2026-27

STATEMENT ON EXPECTATIONS
AND RESPONSIBILITIES:

CODE OF CONDUCT
STUDENT GUIDE

Our mission is to create a collaborative community that ensures all students achieve at high levels and graduate prepared to excel in a global society.

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1.0 INTRODUCTION

1.01 MESSAGE FROM THE SUPERINTENDENT

Dear FCPS Families and Students:

In Fayette County Public Schools we recognize that academic achievement and social-emotional health are deeply connected. A thriving learning environment depends on clearly defined behavioral standards and respectful interactions.

The Student Code of Conduct serves as a comprehensive guide for these standards, ensuring that our schools remain productive learning spaces for all students. This booklet is refined through community-wide feedback and articulates our expectations and the procedures followed by staff to address student conduct, explain the procedures staff members shall follow in addressing issues, and outline consequences for misconduct.

Central to our approach is the RESET program. By emphasizing restorative and supportive practices, we aim to address underlying behavioral causes and provide students with the tools they need to succeed.

Access to these guidelines is a priority. The Student Code of Conduct is available in multiple languages on every student Chromebook. For paper copies, please contact your school or call 859-422-4100. We value your partnership in making this academic year a success.

As always, we eagerly anticipate collaborating with you to make this academic year a success!

Sincerely,



Bill Bradford, Ed.D.
Fayette County Public Schools
Acting Superintendent

1.02 STATEMENT OF EQUITY AND BEHAVIOR MANAGEMENT PHILOSOPHY

Statement of Equity

To provide a world-class education for every student, Fayette County Public Schools is committed to timely, deliberate, and unified action to remedy opportunity gaps, eliminate exclusionary practices and systems, and create a barrier-free learning environment. We recognize this requires strategic decision-making in both policy and governance to advance social justice and dismantle historical and social barriers that perpetuate inequities and prevent our students from reaching their highest potential.

As a district, we believe true educational equity requires:

- **Inclusion**: All learners are welcomed, accepted, and protected against harassment or discrimination in our schools as we celebrate the diversity of our students, staff, families, and community and teach our students to understand and effectively engage with people of different backgrounds.

- **Access:** All learners shall have an equal opportunity to actively engage in all academic and extracurricular opportunities.

- **Process:** All learners shall receive fair and just – but not identical – treatment and supports, and high-quality instruction that reflects the diversity of our students delivered by highly qualified teachers who are prepared and supported to meet individual student needs.

- **Outcome**: All learners shall have educational experiences that ensure achievement of high academic and social expectations.

Behavior Management Philosophy

School safety and academic success are created and strengthened when students effectively and actively engage in learning, when positive relationships exist between students and school staff, and when families, communities, and school staff work collaboratively to support positive student outcomes.

Fayette County Public Schools is committed to providing quality education for all students by promoting the use of Positive Behavioral Interventions and Supports (PBIS). We believe it is important to create a community within our schools where students' needs are met, expectations are understood, guidance is given, and a safe and orderly environment is maintained.

PBIS is the behavior component of a Multi-Tiered System of Supports (MTSS) designed to achieve both social and academic success for all students. The framework of MTSS utilizes high quality evidence-based instruction, intervention, and assessment practices to provide all students with the level of instruction and support to match their needs.

The MTSS/PBIS framework includes three tiers of intervention:

- Tier 1 interventions refer to services all students receive in the form of academic and behavioral instruction. Tier 1 provides school-wide and class-wide supports and interventions available to all students to prevent problem behaviors, encourage pro-social behaviors and address the unique academic, behavioral, and social-emotional needs of students in a particular school. Social Emotional Learning (SEL) is an integrated approach to discipline that is focused on strengthening relationships, effective communication, and teaching skills to recognize and repair harm. To learn more about SEL please visit www.casel.org. (Collaborative for Academic, Social, and Emotional Learning-- CASEL).
- Tier 2 interventions are provided for students who need more student-specific instruction and support. These services may be provided in small groups both in and out of the classroom. The purpose of Tier 2 instruction and supports is to improve student performance and prevent further negative impacts on learning and social development.
- Tier 3 interventions provide intensive supports that are matched to the specific needs of an individual student. These services may be provided individually or in small groups. The purpose of Tier 3

instruction is to help students overcome significant barriers to learning academic and/or behavior skills required for school success.

This Code was adopted by the Fayette County Board of Education to help schools create a safe, positive and respectful learning environment for all students and school personnel.

We recognize that a school's learning climate and students' behaviors improve when students:

- Know what is expected of them at school.
- Believe they have the academic and social skills to achieve.
- Receive recognition and praise for doing good work and behaving appropriately; and
- Feel there is someone at school who cares about them and supports and encourages their development.

Students enrolled in Fayette County Public Schools have the responsibility to observe and respect the rights of all others. The United States Supreme Court has held that a student may not be denied the opportunity to receive a public education without just cause established through due process of law. Responsible observance of the rights of others requires behavior that does not threaten, interfere with, or deprive any others of educational opportunities.

The first edition of Statement on Expectations & Responsibilities: Code of Conduct Student Guide was developed by a committee of students, parents/guardians, teachers, and administrators appointed by the superintendent. A standing committee of the same make-up reviews and revises the Code in compliance with board policy.

The developmental and review process includes a committee of individuals representing the groups listed above, compliance with Kentucky Department of Education guidelines, compliance with state regulations, review by legal counsel, and review and adoption by the FCPS Board of Education.

The Code may be amended by the Fayette County Board of Education at any time. Standard procedures relating to policy changes of the board shall apply to amendments to the Code. Proposed amendments may be submitted by board members, the superintendent, principals, faculty, students, and parents/guardians. If a conflict exists between the Code and the adopted policies and procedures of the board, the board policies and procedures shall govern.

Each principal shall provide a yearly orientation to the Code to faculty members, staff members, and students. This Code will be provided to parents/guardians and to all employees. A copy of the Code is available at each school and on the FCPS website, www.fcps.net. Related policies and procedures are available at www.Fcps.net/policies. The district will make provisions for communicating with disabled and non-English speaking students and parents/guardians. Issues, concerns, or questions relating to the Code may be directed to the school principal.
The application of the Code to matters of student behavior is not limited to school buildings and grounds or to times when the student is in route to or from school but extends to any activity that is school-related or school-sponsored, either on or off the school campus. Expectations in the Code also applies to behavior occurring off school grounds that threatens the safety and well-being of students or staff and directly affects the school's ability to ensure a safe learning environment for all students. The Code is not an all-encompassing document and occasionally may not address issues resulting from unusual circumstances. The prudent judgment and discretion of administrators shall prevail in such instances.

The *Kentucky Education Reform Act* provides for School-Based Decision Making (SBDM). As a part of this model, school councils are required to adopt policies to be implemented by the principal. Schools will have specific policies dealing with the selection and implementation of discipline and classroom management techniques, including responsibilities of students, parents/guardians, teachers, counselors and the principal; however, an SBDM Council's discipline policies must fall within the minimum and maximum parameters set out in the Code [KRS 160.345].

This document is intended to be a useful guide for supporting positive student behavior and correcting misconduct. It will take the collective efforts of students, parents/guardians, teachers and administrators, from the first day of school to the last, to create a safe learning environment where all students can succeed.

Working together, we will create a safe and productive school climate!

2.0 EXPECTATIONS FOR STUDENT BEHAVIOR

2.01 DISTRICT LEVEL

The district has both the authority and the responsibility to maintain behavioral expectations that assist students in their selection of actions and behaviors that not only contribute to safe, positive, and orderly learning environments, but support high levels of student achievement as well [KRS 158.148, 158.440, 158.442, 158.645, 160.290 and 160.295; 704 KAR 7:050; FCPS 05.4 and 09.438]. Behavioral expectations for students shall apply at the district level, the school level, and the setting level.

District level behavioral expectations shall always apply on school grounds. For the purposes of the Code, the term “on school grounds” means any of the following:

- While students are going to or from school or school-sponsored activities.
- While students are at school.
- While students are attending school-sponsored activities (e.g., field trips or sporting events).

District level behavioral expectations may apply off school grounds as well when a student’s actions or behaviors can be demonstrated to reasonably impact any of the following:

- The safety of the student.
- The safety of others (e.g., other students or school personnel).
- The orderly operation of the district.

For the purposes of the Code~~,~~ the term “off school grounds” means any location other than those listed for “on school grounds” above.

GENERAL EXPECTATIONS

As a student, you are responsible for acting in the following manner:

SAFE
• Behaving safely at all times.
• Keeping school doors closed and following proper check-in procedures.
• Informing school personnel immediately if you become aware of threats, weapons/dangerous instruments on school property or other safety concerns or violations of the Code
RESPONSIBLE
• Knowing and following all school and bus transportation rules and procedures.
• Attending school and classes regularly and on time.
• Doing your best to participate and meet the requirements of each class.
• Earning credits or grades fairly without cheating or plagiarism.
• Protecting your belongings. *
** Lost or stolen personal items are the responsibility of the student or parent/guardian and are not covered by the school district’s insurance.*
RESPECTFUL
• Respecting personal or school property.
• Honoring reasonable requests made by school district employees and student teachers.
• Behaving in a way that does not create disruption, disorder, or infringe on the rights of others.

2.02 SCHOOL AND OTHER SETTINGS LEVELS

Additional behavioral expectations apply for students at each school, classroom or other participatory setting. These will either be provided to students and parents/guardians by school personnel at the beginning of the school year or when a student is enrolled.

In some cases, expectations may be posted as required by board policy.

2.03 DISTRICT LEVEL BUS EXPECTATIONS

As a student, you are expected to:

AT THE BUS STOP
• Arrive at the assigned bus stop 5 (five) minutes before bus time. The driver is not permitted to wait for students.
• Keep all articles off the roadway and remain clear of traffic.
• Be respectful of personal property.
• Keep noise level low to avoid disturbing surrounding residents.
• Wait until the bus stops and then walk to the bus door in orderly fashion.
• Wait on your side of the road until the bus arrives and the driver signals you to cross, if you live on the other side of the road.
• Use only the stop nearest your residence to get on the bus, unless prior written permission is obtained from your principal and provided to the bus driver.
• Avoid creating any unsafe condition which could result in injury to you or others.
• Speak and behave respectfully toward students and adults at all times.
ON THE BUS
• Follow the directions of the bus driver or monitor at all times.
• Sit in the seat assigned by the bus driver, if he or she assigns seats.
• Share seats as directed by the driver.
• Keep portions of your body and all other items inside the bus.
• Avoid creating any unsafe condition which could result in injury to you or others.
• Keep food or drink enclosed inside bags, backpacks, or containers (eating or drinking on the bus is a safety risk).
• Speak and behave respectfully toward students and adults at all times.
• Avoid bringing the following prohibited items onto the bus: ○ Tobacco, electronic cigarettes, or vapor products. ○ Weapons, explosives, or any dangerous articles. ○ Drugs, drug paraphernalia or alcohol. ○ Animals or any items that might frighten other riders or distract the driver.
GETTING OFF THE BUS
• Leave the bus only at your designated bus stop, unless prior written permission is obtained from your principal and provided to the bus driver.
• Go to a point approximately 10 (ten) feet ahead of the bus and wait for the driver to signal you before crossing the road if you live on the opposite side of the road from the bus stop. Stay clear of the bus at least 10 feet on all sides.
• Avoid crossing to the rear of a stopped school bus.
BUS EVACUATIONS
• Avoid using the rear emergency exit except upon direction of the driver or other competent authority.
• Avoid using a window to exit the bus.
• Participate in evacuation drills as directed by the bus driver or other school personnel.
NOTE: Evacuation drills will be conducted 4 (four) times each year. Each drill will consist of an orderly use of the available exits on the bus and is designed to familiarize students with the proper safety procedures to be followed in case of emergency.
DRIVING
• Come to a full stop when required any time a bus is in the vicinity.

3.0 BEHAVIOR MANAGEMENT OVERVIEW

Fayette County Public Schools is committed to limiting exclusionary discipline practices of suspension and expulsion. We believe the school environment should be characterized by positive interpersonal relationships among students and between students and staff.

Before disciplinary action is taken, students must first be supported in learning the skills necessary to enhance a positive school climate and avoid negative behavior. Schools will teach positive school rules and social skills, positively reinforce appropriate student behavior, provide early intervention and support strategies for misconduct, and use logical, meaningful consequences, including restorative practices.

School personnel are encouraged to use a wide variety of behavioral supports both to help students self-regulate their behavior and to pre-empt student misconduct wherever possible. When it is evident that these supports have failed to prevent inappropriate or unacceptable behavior, it is essential that prompt, corrective action is taken as defined herein.

Students and parents/guardians can expect to be treated reasonably, fairly, and consistently whenever action is taken by school personnel to address student code of conduct violations. The remaining sections of the Code detail the basis for the expectations summarized below.

3.01 RESPONSIBILITIES (ADMINISTRATORS)

Each school level administrator is responsible for:

- Defining, teaching, reinforcing, modeling, and reviewing school level behavioral expectations to achieve a safe, civil, equitable and respectful classroom environment that: 1) Is conducive to learning; and 2) promotes the rights of others.
- Communicating with school personnel, parents/guardians, students and community agencies (where applicable) about: 1) school level behavioral expectations; 2) procedures and programs that teach, reinforce, model and review expectations for appropriate student behavior; and 3) evidence-based interventions that foster expected student conduct through targeted behavioral skill development.
- Encouraging all school staff, parents/guardians, visitors, and volunteers to reinforce positive student behaviors.
- Notifying the FCPS School Police as necessary to protect the safety, health and welfare of students and staff.
- Complying with the Individuals with Disabilities Education Act (IDEA), Section 504 and applicable Kentucky procedural safeguards for discipline of students with disabilities.
- Making reasonable efforts to meet with parents/guardians and considering their input.
- Documenting the actions taken to address student misconduct.
- Using data to monitor and evaluate progress and effectiveness of behavior management strategies.
- The principal of each school, or school council in schools with SBDM, shall set school policy concerning the selection and implementation of appropriate discipline and classroom management techniques necessary to carry out the Code and the Policy.

3.02 RESPONSIBILITIES (OTHER SCHOOL STAFF)

Each teacher is responsible for:

- Defining, teaching, reinforcing, modeling, and reviewing setting level behavioral expectations to achieve a safe, civil, equitable and respectful classroom environment that: 1) Is conducive to learning; and 2) Promotes the rights of others.
- Developing procedures to encourage and acknowledge appropriate behaviors.
- Explaining inappropriate or unacceptable behaviors to students.
- Developing procedures to discourage inappropriate or unacceptable behaviors.
- Taking action to correct, redirect or resolve inappropriate or unacceptable behaviors.
- Following all school policies and procedures.

- Maintaining a positive, professional attitude toward all students.
- Documenting the actions taken to address student misconduct.
- Using data to monitor and evaluate progress and effectiveness of behavior management strategies.

3.03 RESPONSIBILITIES (FCPS School Police)

Each FCPS School Police Officer is responsible for:

- Building positive relationships with students to promote a healthy school environment that supports students.
- Collaborating with school staff to enhance safety for students, staff, families, and community members on all school properties.
- Developing safety protocols, procedures, and best practices at the school level that are nested in district level safety initiatives.
- Serving as a positive role model that contributes to overall student success.
- Providing an appropriate police response when faced with an imminent threat of harm in the school environment or when a law violation has occurred.
- For more information, see section 4.03 Related Notices (Law Violations)

3.04 RESPONSIBILITIES (PARENTS/GUARDIANS)

As a parent/guardian, you are responsible for:

- Stressing the importance of education and learning to your child.
- Making sure your child attends school on time every day.
- Keeping the school aware of, and providing documentation of, any custody changes involving your child.
- Providing resources to help your child complete classwork and homework.
- Being involved with school activities.
- Keeping in touch with the school about your child's progress.
- Communicating with school and district personnel in a civil manner.
- Participating in parent/guardian/teacher conferences and other school-requested meetings regarding your child's behavior or academic performance.
- Cooperating with the school if disciplinary action is necessary.
- Notifying the school when your child has any conditions or situations (e.g., medical problems, family issues or social concerns) that could threaten the safety of your child, other children, or school personnel.
- Remaining familiar with the Code, the policies and regulations of the district, and school rules.

3.05 EXPECTATION SUMMARY (PARENTS/GUARDIANS)

As a parent/guardian, you can expect:

- To be respected as an individual regardless of race, color, national origin, age, religion, sex, gender identity, sexual orientation, or disability.
- To be treated with courtesy by all members of the school staff.
- To be informed about academic requirements, school programs, grading, and promotion policies, and to have access to board and school-based decision-making council policies and administrative procedures.
- To participate in parent/guardian/teacher conferences.
- To have access to your child's cumulative records, written work, and student portfolios, to request the removal or correction of any false or misleading information, or to request the names and addresses of outside recipients of information about your child (see Section 9.01).
- To have information about programs for exceptional students and to participate in decisions regarding your child's placement in a special education class, if applicable.
- To receive any available help to further the educational progress and improvement of your child.

- To expect classroom discipline to be maintained and to be informed of any documented disciplinary steps taken affecting your child.
- To receive prompt and appropriate communications about your child.
- To have the privilege of participating in school level groups (PTA, PTSA, SBDM, etc.) that deal with school policy, program development and evaluation and dissemination of information.

3.06 EXPECTATION SUMMARY (STUDENTS)

As a student, you can expect:

- To be treated respectfully, regardless of race, color, national origin, age, religion, sex, gender identity, sexual orientation, or disability.
- To be free from bullying, harassment, or abuse (of a verbal, physical, or sexual nature) or threat of such bullying, harassment, or abuse by other students, Fayette County Public Schools employees, school volunteers, or school visitors.
- To receive academic grades based only upon academic performance, never to reflect punishment for misconduct. You are also entitled to an explanation of how grades are determined in each class.
- To be told about all school rules, policies, and procedures.
- To see your school record (in accordance with state and federal law) and have questions explained and mistakes corrected. Your school records are confidential. Other than school staff and certain other agencies approved by federal law, no person may inspect, review, or transfer any education records without your consent, if you are 18 (eighteen), or without the consent of your parent/guardians, if you are under 18 (eighteen), or you are your parent/guardian's dependent, or without a properly issued court order or lawfully issued subpoena (see Section 9.01).
- To make up work upon returning to school from an excused absence (see Section 4.02). It is the responsibility of either you or your parent/guardian to contact teacher(s) concerning make-up work during planning periods or before or after school hours. Upon returning to school from an excused absence, you will receive the same number of days that you were absent, plus an additional 1 (one) day, to complete and turn in make-up work. Announced tests, major projects, or term papers for which you had an adequate time to study or prepare shall be made up on the day of return.
- To exercise freedom of expression, including speech, assembly, appearance, publication, and the circulation of petitions, if the exercise of these rights does not disrupt the educational process of the school or threaten the health and welfare of staff and other students.
    - You may organize or participate in assembly programs, public forums, club assemblies, and other such meetings as long as the school administration has agreed, and the established policies of the school are followed. Groups or clubs must follow established board guidelines, may not disrupt the orderly educational process, and may not discriminate against any student because of race, color, national origin, age, religion, sex, gender identity, sexual orientation, or disability.
    - You may wear, display, or distribute buttons and insignias as long as the message does not mock, ridicule, demean, or provoke others because of race, color, national origin, age, religion, sex, gender identity, sexual orientation, or disability, contain obscenities, or contain materials of a slanderous, defamatory character; however, the exercise of this right shall not disrupt the educational process of the school or threaten the health and welfare of staff and other students. The school may establish rules and regulations regarding dress or appearance. Any such rules, however, must relate to a specific educational objective such as health, safety, full participation in classes or school activities, or prevention of disruption of the educational process.
    - You have the right to distribute leaflets, newspapers, or other literature on school grounds and in the school as long as you follow the school regulations clearly describing the procedures for such distribution. Such distribution must not interfere with normal school activities and must not violate the rights of others. The school may establish policies for official school publications including policies concerning publication of libelous, disruptive, or obscene materials. These policies shall be consistent with governing legal standards and must be consistent with the rules and regulations of the board. Members of the student staff of a school publication are responsible for becoming aware of legal responsibilities and the consequences for failure to follow the policies.

- To be secure from unreasonable searches of person and property and from unreasonable seizure of property. School officials have the right to search you or your property if the officials have a reasonable suspicion that you may possess something that violates school rules or endangers others (see Section 8.06).
- To receive due process when any charge or accusation has been made against you. Due process is the right of all citizens. When any charge or accusation has been made, you are entitled to the protection of procedural due process where applicable (see Section 6.0).

3.07 OFFICE DISCIPLINE REFERRALS

Referrals may be made by school personnel to a school level administrator. A referral shall be made:

- Whenever there is suspected illegal activity or safety risk;
- Whenever actions taken to address student misconduct have failed to correct the inappropriate or unacceptable behavior(s) involved; or
- Whenever the specific behavior(s) involved require other help.

Prior to any office referrals or disciplinary measures, students should first be supported in learning the skills necessary to function in the school environment and to avoid negative social behavior. Guiding principles that set clear expectations and the development of tiers of support (MTSS) that increase in intensity according to the needs of the student will enable staff to evaluate and address student misconduct more effectively.

In all cases, the referring person or an administrative designee, shall contact the parent/guardian and submit an office discipline referral form in accordance with school policy within 24 hours of the behavioral event. Documentation of the violation and resulting administrative action, as indicated on the office discipline referral form, shall be kept by the assigned administrator, entered into the FCPS behavior database (Infinite Campus), and be made available upon request to the appropriate teachers, administrators, mental health support professional, the student, or the parent/guardian in accordance with the provisions of FERPA and KFERPA.

Disciplinary action for elementary, middle, and high schools is to be administered by the principal or his/her designee according to the options designated in the Behavior Management Charts (see Section 5.03).

4.0 STUDENT CODE OF CONDUCT VIOLATIONS

4.01 DEFINITIONS AND EXAMPLES

The definitions and examples of student code of conduct violations are listed on the following pages. Violations are separated into four classifications ranging from relatively minor misconduct in Class I to relatively major misconduct in Class IV.

CLASS I CODE VIOLATIONS

A Class I Code violation includes relatively minor misconduct that rarely has the potential to result in consequences outside of the district.
DISRUPTIVE BEHAVIOR: This violation means causing an interruption of the learning environment: 1) On the way to or from a class or activity; or 2) In a class or activity despite the corrective efforts of school personnel.
Examples include, but are not limited to, the following: • Continuing to talk at inappropriate times during a lesson or activity (e.g., while a teacher is talking or engaging in a side conversation with another student or group).

- Communicating in an inappropriate way (e.g., engaging in sustained loud talk, yelling, or screaming; making inappropriate noises either verbally or with materials; or mimicking/repeating a teacher's words).
- Distracting other students while they are working.
- Engaging in other continued "off-task" disruptions despite the corrective efforts of school personnel (e.g., engaging in sustained out of seat behavior or calling out to others without permission).

DRESS CODE VIOLATION: This violation means dressing in a manner that: 1) Creates a disruption that interrupts classroom instruction; or 2) Otherwise violates the school dress code.

NOTE: No discrimination is allowed on the basis of race, color, national or ethnic origin, age, religion, sex, genetic information, identity, sexual orientation, political affiliation, veteran status and disability.

Examples include, but are not limited to, the following:

- Wearing items associated with illegal or prohibited organizations, including any type of attire that references, demonstrates support for, symbolizes, or suggests involvement in gang activity, affiliation with gangs, or organizations/group that promote illegal or prohibited activities (e.g., "colors", bandanas, flags, hair nets, or certain types of jewelry).
- Wearing items that reference activity that is either illegal outright or prohibited for minors (e.g., clothing that promotes the use of drugs, alcohol, or tobacco or other criminal activity).
- Wearing items that display or promote messages considered offensive by community standards, including any type of attire that contains violent, sexual, or offensive language (e.g., language, phrases, slogans, pictures, diagrams, drawings, or symbols).
- Wearing items that display messages of bias, including any type of attire that contains language which advocates or demonstrates approval of discrimination based on ethnic background, color, race, national origin, religious belief, sexual orientation, or disability.
- Wearing items that are overly revealing, suggestive, obscene or lewd, including any type of attire that is likely to expose parts of the body with movement, those that expose body contours or regions of the body (e.g., tube tops, cut off shirts, sagging pants, "bare midriff" tops), and those that are tailored from transparent materials or improperly maintained.
- Wearing items that may conceal the condition or identity of the student within a building, classroom or on a bus.

OUT OF ASSIGNED OR DESIGNATED AREA; SKIPPING CLASS; UNEXCUSED TARDY TO CLASS: This violation means 1) being on campus but away from the area, class, or activity or missing a portion or part of class or assigned activity without knowledge and authorization of an administrator, or staff member; or 2) Being in a prohibited area.

NOTE: Refer to individual school policy on class tardiness and skipping.

Examples include, but are not limited to, the following:

- Arriving late to a class or activity already in session.
- Arriving back to class late after an activity.
- Missing the entire class or activity.
- Leaving class without permission.
- Failing to have appropriate hall pass when required.
- Being in a place that is "off limits" (or other room or area) that requires permission from staff.
- Moving from a classroom, playground, or lunchroom to another area on campus at an inappropriate time or without the permission of the area supervisor.
- Failing to arrive at an assigned class, program, or activity after being on campus without the knowledge or permission of a teacher.

PERSONAL TELECOM DEVICE: This violation means possessing or using (turning on) a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor [KRS 158.165(2)] either during a restricted time or in a manner that has disrupted the setting.

Examples include, but are not limited to, the following:

- Using a cellular/smart phone, smart watch, digital tablet, laptop, e-reader or netbook (e.g., a Chromebook®) or paging device without permission.
- Using a wireless accessory for such device without permission (e.g., Bluetooth® and other headsets).
- Using a mobile consumer electronics device (e.g., laptop, iPad®, iPod®, MP3 player, CD player, radio, pager, or "walkie-talkie") not provided by the school or used in relation to the school setting.
- Bringing cameras (e.g., 35mm camera, box camera, or digital camera), electronic gaming consoles or games (e.g., "Gameboy®" or PSP) or other toys of any kind to school.

PUBLIC DISPLAY OF AFFECTION: This violation means consensual touching, hugging, kissing, or fondling in public that is beyond casual contact and which creates, or has the potential to create, a disturbance of the setting or school.

Examples include, but are not limited to, the following:

- Engaging in consensual non-verbal conduct of an intimate nature that disrupts the learning environment in view of one or more bystander(s) (e.g., sitting on the lap of another student, massaging another student or kissing another student).
- Touching another student in a suggestive manner (e.g., "grinding" or "twerking" while dancing).

CLASS II CODE VIOLATIONS

A *Class II Code violations* include relatively moderate misconduct that occasionally has the potential to result in consequences outside of the district.

FALSE NOTE/REPORT OR CHEATING: This violation means: 1) Providing false information to a school official; or 2) Tampering with, altering, or destroying an unofficial document, note, or signature OR 3) copying/plagiarizing another's work and submitting it as one's own.

Examples include, but are not limited to, the following:

- Using a cell phone to transmit test items, test answers or other secured information to others or obtaining material or work from a teacher or another student in a dishonest or unauthorized way.
- Copying assignment/homework responses of another student.
- Requesting, offering, giving, or receiving information during a quiz.
- Presenting the labor, language, structure, or concepts of others as one's own original work.
- Obtaining unauthorized/undocumented material from the internet.
- Disseminating, distributing, copying, printing, or creating derivatives of the intellectual property of others works without authorization.
- Failing to be truthful when questioned by a school official.
- Making a false accusation of non-criminal activity.
- Signing a parent/guardian's name on a progress report or a teacher's name on an eligibility report.
- Changing the expiration time of a hall pass.
- The **unauthorized use** of emerging technologies (e.g.: Artificial Intelligence (AI), automated paraphrasing tools, or algorithmic problem-solvers) to complete assignments and/or assessments.

DISREGARDING SAFETY: This violation means any action or behavior with the potential to injure the student or others.

Examples include, but are not limited to, the following:

- Self-Endangerment

- Initiating a prank (e.g., pushing or tripping).
- Engaging in “horseplay” or “roughhousing” (e.g., wrestling or running in high traffic areas).
- Possessing potentially dangerous items (e.g., matches or lighters).
- Leaving an external door propped open during school hours.
- Keeping prohibited items in a locker in violation of a school locker policy.
- Using skateboards, roller blades, or “roller shoes” on campus.
- Crossing streets or high traffic areas on campus on foot in an unsafe manner or in non-designated locations.
- Parking a bicycle, moped or car in non-designated areas on campus or without a valid operator’s license and/or permit where applicable.
- Blocking bus or car “drop off” lanes at a school.
- Refusal to follow school safety protocols and procedures (e.g., masks wearing, social distancing)

FAILURE TO FOLLOW STAFF INSTRUCTIONS: This violation means any verbal, physical, or symbolic: 1) Refusal to comply with reasonable requests of school personnel; 2) Refusal to stop a disruptive behavior; or 3) Failing to accept in-school disciplinary measures.

Examples include, but are not limited to, the following:

- Continuing to refuse to follow classroom rules or the directives of school personnel, after reteaching directions were given
- Ignoring instructions to remain quiet on a school bus.
- Disregarding a warning/refusing to leave an area. Loitering.
- Failing to relinquish a cell phone or other device that is being used in a manner that violates this code when requested by staff.
- Refusing verbally to participate in an assigned lesson or activity.
- Refusing to identify oneself or to display a school-issued ID
- Failing to participate in a state-mandated test.
- Refusing to go to RESET/In School Suspension (ISS)
- Continuous refusal to follow school health protocols (e.g. masks wearing, social distancing)

GANG ACTIVITY (PROMOTING): This violation means displaying signs, signals, or gestures indicative of affiliation or advertisement of an organized gang, group, or organization which advocates disruption or violence or has a history of group violence or disruption.

PROFANITY OR VULGARITY: This violation means using profanity, not directed at a person, which includes swearing or the use of vulgar or inappropriate words, objects or gestures in a way that causes disruption or alarm.

Examples include, but are not limited to, the following:

- Using offensive (but non-discriminatory/non-threatening) words (e.g., verbal, or written swearing, foul language, profanity or obscenity during an outburst of anger or exclamation) that are not directed toward another person.
- Using a symbolic (but non-discriminatory/non-threatening) gesture (e.g., hand signs with specific connotations) in a similar manner.
- Displaying gang graffiti and/or accessories (e.g. drawings, hats/bandanas with known gang signage.

TOBACCO POLICY VIOLATION; POSSESSION OR USE: possession or under the influence of a nicotine or tobacco product, including but not limited to smoking, chewing, vapor products or other alternative nicotine products

TOBACCO POLICY VIOLATION; DISTRIBUTION: distribution of a nicotine or tobacco product, including but not limited to smoking, chewing, vapor products or other alternative nicotine products

Examples include, but are not limited to, the following:

- Possessing or using smoked forms of tobacco (e.g., cigarettes, cigars, and pipe tobacco).
- Possessing or using "smokeless" forms of tobacco (e.g., alternative nicotine product, chewing tobacco or "snuff").
- Possessing or using electronic "cigarettes" (i.e., e-cigarettes, vapor products).
- Possessing tobacco paraphernalia (e.g., rolling papers or tobacco pipes).
- Possessing or using a Nicotine Pouch.

LEAVING CAMPUS/SKIPPING SCHOOL: This violation means leaving the school campus in which you are enrolled or being absent from school without the principal's permission/school authorization.

Examples include, but are not limited to, the following

- Leaving campus without obtaining administrative authorization before the end of the school day (e.g., at lunch).
- Leaving campus after arriving but before being reported as present.
- Leaving campus without following the proper checkout procedure.
- Refusing to attend school.

CLASS III CODE VIOLATIONS

A Class III Code violations include relatively major misconduct that often has the potential to result in consequences outside of the district.

BULLYING: This violation means any unwanted aggressive behavior that involves power imbalance toward other persons; the behavior is repeated or has the potential to be repeated (complete definition found in KRS 158.148)

NOTE: Acts motivated by age, color, disability, gender identity, national origin, political affiliation, race, religion, sex, sexual orientation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law."

Examples include, but are not limited to, the following:

- Repeatedly engaging in the "cyber-bullying" of another student (e.g., on social media, on a blog, by sending a text message, or in a picture).
- Filming acts of Bullying and sharing with other members of the school community (ex. Texting, social media, iPhone Airdrop, etc.)
- Name-calling, telling stories or jokes, or using pictures or objects that are offensive to one's race, color, national origin, age, religion, or disability.
- Teasing in a cruel manner, threatening, or socially excluding another student.
- Drawing or taking a picture, writing a note, or making a gesture conveying a meaning of harm, humiliation, or intimidation to the recipient).
- Making comments about another student based on race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, or any other reason not related to the student's individual capabilities, that may hinder his or her health, safety, welfare, or right to attend school or participate in school activities.
- Pushing, pulling, punching near, or striking near a person in a way that: 1) Creates a climate of abuse; 2) Causes psychological or physical injury; or 3) Conveys an intent to use violence against another person or to damage his or her property.
- Grabbing, touching, slapping, or pulling hair (e.g., attempting to draw an unwilling participant into combat).

- Demonstrating power (e.g., shoving a person against a wall, cornering/blocking his/her movement or invading personal space).
- Online communication such as sending, posting, or sharing negative, harmful, false, or mean content about someone else causing embarrassment or humiliation.
- Seeking to involve students with disabilities in antisocial, dangerous, or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity
- Use of emerging technologies to create, alter, or distribute such generative media (images, audio, or video) of another person without their express, documented consent (examples include face-swapping, deepfake, deceptive or sexualized content).

FORGERY/COUNTERFEITING: This violation means falsely making, completing, or altering a written instrument with intent to defraud, deceive or injure [KRS 516.020 through 516.040].

FRAUD: This violation means (1) attempting to deceive others, typically by unjustifiably claiming or being credited with accomplishments or qualities (2) wrongfully or criminally deceiving, intending to result in financial or personal gain.

Examples include, but are not limited to, the following:

- Making, completing, or altering a written instrument (e.g., creating false identification; or signing a parent/guardian's signature on a check).
- Obtaining money or property by false pretenses (e.g., using a teacher's credit card; or using a "skimming" device to extract personal identification numbers from passersby).
- Tampering with an official document (e.g., changing an attendance sheet; or altering/deleting a grade or transcript).
- Interfering with official proceedings (e.g., concealing evidence, tampering with a witness, or otherwise interfering with an investigation; or attempting to bribe a school official).

DISORDERLY CONDUCT: This violation means being in a public place and with intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk [KRS 525.060(1)]: 1) Engaging in fighting or in violent, tumultuous or threatening behavior; 2) Making unreasonable noise; 3) Refusing to obey an official order to disperse issued to maintain public safety in dangerous proximity to an emergency; or 4) Creating a hazardous or physically offensive condition by any act serving no legitimate purpose.

Examples include, but are not limited to, the following:

- Participating in a disruptive event that substantially interferes with the educational process or with school operations (e.g., running hallways and kicking doors, walk-outs, sit-downs, or picketing).
- Advising, counseling, or inciting others to create or contribute to a disruptive event.
- Failing to disperse from a crowd after being requested to do so by a school official or police officer.

ENDANGERING OTHERS: This violation means advising, counseling, or compelling someone to participate in an act that injures, degrades, or disgraces the participant or other person.

ENDANGERING OTHERS; WANTON ENDANGERMENT: This violation means engaging in conduct that creates a substantial danger of physical injury to another person [KRS 508.060(1) and 508.070(1)].

Examples include, but are not limited to, the following:

- Creating a hazard situation with equipment (e.g., Bunsen burners, glassware, or paint solvents).
- Chasing another student with a dangerous object (e.g., scissors).
- Organizing, conducting, or participating in an initiation into a secret, society, club, or organization that puts participants or others in danger.
- Operating a motor vehicle on or near school property or a school bus in an unsafe manner.
- Exceeding campus or school zone speed limits.

- Blocking bus or car “drop off” lanes at a school.

FIGHTING: This violation means engaging in intentionally aggressive physical actions, involving physical contact where some injury may occur.

NOTE: “Self-defense” is determined solely by the school administrator, considering whether or not the student’s actions were indicative of self-protection vs. willingness to participate in fighting.

Examples include, but are not limited to, the following:

- Engaging in mutual combat (e.g., any physical contact between students involving hitting, scratching, kicking, pulling of hair, wrestling for leverage, or the use of fists; or participating in a “fight club”).
- Engaging in an altercation between multiple students or any other act involving imminent or actual physical violence in which two or more sides have contributed to the altercation either verbally or physically regardless of who initiated it.

GAMBLING: This violation means staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device, which is based upon an element of chance, in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome, on school property or at a school-sponsored event.

NOTE: This violation does not include school-sanctioned activities of chance.

Examples include, but are not limited to, the following:

- Organizing or engaging in any game, activity, event or simulation based on skill or chance that traditionally requires participants to risk money or property for the possibility of gain regardless of whether or not a wager is formally placed.
- Engaging in a game of skill or chance (e.g., craps or poker).
- Accessing gaming sites (e.g., web-based poker tournaments).
- Placing a wager on a non-participatory event (e.g., professional or college level sports bets or scoring pools).
- Acting as a sports book (e.g., holding bets until an event is over for the payment of winners or keeping score for later settlement).

HARASSMENT (NON-SEXUAL): This violation means performing any of the following with intent to intimidate, harass, annoy or alarm another person [KRS 525.070(1)]: 1) Striking, shoving, kicking or otherwise subjecting a person to physical contact; 2) Attempting or threatening to strike, shove, kick, or otherwise subject a person to physical contact; 3) Making an offensively coarse utterance, gesture, display, or address containing abusive language to any person present in a public place; 4) Following a person in or about a public place or places; 5) Engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or 6) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:

- Damaging or committing a theft of property.
- Substantially disrupting the operation of the school; or
- Creating 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.

NOTE: Acts motivated by age, color, disability, gender identity, national origin, political affiliation, race, religion, sex, sexual orientation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party’s health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district’s harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.”

Examples include, but are not limited to, the following:

- Abusing, intimidating, or threatening another student
- Making offensive written statements (e.g., hand-written notes or drawings; typewritten letters; newspaper editorials; drawings or graffiti; emails, text messages; web pages; or blog entries).
- Intimidating or retaliating in any way against any person who has reported or witnessed harassment, bullying or other violation of the Student Code of Conduct.
- Name-calling, telling stories or jokes, or using pictures or objects that are offensive to one's sex, gender identity, or sexual orientation.
- Continuing to request a date or social time after disinterest has been made clear.
- Making unwanted or offensive flirtations or jokes.
- Making degrading remarks about a person's body.
- Derogatory nicknames, slurs, intimidation, name calling, ridicule or mockery, insults, put downs, stereotyping, demeaning stories, jokes, or pictures relating to any of the protected classes.
- Use of emerging technologies to create, alter, or distribute such generative media (images, audio, or video) of another person without their express, documented consent (examples include face-swapping, deepfake, deceptive or sexualized content).

HARASSMENT (SEXUAL): This violation means any non-mutual, non-consensual conduct involving gender or sex that is perceived by the recipient, a third party or a reasonable disinterested person to be severe and/or pervasive, unwelcome, unsolicited, undesirable, abusive, sexually discriminatory or offensive.

NOTE: Acts motivated by age, color, disability, gender identity, national origin, political affiliation, race, religion, sex, sexual orientation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law."

Examples include, but are not limited to, the following:

- Making unwelcome sexual advances, lingering touches, or sexual violence.
- Making unwelcome requests for sexual favors or propositions/pressure for sexual activity.
- Making sexually suggestive remarks or spreading sexual rumors.
- Making sexual innuendos or double entendres
- Inquiring about someone's sexual preferences or practice.
- Sharing pornographic or sexually suggestive images, objects, materials, emails, text-messages, or faxes.
- Leering or making sexually suggestive gestures or facial expressions
- Making degrading remarks about a person's body.
- Use of emerging technologies to create, alter, or distribute media (images, audio, or video) of another person without their express, documented consent (examples include face-swapping, deepfake, deceptive or sexualized content).

HARASSING COMMUNICATION: This violation means performing any of the following with intent to intimidate, harass, annoy or alarm another person [KRS 525.080(1)]: 1). Communicating 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; 2) Making a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or 3) Communicating, while enrolled as a student in a school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, mail, or any other form of electronic or written communication in a manner which a reasonable person 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.

NOTE: Acts motivated by age, color, disability, gender identity, national origin, political affiliation, race, religion, sex, sexual orientation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are

subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law."

Examples include, but are not limited to, the following:

- Engaging in the "cyber-harassment" of another student (e.g., on social media, on a blog, by sending an email, a text message, or in a picture)
- Filming fights and sharing with other members of the school community (ex. texting, social media, iPhone Airdrop, etc.)
- Use of emerging technologies to create, alter, or distribute such generative media (images, audio, or video) of another person without their express, documented consent (examples include face-swapping, deepfake, deceptive or sexualized content).

INAPPROPRIATE SEXUAL BEHAVIOR: This violation means engaging in any mutual, consensual sexual activity.

Examples include, but are not limited to, the following:

- Engaging in sexual activity at school, on the way to or from to school on a school provided transport, or at a school-sponsored activity.

INDECENT EXPOSURE: This violation means intentionally exposing genitals under circumstances in which he or she knows, or should know, that such conduct is likely to cause affront or alarm to a person [KRS 510.148(1) and 510.150(1)].

Examples include, but are not limited to, the following:

- Intentionally exposing oneself or someone else to one or more other persons (e.g., revealing breasts, buttocks, or genitals; or "de-pantsing").
- Urinating in Public
- Intentional display of nudity in sight of the general public
- Intentionally exposing genitals in public, for example on bus, or on school campus
- Willfully masturbating in sight of the general public

MENACING: This violation means intentionally placing another person in reasonable apprehension of imminent physical injury [KRS 508.050(1)].

NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, political affiliation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.

Examples include, but are not limited to, the following:

- Engaging in conduct of a threatening nature that either conveys the intent to use force, power or physical attack to commit violence or arouses a reasonable fear by the victim that such an attack is imminent due to the "present ability to succeed" of the perpetrator (e.g., raising and drawing back of a hand or fist in order to make the other individual believe he/she/they is about to be slapped or punched; or swinging/jabbing a hand toward someone to cause the person to flinch, duck or raise his or her hands in anticipation of being struck).
- Acting in a violent and/or unpredictable manner in close proximity to another person (e.g., picking up a chair and throwing it across a room).
- Intimidating or retaliating in any way against any person who has reported or witnessed harassment, bullying or other violation of the Student Code of Conduct.
- A student acts as if they are going to throw a punch but does not hit the other person.
- Student threatens another person with suggestive of dangerous actions.
- Student makes someone believe they are about to be in serious danger.
- A student shows they are about to inflict harm to another student or employee. (ex. Picking up a chair or another harmful object acting like they are going to throw it towards the person)

MILD SEXUAL BEHAVIOR: This violation means there was a public display of affection (such as kissing and excessive hugging), consensual sexual acts, mooning, patting buttocks (as opposed to grabbing), etc. which are of a consensual or harmless nature. This may also include viewing and/or sharing pornographic materials.

Examples include, but are not limited to, the following:

- Possessing, exhibiting, transmitting, distributing, or creating pornography (e.g., bringing erotic content to school; downloading erotic content; or creating erotic material in an art class).

OTHER DRUG/OVER THE COUNTER DRUG: This violation means the possession, use, distribution or sale of any over the counter ("OTC") product or non-controlled prescription medication in a manner inconsistent with established procedure.

