innovation	(859) 292-3001
Newport Intermediate	(859) 292-3021	Newport Regional School	(859) 292-6371
Newport High School	(859) 292-3023		

*If you feel that your child could benefit from services or if you would like to learn more, please contact your child's school counselor. These services are at low cost to no cost to you.*

## **Hotlines- For emergencies, always call 911**

### **S.T.O.P (866)-393-6659**

Sad or scared. Call the STOP Tip line to report bullying, physical or sexual abuse, if someone threatens to bring a gun to school, a student living in a situation where there are illegal drugs or addiction, concern about a possible suicide, or anything else you have seen or heard that's bothering you.

### **Distress/ Counseling Helpline 1-800-985-5990 Text 66746**

The Substance Abuse and Mental Health Services Administration (SAMHSA) Disaster Distress Helpline is 24/7, 365 days a year, national hotline dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any natural or human caused disaster.

### **National Suicide Prevention Lifeline 1-800-273-8255 or call/text 988**

### **National Human Trafficking Hotline: 1-888-373-7888**

All calls are anonymous and confidential Hotlines are available 24 hours a day, 7 days a week  
Live Chat @ [www.humantrakkickinghotline.org](http://www.humantrakkickinghotline.org)

### **Safe School Helpline: 1-855-830-3168**

To report an unsafe situation in school (bullying, weapons, drugs, alcohol, etc.) Anonymous, confidential 24/7

### **Crisis Text Line- Text HOME to 741741**

### **Youth Line- Text TEEN2TEEN to 839863 or call 1-877-968-8491**

### **LGBTQIA + Community Support- Text START to 678678 or call 1-866-488-7386**

## **ATTENDANCE**

### **Compulsory Attendance**

Under Kentucky state law, KRS 159.010, all children must be enrolled in and attend school between the ages of 6 and 18 years of age. A child who is 6 years old or who turns 6 by October 1, must attend school. A child who has reached 5 years of age by August 1st may enroll in Kindergarten. Guardians of children aged 5 may petition for Early Entrance to school.

Residents of Newport have many options for enrollment of their children.

- Newport Primary serves students in grades Preschool through Second grade.
- Newport Intermediate serves students in Third grade through Sixth grade.
- Newport High School offers families enrollment in its middle school program for Seventh and Eighth grades, as well as secondary education in grades Nine through Twelve. Newport High offers alternative programming through its New Pathways program.
- Newport School of Innovation provides enrollment in an online platform to grades Six through Twelve and includes a homeschool platform for those choosing alternate options. Newport School of Innovation also offers alternative programming for students needing additional routes to academic and behavioral success.

### **Chronic Absenteeism**

Chronic absenteeism is defined as missing at least 10% of a school year for both excused and unexcused events. For students this means as many as 17 days of school, almost an entire instructional month. Absent events add up quickly, many times accumulating quicker than most parents are aware of. Illness such as flu and common viruses in conjunction with medical and dental appointments often catch parents unaware of the growing number of absent days.

Studies have shown that missing 10 percent or more of school is a direct predictor of lower academic proficiency in reading and mathematics by grade three, increased failure in the middle grades, higher rates of in and out of school suspension, increased high school non-completion through exiting to home school and drop out, and decreased college completion. The importance of good attendance begins early and sets the foundational stage for all other endeavors. Our student's proficiency, persistence, and behavioral expectations are heavily weighted in attendance and engagement in school every day.

### **Truancy**

Newport Independent defines a truant as any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more.

Newport Independent further defines truancy as any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days.

Any student who has been reported as a truant two (2) or more times is a habitual truant. Habitual truancy will result in charges with the Campbell County Family Court, CDW's office or to the Cabinet for Health and Family Services for neglect.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year. *In Kentucky, Out of School Suspensions are unexcused absences and count toward a student's overall truancy.*

## REPORTING YOUR CHILD'S ABSENCE FROM SCHOOL

*Call your child's school each day to report that he/she is unable to attend school that day.*

<b>School Location</b>	<b>Contact Number</b>	<b>Start and End Time</b>
Newport Primary	859-292-3011	8:05 AM– 3:05 PM
Newport Intermediate	859-292-3021	7:55 AM– 2:55 PM
Newport High	859-292-3023	7:45 AM— 2:45 PM

**When your child returns to school, send a note stating the reason your child was absent.** Sign, date and return the note with the student to school on the day he or she returns to school. The note must be turned into the school office no later than 5 school days after the event. Notes after 5 days of school will not be accepted.

If your child will be late for school because of a medical or other appointment, a written note is required. The note may be written by the parent/guardian or the doctor or other professional providing a service to the student. If your child will need to leave school early for a medical or other appointment, the school will not release them without a written note from you or the medical professional.

### AN EXCUSE NOTE IS REQUIRED FOR EACH ABSENT DAY

Newport Independent Schools accepts **five parent notes** to be used at a parent's/guardian's discretion in order to excuse any absence or tardy event. *When your child has missed one or more unexcused days and parent notes, or other valid excuses are not received by the school within five school days, your parent notes will be automatically applied to the unexcused absences and will apply up to five excused absences.*

An additional two (2) excused office notes may be granted during the school year for any absence or tardy event by the building principal or his/ her designee if, in their judgment, an excused absence is warranted.

All other excused absence events must be accompanied by appropriate documentation, i.e., dentist / doctor's note, a note from the court clerk or court designated worker (CDW), an obituary notice, funeral home memorial card or funeral mass card regarding the death of a family member.

**Serious Chronic Medical Conditions may be excused with Newport Independent School's Medical Excuse Form signed by their physician for any absence over ten (10) days due to a chronic illness. The Medical Excuse Form is designed for chronic medical conditions only. Forms are located in each school office.**

### STUDENT IS RESPONSIBLE TO MAKE-UP MISSED CLASS WORK AFTER ABSENCES

Students having excused or pre-arranged absences (acceptably documented) will be allowed to make up work. It is the student's and parent's/guardian's responsibility to contact the teacher concerning make-up work. If a student has been given a date or deadline by which assignments or projects are due to be turned in or for when a test will be administered, and the student is absent on that date, the student will be expected to turn in the assignment or project and/or to take the test on his/her first day back to school. Assignments will also be available via Google Classroom.

Pupils are not reported as absent when participating in school activities which are authorized by the Board of Education and are a definite part of the instructional program of the school. Pupils are not reported as

absent when participating in activities which are provided in KRS 158.240 and 159.035. Pupils may not be excused when they are absent as spectators at school activities.

Participation in 4-H activities are to be considered in attendance (KRS 159.035). Anything in the statutes of the Commonwealth to the contrary notwithstanding, all pupils in the schools of the state who are enrolled in properly organized 4-H club will be considered present at school for all purposes when participating in regularly scheduled 4-H club educational activities, provided the student is accompanied by or under the supervision of a county extension agent or the designated 4-H club leader for the 4-H club educational activity in which the student participates. Attendance at Kentucky State Fair (KRS 158.070 (2) This section states: a board of education “will use one day of valid absences for attendance at the State Fair for students applying for valid absence for this purpose.”

Absences because of death in the immediate family will require a written statement and a phone call to the principal/designee. Students will understand that absences should be used for personal illness or injury, professional appointments (doctors, dentists, etc.).

**EXCUSED ABSENCES:**

**Parents must provide proper documentation for the following absences:**

- |   |  |
|---|--|
| Illness of pupil with a parent note- Not to exceed 5 days | Illness of pupil- with a medical excuse including mental/behavioral health |
| Medical appointment of student                            | Death or severe illness in pupil’s immediate family                        |
| 1 Day Kentucky State Fair                                 | Reporting to court   |
| Religious holiday and practices                           | Rearranged absences  |
| Driver’s test ( ½ day- 2 times)                           |  |
| Other circumstances as approved by principal              |  |

All valid absences for which parents/guardians have called and sent the proper written excuses giving valid reasons for the absence will be excused. Invalid absences will be considered unexcused. Any student absent or tardy from school unexcused will not participate in extracurricular activities the day of the absence. Any student, who is absent or tardy from school excused, may participate in extracurricular activities on the day of the absence or tardy only with the approval of the principal or designee.

