Statement on Rights and Responsibilities And Student Discipline Code 2026-2027



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SUPERINTENDENT'S MESSAGE

Dear Families and Students:

The Shelby County School District is committed to providing an educational environment in which every student has the opportunity to reach his/her maximum learning potential. The "Statement on Rights and Responsibilities and Student Discipline Code" has been developed to help ensure a positive, stable learning climate, to provide a clear set of regulations governing the behavior of students, to establish guidelines for certain infractions of the regulations and to help show that rights are closely related to responsibilities.

The Shelby County School District is committed to promoting equity for all students through our Multi-Tiered Systems of (Academic and Behavior) Supports (MTSS), Positive Behavior Interventions and Supports (PBIS) and Social Emotional Learning (SEL). All schools in the Shelby County School District are required to implement PBIS, which emphasizes common, positive, school-wide expectations, data analysis and structures that support student success. All of our schools also implement SEL, which helps students develop healthy identities, make responsible and caring decisions, and more. As part of this commitment, we also have Mental Health Consultants and Behavior Analysts to support our schools.

Students and their parents or guardians have the need and right to know what behavior is expected of students. Also, it is important from the beginning for each student to know what consequences may be expected if his/her behavior is considered unacceptable.

The ultimate goal of the Shelby County School District is to keep all of our students engaged, learning and succeeding in a safe and positive learning environment so they can exhibit the qualities of our ***Profile of a Graduate***. This is a joint responsibility of all who come into contact with students, so each student can ***Complete the Circle***. By working together, we can help students learn proper and acceptable behavior, which will benefit them not only as students but also as global citizens.

The Board of Education and entire staff wish to thank the many individuals who worked to develop this code. Their contribution of time, energy, effort and care will long serve to benefit the students and personnel in the Shelby County School District.

Dr. Josh Matthews, Superintendent
Shelby County Public Schools

Table of Contents **Page**

Part I Rights and Responsibilities

Students	4
Parent	5
Teacher	5
Administrator	6

Part II Student Discipline Code

Introduction	7
Behavior Philosophy Statement	7
Behavior Expectations	9
Levels of Disciplinary Actions	11
Definitions of Behavioral Violations	14
Elementary School Behavior Consequence Chart	16
Secondary Behavior Consequence Chart	17
Assault and Threats of Violence	18
Bullying	19
Harassment	20
Tobacco	22
Non-Discrimination Statement	24
District Calendar	25

PART I - RIGHTS AND RESPONSIBILITIES

The United States Constitution provides for the protection and safeguarding of all people. In the same vein, there is a responsibility inherent in all rights. Therefore, all participants in the schooling process must exercise self-discipline and care necessary to afford others the same rights and to guarantee that their own actions do not infringe upon the rights of others. Further, all participants have the right and responsibility to know and understand the basic code of conduct expected of them. The following outlines the rights and responsibilities of all participants.

All Students have a right to:

- An education that prepares the student within the limits of abilities to reach maximum potential for contributing to the individual's welfare and that of society.
- Freedom of speech and expression.
- Request an explanation of the purpose of rules.
- Suggest rules or changes in rules.
- "Due Process" in regards to disciplinary action, including the right to hear charges, state his/her side, and to appeal decisions honestly believed unjust from teacher to principal to Superintendent to Board of Education according to established procedures.
- Receive academic grades based only upon academic performances.
- Freedom from abuse and threat of abuse by members of school facilities and administrative personnel.
- Protection of person and property to the extent reasonably possible by the school.
- Participate in all school programs and activities within the limits of capabilities and the established standards without regard to race, creed, sex or disability.
- Access and confidentiality of academic records, except upon written authorization of the student or his/her parents or guardian.

All students have responsibilities to:

- Attend school regularly and to take advantage of the opportunities offered by cooperating with those trying to teach and working at the job of learning, not to interfere with the rights of fellow students to an education.
- Responsibly use that freedom in such a way as not to offend the rights of others with obscene or damaging words or actions and to avoid the use of language in a discourteous, offensive or inflammatory manner.
- Obey the rules, and to question them in a way earnestly seeking explanation for understanding and not just for the purpose of an argument and to report any code violations to building administrators.
- Make suggestions in a positive, reasonable manner, taking into careful consideration the welfare of all, not just that one or a few individuals.
- Exercise courtesy and reason at all times, to accept just punishment, to avoid unreasonable appeals, and to refrain from making false accusations for petty vicious reasons.
- Complete all homework, class work, and make-up assignments in accordance with the teacher's instructions.
- Refrain from acts or actions which would endanger self or others, including property, and to take those steps and precautions necessary to protect self and possessions.
- Make the best contribution possible with individual abilities, to support the school in all phases of the program or activity, and to behave in such a way that participation will be a contribution and not a detriment.
- Follow established procedures in requesting release of personal records to persons not legally entitled to such records without proper consent.

PARENT RIGHTS AND RESPONSIBILITIES

All Parents have Rights:

- To send their child to a school with a positive education climate where parents play an integral part in the child's education.
- To expect disruptive behavior to be dealt with fairly, firmly and quickly.
- To enroll their child in regularly scheduled classes with minimal interruptions.
- To expect their school to maintain high academic and accreditation standards.
- To review the child's academic progress and other pertinent information, which may be contained in the student's personal records and the Infinite Campus system.
- To address a question concerning their child to the proper authority and receive a reply within a reasonable time-period.

