

Dear Parents/Guardians:

Here is an updated copy of the KSD Code of Conduct which includes information about the new anti-bullying law and the four discipline levels of violations and consequences for you and your son/daughter to review and discuss. Please sign the last page stating you have reviewed it with your child and return with this registration packet.

This year, 16 RS SB 228, the anti-bullying bill, is now enacted into law by the Governor. It creates a statewide definition of bullying and requires more specific treatment of bullying issues in local discipline codes. Bullying is now 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."

The new law contains the type of behaviors expected from each student, the consequences of failure to obey the standards, and the importance of the standards to the maintenance of a safe learning environment where orderly learning is possible and encouraged.

KSD Code of Conduct has been updated in the past with some additions as required by Kentucky House Bill 91 which is often referred to as the "Golden Rule Act". The purpose of this law is to formulate a code of acceptable behavior and discipline that embraces the Golden Rule as the model for improving attitude and the rule for conduct for students. This law prohibits bullying, harassment, and forms of intimidation including cyber bullying. It also includes any form of electronic communication (i.e. pager/cell phone/video phone) as a method of student harassment, in intimidation, cyber bullying, or bullying in a manner which would cause another student to suffer fear of physical harm, humiliation or embarrassment and serves no purpose of legitimate communication. It also includes the four discipline tiers of consequences for school and dorm settings.

KSD will implement the Positive Behavior Intervention and Support (PBIS) with assistance from ABRI. It is a process for creating more positive school environment that are more predictable and effective for achieving academic and social goals. The key strategy of the PBIS process is prevention. The majority of students follow the school's expectations, but are never acknowledged for their positive behavior. Through instruction, comprehension and regular practice, all stakeholders use a consistent set of behavior expectations and rules. When some students do not respond to teaching of the behavioral rules, PBIS is an opportunity for re-teaching, not just punishment. The PBIS model is a research based strategy that is supported by the state of Kentucky and the federal Department of Education. The 3-tiered approach reduces problem behavior as a barrier to student achievement. School have 180 days each year to advance academic progress. So instructional time is very valuable.

PBIS school team develop a documented discipline system that is integrated with the KSD's Code of Conduct. When problem behavior occurs, students are provided with a full continuum of supports to address the behavior. If students do not respond, the intensity of the support increases. Most problem student behaviors either have an academic or social base. Properly addressing the root causes of behavior can prevent student failure later in life.

Parents are an important part of PBIS implementation. KSD encourages parents to use the same expectations and rules that the school teaches. This common language creates consistency and a unified support for expected student behavior. Parents are asked to discuss the common rules and expectations and post them at home for easy reference. Children thrive when they have consistent, predictable expectations and consequences.

If a student uses a smart phone or any other personal electronic devices for any cyber bullying or inappropriate manner and/or disrupts class by using it, the administration reserves the right to confiscate the device. If the resulting investigation verifies any of above actions, the personal electronic devices will be sent home to parents/guardians immediately. If there is a potential evidence of crime, it will be given to the police. In the Code of Conduct, the elementary and middle school students during school day, will not use personal electronic devices. After school use will be determined by the grade level student life team or other after school organization sponsor. Since personal electronic devices are not allowed during school day, students give them to the Front Office before classes in the morning and pick them up at end of the school day or they can leave them at home/dorm. The High School has its BYOD (Bring Your Own Devices) policy. High School teachers determine their classrooms, hallways and cafeteria as posted as red (not allowed), yellow (with teacher's permission) or green (allowed) zone for personal electronic devices and in the Please discuss this with your child.

We will have our annual training review of the updated Code of Conduct, Acceptable Usage of Computers (AUP) presentation covering internet sex predators; cyber-bullying; safe, responsible online behavior in the social networking environment; school dress code; and other expectations with students at each level (elementary, middle and high schools) in August. It is important that you take the time to review the updated Code of Conduct with your son/daughter. Please sign the last page of the Code of Conduct after you reviewed it with your child and return it with registration packet.

Please feel free to contact the Safe School Officer or the Principal, through email, phone or in person, if you have any question regarding to Code of Conduct. We are looking forward to seeing you and your child on the registration day, Sunday, August 13th!

Sincerely,

Scott Haun, KSD Safe School Officer

C: Principal

Kentucky School for the Deaf
Student Code of Conduct
2017 – 2018 School Year

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Rationale and Philosophy

The faculty and staff at the Kentucky School for the Deaf (KSD) would like to welcome you! We will strive to provide the strongest possible educational experience for each student. We will ensure opportunities for all students to maximize their learning by promoting self-confidence and providing a safe, orderly and positive school environment. The school will assist students in developing an understanding of the importance of moral values, social relationships, work, knowledge, self-reliance and responsibility.

Discipline methods used by school personnel will preserve an atmosphere conducive to learning and will encourage student behavior that is consistent with society's rules and laws. KSD feels students should assume responsibility for their behavior. Misbehavior affects the educational process and rights of all students. