

Madison County Schools

Code of Acceptable Behavior and Discipline

2022-2023

Dr. David Gilliam-Superintendent
301 Highland Park Drive
Richmond, Kentucky 40475
Telephone: (859) 624-4500
www.madison.kyschools.us

Approved by the Madison County Board of Education on _____

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

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

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

This Code applies to all students in the District while at school, on their way to and from school, while on the bus or other District vehicle, and while they are participating in school-sponsored trips and activities. The Superintendent/designee is responsible for its implementation and application throughout the District. The Principal is responsible for administration and implementation of the Code within his/her school in a uniform and fair manner without partiality or discrimination. Each school/council must select and implement appropriate discipline and classroom management techniques necessary to carry out this Code and shall provide a list of the school's rules and discipline procedures in the school handbook.

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

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

Students wishing to report a violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, counselor, or any administrator within the building who shall take appropriate action as defined by the code. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offense, or a report that may be required by law, including reports to law enforcement.

Employees and other students shall not retaliate against a student because of reporting a violation of the code or assisting or participating in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.

Student Rights and Responsibilities

Students have the right to:

- An appropriate and free public education.
- Receive academic grades based only on academic performance.
- Be kept informed as is reasonably possible of all rules, regulations, policies, and penalties to which they may be subjected and be assured of all due process rights.

- Personal safety and security while at school and school-sponsored activities.
- Involvement in school activities without being subjected to discrimination on the basis of race, national origin, marital status, sex, economic status, or handicapping condition.
- Present complaints or grievances to school authorities and receive authoritative replies from school authorities. ● Receive consultation or counseling in academic, personal, social and career related concerns. ● Protection of their personal property.

Students have the responsibility to:

- Attend school regularly and to arrive on time.
- Show consideration for the rights of others within the total school environment.
- Refrain from conduct that disrupts the educational process, creates disorder, or damages or destroys private or public property.
- Immediately report student threats to harm others to a teacher, counselor or school administrator. ● Give their best effort to tasks assigned by their teachers, coaches or other persons who work with them.

Staff Rights and Responsibilities

School Staff has the right to:

- Expect all students to complete assignments.
- Work in a positive school climate with a minimum of disruptions.
- The support of fellow staff members, administrators and parents.
- Safety from physical and verbal abuse.
- Take action in emergencies to protect their own person and persons in their care. **School Staff**

has the responsibility to:

- Maintain a professional attitude and behavior toward all students, parents, administrators, teachers and the Board of Education.
- Aid in planning a flexible curriculum which meets the needs of all students and which maintains high standards of academic achievement.
- Maintain an atmosphere conducive to learning with mutual respect and trust with appropriate discipline. ● Follow the policies, rules and regulations adopted by the Board of Education and/or school administration. ● Deal firmly, promptly, and consistently with disruptions or violations of board policy and school procedures, and if necessary, enlist the support of administrators.
- Provide adequate supervision for students in their care.
- Provide a learning environment free from harassment for students.

Parent/Guardian Rights and Responsibilities

Parents/Guardians have the right to:

- Rights as guaranteed by the Family Educational Rights and Privacy Act.
 - Expect that any classroom disruptions will be dealt with fairly, firmly, and quickly. ● Access to all school rules and regulations and the consequences for violation of these rules and regulations. ● Participate in meaningful parent-teacher conferences to discuss their child's progress and welfare. ● Expect school personnel to notify parents/guardians of important news, especially as they relate to children. ● Address a question concerning their child to the proper authority and to receive a reply in a reasonable time period.
- Parents/Guardians have the responsibility to:**
- Accept their own role as the primary educators of their children.
 - Instill in their child the values of an education, a sense of responsibility and a sense of respect. ● Understand and support school requirements, rules, and policies and to be knowledgeable of the consequences of violations by students.
 - Communicate with their child concerning academic performance and behavior.

Responses to Student Misconduct

This code is part of the Madison County Board of Education's policy on student behavior and discipline. State and federal law requires special consideration and possible designation of alternative consequences when dealing with behavior and disciplinary issues involving students with disabilities. The board has included samples of prohibited behaviors and response options to help the reader understand how the behavior standard will be enforced. Other behaviors not included in the examples may also be prohibited.