All Parents have Responsibilities:

- Instill in their children the values of an education by seeing to it that their children: (1) attend school regularly and promptly, (2) demonstrate respect for the teachers, administrators, school personnel at school and all school related activities, (3) exhibit neatness and cleanliness in their personal attire and hygiene.
- Instill in their children a sense of responsibility and respect, and to inform their children about the disciplinary procedures of the school and the importance of following these procedures.
- Understand that unnecessary interruptions in the school are detrimental to the educational program for all students.
- Be familiar with the educational program, procedures and policies.
- To exhibit concern for the progress and grades of their child.
- Check with the proper school officials regarding the facts of any situation, which they might question.
- Support the efforts of the school personnel.

Notification to Parents:
In compliance with No Child Left Behind Title IA, Shelby County Public Schools is sending notification to parents that all teachers hired are considered Highly Qualified for the core academic courses they teach. Shelby County Public Schools is committed to providing a quality instructional program for each child. Parents may request information regarding their child's teacher's professional qualifications at their school or contact Andy Moore, Director of Human Resources, at 502.633.2375.

TEACHER RIGHTS AND RESPONSIBILITIES

All Teachers have rights:

- Respect from students, parents/guardians, and the school staff.
- To work in a positive educational environment with a minimum of disruptions.
- To expect all assignments, including homework, to be completed and turned in as assigned.
- To request the removal of any student from class whose behavior significantly disrupts a positive learning environment.
- To have safety from physical harm and freedom from verbal abuse.
- To provide input to aid in the formulation of policies that relate to their relationship with students and school personnel.
- To take action necessary in emergencies pertaining to the protection of persons or property.

All Teachers have responsibilities:

- To maintain high standards of professional and personal conduct which foster mutual respect and consideration for parents and co-workers.
- Maintain an atmosphere of good behavior and exhibit an attitude of respect for students.
- Evaluate student's assignments and return them as soon as possible, recognizing improved and exemplary behavior or work of students.
- Assist in the administration of such discipline as is necessary to maintain order throughout the school without discrimination on any basis. To administer such disciplinary measures as outlined in this code in order to maintain a positive learning environment.
- Exhibit exemplary behavior in action, speech and personal appearance.
- Follow and enforce rules and regulations of the Board of Education and/or school administrators.
- To care for the people, equipment and physical facilities of the school.

ADMINISTRATOR RIGHTS AND RESPONSIBILITIES

All Principals/Administrators have rights:

- To provide input for the establishment of procedures and regulations that relate to the school.
- To have safety from physical harm and verbal abuse.
- To take necessary action in emergencies to protect their own person or property, or the persons or property of those in their care.
- To suspend any student whose conduct disrupts the educational environment or process.
- Respect from students, parents/guardians, and the school staff.

All Principals/Administrators have responsibilities:

- To create and foster an atmosphere of mutual respect and consideration among pupils, parents and staff members.
- To follow and enforce rules and regulations of the Board of Education and/or administrators.
- To exhibit exemplary behavior in action, speech and personal appearance.
- To care for the people, equipment and physical facilities of the school.
- To use one's best judgment in administering discipline fairly and equally according to due process guidelines and to direct a program of explaining the Student Discipline Code to the school community.
- To maintain high standards of professional and personal conduct, which fosters mutual respect and consideration.

PART II – STUDENT DISCIPLINE CODE

INTRODUCTION

The Shelby County Board of Education recognizes its responsibility to give all reasonable support and assistance to the maintenance of discipline while students are under the authority of the Board of Education. Discipline problems are less likely to occur in classes which are well taught and which maintain a high level of student interest. However, teachers have the authority and responsibility to use reasonable methods to maintain classroom control without having to refer students to the school principal.

Shelby County Public Schools will actively model and teach positive behavior to students. Expectations will be taught such that students understand what proper behavior looks like.

The following rules, regulations, and procedures are in no way an attempt to remove the fundamental responsibility for classroom discipline from the teachers. This Student Discipline Code is a general standard that is to be used as a guide by all students and teachers and is applicable to students within the school building, on school grounds, traveling to and from school, either walking or by bus, and/or at school-sponsored activities.

Students at different ages and grade levels are expected to assume varying degrees of responsibility for their actions. Therefore, different disciplinary measures have been developed to reflect different levels of maturity and self-discipline. Each of the charts indicates the disciplinary options available to resolve a discipline violation. In determining the appropriate disciplinary option, consideration will be given to the number of times a student has had to be disciplined and how many times a particular option has been used. Repeated violations may require more severe consequences.

In cases involving students with disabilities, the procedures mandated by federal and state law, and the students' Individual Education Plan, shall be followed. This applies to situations that might occur in the school setting or the bus.

All policies and procedures in this Student Discipline Code are intended to reflect current federal, state and local requirements, Gun-Free Schools Act of 1994, etc. However, any changes made by the Board of Education to the policies and procedures supersede those printed here and may be found in the Policy and Procedure Manual in the office of the Superintendent.

All potential situations of misbehavior and violations of criminal laws or school regulations are not included in this code or the charts. If an act, which is not addressed, occurs the disciplinary option is left to the discretion of the teacher and/or principal.