**UNEXCUSED ABSENCES**

**The following will count toward the truancy:**

- |                                 |   |  |
|---------------------------------|---|--|
| Indifference of parent/guardian | Out of town                                   | Juvenile detention-jail  |
| Working at home or business     | Providing Child care                          | Transportation   |
| Out of School suspension        | Distance from school                          | Truancy  |
| Oversleeping                    | Skipping school (including unknown by parent) | Illness (more than 5 unexcused with note from parent without medical excuse) |

## **PREARRANGED ABSENCES:**

**Educational Enhancement Opportunities (EHO)** shall be granted as an excused absence for up to ten (10) school days as determined by the Principal when opportunities are determined to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts. Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted (See Policy 09.123) *The decision for approving the prearranged absences will be based upon:* overall attendance record, overall academic record and the nature or circumstances of the request. Requests must be submitted in writing by the guardian and approved prior to the date of the event(s) for EHO.

**Home Hospital Instruction** seeks to offer an academic program that can realistically balance grade level demand to student medical need until the student can return to an appropriate school environment. Home/Hospital instruction is designed as short-term instruction provided in a home or other designated site for a student who is temporarily unable to attend school upon recommendation by a medical provider and approved by a school-based home hospital team. When a student is expected to be absent from school for at least five consecutive days because of a documented medical or psychological condition, Home/Hospital instruction should be considered. Students participating in home hospital instruction receive attendance credit. They receive a home hospital attendance reason and are not counted as absent from school. Please contact your medical provider or the Director of Pupil Personnel at (859)292-3001 for additional information.

## **TARDY TO SCHOOL & TARDY TO CLASS**

Should a student be tardy, he/she must report to the attendance clerk for proper admittance to school. The attendance clerk will issue tardy slips. Chronic unexcused tardiness may result in assignment to Friday school, In-School Detention, detention, or after school tutoring. Any student who is not in their assigned area at the designated time is tardy to class.

## **DRIVER'S LICENSE REVOCATION (KRS 159.051) NO PASS/NO DRIVE**

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.

### **Academic and Attendance Deficiencies**

Academic and attendance deficiencies for students age sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least five (5/7) courses, or the equivalent of five (5/7) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they drop out of school or accumulate nine (9) unexcused absences in a class/classes for the preceding semester. Suspensions shall be considered unexcused absences.

### **Reinstatement of Driving Privilege**

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel or designee to have their standing confirmed. The District shall make the required report to the appropriate agency.

## **CHILD ABUSE**

KRS 620.030 and 620.050 are child protective laws for persons under eighteen (18) years old. They apply to any child whose health or welfare is harmed or threatened when any parent, guardian, or other person inflicts physical or mental injury, commits sexual abuse, abandons or exploits or does not provide the child with adequate care and supervision, such as food, clothing, shelter, education, and medical care necessary for the child's well-being. A child who becomes emotionally disturbed because of constant friction in the home or exposure to unwholesome and demoralizing circumstances is also considered abused.

Any school employee who has reasonable cause to believe any of the above has occurred must, by law, make an oral or written report to a local law enforcement agency or Kentucky State Police; the Cabinet or its designated representative; the Commonwealth's attorney or county attorney by telephone or otherwise.

## **STUDENT IDENTIFICATION NUMBERING SYSTEM**

A statewide numbering system has been established which encourages consistent use of student identification numbers throughout the state. Local school Districts are to use the state student identification number as the student identification number. The student's social security number is still used in many of the state reports and awarding of Kentucky Educational Excellence Scholarships.



## **JURISDICTION & APPLICATION OF THE CODE OF CONDUCT**

The consequences set forth in the Newport Independent Board Policies and Code of Conduct apply to students at all times while they are on school property or attending a school event. Newport Independent property includes any school or other school facility, including grounds owned or operated by Newport Independent, NISD buses, and other NISD vehicles, and the facility and grounds of any NISD-sponsored activity involving students. Any student who is present when another student(s) is actively engaging in behavior that violates the Board Policies and Code of Conduct and the act is a law violation, may also be subject to consequences if the behavior constitutes active participation.

Student conduct occurring outside of school hours or away from school property may be subject to consequences if the school administration reasonably believes or possesses evidence that the conduct threatens the health or safety of students or staff, or if the conduct causes or is reasonably expected to cause substantial disruption or material interference with school activities.

Consequences listed provide a frame of reference and will be made at the discretion of the School Administration: School Principal or Assistant Principals. The School Administration has the discretion to request a risk of self-harm or threat assessment to be completed by the school threat assessment team or outside provider as appropriate.

## **DISCIPLINE CONSEQUENCES**

### **INTERVENTIONS**

Students exhibiting behavioral difficulties may need instructional and/or behavioral interventions put in place and these interventions should continue for as long as they are needed to support the student. Interventions may occur within the classroom, while other interventions may include additional staff and locations. Intervention plans are made at the determination of the student support teams.

### **ALTERNATIVE CONSEQUENCE STRATEGIES**

Students may be provided with consequences that are instructional, reflective, and/or restorative in nature in lieu of or in addition to punitive measures. Instructional practices focus on learning and application of alternate appropriate behaviors while reflective practices engage students in consideration of actions and impact on others. Restorative practices focus on resolving conflict, repairing harm, and healing relationships.

### **PRINCIPAL CONFERENCE**

Students may be provided with the consequence of a principal conference with a member of the school administrative team to address the behavioral issue the student is exhibiting in the classroom at the discretion of the administrator. Peer conflict mediation may occur through Principal Conferencing. School administration may discuss expectations, gather information, or coach a student regarding their behavior.

### **RESTITUTION**

Students who damage/destroy property, vandalizes property, litters, or creates an unnecessary mess may be provided the opportunity to restore, repair, or improve the situation/equipment/property/campus. The restitution should be related to or relevant to the inappropriate behavior of the student.

### **DETENTION**

Students may be placed in detention before school, during lunch, or after school. Parents are to be notified and are responsible for transportation. Students placed in In-School Detention (I.S.D.) must make up any class work or tests or receive zeroes for the work.

### **PROBATION**

A probation period may be established for students when a school principal determines that it would better benefit the student to remain in the classroom than to incur an out-of-school suspension. A conference will be held with the student, the student's parent/guardian, a counselor, and the teacher involved with the student in order to develop a behavioral contract which will enable the student to remain in class. The contract becomes effective when signed by the student, parent/guardian, and the principal (or his/her designee). Alternatives which allow the student to remain in the school setting will be given first priority. A contract form will be drafted in terms readily understood by the student. The contract will state the name and title of the persons entering into the contract; the expected or required behavior of the student; and the consequences of violation of the required behavior. A breach of contract may result in an alternative to the contract, such as referral to in-school detention, at-home suspension, or the recommendation to the superintendent for presentation to the Board of Education for expulsion.

### **LOSS OF TECHNOLOGY PRIVILEGES**

MacBooks, iPads and all school devices are district owned and the contents on the device shall be educational in nature and may be viewed at any time by district/school staff. Personal devices are not allowed as an instructional device. Loss of privileges may include verbal reprimand, after school detention, loss of device, deactivation of certain features. See device user agreement.

## **VERBAL REPRIMAND**

Students may be provided with a verbal reprimand as a directive addressing behavior including the description of the rule violated, corrective actions needed, and consequences if the student does not comply.

## **REFERRAL TO COUNSELOR**

Students, school administration, and guardians may request to see a school counselor who will work with other school staff, students, and families to facilitate resources needed to assist the student with improved behavior and choice making.

## **BEHAVIOR INTERVENTION - IN SCHOOL REMOVAL**

Students are provided with in-school services in a location separate from the regular classroom for a portion of the school day to focus on academic content occurring within the regular classroom and to address repeated behavioral issues in a short-term time frame.

## **BEHAVIOR INTERVENTION - LEARNING STRATEGIES**

Students are provided with on the spot behavior intervention through the use of alternatives to punitive discipline for repetitive behaviors that are deemed by school administration to be beyond the scope of the regular classroom for short periods of time. Focus is on the provision of behavior intervention and remediation of behavioral skills. School Administration or ARC assignment of location.

## **CLASSROOM & TEACHER BASED SUPPORTS**

Students will be provided with a proactive system of support to achieve social, emotional, behavioral, and academic success within an individual classroom. Teacher determination of reason for inappropriate behavior and classroom-based action to reduce or eliminate the behavior. Classroom and teacher-based supports include positive classroom management techniques in a culturally responsive model. Classroom and teacher-based supports include communication and collaboration with the parent or guardian.