Examples include, but are not limited to, the following:

- Keeping any OTC remedy (e.g., aspirin, Tylenol®, antihistamines such as Benadryl®, or laxatives) or non-controlled prescription (e.g., an antibiotic or decongestant) in a backpack, locker, or on your person.
- Use of an OTC substance without prior notification of, and authorization by, school officials.
- Providing, selling, offering, or obtaining any such item to/from another student (no evidence of misrepresentation as a drug).

PROPERTY DAMAGE OR VANDALISM; CRIMINAL MISCHIEF: This violation means a person [KRS 512.020 to 512.040]: 1) Intentionally or wantonly defaces, destroys, or damages any property without having the right to do so or any reasonable ground to believe that he or she has such right; or 2) Tampers with property so as to knowingly endanger the person or property of another.

NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, political affiliation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.

Examples include, but are not limited to, the following:

- Defacing school grounds or facilities (e.g., "tagging").
- Demolishing signs, foliage, sprinklers, windows, or doors.

- Damaging furnishings (e.g., engraving desks), fixtures (e.g., toilets) or equipment (e.g., storage cases).
- Engaging in an act of sabotage (e.g., plumbing).
- Destroying consumable materials (e.g., defacing textbooks).
- Damaging personal property in retaliation (e.g., slashing a teacher's tires after a poor grade is received).
- Disconnecting network components, changing hardware configurations without authorization, or loading unauthorized software.
- Scanning network ports, introducing viruses, or changing user permissions.
- Altering or erasing computer programs or data without permission.

STALKING: This violation means 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, but are not limited to, the following:

- Hacking into a person's social media account to find personal information; Creating fake social media accounts to keep in touch with an ex-partner; sending hundreds of 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
- Damaging the victim's home or other property
- Sending victim unwanted gifts
- Obtaining information about the victim through the public use of public records, online searched, going through the victim's garbage or belongings
- Contacting the victim's family, friends, neighbors, or co-workers
- Hiring a private investigator to follow or discover information about the victim

STEALING/LARCENY- THEFT (CRIMINAL): This violation means the unlawful taking, possessing, carrying, leaving with or riding away with property of the district or another person without threat, violence, or bodily harm**.**

THEFT; POSSESSION OF STOLEN PROPERTY: This violation means buying, selling, receiving, or otherwise possessing property stolen from the district or another person.

NOTE: All personal property is brought onto campus at the risk of its owner. The district is not responsible for personal property brought onto school campuses.

Examples include, but are not limited to, the following:

- Taking personal property of others (e.g., stealing music, electronics, wallets, purses, backpacks, collectibles, electronic devices such as cell phones, iPads®, laptops, MP3 players and CD players)
- Accessing a computer system without authorization.
- Removing property from the control, custody or care of the school or district, a staff member, a student or a third-party victim under non-confrontational, covert, or deceptive circumstances.
- Taking school or district property (e.g., leaving a computer lab with a hard drive in a backpack or removing equipment from a locker room).
- Taking personal property belonging to another student or staff member (e.g., taking money from a teacher's wallet, copying personal information to engage in identity theft; or the misrepresentation of an item sold, exchanged, or bartered).
- Assisting another student in such an activity (e.g., receiving, possessing, and/or storing of stolen items/materials.)
- Knowingly receiving, retaining, or disclosing data obtained through the misuse of computer system information.

NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, political affiliation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.

THREATENING- STUDENT OR STAFF: This violation means to cause reasonable apprehension or threat of physical harm to another student, staff person, or school representative through statement, communication, conduct or gesture.

NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, political affiliation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.

Examples include, but are not limited to, the following:

- Making verbal or written threats to hit, fight or harm student or staff
- Intentional behavior that would cause a person fear of injury or harm
- Engaging in conduct of a threatening nature that either conveys the intent to use force, power or physical attack to commit violence or arouses a reasonable fear by the victim that such an attack is imminent due to the "present ability to succeed" of the perpetrator
- Gesturing or posturing toward someone creating fear
- Raising hand or fist in order to make the other believe he/she/they are about to be slapped or punched or engage in physical attack

NOTE: Review Terroristic Threat if threat involves weapons, threat to cause bodily injury with weapons of mass destruction, threatens to commit any act likely to result in death or serious physically injury to any person

VERBAL ABUSE: This violation means using abusive and demeaning language to attack or injure an individual, this could include but not limited to talking back, name calling, creating socially rude interactions.

NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, political affiliation, veteran status, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.

Examples include, but are not limited to, the following:

- Using disrespectful, antagonizing, and attacking language
- Using language that is reasonably perceived by a receiving victim and/or a bystander as-belittling
- Using words that insult someone or causes him/her to believe an untrue statement
- Making personal attacks (e.g., engaging in abusive or malicious criticism of another student or a staff member).
- Using derogatory or degrading name calling

CLASS IV CODE VIOLATIONS

A Class IV Code violation includes relatively extreme misconduct that has the potential to result in consequences outside of the district.

ALCOHOL OR INTOXICANT; POSSESSION, USE OR UNDER THE INFLUENCE OF: This violation means possessing, using, or exhibiting noticeable behaviors, physical appearance or odors consistent

with use of alcohol, drugs or other intoxicating substances; includes all offenses of intoxication with the exception of driving under the influence (see Section 4.03).

NOTE: Use of medications prescribed or ordered by a physician or dentist shall not be considered a violation of FCPS 09.2241.

ALCOHOL OR INTOXICANT; DISTRIBUTION, TRANSFER OR SALE: This violation means transferring or selling a prohibited substance as defined in board policy (see Section 4.03).

NOTE: In Kentucky, this offense equates to alcohol intoxication and/or public intoxication, which occurs when a person appears in a public place manifestly under the influence of a drug, alcohol or intoxicating substance.

- Possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, using or being under the influence of items such as the following: 1) Naturally fermented beverages (e.g., beer, malt liquor, wine), their derivatives (e.g., "fortified" wine) or distilled spirits (e.g., vodka or whiskey); 2) Inhalants with intoxicating properties (e.g., glues, paint thinners, hair spray and other products containing volatile materials and/or propellants); 3) An over the counter (OTC) product containing an alcohol (e.g., cough syrup); or 4) Other natural compound with potentially intoxicating properties (e.g., bath salts, salvia, K2 or "Spice").

ARSON: This violation means an unlawful act that involves intentionally starting or attempting to start a fire during school hours, school sponsored events, and/or on school property.

Examples include, but are not limited to, the following:

- Setting or attempting to set fire to school or district property (e.g., lighting books, papers, or trash on fire, tossing an incendiary device containing an accelerant into a room, or detonating an explosive device that produces a subsequent fire).
- Setting or attempting to set fire to personal property (e.g., using a lighter to start a fire inside a parked car).

1st Degree Assault: intentionally causes serious physical injury (reference KRS 500.080 for complete definition of "serious physical injury," particularly for children ages 12 and under) 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; complete definition found in KRS 508.010. Consult with law enforcement (such as a School Resource Officer) or a board attorney before choosing 1st Degree Assault. This behavior event is reported singularly on the School Report Card.

2nd Degree Assault: same as 1st Degree Assault, although it includes causing serious physical injury without a weapon or instrument; complete definition found in KRS 508.020; (reference KRS 500.080 for complete definition of "serious physical injury," particularly for children ages 12 and under")

3rd Degree Assault: 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; complete definition found in KRS 508.025 (reference KRS 500.080 for complete definition of "physical injury")

4th Degree Assault: 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; complete definition found in KRS 508.030; (reference KRS 500.080 for complete definition of "physical injury")

NOTE: Victims of assault have the right to self-defense.

Examples include, but are not limited to, the following:

- Inflicting bodily injury upon students or school personnel.
- Injuring a third party while engaged in a fight (e.g., hitting a teacher who is attempting to stop the fight).

- Engaging in bystander battery (i.e., entering a fight as a third party after it has started).
- Retaliating physically for a non-physical conflict.
- Exposing a person to a health risk (e.g., spitting, biting, or exposing another person to bodily fluids).
- Committing an aggravated assault (i.e., an assault using a Deadly Weapon or Dangerous Instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, that the victim was a peace officer or a school staff member engaging in a school-related activity).

NOTE: Acts motivated by race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, or any other reason not related to the student's individual capabilities may hinder the other party's health, safety, welfare or right to attend school or participate in school activities and will not be tolerated. Further, such acts: 1) Are subject to the district's harassment/discrimination complaint procedure; and 2) May represent serious violations of civil and/or criminal law.

BURGLARY: This violation means knowingly entering or remaining unlawfully in a building (or vehicle) with the intent to commit a crime [KRS 511.020 to 511.040].

Examples include, but are not limited to, the following:

- Engaging in burglary to take possession of school or district or personal property (e.g., hiding on campus until late in the afternoon for the purpose of stealing money left in an unlocked file cabinet or forcing open the door of a car left in the parking lot to remove a purse left in the front seat).
- Engaging in burglary to conduct property damage (e.g., entering a utility room during the school day that is "off-limits" to tamper with phone lines or using bolt cutters on a gate to create graffiti on the wall of a building).
- Engaging in burglary to commit another crime (e.g., entering a building before school hours to change a grade or shattering a window at night to vandalize the inside of a school).
- Breaking into property belonging to third parties (e.g., disabling the lock on a vending machine and taking the change inside).

DANGEROUS INSTRUMENT: This violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, or using any instrument, including parts of the body (when a serious physical injury directly results from the use of that part of the body), article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, or could be used, and is readily capable of causing death or serious physical injury [KRS 500.080(3)] (see Section 4.03).

NOTE: This violation includes fireworks.

Examples include, but are not limited to, the following:

- Ammunition for a firearm (e.g., a bullet, shotgun shell or other round).
- Sporting or recreational equipment without authorization (e.g., a BB gun, Air Soft gun, paintball gun, pellet gun, flare gun, starter gun, slingshot, bow or crossbow).
- Fireworks or other flammable items (e.g., sparklers, "pop bottle" rockets or Black Cats®).
- Combustibles (e.g., road flares or flammable liquids).
- Objects which emit noxious gases (e.g., tear gas, a smoke bomb or stink bomb).
- Bladed instruments (e.g., a hunting or pocketknife).
- Stun devices (e.g., a Taser®).
- Utility tools (e.g., a razor blade or box cutter).
- "Look-alikes", simulations, or facsimiles (e.g., a rubber knife).
- Defensive repellants (e.g., mace, "pepper spray", other a similar chemical spray).
- Office implements (e.g., a letter opener or a pen).
- A laser pointer.

DEADLY WEAPON: This violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, intending to use or using any instrument described in KRS 500.080(4) or elsewhere in state statute (see Section 4.03).

DEADLY WEAPON; LOOK-ALIKE: This violation means possessing, transporting, receiving, exchanging, selling, transferring, distributing, or exhibiting any look-alike, toy, or facsimile of a Deadly Weapon as defined above (see Section 4.03).

Examples include, but are not limited to, the following:

- Any weapon of mass destruction [KRS 500.080(4)(a)] including, but not limited to, a "destructive device" (i.e., an explosive, incendiary or poison gas bomb, grenade, mine, rocket, missile, or similar device and includes the unassembled components from which such a device can be made) [KRS 237.030(1)] or a "booby trap device" (i.e., a device or substance designed to surreptitiously or covertly take life, endanger life or destroy or damage property) [KRS 237.030(2)].
- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged [KRS 500.080(4)(b)] including, but not limited to, a handgun (i.e., a pistol or revolver originally designed to be fired by the use of a single hand, or any other firearm originally designed to be fired by the use of a single hand) [KRS 237.060(1) and 527.010(5)], a rifle, a shotgun, or other firearm [KRS 237.060(2) and 500.010(4) and 527.010(4)].
- Components of these weapons (e.g., a stock, barrel, frame, or receiver).
- Certain accessories for these weapons (e.g., a muffler/silencer).
- Any item(s) which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.
- Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
  Items represented as such weapons (e.g., a concealed object shaped like a gun or referred to as a gun or any object such as a stick or finger concealed under clothing and is being portrayed as a firearm).
- Commercial explosives (e.g., dynamite, blasting caps or chemical oxidizing agents).
- Simulations or facsimiles of such weapons (e.g., toy guns).
- Any knife other than an ordinary pocketknife or hunting knife KRS 500.080(4)(c)].
- Billy, nightstick, or club [KRS 500.080(4)(d)**].**
- Blackjack or slapjack [KRS 500.080(4)(e)].
- Nunchaku karate sticks [KRS 500.080(4)(f)].
- Shuriken or death star [KRS 500.080(4)(g)].
- Artificial knuckles made from metal, plastic or other similar hard material [KRS 500.080(4)(h)].

DRUG; POSSESSION, USE OR UNDER THE INFLUENCE: possession, use, or under the influence of a controlled substance, such as, amphetamines, barbiturate, cocaine, hallucinogens, heroin (opioids), inhalant, marijuana/hashish (including vaping THC (tetrahydrocannabinol) oil), methamphetamine, prescription drugs, steroids (anabolic), synthetic drug, over the counter drug or look alike drugs (see Section 4.03). Includes all offenses of intoxication with the exception of driving under the influence.

NOTE: Using a medication prescribed or ordered by a physician or dentist as directed shall not be considered a violation of that policy [FCPS 09.2241].

DRUG; TRANSFER OR SALE (Distribution): This violation means transferring or selling (distributing) of a controlled substance, such as, amphetamines, barbiturate, cocaine, hallucinogens, heroin (opioids), inhalant, marijuana/hashish (including vaping THC (tetrahydrocannabinol) oil), methamphetamine, prescription drugs, steroids (anabolic), synthetic drug, over the counter drug or look alike drugs (see Section 4.03).

NOTE: In Kentucky, this offense equates to alcohol intoxication and/or public intoxication, which occurs when a person appears in a public place manifestly under the influence of a drug, alcohol or intoxicating substance.

Examples include, but are not limited to, the following:

- Possessing, transporting, receiving, exchanging, selling, transferring, distributing, exhibiting, using or being under the influence of any natural or manufactured compound on the United States Drug

Enforcement Agency (DEA) schedule of regulated substances or listed in KRS 218A or any other substance that may be added by the Kentucky Cabinet for Families and Children under regulations pursuant to KRS 218A.020 or 217.900(2) which typically affects mood, perception or behavior, either without a legitimate prescription or for which no prescription may legally be written, such as: 1) Opiates (e.g., heroin or morphine) and opioids (e.g., oxycontin or codeine); 2) Hallucinogens and psychedelics (e.g., Marijuana, LSD, and MDMA or "ecstasy"); 3) Depressants (e.g., barbiturates and benzodiazepines); 4) Stimulants (e.g., amphetamines, methamphetamines, cocaine and "crack"); or 5) Anabolic steroids (e.g., dehydroepiandrosterone or DHEA).

- Possessing paraphernalia associated with these compounds (e.g., syringes, pipes, water pipes, rolling papers, razor blades, torches, scales, containers, packages, or baggies).
- Representing some other substance (e.g., sugar or oregano) as such a drug.

EXTORTION: This violation means intentionally obtaining property of another by threatening to: 1) Inflict bodily injury on anyone or commit any other criminal offense; 2) Accuse anyone of a criminal offense; 3) Expose any secret tending to subject any person to hatred, contempt, or ridicule, or to impair his credit or business repute; or 4) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense [KRS 514.080(1)].

Examples include, but are not limited to, the following:

- Threatening to hurt another student unless he or she voluntarily gives up a possession.
- Threatening to physically attack a student's girlfriend if he does not join a gang.
- Threatening to make a false accusation against a teacher unless he or she changes a grade.

ROBBERY: This violation means using or threatening the immediate use of physical force upon another person with the intent to accomplish theft [KRS 515.020 and 030].

Examples include, but are not limited to, the following:

- Demanding a peer's money or property and removing it from his/her pocket or person upon refusal.
- Shoving a peer up against a wall to force a student to or turn over his money or property.
- Striking a peer several times after he refuses to give up his or her money or property.
- Using a weapon or "look-alike" to force money or property from a teacher.

SEXUAL OFFENSE; ASSAULT OR ABUSE: This violation means any type of unlawful sexual conduct defined in KRS 510.010 et seq. that: 1) Involves subjecting another person to sexual contact (touching intimate parts) by forcible compulsion; or 2) Is with a person who is incapable of lawful consent because he or she is mentally incapacitated, physically helpless, or not of age to give such lawful consent.

Examples include, but are not limited to, the following:

- Touching or removing clothing covering the intimate body parts of a person; fondling or groping a person's intimate body parts (e.g., genitalia, groin, breast, or buttocks); rubbing a person with one's own intimate body parts; forcing another person to touch one's intimate body parts.
- Forcing another person to engage in a sexual act.
- Statutory Rape

TERRORISTIC THREAT: This violation means [KRS 508.075]: (1) A person is guilty of terroristic threatening in the first degree when he or she: (a) Intentionally makes false statements that he or she or another person has placed a weapon of mass destruction on: 1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education; 2. A school bus of other vehicle owned, operated, or leased by a school; 3. The real property or any building public or private that is the site of an official school-sanctioned function; or 4. The real property of any building owned or leased by a government agency; or (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. (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed, with the written permission of the chief officer of the school or other institution, as a part of an official training exercise and is placed by a public servant, as defined in KRS 522.010. (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates 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 identifies the person from whom the threat was communicated, if known. (4) Terroristic threatening in the first degree is a Class C felony.

[KRS 508.078]: (1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally: (a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physically injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or 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 at a scheduled, publicly advertised event open to the public, place or worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur; (b) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or (c) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075. (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010. (3) A person is not guilty of commission of an offense under this section if he or she innocently and believing the information to be true, communicates 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 identifies the person from whom the threat was communicated, if known.

[KRS 508.080]: (1) Except as provided in KRS 508.075 or 508.078, a person is guilty of terroristic threatening in the third degree when: (a) He threatens to commit any crime likely to result in death or serious physical injury to another person to likely to result in substantial property damage to another person; or (b) He intentionally makes false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation. (2) Terroristic threatening in the third degree is a Class A misdemeanor.

Note: Penalties and Fines [KRS 532.060]: (1) A sentence of imprisonment for a felony shall be an indeterminate sentence, the maximum of which shall be fixed within the limits provided by subsection (2), and subject to modification by the trail judge pursuant to KRS 532.070. (2) Unless otherwise provided by law, the authorized maximum terms of imprisonment for felonies are: (a) For a Class A felony, not less than twenty (20) years nor more than fifty (50) years, or life imprisonment; (b) For a Class B felony, not less than ten (10) years nor more than twenty (20) years; (c) For a Class C felony, not less than five (5) years nor more than ten (10) years; and (d) For a Class D felony, not less than one (1) year nor more than five (5) years. (3) For any felony specified in KRS Chapter 510, KRS 530.020, 530.064(1)(a), or 531.310, the sentence shall include an additional five (5) year period of post incarceration supervision which shall be added to the maximum sentence rendered for the offense. During this period of post incarceration supervision, if a defendant violates the provisions of post incarceration supervision, the defendant may be reincarcerated for: (a) The remaining period of his initial sentence, if any is remaining; and (b) The entire period of post incarceration supervision, or if the initial sentence has been served, for the remaining period of post incarceration supervision. (4) In addition to the penalties provided in this section, for any person subject to a period of post incarceration supervision pursuant to KRS 532.400 his or her sentence shall include an additional one (1) year period of post incarceration supervision following release from incarceration upon expiration of sentence if the offender is not otherwise subject to another form of post incarceration supervision. During this period of post incarceration supervision, if an offender violates the provisions of supervision, the offender may be incarcerated for the remaining period of his or her post incarceration supervision. (5) The actual time of release within the maximum established by subsection (1), or as modified pursuant to KRS 532.070, shall be determined under procedures established elsewhere by law. [KRS 534.030]: (1) Except as otherwise provided for an offense defined outside this code, a person who has been convicted of any felony shall, in addition to any other punishment imposed upon him, be sentenced to pay a fine in an amount not less than one thousand dollars ($1, 000) and not greater than ten thousand dollars ($10, 000) or double his gain from commission of the offense, whichever is the greater. (2) In determining the amount and method of paying a fine for commission of a felony, the court shall consider, among others, the following factors: (a) The defendant's ability to pay the amount of the fine; (b) The hardship likely to be imposed on the defendant's dependents by the amount of the fine and the time and method of paying it; (c) The impact the amount of the fine will have on the defendant's ability to make reparation or restitution

to the victim; and (d) The amount of the defendant's gain, if any, derived from the commission of the offense. (3) When a defendant is convicted of two (2) or more felonies committed through a single act and is sentenced to fines pursuant to subsection (1), the aggregate amount of the fines shall not exceed ten thousand dollars ($10, 000) or double the amount of the defendant's gain from commission of the offense, whichever is the greater. (4) Fines required by this section shall not be imposed upon any person determined by the court to be indigent pursuant to KRS Chapter 31. (5) This section shall not apply to a corporation.

Examples include, but are not limited to, the following:

- Delivering a letter, hand-written note, email, or text message containing a death threat.
- Creating a blog entry indicating that arson will occur to in a wing of a school building.
- Placing an actual or "look-alike" explosive, incendiary, letter, straight, concealed, or time delayed device along with a note that threatens detonation.
- Making any similar threat (e.g., any other act that threatens large scale violence to students, staff, or the interests of the school or district accompanied or unaccompanied by verbal, written, or symbolic communication indicating that such an action is either imminent or in progress).

4.02 RELATED NOTICES (POLICY VIOLATIONS)

Additional detail regarding specific student code of conduct violations for students and parents/guardians includes the following:

ATTENDANCE:

Tardies, Early Dismissals, And Absences

All students are expected to attend school regularly. Students who are absent from school are required to have a legitimate excuse.