Behavior Management Philosophy

Shelby County Public Schools believe that student success, both academically and behaviorally, hinge on the depth of relationships, ownership of learning, and engagement of learning processes. We believe that at the core of student success lies a strong collaboration with and among schools, families, and community partnerships. We believe that the best approach to student behavior is positive, proactive, and instructional in nature to prevent inappropriate behaviors before they happen.

Multi-Tiered Systems of Support (MTSS)
Multi-Tiered System of Supports (MTSS) is an integrated, multi-tiered system of instruction, assessment, and intervention designed to meet the academic and behavioral needs of ALL learners. This system of support is divided into three tiers.

- Tier 1 supports refer to the universal supports that are accessible to all students, without exclusion. This tier is based on high quality evidence-based instruction and assessment. The behavioral component of MTSS is built on Positive Behavioral Interventions and Support (PBIS) and Social-Emotional Learning (SEL).

- Tier 2 supports are provided for students who show a need for more targeted attention in addition to the instruction/intervention, which are in addition to and aligned with the core academic and behavior curriculum and instruction. Tier 2 supports are evidence-based supplemental interventions that may be provided in small groups both in and out of the classroom.

- Tier 3 supports are provided to students who show a need for intensive and individualized attention, in addition to Tier 1 and Tier 2 supports. These supports are evidence-based, intensive, frequent, and specifically matched to the needs of the student. These supports may be provided in individual or small group settings, in or out of the classroom.

Positive Behavioral Interventions and Support (PBIS)
PBIS is the behavior component of a Multi-Tiered System of Support (MTSS) that provides schools with a framework for increasing prosocial behaviors, which in turn increases academic success, appropriate social outcomes, and decreases bullying, drug/alcohol abuse, and exclusionary discipline incidents. This framework is based on the belief that clarity of expectations in all school settings, explicit instruction of those expectations, and acknowledgment of positive behaviors are major preventative measures in behavioral misconduct. PBIS also uses data-based decision making practices to ensure that schools respond to the most current social and behavioral student needs. Explicit instruction in social-emotional competencies is also a foundation for the success of PBIS.

Social-Emotional Learning (SEL)
Social-Emotional Learning (SEL) is part of our Tier 1 core behavioral system of support. The Collaborative for Academic, Social, and Emotional Learning (CASEL) defines SEL as the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions. While all schools are committed to providing explicit and high-quality SEL, the process and curriculum that they use are individualized to each school's needs and preferences.

Equity
SCPS is committed to promoting equity through MTSS, PBIS and SEL. This requires intentional efforts that begin with individual beliefs and result in collective action. SCPS is committed to using SEL to help students examine their various identities (e.g., race, ethnicity, culture, gender, socio-economics) and assets, reflect on and appreciate diversity, and co-create inclusive environments. As a district, we will guide all schools in adopting evidence-based SEL programs and practices that are culturally affirming and relevant to their communities and needs. Our district is committed to helping adults reflect on their own identities, assets, and biases, and engage in culturally relevant practices and conversations around equity. District staff examine disaggregated data, analyze root causes of disparities, and engage various stakeholders to co-develop policies and practices that support equity.

DISTRICT-WIDE BEHAVIOR EXPECTATIONS FOR STUDENTS AND COMMUNITY MEMBERS

As Citizens of our Community have expectations to:

- Respect the rights and feelings of all community members.
- Contribute to the preservation and enhancement of the community's environment.
- Contribute to the academic and social environment positively.
- Demonstrate a commitment to the school's values.
- Show care for others in the larger community with our words.

Location	Expectations for all participants
All events	● Be courteous and respectful to all members of the community and to visitors. ● Use appropriate language ● Stay in designated area ● Clean up after yourselves ● Respect the property of others ● Use all school equipment and materials as instructed by the supervision of an adult.
Classroom	● Be in class on time. ● Be prepared with all necessary materials ● Be respectful in words and deeds to everyone ● Follow directions of supervising adult ● Demonstrate commitment to learning ● Demonstrate academic honesty.
Lunchrooms	● Use good manners when handling food ● Wait patiently for your turn ● Stay in designated area ● Pick up after yourselves ● Remain seated until dismissed ● Use appropriate language with others
Assemblies	● Attention on the speakers, at all times ● Use appropriate applause and voice levels ● Stay in your designated area ● Use safe hands and feet ● Use appropriate language with others
Hallways	● Walk to and from all locations ● Use safe hands and feet ● Keep voice volume at conversational level ● Respect property of others ● Keep areas and lockers clean, organized and free of debris
Buses	● **S**it in the assigned seat until your stop. ● **T**alk at voice level 1 or 2. (Level 0 at RR crossing) ● **A**lways use appropriate language & actions. ● **R**espect the driver, monitor and other riders.

Field Trips	● Be courteous and respectful to everyone. ● Use appropriate language ● Stay in designated area ● Clean up after yourselves ● Respect the property of others ● Represent your school well ● Follow all directions given by supervising adults
After-School Programs	● Be courteous and respectful to all members of the community and to visitors. ● Use appropriate language ● Stay in designated area ● Clean up after yourselves ● Respect the property of others ● Use all school equipment and materials as instructed by the supervision of an adult.
Sporting Events	We expect adults and students to model appropriate, positive behavior at all school events. Those not exhibiting appropriate behavior may receive a warning by administration or officials. On a second warning, the spectator may be removed from the venue by an administrator or game official. Appropriate behavior includes, but is not limited to, the expectations below. ● Demonstrate good sportsmanship by winning and losing gracefully. ● Keep all comments, cheers and remarks to teammates, opponents and officials positive and respectful. ● All participants and patrons must stay in designated areas. Elementary Student Attendance ● All 5th grade students and younger will not be allowed to attend district after school activities, including sporting events, without adult supervision. ● All adults are responsible for their children. ● If a child's behavior is creating a disturbance and is addressed by an administrator, the child will be asked to remain with the adult and/or both the adult and child may be removed from the venue.