## **PERSONAL PARENT CONFERENCE-**

Conference with a school administrator prior to the student returning to school and required upon return from an out of school suspension. Failure of a guardian to meet with an administrator prior to the student returning to school from a suspension will require the student to be provided services in a behavior intervention or alternative setting until the parent attends the return to school conference.

## **SUSPENSION**

Suspension will mean a denial of attendance at any single subject or class, or any full schedule of subjects or classes or at any other type of activity conducted by or on behalf of the particular school for the stated period of time. In accordance with **KRS 158.150**, the Principal or Assistant Principal may suspend a pupil up to a maximum of five (5) days per incident. The Superintendent may approve a suspension up to a maximum of ten (10) days per incident. Suspensions may be provided in school or out of school. *In Kentucky, Out of School Suspensions are unexcused absences and count toward a student's overall truancy.* Out of school suspensions require a guardian conference with a school administrator prior to the student returning to school. Failure of a guardian to meet with an administrator prior to the student returning to school from a suspension will require the student to be provided services in a behavior intervention or alternative setting until the parent attends the return to school conference.

Suspension of primary school students will be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee. **(Newport Board Policy 09.434)** Students placed on home suspension may be allowed to make up any class work or tests for the duration of the suspension including, through virtual means, at the discretion of the Principal or Admissions and Release Committee.

*A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive”, and may be suspended from school and no other basis for suspension shall be deemed necessary (Newport Board Policy 09.434)*

### **ALTERNATIVE PLACEMENT**

A student may be assigned to the alternative education setting/program by the Principal or his/her designee to meet the needs of a student that cannot be addressed in a traditional classroom and may include conduct that disrupts the educational process and for chronically disruptive students. The duration of assignment will be fixed by the Principal or his/her designee. Opportunities will be provided for the student to continue regular school work under the supervision of the school staff. **(Newport Board Policy 09.4341)**. Alternative placement may also be utilized as intervention in temporary/short term student need.

### **ALTERNATIVE EDUCATION PROGRAM**

Alternative education program means a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. In lieu of expulsion or upon expiration of expulsion the Superintendent may place a student into an alternative program if the Superintendent determines placement in the student’s regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or staff. Placement may be provided virtually and is subject to compulsory attendance. Placement in an alternative education program may be voluntary or involuntary.

### **EXPULSION**

Expulsion will mean denial of attendance to Newport Independent Schools. An expulsion will include a denial of admission to or entry upon real or personal property owned, leased, rented, or controlled by Newport Board of Education. **(Newport Board Policy 09.435)**

**Note:** The difference between suspension and expulsion is primarily the length of time. Typically, a student will be suspended for up to 10 school days for a single offense. The Superintendent may extend any suspension. Only the Board of Education may expel a student. The Board may expel a student for longer than twelve (12) months and may extend the expulsion of any student. The Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

### **USE OF PHYSICAL RESTRAINT AND SECLUSION 704 (KAR 7:160)**

This administrative regulation establishes the requirements for the use of physical restraint and seclusion in school districts. It also establishes notification and data reporting requirements for the use of physical restraint and seclusion within those districts. It does not prohibit the lawful exercise of law enforcement duties by sworn law enforcement officers. Specific board policy and procedure can be found on the Newport Independent School District website [www.newportwildcats.org](http://www.newportwildcats.org), click District Board and then click Board Policies. You will be directed to our board policy and procedure site. Chapter 9, policy 09.2212 (Use of Physical Restraint and Seclusion) and procedure 09.2212 AP.21 (Physical Restraint and Seclusion Forms) provide reference information. The process for registering any complaints regarding this regulation is contained in Chapter 10, policy 10.2 (Citizen Suggestions and Complaints) and procedure 10.2 AP2 (Citizen Complaint to the Board).

## **STUDENT HEARING PROCEDURE AND DUE PROCESS**

Students in violation of the rules of the school will receive verbal notice of the charges against them and will have an opportunity to state their response to the charges before any disciplinary action is taken. All disciplinary actions may be appealed according to Board of Education policy. Except where an emergency warrants a student's immediate removal from the school, students will receive the right to an informal hearing prior to their suspension. At this meeting the student will receive notice of the charges against him/her and have an opportunity to state his/her rebuttal. **(Newport Board Policy 09.4281)**

## **DISCIPLINE GRIEVANCE PROCEDURES**

Any student who wishes to express an educational concern or grievance will observe the following order of appeal:

1. Classroom Teacher,
2. Principal or Principal's Designee
3. School council, where appropriate
4. Superintendent or Superintendent Designee
5. Board of Education
6. Please phone, e-mail, or make an appointment with the appropriate person. **(Board Policy 09.4281)**

**SUSPENSION:** In the event the discipline of a student is to deny attendance from a single class, or any portion of a school day or for one or more days, not exceeding 10 days, a conference with the school principal will first be conducted with students as follows:

- The student shall be given oral or written notice of the charges against him or her;
- If the student denies the charge(s), the student shall be given an explanation of the evidence of the charge(s) against him or her; and
- The student shall be given the opportunity to present his or her own version of the facts relating to the charge(s).
- The guardian will be provided with a written report including the reasons for suspension, the length of time of the suspension, and the conditions for reinstatement.

## **EXPULSION:**

In cases where expulsion has been recommended, the same procedure outlined above must be adhered to. ***In addition:***

- A hearing must be held before the Board of Education and must precede the expulsion.
- Notice of a hearing should be given at least five days before it is held.
- The student may be represented at the hearing by any person of his/her choice or his/her parent/guardian choice.
- A student will be provided educational services in an appropriate alternative program or setting, unless the board has made a determination, based upon clear and convincing evidence, that the expelled student poses a threat to the safety of other students or school staff.

## **EXPULSION EXTENSION:**

Within thirty (30) days prior to the end of a student's expulsion, the Board of Education shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the educational process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance.

## **ALTERNATIVE EDUCATION**

A student's parent/legal guardian or a student who is eighteen (18) years of age or older may request voluntary placement in the Alternative Education Program. The Principal or other designated administrator shall notify parents by letter of their child's assignment to the Alternative Education Program. The letter shall include the length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

## **ALTERNATIVE EDUCATION IN LIEU OF EXPULSION**

Action to expel, extend the expulsion, or place in an alternative education program in lieu of expulsion shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board of Education. Following the initial alternative placement of a student, the Board shall review the alternative program or setting at least once per year and determine if the placement should be continued.

*Note: Students do not have a right to assignment to alternative programs or services except as specifically provided by law.*

## **REMOVAL- DISRUPTING THE EDUCATIONAL PROCESS**

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

## **SEARCH & SEIZURE**

School authorities have a legitimate concern as to whether or not they may conduct search and seizure activities within the school. While school officials should be concerned with safeguarding the rights of students, they must also be concerned with the rights of the school, teachers, and administrators.

No pupil's outer clothing, pockets, or his/her personal effects (e.g., handbags, backpacks, etc.) will be searched by authorized school personnel unless there are reasonable grounds to believe the search will

reveal evidence that the pupil has violated or is violating either a school rule or the law. Search of a pupil's person will be conducted only with the express authority of the Principal /designee.

Searches of a pupil's person or his or her personal effects will only be conducted by a certified person directly responsible for the conduct of the pupil or the Principal/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

When a “pat down” search of a pupil's person is conducted, the person conducting the search will be the same sex as the pupil; and a witness of the same sex as the pupil will be present during the search. In addition, no search of a pupil will be conducted in the presence of other students.

*These restrictions do not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety. (Newport Board Policy 09.436)*

### **CHILDREN & YOUTH WITH DISABILITIES**

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.