An "absent event" is defined as:

- A "tardy", defined as arriving after the designated start time and missing less than or equal to 35% (thirty-five percent) of the school day; or
- An "absence", defined as not being in attendance for either a half day (36% - 84% of the school day) or a full day (85% - 100% of the school day).

Reporting procedure:

Within 3 (three) days of his or her return to school after an absence or a tardy, a student shall present a written note to the designated staff member, signed by his or her parent/guardian or licensed healthcare professional, that should include:

- The current date;
- The student's (printed) first and last name;
- The date(s) of the absence(s) (not just the days of the week);
- The reason for the absence(s); and
- The parent/guardian signature.

A parent/guardian may submit via email a picture or scanned attachment of their signed parent/guardian note.

For medically related excuses, the parent/guardian must submit the original medical excuse, which may be requested from the licensed healthcare professional for the records of the parent/guardian. Medically related excuses faxed from the office of the licensed healthcare professional will also be accepted.

If a signed excuse is not received within 3 (three) days, the absent event shall be deemed unexcused.

Additional provisions include the following:

- An “early dismissal” is defined as leaving the school or program before the end of the instructional day. In such cases, the student must be checked in or out of school by a parent/guardian or previously authorized adult.
- Late arrivals or early dismissals will be counted as either a tardy or an absence according to the arrival/departure time. In either case, the same signed excuse requirement applies.
- If a student is sent home for illness by the school, he or she will be excused for that day; however, if the student is absent for subsequent days, the signed excuse requirements still apply for the subsequent days.
- If a child has a chronic illness, the parent/guardian may request additional parent/guardian notes by contacting the Director of Pupil Personnel at IAK Support Services.

Excused absence:

Under state statute and/or board policy, absent events are considered to be excused in the following cases:

- **Absences due to illness:** A parent/guardian may write a total of 10 (ten) signed excuses per year for absence due to illness. Beyond this total, a student will be required to present a written statement from a licensed healthcare professional (doctor, dentist, psychologist, etc.) for each additional absence during the school year in order for the absence to be excused.
- **Tardies due to illness:** A parent/guardian may write a total of 10 (ten) signed excuses per year for tardiness due to illness. Beyond this total, a student will be required to present a written statement from a licensed healthcare professional (doctor, dentist, psychologist, etc.) for each additional tardy during the school year in order for the tardy to be excused.
- **Death in the student’s immediate family:** The term “immediate family” means a parent/guardian, step-parent, grandparent, step-grandparent, sibling, step-sibling, or other member of the student’s household . Documentation by the student’s parent/guardian is required.
- **Religious holidays and practices:** Documentation by the student’s parent/guardian is required.
- **Medical and dental appointments:** A student will be excused only for the length of time of the scheduled doctor’s appointment and reasonable round-trip travel time. The date and time of the appointment must be verified by the physician’s or dentist’s original signed statement faxed or scanned directly from physician’s or dentist’s office.
- **Physician’s or dentist’s excuses:** Such excuses shall state the date(s) and/or number of days for which the student will be excused.
- **Family emergencies:** Events requiring immediate attention are limited to 3 (three) cumulative absent events per school year, as approved by the principal.
- **College campus visits:** A total of 3 (three) visits to colleges or universities are permitted for juniors and seniors. Documentation from the college/university visited will be required.
- **Kentucky State Fair:** One (1) day is permitted for fair attendance per KRS 158.070(6).
- **Court appearances requiring the student’s attendance:** A student will be excused for only the length of time of the scheduled court appearance and reasonable round trip travel time.
- **Call to active duty:** A student will be granted excused absences for the day prior to, and the day of, the departure of a parent/guardian for active military duty.
- **Documented military leave:** A student will be granted excused absences for up to 10 (ten) days to visit a parent/guardian serving in the U.S. military and stationed out of the country who is on leave
- **Return from active duty:** A student will be granted excused absences for the day of, and the day after, the return of a parent/guardian from active military duty.
- **Educational Enhancement Opportunities (EHOs):** In accordance with KRS 159.035 (2), up to 10 (ten) school days may be used to pursue an educational enhancement opportunity determined by the School Principal and FCPS Director of Pupil Personnel to be of significant educational value. Such opportunities may include, but are not limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in a core curriculum subject (English, Science, Mathematics, Social Studies, Foreign Language, or the Arts). A student receiving an excused absence for this purpose shall have the opportunity to make up schoolwork missed and shall not have his or her class grades adversely affected for lack of class attendance or

class participation due to the excused absence. For additional information regarding EHOs, see board policy 09.123. An EHO form can be requested at the school.
- Other valid reasons as determined by the principal.

Make-up work is always permitted for an excused absence.

Unexcused absence:

All absences except those with permissible excuses are unexcused absences.

Make-up work may be permitted for a student with an unexcused absence if the principal, after consultation with the teacher, approves the make-up work. For a student with an unexcused absence due to a suspension, work shall be given appropriate credit.

Truancy And Habitual Truancy

Any public school student, who has not reached his or her 21st (twenty-first) birthday and who has been absent from school without a valid excuse for 3 (three) days or more, or tardy to school without a valid excuse on 3 (three) days or more, is considered truant. A student who has been reported truant 2 (two) or more times is considered habitually truant; as such, the term "habitually truant" means 6 (six) or more unexcused absent events.

School personnel shall follow these procedures regarding truancy and habitually truant students:

Tracking procedure for tardies

- When a student is tardy, a parent/guardian may receive a text, phone call, or email from the electronic attendance messenger.
- When a student is determined to have 6 (six) unexcused tardies, schools are encouraged to contact parents/guardians informing them of current school district policy concerning attendance. In such cases, a letter shall be sent informing the parent/guardian of the tardies and the consequences of the accumulated unexcused tardies.
- A truancy referral shall be sent from the school to the FCPS Department of Pupil Personnel when a student has become habitually truant, and the school has documentation detailing the interventions used to resolve the attendance issue.
- When a student is determined to have 9 (nine) unexcused tardies, a letter shall be sent informing the parent/guardian of the tardies and the consequences of the accumulated unexcused tardies.
- When a student is determined to have 12 (twelve) unexcused tardies, either the school or FCPS Pupil Personnel Office shall send a final notice to the parent/guardian informing him/her of the possible legal consequences of the accumulated unexcused tardies.

Tracking procedure for absences

- When a student is absent, a parent/guardian may receive a text, phone call, or email from the electronic attendance messenger.
- When a student is determined to have 3 (three) unexcused absences~~,~~ a letter shall be sent informing the parent/guardian of the absences and the consequences of the accumulated unexcused absences.
- When a student is determined to have 6 (six) unexcused absences, a letter shall be sent informing the parent/guardian of the absences and the consequences of the accumulated unexcused absences.
- A truancy referral shall be sent to the FCPS Student Personnel Office when a student has become habitually truant and the school has documentation detailing the interventions used to resolve the attendance issue.
- When a student is determined to have 9 (nine) unexcused absences, either the school or FCPS Pupil Personnel Office shall send a final notice to the parent/guardian informing him/her of the possible legal consequences of the accumulated unexcused absences.

Truancy referrals

- After a parent/guardian is mailed or delivered the final notice and either the unexcused events continue to accumulate or the student is identified as being truant or habitually truant, the FCPS Student Personnel Office and/or school personnel may conduct a home visit or document an inability to do so. If attendance does not improve, the FCPS Student Personnel Office shall proceed under KRS 159.180 or 922 KAR 1:330 to seek legal recourse for the resolution of the problem.

Persons who may be held accountable for truancy or being habitually truant

- A parent, guardian, or custodian of a student who has not reached his or her 18 (eighteen) birthday may be held accountable if the student fails to comply with school truancy laws.
- A student who has attained the age of 18 (eighteen), but who has not reached his or her 21st (twenty-first) may be held accountable if the student fails to comply with school truancy laws.
- A court-appointed guardian of a student, who has not reached his or her 21st (twenty-first) birthday may be held accountable if the student fails to comply with school truancy law.

Consequences for failure to comply with state law for accountable persons

- **Criminal Complaint (KRS 159.990):** Any parent, guardian, or custodian who intentionally fails to comply with school truancy laws shall be fined $100 (one hundred dollars) for the first offense and $250 (two hundred-fifty dollars) the second offense. Each subsequent offense shall be a Class B misdemeanor.
- **Juvenile Petition (KRS 610.010):** Actions can be brought against any student who fails to attend school and becomes truant.
- **Educational Neglect:** An Educational Neglect Report may be filed with the Kentucky Cabinet for Families and Children.

Board policy 09.123 will be used in determining what constitutes a valid excuse for an absent event (see Section 4.02).

BUS DISTURBANCES

The privilege of riding a school bus is extended to students who qualify according to the policies of the Fayette County Board of Education. Students found to be in violation of bus transportation rules may be subject to disciplinary action as prescribed by the Code for similar in-school behaviors, including, but not limited to, suspension of bus riding privileges either on a temporary or permanent basis.

Students are required to behave responsibly on school buses to permit the driver to drive safely without distraction. Students must comply with rules posted on the school bus. The school bus drivers and monitors have direct supervision over the student riders. Misconduct reports covering unacceptable student behavior shall be made by the driver or monitor to the principal. Unacceptable behavior may include, but is not limited to, violation of bus riding rules posted in the bus and student conduct at bus stops.

The school bus driver or monitor, upon observing a rule violation, will first instruct the student to correct the behavior. If the behavior is not corrected, the driver or monitor may request immediate removal of the student from the bus. Students removed from the bus in this manner may be transported by another FCPS bus to the transportation terminal. The parent/guardian will be notified to pick up the student and a misconduct report will be prepared by the driver and provided to the principal.

NOTE: All traffic must stop for the purpose of loading or unloading students. School buses stopped for the purpose of loading and unloading students will have their side “stop arms” activated and lights will be flashing. It is not permissible, even on school property, to pass a school bus while it is loading or unloading students. An exception is when the bus is on a multi-lane highway, traffic going in the opposite direction does not have to stop. School bus drivers are encouraged to file complaints with the local police department whenever the stop arm is violated. Convictions for stop arm violations normally result in an assessment of 6 (six) points on the driver’s license, along with a fine and court costs.

CLOSED CAMPUSES

Students shall remain on the school campus at which they are enrolled and in assigned areas from the time they arrive until the close of the school day. Permission for a student to leave the school campus may be given only by the principal or his/her designee. Students may be present on a school campus at which they are not enrolled only with permission from that school's principal. Penalties for violating this policy include, but are not limited to, suspension or revocation of student parking permits.

DISPENSING OF MEDICATION

No student shall share any prescription, over-the-counter medication, or any supplement with another student. The principal shall confiscate the substance in such cases and contact the student's parent/guardian. **The substance shall be given to the appropriate authorities**.

School personnel selected by the principal shall dispense medication to students only if the medication has been prescribed or ordered by a physician, dentist, or Advanced Practice Registered Nurse (APRN). Antiseptic and other appropriate emergency items shall be maintained in first-aid kits per board policy 09.4211.

Parent/Guardian Permission: Students may take medicine, which is brought from home with written parental request, provided the following conditions are met.

- Medication shall be brought to school in the original prescription container, which includes the directions of the physician, dentist, or APRN for dispensing, or in the original over-the-counter medicine container with the written orders of the physician, dentist, or APRN attached.
- Information listed on the container shall include the student's name and the name and prescribed dosage of the medicine.

Storage: All medications dispensed to students by authorized school personnel shall be kept in the school in a safe, secure place designated by the principal. In addition, authorized school personnel shall document on approved forms the dispensing of medications to students. In certain situations, the written authorization of a health care provider shall allow a student to responsibly carry self-administered medication (e.g., an epi-pen or an asthma inhaler) [KRS 158.834 and 158.836].

PERSONAL ELECTRONIC DEVICES

Personal electronic devices may be used by students during the school day, with teacher permission, for instructional purposes. Sharing data between students via cable, peer-to-peer networking or infra-red during a classroom activity is permitted only with teacher approval. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Exceptions to this policy may be made by the principal on a case-by-case basis.

The principal or his or her designee may confiscate the device (including any SIM card). The following consequences may be used as a guide for violations of this policy:

1st violation:	Confiscation of device and return to the student's parent/guardian. The device may be returned to a student following a parent-principal communication.
2nd violation:	Confiscation of device and return to the student's parent/ guardian at the end of 3 (three) school days.
3rd violation:	Confiscation of device and return to the student's parent/guardian at the end of 5 (five) school days.
4th and subsequent violations:	Appropriate consequence determined by principal or his/her designee as outlined in the Behavior Management Charts (see Section 5.03).

NOTE: Failure to turn a device over to school personnel when requested shall be considered a failure to follow staff instructions and shall subject the student to disciplinary consequences.

TECHNOLOGY POLICY VIOLATIONS

Responsible and appropriate use of district-owned or provided hardware, software, electronic devices, web resources, or networks for intended educational uses is described in the FCPS *Acceptable Use Policy* (AUP). Students who violate their school's AUP, adopted by the SBDM Council, are subject to the same disciplinary actions as prescribed by the Code for similar offline behaviors and are at the discretion of the school administration.

TOY WEAPONS AND LASER POINTER DEVICES

Representing either a toy weapon or a "look-alike" weapon as a real weapon and/or using it to alarm, intimidate, or threaten someone will be treated as if an authentic weapon were involved, in accordance with federal and state law.

Laser pointer devices and some toy weapons may be considered dangerous instruments.

At no time shall a student have possession of a laser pointer device or toy weapon while on school property, on a school bus, or while attending a school-sponsored or school-related activity. Refusing to give a toy weapon or laser pointer device to a staff member when requested shall be considered a failure to follow staff instructions.

4.03 RELATED NOTICES (LAW VIOLATIONS)

CRIMINAL VIOLATIONS

Students may be charged with criminal violations in addition to violations of the student code of conduct. Prosecution and court proceedings of criminal violations shall be outside the authority of Fayette County Public Schools and may proceed simultaneously with school sanctions for the same violations.

School or board employees who know or have reasonable cause to believe that a student has been the victim of a felony criminal violation under KRS Chapter 508 (assault, menacing, wanton endangerment, terroristic threatening, or stalking) committed by another student while on school property, on school-sponsored transportation or at a school sponsored event are required to make an immediate report (oral or in writing) to the principal of the school attended by the victim.

The principal shall notify the parent(s)/guardian(s) or others exercising custodial control over the student, the school director and the FCPS Department of Law Enforcement. Within 48 (forty-eight) hours, the principal shall follow the original report with a written report containing the name and address of the student believed to be a victim of the crime and the name and address of his or her parent(s)/guardian(s), the student's age, the nature of the incident, and the name and address of the student believed to be responsible for the criminal violation.

To the extent practicable, school and board employees should take steps to protect the identity of the complainant while reporting, investigating, or disciplining a student for such an offense.

In addition to the above, the school principal shall proceed with appropriate disciplinary actions consistent with the provisions of the Code.

ALCOHOL, DRUGS, SYNTHETIC DRUGS, AND INTOXICATING SUBSTANCES

No student shall possess, use, be under the influence of, sell, or transfer alcoholic beverages, narcotics, drugs, counterfeit drugs, look-alike drugs, or other intoxicating substances, nor possess, sell, or transfer drug paraphernalia on school property, en route to or from school, or at any location of a school-sponsored activity. **Due to the differences in maturity of elementary students, elementary principals may enforce drug, alcohol, intoxicating substance policies in a less restrictive manner than is outlined in this section.**

Reporting

Any school employee who knows or has reasonable cause to believe that a person has violated KRS 158.155 shall immediately report any use, possession, or sale of a controlled substance, or who receives information from a student or other person of conduct which is required to be reported, shall immediately cause a report to be made to the District's law enforcement agency and either the local law enforcement agency or the Kentucky State Police.

Drugs defined

The term "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 Cabinet for Families and Children under regulations pursuant to KRS 218A.020 or KRS 217.900(2). Drugs shall also refer to any intoxicating substance, including synthetic drugs or other substances however taken or used, including by inhaling, ingesting, and/or injecting. Drugs shall also refer to any prohibited volatile substance as defined in KRS 217.900 used or intended for an abusive or intoxicating purpose. **Use of medications prescribed or ordered by a physician or dentist shall not be considered a violation of board policy 09.2241 pertaining to drugs.**

Possession (personal), use, or under the influence

• **First Offense**: A first offense for possession, use, or being under the influence of drugs, alcohol or an intoxicating substance within a school year may result in an immediate suspension of up to 3 (three) days. The amount of days may be reduced at the discretion of school administration in the event that the following occurs:

- Seeks or consents to referral for evaluation/assessment of the student's alcohol or drug usage from a licensed or qualified substance use practitioner. Written confirmation by the provider of the completed evaluation/assessment or evaluation/assessment appointment is required in order for suspension days to be reduced; and
- Student shows a good faith effort to complete any and all treatment as recommended in the evaluation/assessment (proof must be provided) and agrees to meet other specified conditions as required by the school after the evaluation; or
- Student referred to the 4-week Saturday School program for drug possession/use; and
- Failure to complete the conditions shall result in the reinstatement of the originally assigned days of suspension. Any recommended evaluation shall be completed within 15 school days of the first day of suspension. The days a student is in treatment for substance use at recognized facilities shall be excused absences.

• **Second Offense**: A second offense for possession, personal use, or being under the influence of drugs, alcohol, or an intoxicating substance within a school year shall result in a minimum of 3 (three) days suspension, or up to 5 (five) days. Any days beyond the 3 (three) days minimum suspension may be assigned and not enforced for the remainder of the school year, provided the family demonstrates a good faith effort to comply with the option allowed for a first offense and, the family, at its own expense:

- Seeks or consents to referral for evaluation/assessment of the student's alcohol or drug usage from a licensed or qualified substance use practitioner. Written confirmation by the provider of the completed evaluation/assessment or evaluation/assessment appointment is required in order for suspension days to be reduced; and
- Proof must be provided that the student shows a good faith effort to complete any/all treatment as recommended in the evaluation/assessment and agrees to meet other specified conditions as required by the school after the evaluation; or
- Student referred to the 4-week Saturday School program for drug possession/use; and
- Failure to complete the conditions shall result in the reinstatement of the originally assigned days of suspension. Any recommended evaluation shall be completed within 15 school days of the first day of

suspension. The days a student is in treatment for substance use at recognized facilities shall be excused absences.

• **Third Offense**: A third offense for possession, use, or being under the influence of drugs, alcohol, or an intoxicating substance within a school year may result in an immediate suspension of 10 (ten) days. In addition, the family, at its expense, should:

- Seek or consent to referral for evaluation/assessment of the student's alcohol or drug use from a qualified substance use practitioner, and completes or shows a good faith effort to complete any and all treatment as recommended in the evaluation/assessment; and
- Present written confirmation by the provider of the evaluation/assessment or the evaluation/assessment appointment; and
- Agree to meet other specified conditions as required by the school following the evaluation/assessment.
- If the parent/guardian declines all treatment options, a referral for expulsion will be made to the superintendent from the principal.

In addition to the outlined responses above, the school will also confiscate any property containing alcohol, drugs, synthetic drugs and/or intoxicating substances. The school will reteach behavioral expectations, provide relevant behavioral instruction, and conference with the parent/guardian. On the second offense, students' data and current levels of support should be reviewed at the school's Multi-Tiered Systems of Support (MTSS) Meeting to create or modify a support plan.

*As a note for the 26-27 school year for all incidents of Vaping THC:

Vaping THC 1st Offense-

- Property confiscation, Reteach of expectations, Behavior instruction, Conference with parent/guardian, up to 3 days suspension, recommendation to Saturday School program.
    - If parent declines, student may be suspended up to 5 days and complete drug/alcohol assessment from outside an agency

Vaping THC 2nd Offense-

- Property confiscation, Student Support Staff check-in and replacement behavior instruction* Student reviewed at MTSS and a support plan created, minimum of 3 days, up to 5 days of suspension with the completion of Saturday School program, and a recommendation for completion of substance use assessment from outside agency.
    - If the parent declines, the student may be suspended up to 10 days and a recommendation for completion of substance use assessment from an outside agency.

Vaping THC 3rd Offense-

- Property confiscation, Student Support Staff check-in and replacement behavior instruction, Student reviewed at MTSS and support plan created, 10 day suspension, during 10 days student would be referred to outside partner agency and complete the program (i.e.: Ridge IOP, Thrive, or New Vista IOP). Schools should also consider free alternative treatment programming options to offer parents/guardians.
    - If the parent declines, student would be referred for expulsion

<u>Sale or transfer</u>

The sale of the transfer of, or the intent to sell or transfer, alcoholic beverages, narcotics, drugs, counterfeit drugs, look-alike drugs, or other intoxicating substances shall result in an immediate suspension of up to 10 (ten) days and a referral for expulsion to the superintendent from the principal, school director, or the student personnel director. Suspension days may be waived upon placement in an alternative education program and principal approval.

Parents/guardians and students are encouraged to participate in education sessions specific to the offense, at the parents'/guardians' expense. For information about specific education sessions, contact the school.

Tobacco, Alternative Nicotine, or Vapor Products

Evidence-based, age-appropriate nicotine prevention and cessation material shall be distributed to all students at the beginning of each school year, and students shall have access to the material throughout the school year.

Penalties

If a student under the age of twenty-one violates this policy, then the District will **confiscate the alternative nicotine products, tobacco products, or vapor products** and:

1. For the first incident, school personnel will reteach behavioral expectations, conference with parent/guardian and provide Nicotine Cessation information.
2. For the second incident, Student Support Staff will provide a check-in and replacement behavior instruction and assigned RESET to complete the tobacco behavior module.
3. Third and subsequent incidents may result in Student Support Staff check-in and replacement behavior instruction, creation of support plan, assigned RESET to complete the tobacco behavior module, and assigned Saturday School 4-week program.

Reporting

No later than August 1 of each year, the Board shall submit a report to the Kentucky Department of Education that includes:

a. The number of behavior incidents for each alternative nicotine product, tobacco product, and vapor product, listed by school and grade; and

b. The number of incidents for which medical intervention was provided, listed by school, grade, and product.