Guiding Questions: *We reflect on the following questions in helping us make the right decisions:*

Are my words and actions safe for others and myself?
Are my words and actions helping to create a supportive environment where others feel comfortable and accepted?
Are my words and actions showing care and respect for others and myself?
Are my words and actions showing care and respect for the physical environment?
Am I being honest with others and myself?
Am I taking responsibility for my behavior?
Have I learned from my mistakes?

Each School Site Based Decision Making Council may adopt varying practices within the District framework to meet student needs.

LEVELS OF DISCIPLINARY ACTIONS

I. IN-SCHOOL MEASURES

Proactive system of behavioral supports are foundational for each classroom that emphasizes school-wide and classroom common expectations with explicit instruction, to provide clarity for students. Positive behaviors that meet school-wide expectations are acknowledged to facilitate an increase in those behaviors. When student misbehavior does occur, teachers have several proactive, instructional and positive strategies that can be taken before traditional disciplinary actions occur, depending on the severity of those behaviors.

Examples of Proactive Behavioral Supports	Examples of Positive and Instructional Responses to Misbehavior
❏ Explicit instruction of school-wide expectations ❏ Co-creation of classroom expectations ❏ Expectations posted within the classroom and around the school ❏ Use of school-wide acknowledgement system ❏ Classroom acknowledgement system ❏ High rates of positive to corrective interactions 4:1 ❏ Increased opportunities for students to respond ❏ Provide opportunities for students to actively engage in their learning ❏ Strong, positive relations built teacher to student and student to student ❏ Use of pre-corrections before a new activity/transition ❏ Verbal confirmation/commitment of upcoming expectations ❏ Consistently correct inappropriate behaviors ❏ Providing regular social-emotional instruction from school curriculum ❏ Active supervision by all staff	❏ All students involved get a chance to share their perspective of the incident ❏ Reteach expectations with individual or small groups of students ❏ Increase acknowledgement of appropriate behaviors 5:1 ❏ Reflect on meeting school-wide/classroom expectations, weekly or daily ❏ Use restorative conversations after an inappropriate behavior ❏ Communicate and collaborate with student's family ❏ Provide individualized social-emotional lessons ❏ Change of student seating ❏ Redirection ❏ Student/Teacher Conference ❏ Behavior Plan between teacher and student ❏ Check In/Check Out during class ❏ Referral to a school counselor, Mental Health Consultant, or Family Resource/Youth Service Center (FRYSC) Coordinator ❏ Small group sessions with around target behaviors ❏ Restorative Practice Circles ❏ Check and Connect participation ❏ Mentorships ❏ Peer Mediation Groups ❏ Restitution activities

II. IN-SCHOOL ALTERNATIVE ADJUSTMENT PROGRAM (SUBJECT TO PROGRAM AVAILABILITY)

This program is designed to help eliminate some of the out-of-school suspensions. Students may only be assigned to a highly structured environment by the principal and must perform a constructive assignment as well as continue their academic work. This may be at the home school campus or at another campus.

III. SUSPENSION

A student on suspension is prohibited from entering any school or any school grounds (except for a prearranged conference with an administrator), attending any day or night school functions (including weekend functions such as athletic events) of the Shelby County Public Schools, or riding a school bus until reinstated by the Principal. Violation of this is cause for further disciplinary action.

A student can be suspended from riding a school bus and not be suspended from attending school. However, suspension from a bus includes all buses within the school system during the term of the suspension. (See Policy 09.434)

Upon return of suspension, schools may consider restorative practices and reflective conversations. The conversations can highlight the positives of the student and determine what supports might be necessary to increase the likelihood of a successful transition back into the school setting. The conversations can focus on reviewing the problem behavior, re-teaching expectations, and identifying any necessary supports. The administrator who assigned a suspension should facilitate the conversation and determine a possible action plan. These conversations will help the student reflect, with the intent to increase self-awareness, self-management, responsible decision-making, and relationship skills.

IV. EXPULSION

Expulsions will be determined by the Board of Education. (See Policy 09.435)

V. REFERRAL TO LEGAL AUTHORITIES

When a student commits a criminal act or is in violation of a state law (i.e. drugs, alcohol, truancy, etc.) he/she must be referred to someone in the legal system (police officer, county attorney or court designated worker). The situation will dictate which.

Use of Physical Restraint and Seclusion

Use of physical restraint or seclusion by school personnel is subject to 704 KAR 007:160. However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers. If a student becomes an imminent danger to himself/herself or others, all staff may use physical assist (restraint) techniques. Each school has Safe Crisis Management core team members who are summoned in the event of imminent danger. Safe Crisis Management stresses “student safety first.” Safe Crisis Management teaches school personnel how to prevent unwanted behavior incidents, how to help students make better behavior choices, how to safely manage dangerous behavior, and what to do after a behavior incident has ended.

Definitions

- 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.