**DISCIPLINARY INFRACTIONS**

<b>Infraction</b>	<b>Definition of the Infraction</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
<b>Abuse of a staff member *</b>	Whenever a teacher 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 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. Includes the intentional verbal, mental or physical abuse of a teacher or administrator			●	●
<b>Academic Cheating Plagiarism</b>	Includes, but is not limited to, deceiving, tricking, defrauding, and/or otherwise taking unfair or unethical advantage of a situation to benefit someone’s grade, academic standing, or status. Includes the use of AI for academic and assessment.	●			
<b>Aggressive behavior toward any school employee/ <u>menacing</u>*</b>	Physical contact or threat of physical contact whether verbal, through body language or posture (including clenched fist, proximity to staff, etc.), toward school employees, their families or property, with the intention of doing imminent physical or bodily harm.			●	●
<b>Arson (or attempted arson)*</b>	Use of any incendiary device to start/ attempt to start a fire or cause an explosion within the school, on school grounds, within district owned property, or on a school bus. Legal proceedings filed by the Newport Fire Marshall.				●
<b>Assault*</b>	<p>Person or persons initiating physical attack:</p> <p><b>1st Degree</b> intentionally causes serious physical injury (KRS 500.080) to another person by means of a deadly weapon or a dangerous instrument or wantonly engages in conduct which creates a grave risk of death to another and thereby causes serious physical injury to another person;</p> <p><b>2nd Degree</b> intentionally causes serious physical injury to another person; or intentionally causes physical injury to another person by means of a deadly weapon or a dangerous instrument; or</p>				●  ●

	<p>wantonly engages in conduct which creates a grave risk of death to another and thereby causes serious physical injury to another person; (KRS 508.020)</p> <p><b>3rd Degree</b> recklessly, with a deadly weapon or dangerous instrument, OR intentionally causes or attempts to cause physical injury to all first responders, social workers, and all school employees and volunteers (KRS 508.025)</p> <p><b>4th Degree</b> intentionally or wantonly causes physical injury to another person, OR with recklessness, causes physical injury to another person by means of a deadly weapon or a dangerous instrument (KRS 508.030) Reference KRS 500.080 for complete definition of serious physical injury and in regards to students ages 12 years and under.</p>				<p>●</p> <p>●</p>
<b>Bomb threat*</b>	A threat of a bomb or other explosive device made verbally, in writing, or via social media to a staff, student, or community member.				●
<b>Bullying*</b>	<p>KRS 158.148</p> <p>“Bullying” means any unwanted verbal, physical, or social behavior among students <i>that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:</i></p> <p>1) That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; 2) That disrupts the education process</p> <p>This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.</p> <p>It specifically means the following as listed in KRS 525.070:</p> <p>1. A person is guilty of bullying when, with intent to intimidate, harass, annoy, or alarm another person, he or she:</p> <p>(a) Strikes, shoves, kicks, or otherwise subjects him / her to physical contact; (b) Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact; (c) In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present; (d) Follows a person in or about a public place or places;</p>		●	●	●

	<p>(e) 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>(f) 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"> <li>2. Damages or commits a theft of the property of another student;</li> <li>3. Substantially disrupts the operation of the school; or</li> <li>4. 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.</li> </ol> <p><i>This behavior is a law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				
<b>Chronic Disruptive Behavior</b>	<p>KRS 150.158</p> <p>Disruptive behavior causing a classroom removal from the same classroom three times within a 30-day period.</p>		●	●	●
<b>Defiance</b>	<p>Willful refusal by a student to respond to any reasonable request of authorized school personnel. This includes failure to identify oneself when requested and not stopping when directed to stop.</p>	●	●		
<b>Derogatory/ inflammatory/ profane/vulgar remarks, directed toward staff member or student</b>	<p>Using words, phrases, or gestures that are inappropriate in general conversation or directed toward school personnel. 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.</p>	●	●		
<b>Disorderly conduct</b>	<p>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.</p> <p>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 etc. Fighting and refusing to stop. Conduct creating an imminent risk of fighting or other violence. Bringing a look-a-like weapon that causes a disruption</p> <p><i>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></p>				●

<b>Disruptive behavior</b>	Includes during the course of a class or activity, to and from classes, or on school grounds, despite the corrective efforts of school personnel that disrupts the orderly educational procedure of school. Includes: continuation of talking at inappropriate times, communicating in inappropriate ways, distracting other students while they are working, engaging in continued off task disruptions despite corrective efforts of school personnel. Behavior includes engaging in sustained loud talk, yelling, screaming, making noises or sounds with materials, mimicking, engaging in sustained out of seat behavior or calling out to others without permission. Includes behavior which jeopardizes the safety of students or drivers of the safe operation of the bus.	●	●	●	
<b>Emergency equipment tampering (fire alarm/fire extinguisher)</b>	Falsely alerting the school or fire department to a non-existent fire and/or emergency by tampering with the emergency equipment.				●
<b>Failure to serve morning, after school detention, or Friday School</b>	Failure to follow through, for any reason, an assigned time for detention. Students are given at least one (1) day notice of the assignment. Failure to serve detention or Friday School will result in additional detentions or temporary change of placement	●			
<b>Fighting Student to Student*</b>	The use of physical violence between two students or the use of violence by a student on another person (excludes verbal confrontations, threats, intimidation, and other encounters). Students who engage in physical contact for the purpose of inflicting harm on the other person, or who choose to retaliate after physical contact has occurred. School administration may use professional judgment in cases where the investigation yields a clear aggressor/initiator and may differentiate consequences accordingly. <i>See Striking when only one student engages.</i>		●	●	
<b>Food/drink in building</b>	Instances where students have food or drinks (other than water) in containers such as thermal cups, bottles, or other type containers away from the designated area; the cafeteria without prior approval of the school administration	●			
<b>Forgery</b>	The act of falsely using the name of another person, or falsifying documents or correspondence from, to, or used by the school with the intent to deceive. The person whose name is forged shall be notified. This includes altering notes in any manner. This includes any parking permits.	●	●		
<b>Gambling</b>	Participating in games of chance (i.e., rolling dice, tossing coins, cards) for the express purpose of exchanging money or property.	●	●		
<b>Harassment/</b>	Harassment KRS 525.070				

<p><b>Harassing Communications*</b></p>	<p>(1) A person is guilty of harassment when, with intent to intimidate, harass, annoy, or alarm another person, they:</p> <ul style="list-style-type: none"> <li>(a) Strike, shove, kick, or otherwise subject the person to physical contact;</li> <li>(b) Attempt or threaten to strike, shove, kick, or otherwise subject the person to physical contact;</li> <li>(c) In a public place, make an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present;</li> <li>(d) Follow a person in or about a public place or places;</li> <li>(e) Engage in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or</li> <li>(f) 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: <ul style="list-style-type: none"> <li>1. Damage or commit a theft of the property of another student;</li> <li>2. Substantially disrupt the operation of the school; or</li> <li>3. Create 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.</li> </ul> </li> </ul> <p>Harassing Communications KRS 525.080</p> <p>(1) A person is guilty of harassing communications when, with intent to intimidate, harass, annoy, or alarm another person, they:</p> <ul style="list-style-type: none"> <li>(a) Communicate with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;</li> <li>(b) Make a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or</li> <li>(c) Communicate, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a</li> </ul>				
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	<p>reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.</p> <p><i>This behavior is a law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools.</i></p>				
<b>Hazing*</b>	<p>KRS 508.150</p> <p>“Hazing” means an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization, including but not limited to actions which cause, coerce, or force a minor or a student to:</p> <ul style="list-style-type: none"> <li>(a) Violate federal or state criminal law;</li> <li>(b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;</li> <li>(c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements.</li> <li>(d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;</li> <li>(e) Endure brutality of a sexual nature; or</li> <li>(f) Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or students.</li> </ul> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				●
<b>Horseplay</b>	Student(s) is/are engaged in roughhousing, pushing, running, excessive play, etc., that are not appropriate or safe in the school environment.	●			
<b>Inappropriate use of district technology</b>	Any violation of the NISD Acceptable Use Policy.	●	●	●	●

<b>Inappropriate use of a mobile device.</b>	Use of a mobile or hand-held device to make, transmit, or distribute any inappropriate recording, picture, or image without the consent of the person(s) recorded, or that violates their personal expectations of privacy, the Code of Conduct, or the law.	●	●	●	●
<b>Inciting Student Disorder</b>	Intentional promotion or advocacy by word or deed to incite student misconduct by any student for any purpose.		●	●	●
<b>Non-school items in school</b>	Items whose use is unrelated to school activities such as laser pens/pointers, skateboards, roller blades, water guns, and other like items are not to be brought to school.	●	●		
<b>Profanity/Vulgarity Toward student/staff Racial slur/Hate speech</b>	Swearing, cursing, or making obscene gestures specifically targeting school students or personnel.  Making racial slurs or using hate speech specifically targeting school students or personnel.		●	●	●
<b>Possession of wireless device/cellular phone</b>	Possession of a cellular phone, MP3 player, wireless devices, etc. are permissible. None of these devices may be turned on and/or used during classroom instruction unless directed by the classroom teacher or by an ARC decision. Schools may allow use of cellular devices during breakfast, lunch or during passing time with administrator approval as outlined within the school handbook.	●			
<b>Possession of Drugs Possession of Alcohol  Use Sale Distribution Under Influence Paraphernalia *</b>	The possession, distribution, use of 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.  This includes alcoholic beverages, Drug/Alcohol Distribution 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  Drugs defined as prescription must be taken in accordance with school policy requiring a written pre-approved medical form completed by a physician. Some examples of drug paraphernalia may		●	●	●

	<p>be pipes, roach clips, hemostats, rolling papers, e-cigarettes, vapes, Jules, etc. This list is not exhaustive.</p> <p>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.).</p> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				
<p><b>Possession of Tobacco/ Products Smoking Use Sale Distribution Paraphernalia *</b></p>	<p>KRS 438.050 Possession, consumption, distribution, or selling of any tobacco products, alternative nicotine devices, vapor products, or tobacco-related devices at any time on school property or at off-campus, school-sponsored events.</p> <p>The term tobacco product means any cigarette, cigar, snuff, smokeless tobacco product, smoking tobacco, chewing tobacco, and any kind or form of tobacco prepared in a manner suitable for chewing or smoking, or both, or any kind or form of tobacco that is suitable to be placed in a person’s mouth. The term also includes little cigars, dissolvable, hookah, and blunt wraps.</p> <p>The term alternative nicotine product means a noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means.</p> <p>The term vapor product means any noncombustible product that employs a heating element, battery, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size and including the component parts and accessories thereto, that can be used to deliver vaporized nicotine or other substances to users inhaling from the device. Vapor product includes, but is not limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and every variation thereof, regardless of whether marketed as such, and any vapor cartridge or other container of a liquid solution or other material that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar product or device.</p> <p>The term tobacco-related devices mean ashtrays, cigarette papers, or pipes for smoking or any components, parts, or accessories of alternative nicotine devices or vapor products.</p>		●	●	●

<p><b>Possession of weapons or dangerous instruments/look alike</b> *</p>	<p>The possession, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, intending to use or using any instrument described in KRS 500.080 (4) or elsewhere in KY statute: of any instrument that can be perceived as a weapon, including but not limited to fireworks, explosives, knives, clubs, guns (including BB/pellet guns), chains (including chains attached to wallets or pants), razor blades, and the like that can be used to inflict bodily injury to another person. Includes look-alike, toy, or facsimile of a deadly weapon.</p> <p><i>Violation by students shall require the Principal immediately make a report to the Superintendent who shall determine if charges for expulsion from the District schools should be filed. When reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a weapon in violation of the law.</i></p> <p><i>The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis.</i></p>		●	●	●
<p><b>Preventing an outside door from locking</b></p>	<p>Students found using any instrument to disengage the locking mechanism of an outside door.</p>			●	●
<p><b>Public display of affection</b></p>	<p>Showing physical affection toward another student, drawing unnecessary attention (i.e., kissing, hugging, etc.) which may embarrass or make others feel uncomfortable.</p>	●			
<p><b>Sexual Assault*</b></p>	<p>Actions, sexual in nature, intending to cause or causing physical injury to another person including by means of a deadly weapon or dangerous instrument, or intentionally causing extreme distress to another person.</p> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				●

<b>Sexual harassment/ misconduct*</b>	<p>Unwelcome sexual advances, requests for sexual favors, other verbal and or physical behaviors of a sexual nature, and the use of symbols to create a climate that adversely affects the school environment.</p> <p>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).</p> <p>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 but not limited to self-stimulation, and sexting (the act of sending sexually explicit messages or photos, videos, audio or visual files electronically, primarily between cell phones or other electronic media).</p> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				●
<b>Skipping school/class/out of area</b>	<p>Failure to attend any regularly scheduled class or assigned school activity without a valid excuse including failure to sign in and out of school. Tardiness of 10 minutes or more shall be considered skipping.</p>	●			
<b>Stalking*</b>	<p>Intent to stalk another person or make explicit or implicit threat to place a person on reasonable fear of sexual contact, physical injury, or death (complete definitions found in KRS 510.140 and KRS 508.150). Examples include sending unwanted text messages or emails, posting or threatening to post explicit pictures of an ex-partner online, repeated and unwanted communications through phone calls, following the victim to work, schools, home, or other places that they frequently visit, etc.</p> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				●
<b>Striking Student</b>	<p>Intentional physical contact with a student that does not cause physical injury. If a physical injury occurs, review the Assault codes above. If two students are striking each other, that would be considered "Fighting."</p>	●	●	●	

<b>Striking Staff</b>	Intentional physical contact with a faculty member, staff member, or other school official that does not cause physical injury. If a physical injury occurs, review the Assault codes above.				
<b>Terroristic threatening in the first degree*</b>	<p>KRS 508.075</p> <p>(1) A person is guilty of terroristic threatening in the first degree when they:</p> <p>(a) Intentionally make false statements that they or another person have placed a weapon of mass destruction on:</p> <ol style="list-style-type: none"> <li>1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;</li> <li>2. A school bus or other vehicle owned, operated, or leased by a school;</li> <li>3. The real property or any building public or private that is the site of an official school-sanctioned function; or</li> <li>4. The real property or any building owned or leased by a government agency; or</li> </ol> <p>(b) Intentionally and without lawful authority, place a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection.</p> <p>(3) A person is not guilty of commission of an offense under this section if they, innocently and believing the information to be true, communicate a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identify the person from whom the threat was communicated, if known.</p>				
<b>Terroristic threatening in the second degree*</b>	<p>KRS 528.078</p> <p>(1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, they intentionally:</p> <p>(a) With respect to a school function, threaten to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur.</p> <p>(b) Make false statements by any means, including by electronic communication, indicating that an act likely to result in death or serious physical injury is occurring or will occur, for the purpose of:</p>				

	<p>1. Causing evacuation of a school building, school property, or school-sanctioned activity;</p> <p>2. Causing cancellation of school classes or school-sanctioned activity; or</p> <p>3. Creating fear of death or serious physical injury among students, parents, or school personnel.</p> <p>(c) Make false statements that they have placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or</p> <p>(d) Without lawful authority place a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.</p> <p>(3) A person is not guilty of commission of an offense under this section if they, innocently and believing the information to be true, communicate a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identify the person from whom the threat was communicated, if known.</p> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				
<p><b>Terroristic threatening in the third degree*</b></p>	<p>KRS 508.080</p> <p>(1) Except as provided in KRS 508.075 or 508.078, a person is guilty of terroristic threatening in the third degree when:</p> <p>(a) He threatens to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person; or</p> <p>(b) He intentionally makes false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation.</p> <p><i>This behavior is a criminal law violation and any administrator who has reason to believe this behavior is taking place must report this behavior to local law enforcement personnel. In addition, disciplinary action can occur to include suspension, alternative placement, or expulsion from Newport Independent School District Schools</i></p>				●
<p><b>Theft</b></p>	<p>The taking of property of others (students, teachers, visitors, school system, etc.) without their consent; the possession of stolen property; the sale of stolen property.</p>	●	●	●	

<b>Threatening another student*</b>	Any statement, communication, conduct or gesture, including those in written form, directed toward another student that causes reasonable apprehension of physical harm to person or property but does not rise to the level of harassment or to the level of terroristic threatening. Includes verbal or written threats, engaging in conduct that conveys intent to use force, power or physical attack or arouses a reasonable fear by the victim, gesturing to create fear	●	●	●	
<b>Unexcused tardiness to school, classroom, or homeroom</b>	Arrival to class after the designated start time without prior approval from an administrator, teacher, or school staff member.  Signing in after school has begun or leaving early constitutes a tardy attendance event. Six (6) unexcused tardy events to school constitutes habitual truancy.	●			
<b>Vandalism (Criminal Mischief)/Destruction of Property</b>	Destruction, mutilation, or defacement of school buildings, grounds, or property located in or outside of the school, property of school personnel, students, or others.		●	●	●
<b>Violating conditions of suspension</b>	Not abiding by the guidelines of suspension such as being on school property, school buses, or attending school activities while suspended.			●	●
<b>Peer Conflict</b>	Escalated disagreement among peers that disrupts the educational process or good order of the school.	●	●		
<b>Violation of dress code</b>	Violation of dress code provisions are as follows	●			

## **SCHOOL BUS SAFETY RULES AND REGULATIONS**

### **Newport Board of Education Policies 09.226, 06.2, 06.34**

The District has authority in all matters of student behavior, including when a student is on his/her way to or from school, or any school-related or school-sponsored activity. As such, students are subject to the same code of conduct as presented in this handbook on any school-provided transportation. Responsible student behavior is extremely important on the school bus to ensure the safety of the passengers and driver. The privilege of riding a school bus will depend upon a student obeying and following rules and procedures at the bus stop, on the bus, and on school grounds.