BULLYING

Per KRS 158.148, bullying is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

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.

These may include, but are not limited to, name calling, teasing, threatening, social exclusion, and cyberbullying. Bullying may be physical, verbal, emotional or sexual in nature.

Hazing Defined

Per KRS 508.150, 'hazing" is defined as 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:

1. Violate federal or state criminal law;
2. 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;
3. Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;
4. Endure brutality of a mental physical nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress.
5. Endure brutality of a sexual nature; or
6. Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or student.

*Per KRS 508.180, “organization” is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

Actions Not Tolerated:

The use of lewd, profane, or vulgar language is prohibited. In addition **to bullying**, students shall not engage in behaviors such as hazing, menacing, taunting, intimidating, verbal or physical abuse of others, or other behavior **that disrupts a student’s access to an education or is harmful to his/her well-being**.[1] This policy extends to any/all student language or behavior including, but not limited to, the use of online or electronic methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. Students who violate this policy shall be subject to appropriate disciplinary action.

Harassment/Discrimination allegations shall be governed by policy 09.42811.

Reports

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying, or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim’s Principal, as directed by Board policy 09.42811. The principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

HARASSMENT/DISCRIMINATION

The Fayette County Board of Education has adopted policies prohibiting harassment and denial of equal educational opportunities for students. No discrimination is allowed on the basis of race, color, national or ethnic origin, age, religion, sex, genetic information, gender, identity, sexual orientation, political affiliation, veteran status, and disability.

Prohibited Conduct

Conduct and/or actions prohibited under this policy include, but are not limited to, the following:

1. Derogatory nicknames, slurs, intimidation, name calling, ridicule or mockery, insults, put downs, stereotyping, demeaning stories, jokes, or pictures relating to any of the protected classes listed in the definition of harassment/discrimination contained in this policy;
2. Treating someone differently, or less favorably based upon a protected class;
3. Unwanted touching, sexual advances, requests for sexual favors, spreading sexual rumors, or instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected classes;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected classes.

Disciplinary Action

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

Failure by employees to report a suspected violation of this policy or to otherwise follow this policy and related procedures, or failure by the Superintendent or designee to report a suspected violation as directed or initiate an investigation of alleged harassment/discrimination by students or District employees, as required by this policy to follow approved procedures, or to take corrective action shall be cause for disciplinary action.

Retaliation against any person reporting or witnessing acts of bullying, harassment or discrimination is a Class III violation.

When a student or parent/guardian believes the student has been harassed or discriminated against, a complaint may be filed using Fayette County Board of Education Harassment/Discrimination Complaint Procedure [FCPS 09.42811]. A copy of this procedure is available in the principal's office of each school, in the School Directors' office, or **click here**.

OFFENSES AGAINST SCHOOL PERSONNEL

No student shall assault, threaten to assault, or physically or verbally abuse school district personnel or steal or willfully or wantonly deface, destroy, or damage the personal property of school personnel on school property, off school property, or at school-sponsored activities [KRS 158.150(1)(b), 161.190 and 508.025].

THREATS OF VIOLENCE, ASSAULT, AND TERRORISTIC THREATENING

The Fayette County Board of Education has adopted policies ensuring that students, teachers, and other school personnel are not subjected to assaultive or threatening behavior from students. Any student who threatens, assaults, batters, or abuses another student, teacher or other school personnel shall be subject to appropriate disciplinary action, which may include suspension or expulsion from school, and/or legal action.

Conduct prohibited under this policy includes, but is not limited to, the following:

- Verbal or written statements or gestures by students indicating intent to harm themselves, others or property (including creating a "hit list").
- Physical attack by students so as to intentionally inflict harm to themselves, others or property.
- The act of threatening force or violence on another person.
- Making, or being involved in making, a threat that a bomb or chemical, biological, or nuclear weapon has been placed in or is about to explode in a school building, on school grounds, in a school bus, at a bus stop or at any school-sponsored activity.

When a student is believed to have made a threat of harm towards another student, teacher or other school personnel, the school or district shall take appropriate steps to investigate the alleged incident and take appropriate disciplinary and/or legal action. Procedures for investigating and responding to potential threats of harm may include, but are not limited to:

- Removal of the student from the classroom setting and/or from the district's transportation system pending further disciplinary action that may occur.
- Investigation of the alleged incident by the principal or his/her designee.
- Referral for threat assessment as detailed in the FCPS threat assessment protocol. The threat assessment may include the student being interviewed by the school psychologist, school counselor, or other qualified school personnel, and/or district personnel as needed.
- Notification of, and possible further investigation by, FCPS Law Enforcement.
- Notification of parents/guardians and others as required by state law and board policy.

Report to Law Enforcement Agency

Per KRS 158.155, any school employee who knows or has reasonable cause to believe that a person has made threats or plans of violence which are intended to target a school or students or who knows that a firearm is present on school property in violation of KRS 527.070, shall immediately cause a report to be made to the District's law enforcement agency and either to the local law enforcement agency or to the Kentucky State Police.

Any school employee shall immediately report to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police any act which the employee has a reasonable cause to believe has occurred on school property or at a school-sponsored or sanctioned event involving:

a. Assault resulting in serious injury;
b. A sexual offense;
c. Kidnapping;
d. Assault with the use of a weapon;
e. Possession of a firearm or deadly weapon in violation of the law;
f. The use, possession, or sale of a controlled substance in violation of the law; or
g. Damage to property.

Any school employee who receives information from a student or other person of conduct which is required to be reported, shall report the conduct to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.

DEADLY WEAPONS AND DANGEROUS INSTRUMENTS

Due to the differences in maturity of elementary students, elementary principals may enforce deadly weapon and dangerous instrument policies in a less restrictive manner than is outlined herein; otherwise, students engaged in the following offenses shall be recommended for expulsion:

Firearm/Explosive Device

In compliance with the federal *Gun-Free Schools Act*, for the purpose of this section, a firearm/explosive device is defined as follows:

- Any weapon which will or is designed to or may be readily converted to expel a projectile by the action of an explosive.
- The frame or receiver of any weapon described above.
- Any firearm muffler or firearm silencer.
- Any explosive, incendiary, or poison gas: 1) Bomb; 2) Grenade; 3) Rocket having a propellant charge of more than 4 (four) ounces; 4) Missile having an explosive or incendiary charge of more than 1/4 (one quarter) ounce; or 5) Minor similar device.
- Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2" (one-half inch) in diameter.
- Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

A student who brings a firearm/explosive device onto school property or to a school activity **shall** be suspended from school for 10 (ten) days and the superintendent **shall** report the incident to the board for expulsion, which may be up to and including 1 (one) calendar year. The board may modify these recommendations on a case-by-case basis.

A principal **shall** report any such incident, including those involving elementary students, to the superintendent. Additionally, the principal shall file a complaint/offense report with the FCPS Department of Law Enforcement for each such incident.

The superintendent or his/her designee shall determine whether the student involved has an identified disability. Incidents involving students with disabilities shall be reviewed by the appropriate Admissions and Release Committee (ARC) and determined on a case-by-case basis in compliance with federal and state law, while a student without such a disability shall be referred to the board for an expulsion hearing.

Deadly Weapon (Other than Firearm/Explosive Device)

In consideration for the safety of all students and staff, possession of a Deadly Weapon, as defined in Section 4.01, is considered to be a serious offense. Any middle or high school student in possession of such a weapon **shall** be suspended from school for 10 (ten) days per incident and may be recommended for expulsion.

The principal **shall** report any incident to the superintendent. Additionally, the principal shall file a complaint/offense report with the FCPS Department of Law Enforcement for each such incident, including those involving elementary students.

The superintendent or his/her designee shall determine whether the student involved has an identified disability. Incidents involving students with disabilities shall be reviewed by the appropriate Admissions and Release Committee (ARC) and determined on a case-by-case basis in compliance with federal and state law, while a student without such a disability shall be referred to the board for an expulsion hearing.

Dangerous Instrument

Any student in possession of a Dangerous Instrument, as defined in Section 4.01 (includes an **ordinary pocketknife)**, **may** be suspended from school for up to 10 (ten) days, and may be recommended for expulsion.

5.0 BEHAVIOR MANAGEMENT OPTIONS

5.01 DEFINITIONS AND EXAMPLES

In addition to the disciplinary consequences outlined above, students may be subject to criminal prosecution for being in possession of deadly weapons or dangerous instruments on school property or on a school sponsored filed trip, whether openly displayed or concealed per KRS 527.070.

A number of supportive responses and traditional disciplinary options are available to school personnel when responding to problem behaviors. Except in cases of immediate safety risks or illegal activity, these measures should be implemented in classrooms and other settings prior to making office referrals.

Staff and administrators should implement supportive responses or low-level consequences whenever possible before considering actions that would remove a student from the instructional setting. Supportive responses may be used either alone or paired with traditional consequences.

Resolutions for student code of conduct violations (see Section 4.01) include the following:

SUPPORTIVE RESPONSES (INFORMAL; SETTING OR SCHOOL LEVEL)
AGREEMENT OR PLAN: This resolution means a written agreement regarding the student's behavior, with or without another deferred action, associated with a period of time during which evidence of positive behavior change will be evaluated.
Examples include, but are not limited to, the following: • A voluntary, written agreement (e.g., a "behavior contract" or a "no-contact agreement") that details the expectations of the student, teacher, and sometimes the parent/guardian, and typically includes: 1) Targeted behavior(s); 2) Incentives for successful compliance; and 3) Consequences for violating the agreement. • A behavior plan that uses a systematic plan of action focused on reducing specific problem behaviors and increasing positive behaviors and typically includes: 1) Targeted behavior(s); 2) Environmental supports; 3) A description of interventions/staff responses; 4) Positive feedback; and 5) Procedures for monitoring and evaluating the success of the plan.
BEHAVIORAL GROUP: This resolution involves group instruction specifically related to student need.
Examples include, but are not limited to, the following: • Topically oriented groups focused on specific issues such as social competency, anger management, bullying, fighting, vandalism, gang activity, tobacco education or smoking cessation, gateway drug use, arrests, sexual activity, bias and discrimination, truancy, low student achievement, poor self-concept and adjustment problems during school transitions. • Restorative practice circles. • Wellness programs.
CONFERENCE, WARNING, OR REPRIMAND: This resolution means any discussion or informal warning delivered to the student in a conference setting with or without a parent/guardian.
Examples include, but are not limited to, the following: • Informal talk with the student. • Verbal warning of the student.

- After class or after school conferences with the student and parent/guardian.
- Discussion with parent/guardian in person or by phone.

HOME/SCHOOL PARTNERSHIP: This resolution means any measure used to establish an interactive alliance between school and home to accomplish specifically established behavioral objectives over a specified timeframe.

Examples include, but are not limited to, the following:

- Daily behavior report.
- Daily note home.
- Increased parent/guardian presence at school.

MEDIATION OR MENTORING: This resolution means enlisting the aid of one or more students, faculty, staff, or other adults to facilitate the student's reaching of solutions to problem behaviors.

Examples include, but are not limited to, the following:

- Peer mediation between two peers or two groups of peers within a school discipline program that empowers students to resolve issues or disputes.
- Restorative mediation within a structured process guided by a trained facilitator in which the participants in an incident examine the intended and unintended impact of their actions and decide on interpersonal remedies to repair harm and restore relationships.
- School-based mentoring within a program such as "Check In/Check Out" or "Check and Connect" that includes a structured plan for forming adult-to-student relationships to positively influence the lives of students and their success in school.

REFERRAL FOR SERVICES: This resolution means a recommendation that the student receive or be evaluated for services from a counselor, social worker, or other mental health worker for additional supports and strategies.

Examples include, but are not limited to, the following:

- Referral to a school counselor, social worker, or Family Resource/Youth Service Center (FRYSC) Coordinator that works with students and their families to identify and address physical, emotional, or educational needs or situations which may interfere with student learning and success in school and in life.
- Referral to a mental health agency/service to work with a community service provider that specializes in the treatment of children and adolescents with behavioral and emotional needs.
- Referral to a school-based intervention team (or equivalent) that may include administrators, teachers, support personnel, specialists, the parent/guardian and the student in a positive, problem-solving intervention process to explore possibilities and strategies that will best meet the educational needs of the student.

RESTITUTION: This resolution means permitting a student or his/her parent/guardian to make amends for the results of an incident that has affected or involved another student, faculty member, staff member or the interests of the school or school system, typically in place of another consequence.

Examples include, but are not limited to, the following:

- Letters of apology.
- Completion of reflection worksheets or statements.
- Parent/guardian reimbursement of replacement costs.

RESTORATIVE PRACTICES: This resolution means a process where students are given the opportunity to identify and address harm they may have caused as well as their needs and the needs of those affected. The goal is to heal and develop solutions for repairing the relationship/environment.

Examples include, but are not limited to, the following:

- Use of Affective Statements to express how a person feels and/or how a person has been affected by a behavior.
- Use of Affective Questions to solicit clear understanding of the behavior that has caused harm, who was affected by the specific behavior, and possible next steps for repairing broken relationships.
- Use of restorative circles that may include proactive and responsive circles.
- Use of restorative conferences facilitated by an outside party.

RE-TEACH OF EXPECTATIONS: This resolution means any instruction, assignment, project, or work that re-teaches the skills necessary for the student to be successful in the setting in which he or she experienced a problem.

Examples include, but are not limited to, the following:

- Re-introduction of classroom level, school level, or district level expectations by an administrator or teacher.
- Special assignment to assist the student in gaining additional insight regarding expectations.

"TIME-OUT" OR "COOL-OFF": This resolution means the temporary removal of a student from an instructional setting for a brief period time, with or without an assigned activity. Time-outs or cool offs may be required or offered as breaks to help students monitor emotions and learn to calm themselves or refocus.

Examples include, but are not limited to, the following:

- Team Time Out/Cool-Off to provide the student with a period of time not to exceed 15 (fifteen) minutes in another classroom away from a scheduled class or activity.
- Office Time Out/Cool-Off to provide the student with a period of time not to exceed 15 (fifteen) minutes in a supervised area away from a scheduled class or activity.

SUPPORTIVE RESPONSES (FORMAL; DISTRICT LEVEL)

ALTERNATIVE EDUCATION PROGRAM: This resolution 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 [KRS 160.380(1)(a)].

TRADITIONAL RESPONSES (INFORMAL; SETTING OR SCHOOL LEVEL)

ACADEMIC PENALTY: This resolution means requiring an alternative assignment or course for a student to demonstrate standards mastery/proficiency.

Examples include, but are not limited to, the following:

- Loss of credit for assignment in cases of schoolwork-related misconduct (e.g., cheating or plagiarism) until a replacement assignment is submitted.
- Loss of credit for class in cases attendance-related misconduct (e.g., exceeding a maximum number of unexcused absences) until credit requirements are met.

DETENTION: This resolution means requiring a student to report to a designated location during non-instructional time.

Examples include, but are not limited to, the following:

- Before or after school detention.
- Lunch detention.
- Saturday detention.

PROPERTY CONFISCATION: This resolution means temporarily (or permanently, depending in the circumstances) giving up possession of property or materials to school personnel upon request.

Examples include, but are not limited to, the following:

- Confiscation of an item with student pickup.
- Confiscation of an item with parent/guardian pickup.
- Requiring a change of clothes.

SCHEDULE CHANGE: This resolution involves a permanent change in the student's class schedule.

Examples include, but are not limited to, the following:

- Change in class period with the same teacher.
- Change of teacher with the same class.
- Change of class.

SCHOOL PRIVILEGE DENIED: This resolution means the temporary disqualification of the student to attend, participate in, or benefit from some non-educational or non-credit activity.

Examples include, but are not limited to, the following:

- Bus suspension (temporary disqualification of a student to ride district-provided transportation).
- Loss of privilege (temporary disqualification of a student to attend, participate in or benefit from some non-educational or non-credit activity that does not constitute a right of the student, such as a revocation of a parking permit
- Declaration of ineligibility from a sport or club for disciplinary reasons.

SERVICE PENALTY: This resolution means unpaid service for the benefit of the school or the public for a pre-defined period of time that is performed outside of school hours as part (or all) of a consequence for a student code of conduct violation.

Examples include, but are not limited to, the following:

- Placing a student on a "work detail" to clean graffiti after being caught "tagging" a locker bay.
- Alternative participation in an unpaid approved community service program outside of school hours.

IN-SCHOOL REMOVAL: This resolution means any temporary removal of a student from the student's normal educational environment during instructional time for time period longer than 15 (fifteen) minutes per incident. These resolutions excludes planned program removals, student-initiated counselor visits, etc. Student is removed to another program or setting within the same school.

Examples include, but are not limited to, the following:

- In-School Alternative Placement (I.S.A.P.).
- RESET
- In-School Suspension (I.S.S.).
- Removal to a different classroom.
- Removal to another supervised area within the school.

TRADITIONAL RESPONSES (FORMAL; SCHOOL LEVEL)

OUT OF SCHOOL SUSPENSION: This resolution means the temporary removal of the student from all classes of instruction on public school grounds and all other school-sponsored activities, for a period not to exceed 10 (ten) school days cumulatively per incident.

Examples include, but are not limited to, the following:

- Short-term removal for 1 (one) school day to 5 (five) school days cumulatively per incident.
- Intermediate-term removal for 6 (six) school days to 10 (ten) school days cumulatively per incident.

TRADITIONAL RESPONSES (FORMAL; DISTRICT LEVEL)

- **EXPULSION; RECEIVING SERVICES:** The removal of a student from school for disciplinary reasons that result in withdrawal of the student from the school of attendance. Criteria for expulsion are defined and set by the local board of education. Although the student is expelled from the regular classroom setting, arrangements are made for the provision of educational and IEP-related services.
-
- **EXPULSION, NOT RECEIVING SERVICES:** The removal of a student from school for disciplinary reasons that result in withdrawal of the student from the school of attendance. Criteria for expulsion

are defined and set by the local board of education. No arrangements are made for the provision of educational services.
Examples include, but are not limited to, the following: • Long-term removal for a minimum of 1 (one) calendar year for weapons-related incidents. • Long-term removal for up to the number of days that constitute 1 (one) school year (not to exceed 2 (two) semesters) for other types of incidents.

5.02 RELATED NOTICES

CORPORAL PUNISHMENT

Corporal punishment is defined as the deliberate infliction of physical pain on a student by any means but does not include spontaneous physical contact which is intended to protect the child or others from immediate danger [FCPS 09.433]. This practice is prohibited within Fayette County Public Schools.

I.S.S. ROOM/RESET ROOMS

Included among the disciplinary actions that may be used by administrators is referral to In-School Suspension (I.S.S.) or to the RESET room as an alternative to out-of-school suspension. This measure involves the short-term removal of a student from his or her regular school schedule and is the most serious in-school disciplinary consequence.

Students assigned to in school suspension (e.g., I.S.S., RESET) are supervised at all times and are required to complete regular classwork. Additionally, the I.S.S. or RESET. teacher and the student shall discuss the behavior that caused the referral and the necessary intervention(s) that will take place in the future to correct the behavior.

GENERAL PARTICIPATION REQUIREMENTS FOR ATHLETIC ACTIVITIES

Complete information can be found on the FCPS website:
http://www.fcps.net/administration/departments/athletics

Representing a school within Fayette County Public Schools in an extracurricular activity is a privilege which demands that all participants conduct themselves in a manner that brings credit to themselves, their schools, and the district.

Students with disabilities shall have an equal opportunity to participate in non-academic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics and clubs. Note that the district may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

- **Academic Requirements.** Unless a school's SBDM council adopts a different policy concerning academic requirements, the following shall apply:
    - Students in grades 6 (six) through 12 (twelve) will be eligible to participate in extracurricular activities when they have achieved an overall **2.0** average for the preceding appropriate grading period. In calculating the grade point average, the lowest grade achieved shall not be used if a student is carrying a full schedule of academic classes (i.e., 6 [six] classes for grades 9 [nine] through 12 [twelve]; seven [7] classes for grades 6 [six] through 8 [eight]).
    - In addition, students in grades 9 (nine) through 12 (twelve) must be passing 4 (four) classes. In the case of block scheduling, the student must receive passing grades in at least 2/3 (two-thirds) of his or her courses.
- **Conduct Requirements.** SBDM council policies must fall within the following parameter:

- A student under suspension from school shall not be permitted to participate in practice sessions or any other activities during the suspension period (see Section 6.02).

- **Athletic Participation at the High School Level for 7th and 8th Graders**
  - Middle school students may participate in athletics at the high school in their school of residence area only as defined by the Fayette County Board of Education. This is true, regardless of whether they have applied and received admission to a high school based on a program. The Director of Athletics must approve middle school students prior to any participation on the high school level. Application forms are available through the athletic director at your high school of residence. The Director of Athletics will notify the school once approval is granted. Only those students in grades 7 (seven) and 8 (eight) are eligible to try out for a high school team. To be eligible to try out, students must also meet all Kentucky High School Athletic Association (KHSAA) requirements and provide the following documents to the high school athletic director:

    - Completed Physical Form.
    - Signed Parent/Guardian Permission Form.
    - Current grade report indicating that passing grades meet the middle school or high school Grade Point Average (GPA) requirement (the higher requirement will be used) to be eligible to participate at the high school.
    - Middle school game and practice schedule, if applicable.

  - Athletic directors shall maintain a file for the school year of the items listed above for each middle school student participating on a high school team.
  - Students in middle school shall at no time be absent from any part of the school day to participate with a high school team other than district, regional, or state competition or with prior approval of the middle school principal.
  - Athletic participation for students in grades 7 (seven) and 8 (eight) is categorized as sports offered at both middle school and high school (football, volleyball, basketball, and track*), team sports offered only at the high school (baseball, softball, and soccer) and individual sports offered only at the high school (cross country, swimming, golf, tennis, wrestling, and track*). A student's participation in an individual sport offered only at the high school will be determined by that student's ability to exhibit a performance level which will enable the student to compete in a meet and/or match depending on KHSAA's definition of event.