- Seclusion means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior. An example is in non-emergency circumstances when a student's behavior poses an imminent danger of serious physical harm to self or others and as permitted under KRS 503.050, 503.070, and 503.110.

Training of personnel on use of physical restraint and seclusion shall be provided as required by 704 KAR 007:160:

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by 704 KAR 007:160.

- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by 704 KAR 007:160. (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

Required Procedures

The Superintendent/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

Notification and Debriefing

The Principal of the school shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs. Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation. The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

Documentation

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by 704 KAR 007:160.

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system. At the end of each school year, the Superintendent/designee shall review data on District use of physical restraint and seclusion to identify any recommendations to be made to the Board for policy and procedure revisions. **(See Pr. 09.2212)**

DEFINITIONS OF BEHAVIORAL VIOLATIONS

Behavioral violations occurring by the use of or to computer hardware/software and to or by any other form of technology have the same disciplinary consequences as those violations in any other format.

1. **ARSON-** The intentional starting of a fire or explosion on any school property or at any school sponsored activity which results in property damage or personal injury.
2. **ASSAULT-** Intentionally or causing serious physical injury to another person by means of a deadly weapon or dangerous instrument, or intentionally causing physical injury to another person.
3. **BULLYING -** Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:
    a. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
    b. That disrupts the educational process.
4. **DEFIANCE OF AUTHORITY-** Willful disobedience of a reasonable request of school personnel.
5. **DELIBERATE DISRUPTION-** Conduct which is disruptive to the orderly educational procedure of the school. (This would include intentional false accusations or instigation of other behavioral violations.)
6. **DISPLAY OF AFFECTION-** Physical contact of a romantic nature.
7. **DISRUPTIVE BEHAVIOR ON SCHOOL BUS-** See Administrative Procedure 06.34 AP1
8. **DRIVING VIOLATIONS-** Students must drive in a responsible way on school grounds and always use acceptable driving techniques.
9. **EXTORTION-** Forcing others to pay money or give away their possessions against their will; stealing school property or the belongings of others by using threatening force or violence.
10. **FAILURE TO REPORT DEADLY WEAPONS ON SCHOOL GROUNDS** – Students must report any knowledge of deadly weapons on school grounds to the administration immediately.
11. **FALSE FIRE ALARM/BOMB THREAT-** Making a threat that a bomb has been placed in or is about to explode in school property or at a school-sponsored activity. Falsely alerting the Fire Department or school to a non-existent fire.
12. **FIGHTING-** Students willfully engaging in physical contact for purpose of inflicting harm on the other person.
13. **FORGERY-** The act of falsely using the name of another person, or falsifying documents or correspondence to or from the school.
14. **HARASSMENT/DISCRIMINATION-** See Administrative Procedure- 09.42811
15. **OTHER INCORRIGIBLE BAD CONDUCT-** As provided for in KRS 158.150, “Other Incorrigible Bad Conduct on school property as well as off-school property at school sponsored activities constitutes cause for suspension or expulsion from school.”
16. **ABUSE OF SCHOOL PERSONNEL-** Physical contact with school personnel by a student or group of students
17. **POSSESSION/USE OF DEADLY WEAPON-** Carrying, storing or using deadly weapons or dangerous instruments (any knives), or facsimiles of, on school property.
18. **CONTROLLED SUBSTANCES VIOLATIONS-** Pursuant to Board Policy 09.423, both possession, use of drug paraphernalia and possession, use or being under the influence of alcohol, any controlled substance**,** synthetic substance or any substance that “looks like” a controlled substance on or about school property, at any location of a school-sponsored activity or en route to or from a school-sponsored activity are forbidden. See Administrative Procedure- 09.423 AP.1
19. **POSSESSION AND/OR USE OF TELECOMMUNICATION DEVICE-** See Board Policy 09.4261.
20. **PROFANITY/VULGARITY-** Cursing; use of obscene language/gestures; engaging in actions that are coarse or crude; insensitivity to others.
21. **SALES/DISTRIBUTION OF ALCOHOL/DRUGS-** See Administrative Procedure- 09.423 AP.1.
22. **SEXUAL ABUSE-** Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying the sexual desire of either party.

23. **SEXUAL HARASSMENT**- Unwelcome conduct of a sexual nature that includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.
24. **SKIPPING CLASS/LEAVING SCHOOL GROUNDS-** Not being in assigned class and/or leaving school grounds during the school day without permission of a school official.
25. **TERRORISTIC THREATENING -** Threat of physical contact directed toward school personnel, students or others; also damaging one's property by a student or group of students.
26. **THEFT-** Stealing school property or the belongings of another student or a school staff member.
27. **TRUANCY-** Having three (3) unexcused absences or three (3) unexcused tardies to school constitutes a single truancy. Being late to homeroom is tardy to school.
28. **USE/POSSESSION OF TOBACCO PRODUCTS** Possession or use of tobacco or a facsimile of, during the regular day, on school property or at a school activity.
29. **UNEXCUSED TARDIES-** Being late for school/class without a valid reason.
30. **UNRULY CONDUCT (NOT FIGHTING)-** Behavior that could cause injury to oneself or to someone else.
31. **VANDALISM-** Intentional damage of school property or property of school personnel regardless of location.
32. **VERBAL ABUSE OF SCHOOL PERSONNEL** Inappropriate language directed at school personnel that is extremely disrespectful in nature and may or may not contain profanity.
33. **DISRESPECT-** Displaying inappropriate language or actions toward another person or persons.