- The bus driver is in charge of the bus. Students must treat the bus driver with the same courtesy and respect given to teachers.
- A bus monitor may be assigned to assist on certain buses; students must obey and respect the bus monitor.
- Students must board the bus quickly and take a seat immediately without disturbing other passengers. No running or shoving!
- Do not try to get on or off the bus while it is moving.
- Students may not occupy more space in a seat than is required. Students may be asked to ride three (3) to a seat. Students must hold all of their personal items on their lap. Personal items may not be placed in the aisle, another seat or in the front or rear of the bus.
- Students must remain seated until the school bus comes to a complete stop. Students may not trade or move seats during the bus ride or when the bus is moving unless directed or given permission to do so. The driver/monitor may assign seats or move a student to another seat at any time. If all seats are taken, students must stand in the rear of the bus.
- Students may not open or close windows without permission. Doors/Exits may not be opened except in an emergency.
- Students may only ride the bus to which they are assigned. Once a student gets on the bus they are not permitted to get off until they reach their destination or transfer point. No student will be permitted to board a bus other than at their designated stop. All bus changes must be requested through the transportation office.
- Students must be on time for the bus. Arrive at the bus stop at least 5 minutes early. The bus will not wait for students running late or because a parent requests they wait. The bus will not stop at unscheduled stops.
- Students may not stand in the road or street while waiting for the bus. No fighting, pushing, or rough housing at the bus stop.
- Students may not engage in any activity which might distract the driver's attention from driving including:
  - A. Loud talking, laughing, shouting, or singing.
  - B. Unnecessary conversation with the driver.
  - C. Extending any body part or object out the bus
- Students must keep the bus clean and refrain from damaging it. No littering and no activity which might damage or cause excessive wear to the bus or other property will be allowed. No tampering with equipment on the bus. Parents/guardians may be held responsible for restitution of any damages, beyond normal usage, caused by their child.
- When it is necessary to cross the road, students must cross only in front of the bus and at a safe distance in order to be seen by the driver. Cross only on the driver's signal.
- Students must behave on the bus. Unacceptable behavior includes noncompliance, disrespect, disobedience, vulgar, foul and profane language, fighting, harassing, pushing, and shoving other students and other offensive acts.

- No food or drinks may be consumed on the bus. No radios, recorders, cell phones, etc., may be used on the bus except by permission of the bus driver or monitor.
- Use of drugs, alcohol, and tobacco is prohibited on the bus at all times. Students will be reported to the appropriate law enforcement agency for violations.
- No person is permitted to transport or have in their possession firearms or other dangerous weapons (real or pretend) while on the school bus. Students will be reported to the appropriate law enforcement agency for violations.
- In an emergency situation student should: Remain calm, listen for the driver's instructions and exit the bus promptly.
- Transportation changes cannot be made after 1:30 pm.

**DISCIPLINE CONSEQUENCES** - Any student who does not follow the above regulations and/or who refuses to promptly comply with directives regarding his/her behavior while on or waiting for the school bus will be documented in writing by the bus driver or bus monitor. This behavior report will be sent to the principal or designee of the school where the child attends, the Director of Transportation and/or the Director of Special Education. The Principal is authorized to withhold bus riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus riding privileges have been withheld. The Superintendent or the Superintendent's designee may withhold bus riding privileges up to the remainder of the school year. Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.

**EMERGENCY PROCEDURES** - The Director of Transportation has a school bus transportation safety program as required by applicable law and administrative regulation. Appropriate safety information is disseminated annually in writing to employees, parents, and pupils of the school District. A series of four (4) bus evacuation drills are conducted during each school year. All enrolled students participate in these drills, unless absent on the day the drills are scheduled.

**DUE PROCESS PROCEDURES** - Parents and guardians may file complaints regarding bus drivers, bus monitors, students, or parents whose behavior interferes with the safe operation of the school bus with the Director of Transportation.

## LEVELS OF DISCIPLINE & RESPONSE

The information below outlines the range of options available to school personnel when addressing student behavior. The levels are provided to address both initial and repeat violations. Newport Independent 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.

**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 resolution, are but not limited to: Verbal reprimand, student conference, parent/student contact and/or conference, reteaching expectations, community service, withdrawal of privileges, 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, loss of school privileges, community service, restitution, social probation, reteaching expectations, in-school suspension program, Friday/Saturday Detention, after school detention, 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 indirectly endanger the health or safety or others in the school. These offenses may 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.

**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, possible notification of appropriate law enforcement authorities, and immediate removal of the student from school. The school will 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.

## **STUDENT DRESS- APPROPRIATE ITEMS INCLUDE:**

- Sleeveless shirts as long as the strap is at least 3 finger widths across in width.
- Tops should be worn in such a way as to when arms are extended over the head, no skin is exposed on the back or midriff.
- Pants are to be worn at the waist level and the belt, if worn, must be buckled, and they should not be dragging on the ground.
- Skirts, dresses, and shorts must be fingertip length or with the approval of the school principal.
- Shoes must be worn at all times. When in the outdoor classroom or for team specific events, students must wear appropriate footwear that completely covers their feet. If students wear footwear, i.e. flip flops, that break during the school day, the parent/guardian must bring another pair of shoes to school, as they will not be provided by the office or teachers.

## **INAPPROPRIATE ITEMS INCLUDE:**

- No clothing or any item printed with objectionable language, slogans, or pictures. These include references to drugs, sex, alcohol, tobacco, gangs, or gang related activities.
- No clothing having cuts, slits, holes, slashes, above the knee level which expose skin in any manner are permitted.
- No excessive forms of make up or face paint.
- No lingerie worn on the outside of clothing, no see-through mesh type shirts, blouses, pants, or tops which reveal bare backs, sides, or allow undergarments to be visible.
- No chains, belts, or straps are to hang from pants in any manner.
- No hats, bandanas, or gang wear are to be worn, with the exception of designated days announced by administration. Students are not to leave their hoods from their jacket or sweatshirt on their head while inside the building.
- No sunglasses or gloves worn inside the building.
- No outside coats or jackets may be worn in the building; they are to be stored in a locker at all times.
- No pajamas of any kind or slippers are to be worn.

## **GUIDELINES TO REASONABLE CONDUCT**

### **Harassment, Discrimination, Bullying and Cyberbullying**

Harassment, discrimination, bullying and cyberbullying are prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. **(Newport Board Policy 09.42811)**

Harassment, discrimination and bullying are prohibited. This includes verbal harassment, coercion and manipulation of others because of race, color, national origin, age, religion, sex, size, dress, appearance or disability that is sufficiently severe, pervasive, or objectively offensive and it adversely affects a student's education and/or creates a hostile or abusive educational environment. This behavior includes virtual and physical harassment, discrimination, and bullying.

## **DISRUPTING THE EDUCATIONAL PROCESS**

Behavior that materially or substantially disrupts the educational process, whether on school property or at school-sponsored events and activities, will not be tolerated and will subject the offending pupil to appropriate disciplinary action. **(Newport Board Policy 09.426)**

### **Assault and Threats of Violence**

Any pupil who threatens, assaults, batters or physically or verbally abuses a student, teacher or other school personnel will be subject to appropriate disciplinary action up to and including expulsion from school and/or legal action. If the judgment of the building principal or his/her designee is that the threat is of such power and violence, the principal will immediately suspend the student and recommend to the superintendent that the student be considered for expulsion from Newport Independent Schools.

When there is clear and convincing evidence that a student exhibits severe aggressive behavior or poses a threat to the safety of students or school staff, the student will be recommended to the superintendent for expulsion. **(Newport Board Policy 09.425)**

### **Use of Alcohol, Drugs and Other Controlled Substances**

A student suspected by a school official of using illegal or legal drugs, controlled substances, or alcohol while attending school or a school sponsored activity is in violation of Board policy and will be subject to investigation by law enforcement and potential expulsion from school. The student must submit to a medical drug/alcohol test performed by a lab or doctor chosen by the school officials.

If the test is negative, the school will pay the fee; however, the refusal of the student to submit to the test within 2 hours will result in immediate disciplinary action. Students who take any medication (over-the-counter or prescription) must file with the local school office an authorization from a legal guardian and take the medication pursuant to the policy.