Out-of-school punishment should only be used for very serious infractions. Schools should impose punishments progressively. Schools should not jump to the most severe punishments but instead try to improve students' behaviors through a variety of less punitive interventions. Schools should involve family members to help them understand the roots of a student's behavior and consider possible prevention and remediation strategies before choosing what punishment to apply. Schools must consider all extenuating circumstance before imposing the punishment of expulsion

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>I. Minor student misbehavior which disrupts classroom procedures or interferes with the orderly operation of the school.</p> <p>Misbehavior which can usually be handled by an individual staff member but sometimes requires intervention of other school personnel.</p>	<p>Including but not limited to:</p> <ul style="list-style-type: none"> • Inappropriate dress • Non-defiant failure to complete assignments • Failure to carry out directions • Minor misbehavior on bus, or during school sponsored or endorsed activities • School tardiness • Failure to bring needed materials to class • Minor disruption of classroom instruction • Impolite, disrespectful, or dishonest communication with peers or staff 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior.</p> <p>Repeated misbehavior requires a parent/teacher contact or conference with the appropriate school staff.</p> <p>Proper and accurate records of offenses and disciplinary actions are maintained by the appropriate staff and/or administrator.</p>	<ul style="list-style-type: none"> • Verbal reprimand/warning • Special assignment <ul style="list-style-type: none"> • Counseling • Withdrawal of privileges • Time-out • Detention/I.S.S. <ul style="list-style-type: none"> • Individual conference • Parent contact/conference <ul style="list-style-type: none"> • Confiscation of inappropriate materials • Referral to Family <p>Resource Center, Youth Service Center (FRYSC) or other Student Assistance Program (SAP).</p>

LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
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<p>II. Student misbehavior which increases in frequency or severity, disrupting classroom procedures or interfering with the orderly operation of the school.</p> <p>Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others, but whose educational consequences require an administrative response.</p>	<p>Including but not limited to:</p> <ul style="list-style-type: none"> • Continuation of Level I misbehavior • Truancy <ul style="list-style-type: none"> • Using forged notes or excuses • Directing profanity or obscene/offensive gestures toward staff • Disruptive physical contact with other students • Leaving class without permission 	<p>There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. Teacher's response includes documentation of misbehavior and notification is sent to the administrator.</p> <p>The administrator meets with the student and/or teacher and effects the most appropriate response.</p> <p>A proper and accurate record of the offense and the disciplinary action is</p>	<ul style="list-style-type: none"> • Continuation of Level I responses • Referral to outside agency <ul style="list-style-type: none"> • Suspension
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		maintained by the administrator.	
LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS

<p>III. Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school.</p>	<p>Including but not limited to:</p> <ul style="list-style-type: none"> ● Repeated Level II misbehavior ● Vandalism ● Theft ● Possession of stolen property ● Use or possession of tobacco/e-cig/vaporizer products. ● Academic dishonesty ● Behavior that demonstrates gang/neighborhood crew affiliation ● Sexual acts on school premises or at school related functions ● Leaving school without permission 	<p>The student is referred to administrator for appropriate disciplinary action. The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences.</p> <p>The administrator meets with the student and notifies the parent about the student's misconduct and resulting disciplinary action(s).</p> <p>School officials will contact appropriate law enforcement agency if necessary.</p>	<ul style="list-style-type: none"> ● Continuation of Level I and II responses ● Alternative Education Plan ● Expulsion ● Referral to appropriate law enforcement agency ● Replacement of damaged property
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LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
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<p>IV. Serious misbehaviors which pose a direct threat to the safety of others in the school or are a violation of the law.</p>	<p>Including but not limited to: • Repeated Level II misbehaviors</p> <ul style="list-style-type: none"> • Harassment • Bullying • Threat/intimidation • Assault/battery • Arson • Furnishing/selling drugs or other controlled substances including alcohol and "look alike" substances. • Activating a false alarm • Inciting others to violence or disruption • Possession of a weapon or replica not subject to the Gun-Free School Act 	<p>Administrators are required to follow a set of responses outlined by the Madison County Board of Education. • Refer to emergency response action plan for procedures if necessary.</p> <ul style="list-style-type: none"> • Follow due process as outlined by the disciplinary referral form. • The student is removed from the school environment by suspension. Parents are notified. • School officials will contact appropriate law enforcement agency and assist in prosecuting violator. • A complete and accurate report is submitted to the superintendent for consideration and possible board action. • Inform the student of counseling, therapeutic 	<ul style="list-style-type: none"> • Parental conference • Suspension from school and/or bus • Alternative Education Programs <ul style="list-style-type: none"> • Expulsion or other board action which results in appropriate placement <ul style="list-style-type: none"> • Referral to law enforcement agency • Make restitution for damages • Referral for counseling or therapeutic services
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		and/or other assistive programs.	
LEVELS OF MISCONDUCT	EXAMPLES	DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
<p>V. Level 5 behaviors lead to the most severe punishments</p>	<ul style="list-style-type: none"> ● Pending/current expulsion from district of prior enrollment ● Violations of the Gun Free Schools Act <ul style="list-style-type: none"> ● Threat of violence against school/students/staff which causes the cancellation/dismissal of school ● Documented pattern of Tier 4 behavior 	<p>Administrators are required to follow a set of responses outlined by the Madison County Board of Education.</p> <ul style="list-style-type: none"> ● Refer to emergency response action plan for procedures if necessary. ● Follow due process as outlined by the disciplinary referral form. ● The student is removed from the school environment by suspension. Parents are notified. ● School officials will contact appropriate law enforcement agency and assist in prosecuting violator. ● A complete and accurate report is submitted to the superintendent for consideration and possible board action. ● Inform the student of counseling, therapeutic and/or other assistive programs. 	<ul style="list-style-type: none"> ● An out-of-school suspension for 11-90 days or expulsion.