ELEMENTARY SCHOOL BEHAVIOR CONSEQUENCE CHART

Repeated violations may require more severe consequences

Elementary Schools **Responses to Code Violations** **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, SCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.**	**Resolution Options** √ Indicates the disciplinary options available to handle a particular behavior violation. Options may be used individually or in combination.						
	Supportive Responses			**Traditional Responses**			
Behavioral Event	Instructional	Reflective	Restorative	In-School Measures	Suspension	Referral for Possible Expulsion	Referral to Legal Authority
Bullying (Cyberbullying, Hazing, Menacing, Harassment, Harassing Communications & Stalking)	√	√	√	√	√		√
Defiance of Authority	√	√	√	√	√		
Display of Affection	√	√	√	√			
Disruptive Behavior	√	√	√	√	√		
Failure to Report Dangerous Weapon	√	√	√	√	√		√
False Fire Alarm/Bomb Threat	√	√	√	√	√		√
Fighting	√	√	√	√	√		√
Forgery	√	√	√	√	√		√
Harassment/Discrimination	√	√	√	√	√		√
Misuse of Telecommunication Device	√	√	√	√	√		
Physical Abuse of School Personnel	√	√	√	√	√		√
Possess/Use/Under Influence of Alcohol/Drugs	√	√	√		√		√
Possession/Setting Off Fireworks	√	√	√	√	√		√
Possession/Use of Dangerous Weapon/Instrument	√	√	√	√	√	√	√
Profanity/Vulgarity	√	√	√	√	√		
Sale/Distribution of Alcohol/Drugs	√	√	√		√		√
Sexual Abuse	√	√	√	√	√		√
Skipping Class/Leaving School Grounds	√	√	√	√			
Theft	√	√	√	√	√		√
Threatening Behavior	√	√	√	√	√		√
Truancy	√	√	√	√			√
Unexcused Tardies	√	√	√	√			√
Unruly Conduct (Not Fighting)	√	√	√	√	√		√
Use of Tobacco Products / Possession	√	√	√	√	√		
Vandalism (must pay for damages plus)	√	√	√	√	√		√
Verbal Abuse of School Personnel	√	√	√	√	√		√

Secondary School Behavior Consequences Chart (Grades 6-12)

Repeated violations may require more severe consequences

Secondary Schools **Responses to Code Violations** **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, SCPS staff retain discretion to consider the totality of the circumstances as they make discipline decisions.**	**Resolution Options** √ Indicates the disciplinary options available to handle a particular behavior violation. Options may be used individually or in combination.								
	Supportive Responses			**Traditional Responses**					
Behavioral Event	Instructional	Reflective	Restorative	In-School Measures	In-School Suspension	Short-Term Suspension 1-5 days	Long-Term Suspension 6-10 days	Referral For Possible Expulsion	Referral to Legal Authority
Disruptive Behavior	√	√	√	√	√	√			
Disorderly Conduct	√	√	√	√	√	√	√		√
Display of Affection	√	√	√	√	√	√			
Forgery	√	√	√	√	√	√	√	√	√
Misuse of Telecommunication Device	√	√	√	√	√	√			
Skipping Class	√	√	√	√					
Leaving School Grounds	√	√	√	√	√	√			
Truancy	√	√	√	√	√				√
Profanity/Vulgarity	√	√	√	√	√	√			
Unexcused Tardies	√	√	√	√	√				√
Defiance of Authority	√	√	√	√	√	√	√		
Driving Violations	√	√	√	√	√				
Fighting	√	√	√	√	√	√	√	√	√
Theft	√	√	√	√	√	√	√	√	√
Vandalism (must pay for damages)	√	√	√	√	√	√	√	√	√
Abuse of School Personnel	√	√	√	√	√	√	√	√	√
Arson	√	√	√	√	√	√	√	√	√
Assault	√	√	√	√	√	√	√	√	√
Bullying (Cyberbullying, Hazing, Menacing, Harassment, Harassing Communications & Stalking)	√	√	√	√	√	√	√	√	√
Extortion	√	√	√	√	√	√	√	√	√
Failure to Report Dangerous Weapon	√	√	√	√	√	√	√	√	√
False Fire Alarm/Bomb Threat	√	√	√			√	√	√	√
Harassment/Discrimination	√	√	√		√	√	√	√	√
Dangerous Instrument	√	√	√	√	√	√	√	√	√
Weapon Distribution Weapon Possession Weapon Use	√	√	√			√	√	√	√
Possession/Setting off Fireworks	√	√	√		√	√	√	√	√
Possess/Use/Under Influence of Alcohol/Drugs	√	√	√			√	√	√	√
Sale/Distribution of Alcohol/Drugs	√	√	√				√	√	√
Sexual Abuse	√	√	√			√	√	√	√
Sexual Harassment	√	√	√		√	√	√	√	√
Threatening Behavior	√	√	√	√	√	√	√	√	√
Use of Tobacco Products/Possession	√	√	√	√	√	√	√		

Assault and Threats of Violence - Notice of Penalties and Provisions

In accordance with KRS 508.078 (making it a crime to make the described threats against school-affiliated persons and persons lawfully on school property or against school operations), please be advised that there are serious penalties for this second-degree terroristic threatening offense. Potential penalties upon conviction of this Class D felony include a term of imprisonment of not less than one (1) year nor more than five (5) years and a fine of not less than one thousand dollars ($1,000) and not greater than ten thousand dollars ($10,000) as provided in KRS 532.060 and KRS 532.030, respectively. In addition, a court in a juvenile case dealing with charges based on security threats or other criminal threats that disrupt school operations may order the child or his parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060).

KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE)

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 a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
    b. Makes false statements by any means, including by electronic communication, for the purpose of:
        i. Causing evacuation of a school building, school property, or school sanctioned activity; or
        ii. Causing cancellation of school classes or school sanctioned activity; or
        iii. Creating fear of serious bodily harm among students, parents, or school personnel;
    c. 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
    d. 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.

4. Terroristic threatening in the second degree is a Class D felony.

BULLYING

Bullying includes behavior commonly understood as bullying, as well as cyberbullying, hazing, menacing, harassment, harassing communications, stalking and other abusive behavior toward students or staff members. This behavior will not be tolerated because every student and staff member deserves a safe environment in which to work and learn. This School District is committed to dealing with bullying behaviors in our schools to create a safe environment.

Bullying encompasses a continuum of behavior that involves the attempt to gain or assert power and dominance over another, with no legitimate purpose. Bullying involves repeated negative behavior, carried out over time with a purpose to harm another person physically or mentally, or to benefit oneself through behavior which causes such harm to the other person. Bullying involves either taking advantage of a real or perceived imbalance of power, or is used to create an imbalance of power. Bullying may involve an attempt to cause fear. Examples of behaviors that fall into this category include, but are not limited to: inappropriate and unwanted physical contact (including hitting, kicking, shoving, and pushing); intimidating and threatening comments (oral, written, or electronic); name calling or put-downs (selecting or using a nickname which is intended to embarrass or humiliate); manipulation or coercion of another student to do something he/she does not want to do; setting someone up to be bullied or encouraging a student to engage in bullying; sharing or starting rumors or gossip; hurtful teasing or making fun of someone; hiding or destroying someone's belongings; or shunning or excluding someone from a group or activity in order to embarrass or humiliate the person.

Bullying incidents which occur on school premises, on school-sponsored transportation, or at school-sponsored events or which disrupt the education process, *see* 09.426, shall be investigated by the school principal/designee and resulting information, if bullying is substantiated, reported to the Superintendent/designee. Students who believe they are victims of bullying or who witness acts they believe to constitute bullying of others should report those incidents to school personnel. Any school personnel who knows or has reasonable cause to believe bullying has occurred shall report it to the principal/designee.

When bullying has been reported, the school principal/designee shall interview the claimed victim(s), potential witness(es), and accused student(s). For each report of bullying that is substantiated, the school principal/designee shall take steps to document measures reasonably intended to protect the victim(s) from retaliation related to a bullying report, such as separating students, taking appropriate disciplinary and/or corrective action, referring students for educational or counseling services, advising personnel as needed of the report of bullying and results of the investigation substantiating bullying, or other appropriate measures. In situations of substantiated bullying, the parents, legal guardians, or other persons exercising custodial control or supervision of the involved students shall, without undue delay, receive written notice (including fax or email) of the bullying incident, that an investigation has occurred, and that consequences have been taken as believed to be warranted under all of the circumstances made known during the investigation.

Cyberbullying

Cyberbullying involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging, personal Websites, blogs, online games and online personal polling Websites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others by communicating threats, by revealing private or embarrassing information, by conveying false information with can be reasonably anticipated to cause embarrassment, or to accomplish any of the purposes of bullying. This can include the use of any device which records audio, video, or still images of another person for no legitimate purpose, or the use of audio, video, or still images of another person for purposes prohibited by this Code of Acceptable Behavior and Discipline.

Hazing
Hazing involves behavior used as a way of initiating new members into a group. It usually consists of some ritualistic test involving the new member being required to perform a task or series of tasks which are intended to be demeaning, degrading, harmful, or embarrassing to the new member or which require the new member to engage in conduct toward others, which is demeaning, degrading, harmful, or embarrassing. Hazing can include the forced or coerced consumption of drugs or alcohol or the forced or coerced performance of lewd or suggestive acts.

Menacing
Menacing involves actions, sometimes accompanied by words, used to intentionally place another person in reasonable apprehension of imminent physical injury. Menacing is exemplified by the raising and drawing back of a hand or fist in order to make the other individual believe he/she is about to be slapped or punched, or the swinging or jabbing of a hand toward someone to cause them to flinch, duck, or raise their hands in anticipation of being struck.

Harassment
Harassment involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

a) Striking, shoving, kicking or other physical contact with another person
b) The attempt to strike, shove, kick, or engage in other physical contact toward another person
c) Using an offensively coarse utterance, gesture, display toward another person
d) Addressing abusive language toward another person
e) Following a person in or about a public place or places
f) Engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy another person which serve no legitimate purpose; or
g) Damaging or committing theft of the property of another student; substantially disrupting the operation of the school; or creating a hostile school 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.

Harassing Communications
Harassing Communication involves the intent to intimidate, harass, annoy, or alarm another person. This intent is accompanied by one or more of the following behaviors:

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 with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

Sexual Harassment
Sexual Harassment (including sexual violence) is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Any student who engages in conduct fitting the definition of the sexual harassment which degrades or humiliates a victim will be subject to disciplinary action, including but not limited to suspension and expulsion.