Any controlled substances taken by a student contrary to the student medication policy will be considered in violation of this policy. A student testing positive must pay for the test and be subject to disciplinary action. Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance which may be added by the Kentucky Department of Health Services under regulations pursuant to *KRS 218A.010*.

#### **Consistent with its purposes, the discipline policy seeks to achieve the following objectives:**

1. To protect District students from impairing their health, safety, education, and future success through the unlawful use of alcohol and other drugs;
2. To protect District students and their opponents from potential injury during competition resulting from the unlawful use of alcohol and other drugs;
3. To protect District students from the potential stigma of unsubstantiated allegations of unlawful use of alcohol and other drugs; and
4. To assure students, parents, teachers, and the community that the health, safety, education, and future success of student participants are the primary concerns of the District.

### **Weapons**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

Violations by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed (See Board Policy 05.48). In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

### **Federal Requirements Regarding Students and Weapons**

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.<sup>1</sup>

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

*For state reporting purposes, a deadly weapon shall be defined as:*

- a weapon of mass destruction;
- any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
- any knife other than an ordinary pocket knife or hunting knife;
- Billy, nightstick or club;
- blackjack or slapjack;
- nunchaku karate sticks;
- shuriken or death star; or
- artificial knuckles made from metal, plastic, or other similar hard material.

***Federal law will supersede in any weapons, drugs or controlled substance violations.***

### **Enforcement**

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

### **Telecommunication Devices**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students will be permitted to possess and use personal telecommunications devices as defined by law, and other related electronic devices, provided they observe the following conditions:

- Devices will not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity, violates confidentiality or privacy rights of another individual, is profane, indecent, and obscene or possesses sexually explicit material. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices will be on and operated only before and after the regular school day.
- When students violate this prohibition, they will be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which can be picked up by students at a time specified by the building administrator.
- Students are responsible for keeping up with devices they bring to school. The District will not be responsible for loss, theft, or destruction of devices brought onto school property.

- Students will comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices, including iPad contract/guidelines.  
(Newport Board Policy 09.4261)

### **Tobacco/Vaping**

Students will not be permitted to use or possess any tobacco or vaping product on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, and during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school will be subject to penalties set forth in the local code of acceptable behavior and discipline.  
(Newport Board Policy 09.4232)

**Effective, 7-1-19, HB 11 under KRS 438.305 prohibits all smoking and alternative nicotine use including vaping, on campus for all students and staff. This includes all areas of campus (parking lots, bleachers, etc.).**

### **Dress and Appearance**

No extreme form of personal appearance will be allowed to interfere with the educational process. School authorities may limit or prohibit any extreme type or style of student dress, personal appearance or use of wearing apparel, which in the judgment of school officials disrupts school discipline and routine. Students whose appearance does not conform to these rules will be asked to change clothing to meet this code. Repeated violations may result in suspension from school. School councils may develop their own dress code within the scope of this Code of Conduct. (Newport Board Policy 09.427)

## **Information for Parents/Guardians in the event of a School Emergency**

The safety and security of our students and staff are a paramount concern for the Newport Independent School District (NISD). The following information will assist parents and guardians to become more familiar with emergency response procedures.

### **Introduction**

The safety and security of our students and staff is top priority for Newport Independent School District (NISD). The following explains some of the procedures that are planned and practiced in order to prepare us in the event of an emergency at your child’s school. Our school leaders work closely with police, fire and emergency services and public health to ensure our school emergency management plans reflect the appropriate practices and that all schools are prepared for emergencies. Key personnel are trained in National Incident Management System procedures and we take an all-hazards approach to emergency readiness. We are prepared to work and fully cooperate with emergency first responders should a critical incident occur in our district. Our comprehensive emergency plans address a multitude of potential incidents, not because we expect them to occur, but to be prepared in case they do occur. For security reasons as well as state law, we cannot share specific details with the public; however, parents/ guardians and students have a critical role and it is important that everyone knows what to do in the event of an emergency. **Please be sure you review the following and make sure that you and your child/children understand the emergency procedures.**

### **What is an Emergency?**

An emergency is an unexpected event that could put your child’s safety at risk. It could be anything from disruption of utilities to a critical incident that could affect one child, one school, or the entire school district. School administrators and sometimes emergency first responders will evaluate the seriousness of each situation and determine the best course of action to respond quickly, safely, and in an appropriate manner.

Appropriate planning and preparation can minimize the risks in any emergency situation. The following information will provide guidelines for preparedness, what parents/guardians should do, and what the school or district will do in the event of an emergency. Communication procedures and student release procedures are also outlined.

### **What will Schools Do in the Event of an Emergency?**

What we do in the event of an emergency depends upon the situation and the specifics of an incident. We will make every effort to ensure that instruction continues, even when it becomes necessary to lock down a school. Depending upon the severity of the threat of emergency, additional measures may be taken to include: shelter in place, evacuation of students from the building, or altering school dismissal time. If emergency first responders are called to the scene, we will work with them in a unified command to determine which plan should be implemented. School emergency plans vary from school to school based upon enrollment, building layout, location, and other relevant factors. They are initiated based upon the events unfolding at the time of incident. While every school has an emergency management plan of action, evacuation sites, and family reunification plans, these plans must remain confidential for the safety of our students and staff while remaining flexible to changing conditions. Parents/Guardians will be informed as soon as we have done everything possible to ensure the safety of all students and staff and when it becomes possible to provide accurate and helpful information.

### **Protective Measures the School May Use**

Each school has an emergency management plan involving a number of possible actions. The response varies depending upon the conditions and incident. It is determined by the school leadership team who are trained to make such decisions. **It is essential that parents/ guardians understand that if a critical incident occurs, students will be released to parents/guardians only when danger has passed.**

### **What Should Parents Do in the Event of an Emergency?**

The most helpful parental responses to a school emergency are to remain calm and wait for accurate information and instructions to be sent to the number listed on your child's emergency contact. We understand it is a natural instinct for parents to want to rush to their child. It is important for you to understand that, during such an event, individual schools and emergency responders have prepared to deal with these incidents. Your cooperation in an emergency is essential to the safe and swift resolution of the incident.

***Please do not call the school. It is essential to keep phone lines open so school officials can make outgoing emergency calls. If students are ill or injured, the parents of those students will be notified first.***

**Please do not go to the school.** As we have learned from past school emergencies, one of our greatest challenges is how to manage a large number of parents and concerned citizens rushing to the scene to "help". By doing so, parents can inadvertently create traffic jams that may block emergency responders from getting to the scene or from leaving to transport injured students or staff to emergency medical facilities.

- Remain calm, follow procedures, and cooperate with school and public safety officials.
- Remain close to the phone listed as your emergency contact number as it may be utilized with the district all-call system.
- Tune in local television or radio stations designated to carry Newport Independent School District (NISD) emergency information. See "Emergency Communications" section below.
- Infinite Campus Messenger may also be utilized as a form of communication. Those notices are received via Email through the address you have provided the school.

- Obtain current information about the incident from the district website at <http://www.newportwildcats.org/>
- Understand that emergency pickup procedures are different from routine pickup procedures. In the event you are notified to pick up your child at school or at a designated family reunification site, bring a photo identification card. If you must send someone else to pick up your child, be sure it is someone who is listed on school records as an individual authorized to do so and make sure they are in possession of a photo ID. Your child will not be released to anyone who is unauthorized or who cannot provide appropriate identification.
- Follow emergency procedures. If you are asked to pick up your child, you will be asked to follow the checkout procedure established for emergencies. The family reunification system was developed to ensure the safety and accountability of students and it is vital that it be followed.
- Remain in designated areas at the family reunification site.
- Be patient. It is essential that the family reunification procedure be carried out in an orderly manner so we can protect and account for all of our students.

### **Emergency Communications: How will Parents be Notified if an Incident Occurs at School?**

Our first priority is to ensure all students are safe, accounted for, and under adult supervision. As soon as it is possible to do so, school administrators and Central Office staff, under the direction of the Superintendent, will communicate information to parents and the community. The school district has a variety of media outlets available to parents/guardians which will be updated, as needed, with the most complete and accurate information available.

#### **District Emergency Information Links:**

School Messenger System— A recorded message sent to contact numbers in our system. If you are not receiving messages through this during the school year please let your school know as this is a primary notification system in the event of an emergency.