    *Track offered at both middle school and high school and having a performance level to participate in a KHSAA sponsored event is an exception allowing middle school students to participate at both middle school and high school.

  - Middle school students shall not miss middle school practice or games to participate in high school practice or games. Middle school participation both practice and game is the first priority. A middle school student who misses a middle school practice and/or game to participate at the high school will be removed from participation at the high school.
  - Students in grades 6 (six), 7 (seven), and 8 (eight) who repeat a grade may not participate in athletics during the repeating year.
  - Initial eligibility and weekly grade checks shall be the responsibility of the high school athletic director for as long as the middle school student participates on the high school team.

    - Athletic directors shall give a list of middle school students participating at the high school level to the participating middle school students' principals.
      Middle school principals shall send current weekly grades of each participating athlete to the high school athletic director. The high school athletic director shall use the higher weekly grade requirement (middle school or high school) to determine the eligibility of middle school students participating in high school athletics.
    - Middle school principals shall notify the high school athletic director of any disciplinary action taken against a middle school student participating at the high school. The high school athletic director shall enforce the disciplinary action taken against the middle school student as it pertains to participation at the high school level.
    - High school athletic directors shall notify the middle school principal of any disciplinary action taken against a middle school student participating on a high school athletic team.

REVOCATION OF DRIVER'S LICENSE

Within the state, all students must present verifications of their enrollment to apply for driver's licenses, intermediate licenses, or learner's permits. The school administrator shall notify the superintendent of any student under 18 (eighteen) who has either dropped out of school, has 9 (nine) or more unexcused absences, or is academically deficient. The term "academically deficient" means that a student has not received passing grades in at least 4 (four) courses, or the equivalent of 4 (four) courses, taken in the preceding semester. The superintendent or his/her designee is mandated to report the names and social security numbers of academically deficient students to the Kentucky Transportation Cabinet. The Cabinet may deny the applications of such students for learner's permits, or revoke their driving privileges (driver's licenses, intermediate licenses, or driver's permits).

PRESCHOOL STUDENTS

Within the FCPS Preschool Program, students will learn to consider and respect others and the environment around them. Clear and consistent age-appropriate limits will be set, and with these limits, each student will learn what appropriate behavior is. FCPS follows the guidelines of the National Association for the Education of Young Children (NAEYC) and the Division of Early Childhood (DEC) regarding developmentally appropriate practices that include child development and learning, considering each student as an individual, and taking into consideration each student's social and cultural context. All Preschool classrooms are arranged to enhance the learning of acceptable behaviors. Our goal is to help students develop self-control (which is a normal part of growing up) and responsibility for their actions. Classroom/Bus rules students are expected to follow include:

1. Be safe by keeping your hands, feet and objects to yourself
2. Be respectful by being kind and being a good listener to school staff and peers
3. Be responsible by following classroom and bus rules

Preschool Staff will focus on the positive behaviors of all students and reinforce those behaviors as often as possible. Preschool Staff use a variety of age appropriate, research-based behavior intervention strategies including:

- Maintaining realistic expectations
- Providing clear and simple limits
- Preventative practices
- Modeling appropriate behaviors
- Positive redirection
- Distraction-Changing the focus of an activity or behavior
- Teaching of replacement skills
- Conflict resolution/problem-solving techniques
- Staff can also use strategies listed in district-wide Pre-K -12 handbook

Preschool students are encouraged to solve as many of their own problems as possible under the guidance of a staff member using the strategies listed above. Students are encouraged to communicate appropriately in order to solve their differences. When inappropriate/disruptive behaviors occur, they may require additional intervention strategies in order to decrease inappropriate behaviors. Sometimes problem behaviors may require highly restrictive procedures because the behavior is a danger to the student or others. Some these strategies include:

1. Brief calming breaks from the activity/situation either in another area of the room or outside the classroom
2. Teacher-directed activities instead of student-directed activities
3. Physical restraint or seclusion (if used) as defined in Section 8.04.

Preschool Staff strive to maintain consistent and open communication with parent/guardian(s) regarding the progress of their students. You may be notified of minor behavioral incidents in the following ways: (informal) email, telephone, written communication, or in person. A disciplinary referral will be required for more serious incidents. Discipline referrals will be sent home to the family and reported to the building principal/administration. Parents/Guardian(s) and Preschool Staff will always work together to deal with persistent behavioral issues such as biting, or unusual or dangerous aggression to self or others. If a student appears unusually stressed or anxious, or otherwise motivated to engage in negative behaviors, it is the duty of the teacher to consult with the parent/guardian(s).

Procedure for Parent/Guardian(s) Concerns

When a parent/guardian is concerned about their student's behavior:

Step 1. Address the concern(s) with the student's classroom teacher. Be sure to schedule an appointment. Teachers are not available to have a conference during unscheduled visits or during student pick-up and drop-off times.

Step 2. If further discussion/problem solving is needed, schedule an appointment, and provide your concerns to the building principal/administration. At this time, the building principal/administration, classroom teacher, or parent/guardian can call a team meeting that may include additional support staff (preschool program district staff, MTSS, PBIS team, etc.).

Step 3. If not resolved at the school level (step 2), refer to Section 7.0 (Grievances and Appeals).

The disciplinary responses defined herein should be adapted to meet the developmental needs and IEP requirements of preschool students.

5.03 BEHAVIOR MANAGEMENT CHARTS

Students at different ages and grade levels are expected to assume varying degrees of responsibility for their actions. Therefore, a variety of resolution options, including both supportive and traditional responses are provided in the charts on the following pages.

K-12 Students:

Each of the charts outlines the range of options that may be used by school personnel to address violations of the student code of conduct both initially and upon repeat violations, if applicable. Charts are provided for the elementary, middle, and high school grade blocks.

Each chart separates the violations by class from minor (Class I) behaviors to the most serious (Class IV) behaviors. Violations are listed vertically, and behavior management options are listed horizontally.

Using the charts as a guide, FCPS staff retain the discretion to consider the totality of the circumstances as they make discipline decisions. Supportive responses and low-level consequences should be considered before proceeding to responses that remove students from the instructional setting. A progressively narrower range of more intensive consequences may be used when chronic misconduct has failed to respond to prior behavior management efforts.

Administrators should consider mitigating circumstances such as age, developmental levels, disability, and/or any other pertinent factors when determining a response to student misconduct in addition to any aggravating factors involved. Suspension of primary school students shall be considered only in exceptional cases when there are safety issues for the child or others [FCPS 09.434].

ELEMENTARY SCHOOLS

Responses to Code Violations
ELEMENTARY SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS I AND II VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses: AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	Traditional Responses: ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS I	DISRUPTIVE BEHAVIOR	DISRUPTIVE BEHAVIOR	X	X	X	X	X	X	X	X	X		X		X	X	X	X	X	X	X	
	DRESS CODE VIOLATION	DRESS CODE VIOLATION	X		X	X		X		X						X						
	OUT OF ASSIGNED OR DESIGNATED AREA	OUT OF ASSIGNED AREA TARDY TO CLASS SKIPPING CLASS	X		X	X	X	X	X	X					X				X		X	
	PERSONAL ELECTRONIC DEVICE	PERSONAL TELECOM DEVICE	X		X	X			X	X					X	X		X	X			
	PUBLIC DISPLAY OF AFFECTION	PUBLIC DISPLAY OF AFFECTION	X		X	X		X		X					X		X	X			X	
CLASS II	DISHONESTY (NON-CRIMINAL)	FALSE NOTE/REPORT CHEATING	X	X	X	X		X	X	X			X	X	X	X		X	X	X		
	DISREGARD FOR SAFETY	DISREGARDING SAFETY SELF-ENDANGERMENT	X		X	X	X	X	X	X	X		X		X	X		X	X	X	X	
	INSUBORDINATION/ FAILURE TO FOLLOW STAFF INSTRUCTIONS	FAILURE TO FOLLOW STAFF MISSED DETENTION PRESENT WHILE SUSPENDED	X	X	X	X	X	X	X	X	X		X		X		X	X	X	X	X	
	OFFENSIVE SPEECH/ACTIONS	PROFANITY OR VULGARITY GANG ACTIV. PROMOTING	X		X	X		X	X	X	X		X		X	X		X	X	X		
	TOBACCO POLICY VIOLATION	CHEWING TOBACCO SMOKING TOBACCO DISTRIBUTION TOBACCO POSSESSION TOBACCO USE	X		X	X		X		X					X	X		X		X	X	
	UNAUTHORIZED ABSENCE	SKIPPING SCHOOL LEAVING CAMPUS	X		X	X		X		X					X				X	X		

***Per SB 101, "A student who is removed from the same classroom three (3) times within a thirty-day period shall be considered chronically disruptive and may be suspended from school…"**

Responses to Code Violations
ELEMENTARY SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS III VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses: AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	Traditional Responses: ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS III	DISHONESTY (CRIMINAL)	FRAUD FORGERY/ COUNTERFEITING	X		X	X		X	X	X			X		X			X		X	X	
	DISORDERLY CONDUCT	DISORDERLY CONDUCT	X	X	X	X	X	X	X	X	X		X		X			X		X	X	
	ENDANGERING OTHERS	ENDANGERING OTHERS WANTON ENDANGERMENT	X	X		X		X	X	X			X		X			X		X	X	
	FIGHTING	FIGHT (STUDENT/OTHER)-Physical Aggression FIGHT (STUDENT/STAFF) FIGHT (STUDENT/STUDENT)	X	X	X	X	X	X	X	X	X		X		X			X		X	X	
	GAMBLING	GAMBLING	X		X	X				X			X		X	X						
	HOSTILE ENVIRONMENT	BULLYING HARASSING COMMUNICATION HARASSMENT MENACING STALKING THREATENING- STUDENT THREATENING- STAFF VERBAL ABUSE	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X		X	X	X
	NON-CONTROLLED SUBSTANCE POLICY VIOLATION	OTHER DRUG OVER THE COUNTER DRUG	X		X	X		X		X					X	X		X		X	X	
	OFFENSIVE CONDUCT	MILD SEXUAL BEHAVIOR INAPPROPRIATE SEXUAL BEHAVIOR INDECENT EXPOSURE	X	X	X	X	X	X	X	X			X		X			X		X	X	
	PROPERTY DAMAGE OR VANDALISM	DAMAGING PROPERTY VANDALISM (CRIMINAL MISCHIEF)	X	X	X	X		X	X	X			X		X			X		X	X	
	THEFT	STEALING LARCENY-THEFT (CRIMINAL)	X	X	X	X	X	X	X	X			X		X			X		X	X	

Responses to Code Violations
ELEMENTARY SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS IV VIOLATIONS

			Resolution Options																		
			Supportive Responses										Traditional Responses								
	SCOC	INFINITE CAMPUS	AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS IV	ALCOHOL OR INTOXICANT POLICY VIOLATION	ALCOHOL DISTRIBUTION ALCOHOL POSESSEION ALCOHOL USE	X		X	X		X		X					X	X		X		X	X	
	ARSON	ARSON	X	X	X	X		X	X				X		X	X		X		X	X	
	ASSAULT	1ST DEGREE ASSAULT 2ND DEGREE ASSAULT 3RD DEGREE ASSAULT 4TH DEGREE ASSAULT	X	X	X	X	X	X	X	X	X		X							X	X	
	BURGLARY	BURGLARY	X		X	X	X	X	X				X		X			X		X	X	
	DANGEROUS INSTRUMENT	DANGEROUS INSTRUMENT	X		X	X	X	X	X	X					X	X		X		X	X	X
	DEADLY WEAPON	WEAPON DISTRIBUTION WEAPON POSSESSION WEAPON USE						X								X					X	X
	DRUG POLICY VIOLATION	DRUG / LOOK-ALIKE DRUG DISTRIBUTION POSSESSION USE (CHOOSE BASED ON THE DRUG)	X		X	X		X	X	X					X	X		X		X	X	
	EXTORTION	THREATENING-STUDENT THREATENING-STAFF	X	X	X	X		X	X				X		X		X	X		X	X	
	ROBBERY	ROBBERY	X	X	X	X	X	X	X				X		X		X	X		X	X	
	SEXUAL OFFENSE	SEXUAL ASSAULT	X	X	X	X	X	X		X					X		X	X		X	X	
	TERRORISTIC THREAT	TERRORISTIC THREAT BOMB THREAT	X	X	X	X	X	X	X	X			X		X		X	X		X	X	

MIDDLE SCHOOLS

Responses to Code Violations
MIDDLE SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS I AND II VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses											Traditional Responses								
			AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS I	DISRUPTIVE BEHAVIOR	DISRUPTIVE BEHAVIOR	X	X	X	X	X	X	X	X	X		X		X	X	X	X	X	X		
CLASS I	DRESS CODE VIOLATION	DRESS CODE VIOLATION	X		X	X		X		X					X	X		X				
CLASS I	OUT OF ASSIGNED OR DESIGNATED AREA	OUT OF ASSIGNED AREA TARDY TO CLASS SKIPPING CLASS	X		X	X	X	X	X	X					X			X		X		
CLASS I	PERSONAL ELECTRONIC DEVICE	PERSONAL TELECOM DEVICE	X		X	X			X	X					X	X		X	X			
CLASS I	PUBLIC DISPLAY OF AFFECTION	PUBLIC DISPLAY OF AFFECTION	X		X	X		X		X					X		X	X		X		
CLASS II	DISHONESTY (NON-CRIMINAL)	FALSE NOTE/REPORT CHEATING	X	X	X	X		X	X	X			X	X	X	X		X	X	X		
CLASS II	DISREGARD FOR SAFETY	DISREGARDING SAFETY SELF-ENDANGERMENT	X		X	X	X	X	X	X	X		X		X	X		X	X	X	X	
CLASS II	INSUBORDINATION /FAILURE TO FOLLOW STAFF INSTRUCTIONS	FAILURE TO FOLLOW STAFF MISSED DETENTION PRESENT WHILE SUSPENDED	X	X	X	X	X	X	X	X	X		X		X		X	X	X	X	X	
CLASS II	OFFENSIVE SPEECH/ACTIONS	PROFANITY OR VULGARITY GANG ACTIVITY PROMOTING	X		X	X		X	X	X	X		X		X	X		X	X	X	X	
CLASS II	TOBACCO POLICY VIOLATION	CHEWING TOBACCO SMOKING TOBACCO DISTRIBUTION TOBACCO POSSESSION TOBACCO USE	X	X	X	X		X		X					X	X		X		X	X	
CLASS II	UNAUTHORIZED ABSENCE	SKIPPING SCHOOL LEAVING CAMPUS	X		X	X		X		X					X			X		X		

***Per SB 101, "A student who is removed from the same classroom three (3) times within a thirty-day period shall be considered chronically disruptive and may be suspended from school…"**

Responses to Code Violations
MIDDLE SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS III VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses: AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	Traditional Responses: ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS III	DISHONESTY (CRIMINAL)	FRAUD FORGERY/COUNTER FEITING				X		X	X	X			X		X			X		X	X	
	DISORDERLY CONDUCT	DISORDERLY CONDUCT	X	X			X	X	X			X	X		X			X		X	X	X
	ENDANGERING OTHERS	ENDANGERING OTHERS WANTON ENDANGERMENT		X		X		X	X			X	X		X			X		X	X	X
	FIGHTING	FIGHT (STUDENT/OTHER)-Physical Aggression FIGHT (STUDENT/STAFF) FIGHT (STUDENT/STUDENT)	X	X	X	X	X	X	X		X	X	X		X		X	X		X	X	X
	GAMBLING	GAMBLING	X	X	X	X				X			X		X	X		X		X	X	
	HOSTILE ENVIRONMENT	BULLYING HARASSING COMMUNICATION HARASSMENT MENACING STALKING THREATENING-STUDENT THREATENING-STAFF VERBAL ABUSE	X	X	X	X	X	X	X	X		X	X		X	X	X	X	X	X	X	X
	NON-CONTROLLED SUBSTANCE POLICY VIOLATION	OTHER DRUG OVER THE COUNTER DRUG	X		X	X		X		X		X			X	X		X		X	X	X
	OFFENSIVE CONDUCT	MILD SEXUAL BEHAVIOR INAPPROPRIATE SEXUAL BEHAVIOR INDECENT EXPOSURE		X		X		X	X			X			X	X	X	X		X	X	
	PROPERTY DAMAGE OR VANDALISM	DAMAGING PROPERTY VANDALISM (CRIMINAL MISCHIEF)		X		X		X	X			X	X		X			X		X	X	X
	THEFT	STEALING LARCENY-THEFT (CRIMINAL)	X	X		X	X	X	X			X	X		X			X		X	X	X

Responses to Code Violations
MIDDLE SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS IV VIOLATIONS

			Resolution Options																			
			Supportive Responses											Traditional Responses								
	SCOC	INFINITE CAMPUS	AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS IV	ALCOHOL OR INTOXICANT POLICY VIOLATION	ALCOHOL DISTRIBUTION ALCOHOL POSESSEION ALCOHOL USE						X				X				X					X	X
	ARSON	ARSON		X				X	X			X	X			X		X		X	X	X
	ASSAULT	1ST DEGREE ASSAULT 2ND DEGREE ASSAULT 3RD DEGREE ASSAULT 4TH DEGREE ASSAULT		X		X	X	X	X			X								X	X	X
	BURGLARY	BURGLARY				X	X	X	X			X	X							X	X	X
	DANGEROUS INSTRUMENT	DANGEROUS INSTRUMENT	X		X	X	X	X	X	X		X			X	X		X		X	X	X
	DEADLY WEAPON	WEAPON DISTRIBUTION WEAPON POSSESSION WEAPON USE						X				X				X					X	X
	DRUG POLICY VIOLATION	DRUG / LOOK-ALIKE DRUG DISTRIBUTION POSSESSION USE (CHOOSE BASED ON THE DRUG)		X				X	X			X				X					X	X
	EXTORTION	THREATENING-STUDENT THREATENING-STAFF	X	X	X	X	X	X	X			X	X		X		X	X		X	X	X
	ROBBERY	ROBBERY	X	X	X	X	X	X	X			X	X		X		X	X		X	X	X
	SEXUAL OFFENSE	SEXUAL ASSAULT		X		X	X	X				X	X		X		X	X		X	X	X
	TERRORISTIC THREAT	TERRORISTIC THREAT BOMB THREAT	X	X	X	X	X	X	X			X	X		X		X	X		X	X	X

HIGH SCHOOLS

Responses to Code Violations
HIGH SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS I AND II VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses											Traditional Responses								
			AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS I	DISRUPTIVE BEHAVIOR	DISRUPTIVE BEHAVIOR	X	X	X	X	X	X	X	X	X		X		X	X	X	X	X	X	X	
CLASS I	DRESS CODE VIOLATION	DRESS CODE VIOLATION	X		X	X		X		X					X	X		X				
CLASS I	OUT OF ASSIGNED OR DESIGNATED AREA	OUT OF ASSIGNED AREA TARDY TO CLASS SKIPPING CLASS	X		X	X	X	X	X	X					X			X		X		
CLASS I	PERSONAL ELECTRONIC DEVICE	PERSONAL TELECOM DEVICE	X		X	X			X	X					X	X		X	X			
CLASS I	PUBLIC DISPLAY OF AFFECTION	PUBLIC DISPLAY OF AFFECTION	X		X	X		X		X					X		X	X		X		
CLASS II	DISHONESTY (NON-CRIMINAL)	FALSE NOTE/REPORT CHEATING	X	X	X	X		X	X	X			X	X	X	X		X	X	X		
CLASS II	DISREGARD FOR SAFETY	DISREGARDING SAFETY SELF-ENDANGERMENT	X		X	X	X	X	X	X	X		X		X	X		X	X	X	X	
CLASS II	INSUBORDINATION/ FAILURE TO FOLLOW STAFF INSTRUCTIONS	FAILURE TO FOLLOW STAFF MISSED DETENTION PRESENT WHILE SUSPENDED	X	X	X	X	X	X	X	X	X		X		X		X	X	X	X	X	
CLASS II	OFFENSIVE SPEECH/ACTIONS	PROFANITY OR VULGARITY GANG ACTIV. PROMOTING	X		X	X		X	X	X	X		X		X	X		X	X	X	X	
CLASS II	TOBACCO POLICY VIOLATION	CHEWING TOBACCO SMOKING TOBACCO DISTRIBUTION TOBACCO POSSESSION TOBACCO USE	X	X	X	X		X		X					X	X		X	X	X	X	
CLASS II	UNAUTHORIZED ABSENCE	SKIPPING SCHOOL LEAVING CAMPUS	X		X	X		X		X					X			X		X		

***Per SB 101, "A student who is removed from the same classroom three (3) times within a thirty-day period shall be considered chronically disruptive and may be suspended from school…"**

Responses to Code Violations
HIGH SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS III VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses											Resolution Options: Traditional Responses								
			AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS III	DISHONESTY (CRIMINAL)	FRAUD FORGERY/ COUNTERFEITING				X		X	X				X		X			X		X	X	
	DISORDERLY CONDUCT	DISORDERLY CONDUCT	X	X			X	X	X			X	X		X			X		X	X	X
	ENDANGERING OTHERS	ENDANGERING OTHERS WANTON ENDANGERMENT		X		X		X	X			X	X		X			X		X	X	X
	FIGHTING	FIGHT (STUDENT/OTHER)- Physical Aggression FIGHT (STUDENT/STAFF) FIGHT (STUDENT/STUDENT)	X	X	X	X	X	X	X		X	X	X		X		X	X		X	X	X
	GAMBLING	GAMBLING	X	X	X	X				X			X		X	X		X		X	X	
	HOSTILE ENVIRONMENT	BULLYING HARASSING COMMUNICATION HARASSMENT MENACING STALKING THREATENING-STUDENT THREATENING- STAFF VERBAL ABUSE	X	X	X	X	X	X	X	X		X	X		X	X	X	X	X	X	X	X
	NON-CONTROLLED SUBSTANCE POLICY VIOLATION	OTHER DRUG OVER THE COUNTER DRUG	X		X	X		X		X		X			X	X		X		X	X	X
	OFFENSIVE CONDUCT	MILD SEXUAL BEHAVIOR INAPPROPRIATE SEXUAL BEHAVIOR INDECENT EXPOSURE		X		X		X	X			X	X		X	X	X	X		X	X	
	PROPERTY DAMAGE OR VANDALISM	DAMAGING PROPERTY VANDALISM (CRIMINAL MISCHIEF)		X		X		X	X			X			X			X		X	X	X
	THEFT	STEALING LARCENY-THEFT (CRIMINAL)	X	X		X	X	X	X			X			X			X		X	X	X

Responses to Code Violations
HIGH SCHOOLS

Disciplinary options include both supportive, positive interventions and traditional consequences. Each chart includes a range of options that may be used by school personnel to address code violations both initially and upon repeat violations.