Related Board Policies

· **Alcohol, Drugs and Other Controlled Substances-Board Policy 9.423** · **Assaults and Threats of**

Violence-Board Policy 9.425

- KRS 508.078 classifies any threat/false threat to school functions, student groups, teachers, volunteer worker or school employee as Second Degree Terroristic Threatening which is a Class D felony punishable under KRS 532.060 with **NOT LESS THAN 1 YEAR MANDATORY IMPRISONMENT** nor more than 5 years **and a fine of at least \$1000** up to \$10,000 under KRS 534.030.

· **Bullying/Hazing-Board Policy 9.422**

○ **Other Claims:** When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. · **Damages to School Property-Board Policy 9.421**

· **Grievances-Board Policy 09.4281**

· **Harassment/Discrimination -Board Policy 9.42811**

- **False Complaints:** Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

○ **Other Claims:** When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426. · **Physical Restraint- Board Policy 09.433**

· **Search and Seizure-Board Policy 09.436**

· **Student Records-Board Policy 09.14**

· **Weapons-Board Policy 05.48**

· **Suspension, Expulsion, and Due Process-See Board Policies 09.434; 09.435; 09.431** **For access to complete and/or updated board policies, visit the district website at www.madison.kyschools.us**

Reports to Law Enforcement Officials

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of the section, "school property: means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise if:

1. The person knows or has reasonable cause to believe that conduct has occurred which constitutes: A misdemeanor or violation offense under the laws of this Commonwealth and relates to:

- Carrying, possession, or use of a deadly weapon; or
- Use, possession, or sale of controlled substances; or

Any felony offense under the laws of this Commonwealth; and

2. The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

KRS 158.156

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight hours of the original report.

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

Statement on Academic Integrity

Academic integrity is a fundamental value for the Madison County School System. It should be clearly understood that academic dishonesty is not tolerated and incidents of it will have serious consequences. Anyone who knowingly assists in any form of academic dishonesty shall be considered as responsible as the student who accepts such assistance and shall be subject to the same sanctions.

Academic dishonesty can occur in different forms, some of which include cheating, plagiarism, and fabrication. Each school will develop procedures to communicate and respond to instances where there is a lack of academic integrity.

Notification of FERPA Rights

The Family Education Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age or students who are attending a post-secondary institution) certain rights with respect to the student’s education records. They are:

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 the parent or eligible student 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 to 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, the District will notify the parent or eligible student of the decision and advise him / her 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 the 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 if the official needs to review an education record in order to fulfill his/her professional responsibility.

STUDENTS 09.14 AP.111 Upon request, the District shall 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. The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U.S. Armed Forces and its service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard.** Unless the parent or eligible student requests in writing that the District not release information, the student’s name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

NOTICE OF RIGHT TO REQUEST TEACHER QUALIFICATIONSThe educators in the Madison County Schools are committed to providing a quality instructional program for your child. This letter is just one of the ways of keeping you informed of the educational commitment of our schools and our district.

Our district receives federal funds for Title 1 programs as a part of the No Child Left Behind Act (NCLB). Under NCLB, you have the right to request information regarding the professional qualifications of your child’s teacher(s). If you request this information, the district will provide you with the following: Whether the teacher has met the state requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived. The college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree: and whether your child is provided services by para educators, and if so, their qualifications.