Newport Independent School District (NISD) Website – <http://www.newportwildcats.org/>

Superintendent’s Office (Central Office) 859-292-3001

Infinite Campus Messenger—Information is received via the email address that you have provided to our schools.

In the event of a critical incident, parents are encouraged to tune in to one of the following local television stations to gather information as it becomes available:

WCPO – [www.wcpo.com](http://www.wcpo.com)

WXIX – [www.fox19.com](http://www.fox19.com)

WLWT – [www.wlwt.com](http://www.wlwt.com)

WKRC – [www.local12.com](http://www.local12.com)

#### **Recovery After a Crisis:**

School leaders understand that a traumatic event in a school or in the community can have an emotional impact on students and staff. Newport Independent School District (NISD) has a trained Crisis Response Team of school counselors, social workers, and psychologists who can respond to the school during and after a critical incident to provide assistance. The NISD Crisis Response Team helps those affected to cope with the aftermath of the incident.

## **CHILD FIND NOTICE**

The Newport Independent School District is committed to locate, identify and evaluate any child age 3-21 who resides in the District and who may have a disability and need special education. The Newport Independent School District is committed to locate, identify and evaluate any child Kindergarten to age 21 who resides in the District and who may have a disability and need 504 services. This includes children attending public, private, or home schools as well as those not attending school at all, migrant or homeless children, and children unable to access or progress in the general course of study including those advancing from grade to grade but who may need special education services. Parents, relatives, public and private agency employees, and concerned citizens are urged to help the District find any child who may need special education services. If you know a child who lives within the District boundaries who may have a disability and need special education services, please contact:

**Director of Special Education 504 Services**  
**Newport Independent School District**  
**30 W. 8th Street, Newport, Kentucky 41071**

Or by telephone at (859) 292-3040. The information provided is confidential and will only be used to contact the child's parent or guardian to find out if the child needs to be referred for an evaluation to access special education.

## **FAMILY EDUCATION RIGHTS AND PRIVACY/PROTECTION OF PUPIL RIGHTS**

### **Annual Notification Family Educational Rights and Privacy Act (FERPA) Rights**

The Family Education Rights and Privacy Act (FERPA) gives parents and eligible students (over 18 years of age or students attending a postsecondary institution), certain rights with respect to educational records.

1. **THE RIGHT TO INSPECT AND REVIEW THE STUDENT'S EDUCATION** records within forty-five (45) days of the day the District receives a request for access. Parents or eligible students should submit to the school Principal/designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify you of the time and place where the record(s) may be inspected.

2. **THE RIGHT TO REQUEST THE AMENDMENT OF THE STUDENT'S EDUCATION RECORDS** that the parent or eligible student believes are inaccurate, misleading, or in violation of the student's privacy or other rights. Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights. If the District decides not to amend the record as requested by the parent or eligible student, you will be notified of the decision and advised of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. **THE RIGHT TO CONSENT TO DISCLOSURES** of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A "school official" is a person employed by a district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel);

a person serving on the school Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. • A school official has a legitimate educational interest when the official needs to review an education record in order to fulfill his/her professional responsibility. • Upon request, the District will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law.

4. DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION to recruiting representatives of the U.S. Armed Forces and its service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard. The District has the right to disclose personally identifiable information concerning the student to recruiting representatives as listed above UNLESS the parent, guardian, or eligible student requests in writing that the District not release information, the student's name, address, and telephone number (if listed) will be released to Armed Forces recruiters upon their request. Please complete the form on page 49 for this purpose within thirty (30) days of the start of the school year or enrollment in the Newport Independent School District.

5. CONFIDENTIALITY OF STUDENT EDUCATIONAL RECORDS. Student educational records are maintained in secure locations in each school and district office. Personnel are trained annually concerning confidentiality of student records. School and district administrators, teachers, clerical and support staff, nurses, counselors, paraprofessionals, contracted service providers, who are involved in a student's education, have a legitimate educational interest or the "need to know" has authority to access, review and/or release student records.

6. DISCLOSURE OF DIRECTORY INFORMATION. The District may disclose personally identifiable information from the educational records of a student if that information has been designated as "directory information". The Board of Education has approved "directory information" to include: student names, addresses, telephone numbers, date and place of birth, major field of study, participation in officially recognized activities and sports, photographs/pictures, grade level, weight and height of athletic team members, dates of attendance, degrees and awards received and most recent educational institution attended by the student. Any eligible student or parent/guardian who does not wish to have directory information released must notify the District in writing within thirty (30) days of the start of the school year or enrollment in the Newport Independent School District.

7. WRITTEN CONSENT TO RELEASE STUDENT INFORMATION AND RECORDS. The written consent of the parent/guardian or eligible youth is required to release student information and records except as follows:

- To school officials with legitimate educational interests, such as administrators, supervisors, instructors, teachers, support staff (including health or medical staff, law enforcement unit personnel);
- To persons serving on the Board of Education;
- To persons or companies with whom the District has contracted to perform a special task (i.e. attorney, auditor, consultant, evaluator, or therapist, third party Medicaid biller);
- To parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks;
- To school official who has a legitimate educational interest to review an education record in order to fulfill professional responsibilities including Kentucky Department of Education employees;
- To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- Upon the request of another school in which a student seeks or intends to enroll;

- To Armed Forces recruiters as requested (only student's name, address, telephone number (if listed));
- To others as authorized by federal and state laws, i.e. law enforcement officials with a subpoena.

8. **DESTRUCTION OF RECORDS.** The District retains student records as required by the Commonwealth of Kentucky. A record of a student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed are retained indefinitely. Other records are destroyed according to a prescribed schedule ranging from 1 year to 5 years following graduation or withdrawal. You may request a copy of the schedule of record retention from the school principal or other District administrator. Records that document a child's eligibility for special education and services needed are retained by the District for at least five (5) years after a child graduates or exits from the Newport Independent School District. At that time, all records are destroyed except for the following: student's name, proof of disability including eligibility reports, level of functioning in areas pertaining to identified disability such as psycho educational evaluation reports, a record of services provided such as the IEP and consent for provision of services. These records may be needed for Social Security benefits or other purposes. A parent/guardian or eligible youth may request that records be destroyed prior to this destruction schedule by contacting the Director of Special Education. Before the District will honor the request to destroy records, the parent or youth is advised to retain copies of certain records which may be needed for Social Security benefits or other purposes. Contact the Director of Special Education for further information by mail at: 30 W. 8th Street, Newport, Ky. 41071 or by phone (859) 292-3040.

### **Appeals**

A challenge to the contents of student records may be made in writing to the Principal or Director of Pupil Personnel. The Director of Pupil Personnel, shall within thirty (30) days from receipt of the request for a hearing, arrange for the hearing and notify the challenger in writing, giving the time, place and date for the hearing. The hearing shall be before the Director of Pupil Personnel or his or her designees and the findings of the hearing shall be disclosed within thirty (30) days. The decision and findings from the hearing may be appealed to the Superintendent. The decision of the Superintendent shall be final.

Parents of a child who has graduated or otherwise left the district and who was formerly enrolled in a program for students with disabilities may request the destruction of any personally identifiable information in the education record of their child which was collected, maintained, or used for the identification, evaluation, or placement of the student with disabilities on the Student Written Education Records Request.

### **Annual PPRA Notice and Consent/Opt-out For Specific Activities**

The Protection of Pupil Rights Amendment (PPRA) requires Newport Independent Schools to notify parents and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

- Political affiliations or beliefs of the student or student's parents.
- Mental or psychological problems of the student or student's family.
- Sex behavior or attitudes.
- Illegal, anti-social, self-incriminating, or demeaning behavior.
- Critical appraisals of others with whom respondents have close family relationships.
- Legally recognized privileged relationships such as with lawyers, physicians, or ministers.
- Religious practices, affiliations, or beliefs of the student or the student's parents.

- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings. Newport Independent Schools shall annually provide parents and eligible student’s notice of these rights under law in the Code of Conduct.

Any parent who does not want their child to participate in school surveys, studies, invasive physical exams or screenings that disclose protected information, collection, disclosure or use of student information to third parties for marketing must notify the principal in writing. A parent may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information. If you do not wish your child to participate in the following, please notify the principal in writing.

Newport Independent Schools shall also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. A new or supplemental notice shall be given as necessary to provide the opportunity to consent or opt out under the standards set forth above. Parents/eligible students who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW Washington, D. C. 20202-4605.