Using the charts as a guide, FCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.

CLASS IV VIOLATIONS

	SCOC	INFINITE CAMPUS	Resolution Options: Supportive Responses: AGREEMENT OR PLAN	BEHAVIOR GROUP	CONFERENCE, WARNING, REPRIMAND	HOME/SCHOOL PARTNERSHIP	MEDIATION OR MENTORING	REFERRAL FOR SERVICES	RESTORATIVE PRACTICES	RE-TEACH EXPECTATIONS	" TIME-OUT" OR " COOL OFF"	ALTERNATIVE EDUCATION PROGRAM	RESTITUTION	Traditional Responses: ACADEMIC PENALITY	DETENTION	PROPERTY CONFISCATION	SCHEDULE CHANGES	SCHOOL PRIVILEGE DENIED	SERVICE PENALTY	IN-SCHOOL REMOVAL	OUT OF SCHOOL SUSPENSION	EXPULSION RECOMMENDATION
CLASS IV	ALCOHOL OR INTOXICANT POLICY VIOLATION	ALCOHOL DISTRIBUTION ALCOHOL POSESSEION ALCOHOL USE						X				X				X						X	X
	ARSON	ARSON		X				X	X			X	X			X					X	X	X
	ASSAULT	1ST DEGREE ASSAULT 2ND DEGREE ASSAULT 3RD DEGREE ASSAULT 4TH DEGREE ASSAULT		X			X	X	X			X									X	X	X
	BURGLARY	BURGLARY				X	X	X	X			X	X								X	X	X
	DANGEROUS INSTRUMENT	DANGEROUS INSTRUMENT	X		X	X	X	X	X	X		X			X	X		X		X	X	X	X
	DEADLY WEAPON	WEAPON DISTRIBUTION WEAPON POSSESSION WEAPON USE						X				X				X						X	X
	DRUG POLICY VIOLATION	DRUG / LOOK-ALIKE DRUG DISTRIBUTION POSSESSION USE (CHOOSE BASED ON THE DRUG		X				X	X			X				X						X	X
	EXTORTION	THREATENING-STUDENT THREATENING-STAFF	X	X	X	X	X	X	X			X	X		X		X	X			X	X	X
	ROBBERY	ROBBERY	X	X	X	X	X	X	X			X	X		X		X	X			X	X	X
	SEXUAL OFFENSE	SEXUAL ASSAULT STATUTORY RAPE		X		X	X	X				X			X		X	X			X	X	X
	TERRORISTIC THREAT	TERRORISTIC THREAT BOMB THREAT	X	X		X	X	X	X			X	X		X		X	X			X	X	X

6.0 BEHAVIOR MANAGEMENT PROCEDURES

Students against whom disciplinary action is taken by school personnel to address student code of conduct violations are entitled to due process where applicable in accordance with state statute and/or Fayette County Board of Education policy.

6.01 DUE PROCESS (INFORMAL ACTIONS)

For minor offenses where corrective measures are taken by a teacher or staff member with student supervisory responsibilities, no specific steps are required; however, the following procedure is suggested.

The teacher or staff member should:

- Provide the student with oral or written notice of the allegation(s) against him or her.
- Conference with the student within a reasonable timeframe.
- Discuss the allegation(s) with the student.
- Offer the student a chance to respond to the allegation(s).
- Decide on the action to be taken, if any, to resolve the incident.
- Communicate the action to be taken, if any, to the student and the parent/guardian (if deemed appropriate).
- Document the action.

For minor offenses where corrective measures are taken by the principal or his/her designee, no specific steps are required; however, the following procedure will be used to resolve a discipline referral.

The principal or his/her designee will:

- Conference with the student within a reasonable timeframe.
- Discuss the allegation(s) contained in the referral with the student.
- Offer the student a chance to respond to the allegation(s).
- Decide on the action to be taken, if any, to resolve the referral.
- Communicate the action to be taken, if any, to the referring person, the student, and the parent/guardian.
- Document the action in Infinite Campus.

6.02 DUE PROCESS (SUSPENSIONS)

A principal, associate principal, or the superintendent may suspend students for offenses outlined in Section 4.01 of the Code.

The length of the suspension may be as long as 10 (ten) school days per incident. Suspensions longer than 10 (ten) school days shall only be made by the superintendent.

Due process shall be given before a suspension unless immediate suspension is required to protect persons or property. In such cases, the hearing shall be held as soon as possible, but in any case, no later than 3 (three) days after the suspension.

The following procedure will be used when a student faces suspension:

- An informal hearing shall be given to a student
- A good-faith effort shall be made to contact a parent/guardian by telephone and contact shall be documented in the Infinite Campus contact log. If the parent/guardian cannot be reached via telephone other communication tools shall be utilized. (Family preferred language should also be utilized when communicating)
- The student shall be given oral or written notice of the charge(s) involved.
- If the student denies the charge(s), he or she shall be given a clear explanation of the evidence supporting the charge(s).
- The student shall be given a fair chance to give his/ or her side of the facts in response to the charge(s).
- The student and parent/guardian shall be informed of the suspension immediately.

- A suspension letter shall be provided to the parent/guardian by the administrator.
  Note: *This order may vary based on the needs of the student/family.*
- A copy of the suspension letter shall be sent to the parent/guardian.

Any suspension issued by a principal may be reviewed by the school director or the superintendent in accordance with the appeals procedure of the Code (see Section 7.02).

NOTE: Additional considerations apply for students with disabilities (see Section 6.04).

The terms of a suspension shall include the following:

- A suspended student shall not be allowed to enter any grounds or buildings of Fayette County Public Schools, including technology centers, unless accompanied by a parent/guardian and with permission of an administrator.
- The student shall not attend or participate in any school program or function, during or after school, and shall not be permitted to ride a school bus.
- Any and all make-up work must be completed in the same time frame as other make-up work as specified in the Code (see Section 4.02).

NOTE: Breaking the conditions of the suspension may result in further disciplinary action.

6.03 DUE PROCESS (EXPULSIONS)

Only the Fayette County Board of Education may expel a student. Any such expulsion shall be with services or without services.

Any such expulsion shall be made upon recommendation of the superintendent. Referrals for expulsion may be made to the superintendent by the principal, school chief, or the student personnel director.

In the case of a student who brings a firearm/explosive device to school, the expulsion may be up to and including 1 (one) calendar year (see Section 4.03). Expulsions for other offenses may extend for up to the number of days that constitute one 1 (one) school year, not to exceed 2 (two) semesters.

The following procedure will be used when a student faces expulsion:

- The recommendation shall be written and supported by all facts and materials related to the grounds for expulsion.
- The case shall be discussed with the school director.
- After review of the recommendation by the superintendent, a recommendation may be made to the board for expulsion.
- If such a recommendation is made, the superintendent shall send a letter to the parent/guardian of a student who is under 18 (eighteen) years of age that includes: 1) A statement of charge(s) against the student; and 2) The assigned date, time, and location for a hearing with the board.
- The student and parent/guardian may be present at the hearing and may be represented by an attorney during the proceedings. If the student or parent/guardian want to be represented by a representative or an attorney in the hearing, the name and telephone number of that person must be provided to the superintendent prior to the hearing.
- If a student and parent/guardian desire to admit the conduct and accept expulsion as the consequence for the student's conduct in lieu of a full expulsion hearing before the board, a process is available for this purpose. Inquiries regarding this process can be made to the school director, director of pupil personnel, or superintendent.
- In instances that are not required by law to go before the Board for expulsion, the school chief may conduct an administrative disciplinary hearing to determine placement in lieu of sending it to the Board for an expulsion hearing.
- In these cases, the student will not be expelled but may be reassigned academic placement.

PARENT/GUARDIAN CONFERENCES

When a student continues to misbehave at school or on a bus, the administrator shall call and chair a meeting with the student, parent/guardian, and appropriate school personnel, if applicable.

The meeting shall be set at a time convenient for the parent/guardian. If the parent/guardian cannot attend the meeting, either the meeting can be rescheduled or the parent/guardian may discuss the referral with school personnel some other way (i.e., over the telephone or in a separate meeting). When a student is referred for several violations in a short time, one meeting with the parent/guardian may be satisfactory. Every effort shall be made to assure the participation of the parent/guardian in any such conference.

The purpose for the conference is to determine the reason(s) the student misbehaved, to arrive at fair, equitable, and helpful solutions, and to focus on improving the student's behavior. During the meeting, the student shall be given a chance to explain the problem and to suggest solutions. The parent/guardian and school personnel shall be given the same opportunity. The student's academic and disciplinary records shall be available for review during the conference. A short-written statement of the decision(s) made during the conference shall be placed in the student's discipline record. All decisions shall include follow-up to determine if progress has been made toward the goals set for the student.

In cases of misconduct endangering the safety of others, it may be necessary to hold a conference **after** disciplinary action has been taken.

SUSPENSIONS/EXPULSIONS FOR STUDENTS WITH DISABILITIES

Special consideration should be given when dealing with the disciplinary problems of students with disabilities. Frequently, such students may have discipline problems due to the unique nature of their disabilities; in this case, the student may have an individual Behavior Intervention Plan (BIP).

If further consequences are needed for inappropriate behaviors, then principals are to use those outlined in the Code. Alternatives to out-of-school suspension include In-School Suspension/RESET, detention, Saturday detention, and other such options as needed and appropriate.

Suspension may be used with students with disabilities who have Section 504 Plans or ADA Plans in accordance with regulations. If a student with a disability accumulates 10 (ten) days of suspension, an Admissions and Release Committee (ARC) or a 504 Committee shall meet to discuss the student's behavior needs.

RIGHT TO COUNSEL

Any person against whom disciplinary action has been taken has the right to be represented by an attorney at his or her own expense.

7.0 GRIEVANCES AND APPEALS

7.01 STUDENT GRIEVANCES

When a student or parent/guardian has an educational concern, a complaint may be filed using the Fayette County Board of Education's Grievance Procedure [FCPS 09.4281 AP.1]. A copy of the procedure for filing a complaint against school personnel is available at the local school, in the school directors' office (IAKSS), or at www.fcps.net.

NOTE: For allegations of harassment or discrimination, a different administrative remedy must be used (see Section 4.03).

Upon receipt of the grievance, these steps shall be followed:

Step 1 (Teacher):	The student or parent/guardian shall discuss the issue with the teacher for resolution.
Step 2 (Principal):	When an issue cannot be resolved with the teacher within 5 (five) school days after the discussion with the student or parent/guardian, the grievant may notify the school principal.
Step 3 (School Director):	When the principal's decision is unsatisfactory to the grievant, the grievant may file a formal written complaint to that effect within 5 (five) school days of receipt of the principal's decision with the appropriate school level director.
Step 4 (Superintendent):	When the grievant is not satisfied with the decision of the school level director, he or she may file with the superintendent, within 5 (five) school days of receipt of the decision, a formal written complaint to that effect.
Step 5 (Board):	When the issue is not resolved by the superintendent, the student or parent/guardian may appeal to the board in writing within 5 (five) school days of receipt of the superintendent's decision. The board shall hear the appeal within a reasonable time at a special called meeting or a regularly scheduled board meeting, at the board's discretion.

At each level of the grievance procedure, the designated administrator shall notify the student or parent/guardian of his or her decision within 5 (five) school days of receipt of the grievance. If the student or parent/guardian and the administrator meet to discuss the issue, the administrator may notify the student or parent/guardian of his or her decision at the end of the meeting.

7.02 APPEALS OF SUSPENSIONS

When a student or parent/guardian appeals a suspension, the appeal shall be made to the principal, school level director, or superintendent within 5 (five) school days of the date of the suspension letter. The appeal procedure is the same as that used for grievances above; however, the process begins at the level that the suspension was issued.

If a student or parent/guardian appeals a suspension, the student may serve the suspended days in accordance with the appeal decision. Should the suspension be overturned at any appeal level, all record of the suspension shall be removed from the student's files and the student will be allowed to make up missed work for credit per the district's make-up work policy.

8.0 OTHER INFORMATION

Other information that may relate either directly or indirectly to the behavior management process within the district includes, but is not limited to, the following:

8.01 ELECTRONIC SURVEILLANCE

Video surveillance may be used to promote the order, safety and security of students, staff and property. Areas that may be subject to electronic surveillance within the district include, but are not limited to, the following:

- **Schools:** Surveillance video may be in use in or around school buildings. Footage is maintained by each participating school.
- **Buses:** All Fayette County Public Schools buses are equipped with digital video cameras. Video is in color and contains audio. These video recordings may be used to document events and responsibility for actions which occur on the buses.

8.02 ENROLLMENT BY A GUARDIAN/NON-CUSTODIAL PARENT

For school purposes, a child's residence is not necessarily the residence of the child's parent(s), and if the child has assumed a permanent home with some other person standing *in loco parentis* to the child, then the residence of the child for school purposes is the same as that person.

All students shall be assigned by geographic attendance areas and will attend the school designated to serve their area of residence. In cases of joint custody, the student will be assigned to the area serving the residence of the parent/guardian with whom the child primarily resides. If pursuant to a court order the child's time is split exactly in half between parents/guardians, the parents/guardians may choose which of the 2 (two) assigned schools the child will attend.

A Notarized Statement of Non-Custodial Parent or Non-Parent Guardian Enrolling a Student in Fayette County Public Schools (Notarized Statement at Enrollment) is for use when the custodial parent allows a child to reside with the non-custodial parent or a person who is not the parent of the child. Because compulsory attendance laws require enrollment of a school age children by any person having "custody or charge" of that student, this Notarized Statement at Enrollment will be honored for the purpose of educating the child as long as he or she resides with the non-custodial parent or the individual with custody or charge of the child.

The person with custody, charge or guardianship will have the power to make any and all **educational** decisions related to the child, which power shall include, but not be limited to, enrollment, medical care, academic matters, extracurricular activities, delivery of this student, pick-up of the student, emergency form preparation, field trip decisions, transportation decisions, disciplinary actions, attendance issues and any and all other educational matters. Consistent with this authority, it is mandatory that the child reside with the individual having custody, charge, or guardianship, if the child is to attend the assigned school of the guardian's residence. The person assuming custody, charge or guardianship of a student not only makes all legal and educational decisions but is legally responsible for any legal consequences associated with medical or educational decision-making and for truancy issues.

The Notarized Statement at Enrollment may be invalidated by the custodial parent, the student upon reaching the age of eighteen or by the existence of other legal circumstances. In addition, the person having custody or charge of the student may notify the school that he or she no longer has custody or charge of the student at any time by completing and signing a Renunciation of Custody or Charge and having the renunciation placed in the student's cumulative folder. The child would then be required to attend the school assigned for the residence of the child's custodial parent(s) or subsequent person assuming custody or charge of the student. Completion of the Notarized Statement at Enrollment requires that school census files identify the individual with custody or charge, rather than the parent.

8.03 OUT OF AREA ASSIGNMENTS

All students are assigned to schools by geographic attendance areas and students are expected to attend the school designated to serve their area of residence. Out-of-area authorization will be considered under the following conditions only if the change in school attendance does not create overcrowding at the requested school:

Families who move residence:

- A 5th-grade, 8th-grade, 11th-grade, or 12th-grade student who moves from one school attendance area to another school attendance area may continue in the school of his or her former residence until the completion of that grade level. The Parent/Guardian is required to submit an out-of-area application through Pupil Personnel, and if approved, must complete an out-of-area agreement at the school.
- A family whose child moves from one attendance area to another within Fayette County Public Schools may finish the school year in the school in which the student is currently enrolled. The following school year, the student must enroll in the school that serves his or her residence. If there is a desire for the student to remain at the currently enrolled school, the Parent/Guardian is required to submit an out-of-area application through Pupil Personnel, and if approved, must complete an out-of-area agreement at the school.

- A student whose family will be moving from one attendance area to another within Fayette County Public Schools before October 31 may be permitted to begin the school year in the school serving the location to which the family expects to move. The Parent/Guardian is required to submit an out-of-area application through Pupil Personnel, and if approved, must complete an out-of-area agreement at the school.

District employees:
A student whose parent/guardian is employed by Fayette County Public Schools on a half-time basis or more may attend the school or campus where the parent/guardian is employed. The Parent/Guardian is required to submit an out-of-area application through Pupil Personnel, and if approved, must complete an out-of-area agreement at the school.

Sibling:
A student who has a sibling currently enrolled in the requested school. The Parent/Guardian is required to submit an out-of-area application through Pupil Personnel, and if approved, must complete an out-of-area agreement at the school.

***Please note:** Principals shall evaluate whether students who have been granted out-of-area enrollment approval remain in compliance with specified conditions, including regular daily attendance, acceptable behavior, and adequate academic progress before a renewal is granted.

8.04 PHYSICAL RESTRAINT AND SECLUSION

Physical restraint and seclusion are last resort emergency safety interventions.

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, school personnel shall summon staff who are certified in Safe Crisis Management (SCM) as soon as possible.

Seclusion is an emergency safety intervention that provides an opportunity for the student to regain self-control. Seclusion means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving. Seclusion does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

Procedures and requirements can be found in FCPS Board Policy 09.2212 at https://www.fcps.net/policies.

8.05 SANCTIONED vs. NON-SANCTIONED SPORTS

The interscholastic athletics currently sanctioned and managed by the Kentucky High School Athletic Association (KHSAA) and the Fayette County Board of Education include archery, baseball, bass fishing, bowling, basketball, competitive cheer, cross country, dance, football, golf, soccer, fast-pitch softball, swimming, diving, tennis, track and field, volleyball, and wrestling ("sanctioned sports teams").

While there are other clubs or sports teams that may appear to be connected to the high/middle schools, such organizations operate independently of the high/middle schools, the district, and KHSAA, even if many, or even all, of the participants or players attend a high/middle school or other school in the district, or if sponsors/coaches are employees of the board. Participants in such clubs, or players on such sports teams, are not covered by student athletic insurance or KHSAA catastrophic insurance.

A player's participation on such a team may include contact with, or supervision by, individuals who purport to be skilled and/or knowledgeable about the sport, but who may or may not have expertise in the particular sport. Further, the individuals associated with a team may not be subject to background checks, including criminal records checks, prior to associating with team members, in contrast to the background checks and criminal

records checks required Fayette County Public Schools employees or volunteers prior to being permitted to be in contact with or supervise students.

Whether minor or serious, the possibility of injury always exists in any sport involving physical contact.

Even when a sport does not involve physical contact *per se,* it may encompass various known and unknown inherent risks related to practice and/or association. Students and parents/guardians are cautioned that there may not be a required medical examination for players on a team, and there may not be a medical physician or trainer at the team's practice sessions or games.

Participation may be on school grounds or off school grounds, and may include, but not be limited to, practice sessions, games, meetings, other functions (parties, fund-raising activities, etc.), transportation to and from these activities, and overnight trips.

For information concerning such activities at a specific school, please contact the principal.

8.06 SEARCHES OF PROPERTY AND PERSON

Authorized Personnel

Searches of a pupil's person or his or her personal effects shall be conducted only by a school official trained on when administrative searches are appropriate by the FCPS Legal Department and on how to conduct a search by the Department of Law Enforcement of the Fayette County Public Schools.

Authorized personnel (defined as the principal or a certified person directly responsible for the conduct of the student) have the right to search students, their belongings, lockers, desks, automobiles, electronic devices if a reasonable suspicion exists that the search may reveal evidence the student has violated a school rule, board policy, or the law. The search of a student's person shall be conducted only with the express authority of the principal or designee. The purpose of the search is to protect the safety and property of others. Additionally, school property, such as lockers and desks that are jointly held by the school and the student, may be searched on a regular basis to maintain the ongoing educational process of the school. In no instance shall the school official strip search any student.

Students and visitors entering our school facilities may be subject to a screening or search involving a metal detector and a screen or a search of any belongings. This is an administrative search by school personnel for the purpose of providing a safe and secure learning environment. It is not to discover and arrest as in a criminal investigation. Note: if a person brings contraband into one of our facilities, he/she/they may be subject to criminal disciplinary behavior, which may include legal action.

Nothing in the Code shall prevent a student from being subjected to a fixed or handheld electronic screening detector. An affirmative signal or response from a detector will serve as reasonable suspicion for a more intrusive search.

The use of trained dogs to locate prohibited illegal substances/items/materials on property owned or controlled by the board may be utilized. The alert of a trained dog to an item or area shall qualify as reasonable grounds on which to base a further search.

NOTE: The school official must be able to articulate the reasonable suspicion.

8.07 STUDENT WITHDRAWAL REQUIREMENTS

A student who is 18 (eighteen) years of age who wishes to withdraw from school and end his or her education, may withdraw only after taking both of the following steps:

- Written notice of withdrawal from the student must be received by the school.
- A standard form must be completed for the withdrawal from school of any student aged 18 (eighteen) or older.

Upon withdrawal, 1 (one) copy of the form shall be placed in the student's cumulative folder.