Shelby County Public Schools is committed to the safety of all students and the opportunity to benefit fully from school programs and activities. If the school determines that sexual harassment has caused a sufficiently serious hostile environment that interferes with or limits a victim's ability to participate in or benefit from the school's program, additional remedies shall be considered. In addition to school-based counseling and disciplinary action taken against the perpetrator, remedies afforded to victims of sexual harassment may also include, but are not limited to:

- Reviewing any disciplinary actions taken against the victim to see if there is a causal connection between the harassment and the misconduct that may have resulted in the victim being disciplined;
- Providing an escort to ensure that the complainant can move safely between classes and activities;
- Providing a schedule change ensuring that the victim and perpetrator do not attend the same classes (perpetrator considered first);
- Moving the victim or perpetrator to another school within the district (perpetrator considered first);
- Providing school-based counseling;
- Providing academic support services, such as tutoring.

The perpetrator is expected to comply with all disciplinary action and additional remedies set forth by the school. This includes remedies that might be implemented during the investigation of the alleged sexual harassment. When complaints of sexual harassment are followed by retaliation by the alleged perpetrator or associates of the alleged perpetrator, disciplinary action shall include suspension or expulsion.

Stalking

Stalking involves intentional conduct which is directed at a specific person or persons; which seriously alarms, annoys, intimidates, or harasses the person or persons; which serves no legitimate purpose, and which would cause a reasonable person to suffer substantial mental distress. Stalking does not involve merely following another person or regularly observing another person's actions, but includes behavior which conveys a threat of harm to the other person or which can be reasonably anticipated to cause the other person to fear harm.

Conduct fitting the above definitions and other similar, which injures, degrades, or disgraces the victim, disrupts the educational process, and/or interferes with other students' opportunities to obtain an education, will be subject to disciplinary action. Students should generally maintain a "hands-off" policy with regard to other persons' bodies and possessions, and no student should engage in behavior toward someone else, which they would not want directed toward themselves (follow the "Golden Rule"). For the remainder of this section, all of these behaviors will be generally referenced as "bullying." Students who witness these behaviors or who are subject to these behaviors are encouraged to report the behavior to a teacher or other staff member. Efforts will be made, if possible, to protect the confidentiality of anyone making a report. Retaliation against a student who has made a report of bullying will be treated as a violation of this section as well.

"Harassment" and "Harassing Communications" under the category of "Bullying" are separate from the definition of "Harassment/Discrimination" which involves behavior based on race, color, national origin, age, religion, sex, or disability. However, a report of a violation of this section will be evaluated by school personnel to determine whether it should be treated as a report of harassment/discrimination, which would require an investigation under the "Harassment/Discrimination" section of the Code of Acceptable Behavior and Discipline.

Tobacco, Alternative Nicotine, or Vapor Products

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 on or in all Board property at all times, including any vehicle, owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity. Violations of Board Policy 09.4232 regarding Tobacco, Alternative Nicotine, or Nicotine Vapor Products shall constitute disciplinary action including suspension and expulsion. Disciplinary action for vapor products containing drugs or other “look like” substances shall be administered according to Board Policy 09.423 (Use of Alcohol, Drugs and Other Prohibited Substances).

The following Board Policies and Procedures may be viewed on the Shelby County Public Schools website, https://www.shelby.kyschools.us/page/policies-and-procedures

Use of Alcohol, Drugs and Other Prohibited Substances – 09.423

Absences and Excuses – 09.123

Alternative Education- 09.4341

Assault and Threats of Violence- Notice of Provisions- 09.425 AP .22

Care of School and Personal Property – 09.421

Citizen Complaints and Suggestions – 10.2

Conduct on Bus – 06.34 and 06.34 AP1

Corporal Punishment – 09.433

Discipline Code Procedures – 09.438 AP1

Disrupting the Educational Process – 09.426

Dress and Appearance – 09.427

Due Process – 09.431

Expulsion – 09.435

Harassment/Discrimination (Including Sexual Harassment)- 09.42811 and 09.42811 AP1

Possession and/or Use of Controlled Substances/Paraphernalia – 09.423 AP1

Search and Seizure – 09.436

Search and Seizure (Use of Trained Dogs) – 09.436 AP1

Suspension – 09.434 and 09.434 AP2

Telecommunication Devices – 09.4261

Tobacco, Alternative Nicotine, or Vapor Products – 09.4232

Weapons – 05.48

Non-Discrimination Statement

The Shelby County Public Schools do not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services and provides upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities. The agency's 504 Coordinator and the ADA Coordinator can be reached at the following address:

Shelby County Public Schools
P.O. Box 159
Shelbyville, Kentucky 40066-0159
502-633-2375

Title IX of the Education Amendments of 1972 requires that the Shelby County Board of Education not discriminate on the basis of sex in its educational programs, employment practices, and activities, which it operates. It is the policy of the Shelby County Board of Education to comply with this requirement.

The Shelby County Board of Education is an affirmative action employer and does not discriminate based on handicaps, which complies with P.L. 90-112 Section 504.

Any person having inquiries concerning the Shelby County Board of Education's compliance with these policies may contact the following person:

Director of Human Resources
Shelby County Public Schools
P.O. Box 159
Shelbyville, Kentucky 40066-0159