9.0 ANNUAL STATEMENTS AND NOTICES

9.01 FERPA/KFERPA

As governed by the *Family Educational Rights and Privacy Act of 1974* ("FERPA") and KRS 160.700 ("KFERPA"), each student over 18 (eighteen) years of age or his/her parent/guardian, if the student is under 18 (eighteen) or is the parent/guardian's dependent, has a right: 1). To inspect and review the student's education records; and 2). To challenge any misleading or inaccurate statement contained in records and request such statements be removed or corrected. For purposes of access to student records, "parent" is defined as: "natural parent, guardian, lawful custodian, or an individual acting as a parent of a student in the absence of a parent or guardian." **Either** natural parent has the authority to exercise the rights inherent in this policy unless the schools have been provided with a court order which provides expressly to the contrary.

The term "education records" means documents and other materials directly related to a student that are collected, maintained, or used by Fayette County Public Schools. This includes records maintained by other agencies and individuals who have performed services for students on behalf of Fayette County Public Schools. Educational records include, but are not limited to: 1) Personal and family data; 2) Evaluation and test data, including aptitude, achievement, intelligence, personality, behavior observation, and other diagnostic information; 3) Medical, psychological, and anecdotal reports (if shared with others); 4) All records of school achievement and progress reports; 5) Student portfolios; 6) All discipline records; 7) Records of conferences with students and/or parents/guardians; 8) Copies of correspondence about the student; 9) Any photographs or video recordings of a student; and 10) Other information or data that is used in working with the student or required by federal and state regulations.

Other than school staff, authorized volunteers, contractors and vendors, and certain other agencies approved by federal law, no person may inspect or review a student's education records without the consent of the student, if he or she is 18 (eighteen) years of age; or parent/guardian, if the student is under 18 (eighteen) or is the parent/guardian's dependent; or without a properly issued court order.

Upon request, the district will disclose records without consent to officials of another school district in which the student seeks or intends to enroll.

The term "directory information" means the student's name, address, telephone listing, date and place of birth, participation in school recognized sports and activities, height, and weight of members of athletic teams, dates of attendance, awards received, major field of study, and the most recent previous educational agency or institution attended by the student, contained in the education records in the custody of the public schools [KRS 160.700(1)]. Directory information does not include the education records.

Directory information shall be released, upon written request, to the news media, athletic associations, higher education providers, scholarship or college entrance committees, or official organizations **only** if the need for data is connected with a legitimate educational interest and purpose. Directory information may be released to official law enforcement agencies with permission of the superintendent or his/her designee. The district may disclose directory information unless notified in writing to the contrary by October 1 of each school year or within 30 (thirty) days of enrollment if after October 1. Directory information may include a student's: 1) Name, address, telephone number and date of birth; 2) Participation in officially recognized activities and sports (including weight and height); 3) Dates of attendance within Fayette County Public Schools; 4) Awards of credits, diplomas, and special recognitions (including but not limited to, honor roll and proficient/distinguished test scores); and 5) Last educational institution of enrollment prior to enrollment in Fayette County Public Schools (see the *FCPS Confidentiality and Non-Discrimination Handbook* at https://www.fcps.net/policies). Directory information does not include education records.

Military Recruiters: Under current law, U.S. military recruiters have access to the names, addresses and telephone numbers of secondary school students. A parent/guardian or student may choose not to have this information released. To request that recruiters not receive information on a student, a Release of Information to Military Recruiters Opt-Out Form (available at each high school; see also Section 10.03)

must be completed and sent to the superintendent's office. The opt-out request will remain in effect unless revoked by the parent/guardian or the student.

Each parent/guardian and eligible student has the right to file a written complaint with the United States Department of Education if he or she feels the right to inspect the student's records, as set forth in board policy 09.14, has been wrongfully denied.

Each parent/guardian and eligible student may examine a copy of board policy 09.14 and the FCPS Confidentiality and Non-Discrimination Handbook concerning student records on the district website at https://www.fcps.net/policies.

Challenge to Content/Accuracy of Records: In the event of a challenge to the content or accuracy of a student's records upon the basis that the information contained therein is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, Form SRF 119 (available in the principal's office) must be completed and the parent/guardian of the student or the eligible student must be given the opportunity for a hearing to be conducted by the appropriate administrator appointed by the superintendent, who shall be designated as the "hearing official." The hearing will be held within a reasonable period of time after the superintendent has received a request for such a hearing and the parent/guardian of the student and/or the eligible student shall be given notice of the date, place, and time of the hearing reasonably in advance of the same.

The parent/guardian of the student or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice, including an attorney, at his or her own expense.

If, as a result of the hearing, the board, through its hearing official, decides that the information is not inaccurate, misleading, or otherwise in violation of privacy or other rights of students, it shall inform the parent/guardian or eligible student of the right to place in the education records of the student a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the hearing official.

Any such explanation placed in the education records of the student shall be maintained by the board as part of the education records of the student as long as the records or contested portion thereof are maintained by the board. If the education records of the student or the contested portion thereof are disclosed by the board to any party, the explanation shall also be disclosed to that party.

The hearing official shall make his or her decision in writing within a reasonable period of time after the conclusion of the hearing [34 CFR § 99.22(e)].

The decision of the hearing official shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

Parent(s)/Guardian(s) and 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 Avenue SW
Washington, D.C. 20202
(202) 260-3887 (VOICE)
(800) 877-8339 (TDD)

9.02 PROTECTION OF PUPIL RIGHTS AMENDMENT

Under the federal *Protection of Pupil Rights Amendment of 1998* ("PPRA"), parents/guardians and eligible students shall be notified of and given opportunity to opt out of participation in surveys, analyses, invasive physical exams or screenings (excluding hearing, vision or scoliosis screenings), or evaluations that disclose protected information. This also applies to the collection, disclosure, or use of student information by third parties for marketing purposes. Parents/guardians and eligible students may inspect,

upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

The PPRA affords parents and eligible students (those who are 18 or older or who are emancipated minors) certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. These include the right to:

- Consent before students are required to submit to a survey that concerns 1 (one) or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education:
    - Political affiliations or beliefs of the student or student's parent/guardian;
    - Mental of 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/guardians; or
    - Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- Receive notice and an opportunity to opt a student out of:
    - Any other protected information survey, regardless of funding;
    - Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law); and
    - Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- Inspect, upon request and before administration or use:
    - Protected information surveys of students;
    - Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
    - Instructional material used as part of the educational curriculum.

The district shall also notify parents/guardians and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. Notification will provide an opportunity to opt a student out of participating in those activities.

Parent(s)/Guardian(s) and 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 Avenue SW
Washington, D.C. 20202-4605

9.03 NON-DISCRIMINATION

It is the policy of Fayette County Public Schools not to discriminate on the basis of race, color, national origin, age, religion, sex, gender identity, sexual orientation, disability, or any other basis in federal or state law as required by Titles VI and VII of the *Civil Rights Act of 1964*, Title IX of the *Education Amendments of 1972*, the *Individuals with Disabilities Education Act of 1997 and 2004* ("IDEA"), Section 504 of the *Rehabilitation Act of 1973* ("Section 504"), the *Americans with Disabilities Act of 1990* ("ADA"), the *ADA Amendments Act of 2008* ("ADAAA") and the *McKinney-Vento Homeless Assistance Act of 1987*. Inquiries regarding compliance with any of the above Acts should be directed to:

Civil Rights Compliance Officer
Fayette County Public Schools
450 Park Place
Lexington, KY 40511
(859) 422-1946

Inquiries may also be directed to:

Office of Civil Rights
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202-4605

9.04 Title IX

Fayette County Public Schools takes seriously all concerns and complaints of harassment and discrimination. Title IX is a federal civil rights law included in the U.S. Education Amendments of 1972, 20 U.S.C. §1681 et seq. The law **prohibits discrimination or harassment on the basis of sex** under any education program or institution that receives federal funding, including Fayette County Public Schools. Title IX protects district students and staff from sex-based discrimination in areas including but not limited to:

- All forms of sexual harassment and sexual violence, including rape or sexual battery;
- Academics;
- School programs, including curricular and extracurricular activities;
- Treatment of pregnant and parenting staff or students;
- Athletics; and
- Employments

Resources
For more information, please visit the following link:
District's Title IX Policies & Procedures (Search "Title IX" and scroll to download Policy 03.1621.)

9.05 SPECIAL EDUCATION AND CHILD FIND

In compliance with federal and state law, a Free and Appropriate Education (FAPE) in the Least Restrictive Environment (LRE) is provided by Fayette County Public Schools to all pre-school aged children and school-aged children with certified disabilities within the jurisdiction of the district. Also in compliance with federal and state law, the school system maintains a comprehensive Child Find program to identify, locate and evaluate all children with disabilities residing within the attendance boundaries of the school system, including children with disabilities who are homeless children, wards of the state or children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services.

Referrals for special education and related services may be made by parents/guardians, school personnel or members of the community. For further information, contact the classroom teacher, special education teacher, counselor, principal or the Director of Special Education.

Other helpful resources for parents/guardians are:

Director of Special Education
Fayette County Public Schools
450 Park Place
Lexington, KY 40511
(859) 422-0393

State of Kentucky
Department of Education
Special Education Services
http://education.ky.gov/specialed/excep/Pages/default.aspx

9.06 USE OF PUBLIC BENEFITS OR INSURANCE (MEDICAID)

Annual Notice of Parent Consent for School District's Use of Public Benefits or Insurance (Medicaid) under 34 CFR §300.154(d)(2)(iv)

The federal special education law known as the Individuals with Disabilities Education Act (IDEA) gives parents of IDEA students certain rights related to the school district's use of public benefits or insurance, such as Medicaid.

School districts sometimes ask parents if the district may use their public benefits or insurance to help pay for certain services provided at school. IDEA provides parents with the following rights in this area:

- **Parents have the right to receive this notice in an understandable language.**
  This means that the annual notice must be written in clear language. It also means that the notice is provided in the parents' native language or other manner of communication used by the parents, unless it is clearly not practicable to do so.

- **Parents must provide consent before their child's confidential information is disclosed.**
  The school district must obtain parent consent under the Family Educational Rights and Privacy Act (FERPA), at 34 CFR Part 99, and IDEA, found at 34 CFR 300.622, before the school district may disclose the child's personally identifiable information to the agency in charge of the State's public benefits or insurance program (Medicaid).

- **A child covered by IDEA has the right to special education and related services at no cost to the parents.**
  For any service required to provide a Free Appropriate Public Education ***(FAPE)*** to a child eligible for IDEA, the school district:

  - May not require parents to sign up for public benefits or insurance programs for the child to receive FAPE.
  - May not require a parent to pay an out-of-pocket expense, such as the payment of a deductible or co-payment amount, for services provided at school. However, the district may pay the cost that the parent would otherwise be required to pay for the service.
  - May not use the child's public benefits or insurance if using it would:

    - ✓ Decrease available lifetime coverage or other benefits;
    - ✓ Require the family to pay for services normally paid by public benefits or insurance, that the child needs outside of school;
    - ✓ Increase premiums or lead to discontinuation of public benefits or insurance; or,
    - ✓ Risk the child's eligibility for home and community –based waivers, due to the total amount of health care expenditures.

- **Parents may withdraw consent for disclosure of the child's confidential information at any time.**

- **If parents refuse consent or withdraw consent, the school district must still provide the required services to the child at no cost to the parents.**
  The school district is still responsible for providing the child with a FAPE and must provide needed services, even if the district is no longer allowed to use the parents' public benefits or insurance.

10.0 FORMS

10.01 FERPA DIRECTORY INFORMATION OPT-OUT

FERPA Directory Information Opt-Out Form
For All Students

Complete this form to exercise your right to privacy

The District has designated a student's name, address, email address, telephone number, date and place of birth, information about the student's participation in officially recognized activities and sports, student's weight and height (if a member of an athletic team), student's dates of attendance, grade level, honors and awards, photograph (excluding video records but will result in student's photo and information being excluded from the school yearbook unless the Yearbook section is completed below), and major field of study as "directory information", which means under the Family Education Rights and Privacy Act ("FERPA") that this information can be released without your consent. If you do not want this information released to people requesting directory information, the parent/guardian or eligible student (18 years of age or older) must sign this form and return it to the school office within one month after enrollment. This opt-out request will remain in effect for the current school year only. Information about the living situation of a homeless student is not considered directory information. I hereby exercise my rights under state and federal law and hereby request that the name, address, email address, telephone number, date and place of birth, information about the student's participation in officially recognized activities and sports, students weight and height (if a member of an athletic team), students dates of attendance, grade level, honors and awards, photograph (excluding video records), and major field of study for _____ (student name), currently a student at _____(school name), not be released without prior written consent.

I understand and acknowledge that this opt-out request will remain in effect for the current school year only. I understand it will exclude my student from publications such as photo/directory information and that my student's information will not be published in any form including District publications such as playbills, yearbooks, websites, newsletters, newspapers, etc.

Signed by (check one.): _____eligible student _____parent/guardian

_____ Signature

_____ Name (please print)

_____ Address

_____ City/State/ZIP

YEARBOOK EXCLUSION

I have chosen to opt-out of FERPA as designated above but would still like for my student's picture and relevant information to be included in the school's yearbook.
Signed by (check one.): _____eligible student _____parent/guardian
_____ Signature
_____ Name (please print)
_____ Address
_____ City/State/ZIP

10.02 MEDIA COVERAGE OPT-OUT

Fayette County Public Schools

Media Coverage Opt-Out Form

For All Students

Complete this form to exercise your right to not have your child or their work shown on the Fayette County Public Schools (FCPS) educational access channel, the FCPS website or in the local news media.

Students in the Fayette County Public Schools have tremendous talent and achieve remarkable accomplishments in academics, performing and visual arts and athletics. Throughout the year, there may be opportunities for positive publicity related to the accomplishment of individual students, school related groups and schools. Examples of this type of positive public relations opportunities include, but are not limited to, school newsletters, Channel 13 broadcasts, feature stories, announcements and photographs on www.fcps.net, school district publications, and coverage by local print, broadcast and radio media outlets.

If you do not want your child or their work to appear publicly in photographs, articles, audio/video broadcasts, and/or interviews, **the student or parent/guardian must sign this form and return it to the school office within one month after enrollment. This opt-out request will remain in effect for the current school year only.**

Student's Name: _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____

Date: _____

10.03 MILITARY RECRUITER OPT-OUT

Fayette County Public Schools

Military Recruiter Opt-Out Form

For High School Students Only

Complete this form to exercise your right to privacy.

Under current law, U.S. military recruiters have access to the names, addresses, and phone numbers of secondary school students. A parent, guardian or student may choose not to have this information released.

To request that recruiters not receive information on a student, please notify the Fayette County Public School District by sending this form to Superintendent's Office of Fayette County Public Schools, 1126 Russell Cave Road, Lexington, KY 40505. The opt-out request will remain in effect unless revoked by the parent/guardian or student.

Military Recruitment Opt-Out Parent Form

I wish to opt-out of having information on my son or daughter released to military recruiters. I understand that this will remain in effect until I revoke this option by notifying Fayette County Public Schools in writing of my decision.

Date: _____

Student's Name: _____

Current Grade: _____

Student's School: _____

Parent/Guardian Name: _____

Signature: _____

Military Recruitment Opt-Out Student Form

I wish to request my information not be released to military recruiters. I understand that this will remain in effect until I revoke this option by notifying Fayette County Public Schools in writing of my decision.

Date: _____

Student's Name: _____

Current Grade: _____

Student's School: _____

Signature: _____

SCHOOL/PROGRAM CONTACT INFORMATION

FAYETTE COUNTY PUBLIC SCHOOLS

Primary mailing address: 1126 Russell Cave Road, Lexington KY 40505
Physical address of district headquarters: 450 Park Place, Lexington, KY 40505

ELEMENTARY SCHOOLS

Academy for Leadership at Millcreek	1212 Reva Ridge Way, 40517	(859) 422-3527
Arlington	122 Arceme Avenue, 40505	(859) 422-0001
Ashland	195 N. Ashland Avenue, 40502	(859) 422-0003
Athens-Chilesburg	930 Jouett Creek Drive, 40509	(859) 422-4955
Booker T Washington	707 Howard Street., 40508	(859) 422-0004
Breckinridge	2101 St. Mathilda Drive, 40502	(859) 422-0005
Brenda Cowen	4801 Athens Boonesboro Road, 40509	(859) 422-9900
Cardinal Valley	218 Mandalay Road, 40504	(859) 422-3340
Cassidy	1125 Tates Creek Road, 40502	(859) 422-0006
Clays Mill	2319 Clays Mill Road, 40503	(859) 422-0007
Coventry Oak	2441 Huntly Place 40511	(859) 422-0008
Deep Springs	1919 Brynell Drive, 40505	(859) 422-0009
Dixie Magnet	1940 Eastland Parkway, 40505	(859) 422-0010
Garden Springs	2151 Garden Springs Drive, 40504	(859) 422-0012
Garrett Morgan	1150 Passage Mound Way 40509	(859) 422-0013
Glendover	710 Glendover Road, 40502	(859) 422-3403
Harrison	161 Bruce Street, 40507	(859) 422-3418
James Lane Allen	1901 Appomattox Road, 40502	(859) 422-3456
Julius Marks	3277 Pepperhill Road, 40502	(859) 422-3470
Lansdowne	336 Redding Road, 40517	(859) 422-0014
Liberty	2585 Liberty Road, 40509	(859) 422-4979
Mary Todd	551 Parkside Drive, 40505	(859) 422-3512
Maxwell Spanish Immersion Magnet	301 Woodland Avenue, 40508	(859) 422-3516
Meadowthorpe	1710 N. Forbes Road, 40511	(859) 422-3521
Northern	340 Rookwood Parkway, 40505	(859) 422-3541
Picadome	1642 Harrodsburg Road, 40504	(859) 422-3563
Rosa Parks	1251 Beaumont Centre Lane, 40513	(859) 422-0019
Russell Cave	3375 Russell Cave Road, 40511	(859) 422-3571
Sandersville	3025 Sandersville Road, 40511	(859) 422-1607
Southern	340 Wilson Downing Road, 40517	(859) 422-3589
Squires	3337 Squire Oak Drive, 40515	(859) 422-0022
Stonewall	3215 Cornwall Drive, 40503	(859) 422-3079
Tates Creek	1113 Centre Parkway, 40517	(859) 422-0039
Veterans Park	4351 Clearwater Way, 40515	(859) 422-0025
Wellington	3280 Keithshire Way, 40503	(859) 422-0028
William Wells Brown	555 E. Fifth Street, 40508	(859) 422-4990
Yates	695 East New Circle Road, 40505	(859) 422-0029

MIDDLE SCHOOLS

Beaumont	2080 Georgian Way, 40504	(859) 422-0034
Bryan Station	1865 Wickland Drive, 40505	(859) 422-3288
Crawford	1813 Charleston Drive, 40505	(859) 422-0035
Edythe J. Hayes	260 Richardson Place, 40509	(859) 422-1145
Jessie M. Clark	3341 Clays Mill Road, 40503	(859) 422-0036

SCHOOL/PROGRAM CONTACT INFORMATION-(CONTINUED)

Leestown	2010 Leestown Road, 40511	(859) 422-0037
Lexington Middle	350 N. Limestone, 40508	(859) 422-0038
Mary E. Britton	2185 Polo Club, 40509	(859)422-1195
Morton	1225 Tates Creek Road, 40502	(859) 422-3533
SCAPA at Bluegrass	400 Lafayette Parkway, 40503	(859) 422-3332
Southern	400 Wilson Downing Road, 40517	(859) 422-3582
Tates Creek	1105 Centre Parkway, 40517	(859) 422-0039
Winburn	1060 Winburn Drive, 40511	(859) 422-3967

HIGH SCHOOLS

Bryan Station	201 Eastin Road, 40505	(859) 422-0040
Frederick Douglass	2000 Winchester Road, 40509	(859) 422-0011
Henry Clay	2100 Fontaine Road, 40502	(859) 422-3423
Lafayette	401 Reed Lane, 40503	(859) 422-3474
Paul Laurence Dunbar	1600 Man O' War Boulevard, 40513	(859) 422-3546
Tates Creek	1111 Centre Parkway, 40517	(859) 422-0041

TECHNICAL CENTERS

Locust Trace AgriScience Center	3591 Leestown Road, 40511	(859) 422-3990
The Hub for Innovative Learning and Leadership (The H.I.L.L)	100 Midland Ave, 40508	(859) 422-2112

OTHER ACADEMIC PROGRAMS

Audrey Grievous Center	1177 Harry Sykes Way, 40504	(859) 422-0042
Carter G. Woodson Academy	1813 Charleston Drive, 40505	(859) 422-3933
G.W. Carver STEM School for Boys	123 East Sixth Street, 40508	(859) 422-0044
Martin Luther King Jr. Academy	2200 Liberty Road, 40509	(859) 422-0045
Opportunity Middle College	470 Cooper Drive, 40506	(859) 422-0046
RISE STEM Academy	2420 Spurr Road, 40511	(859) 422-0047
The Stables	4089 Iron Works Pike, 40511	(859) 422-4312
STEAM Academy	123 East Sixth Street, 40508	(859) 422-0048
Success Academy	2420 Spurr Road, 40511	(859) 422-0051
The Learning Center (TLC)	475 Price Road, 40508	(859) 422-1446
Virtual Learning Academy	1126 Russell Cave Rd, 40511	(859) 422-4312

BUS TRANSPORTATION CONTACT NUMBERS

Miles Point Terminal	Transportation Manager	(859) 422-0285
	Dispatcher	(859) 422-0285
Liberty Road Terminal	Transportation Manager	(859) 422-1879
	Dispatcher	(859) 422-1879
Routing	Supervisor	(859) 422-2140
	Special Education	(859) 422-0209
	Preschool	(859) 422-0210
	CBI & Activities	(859) 422-0211

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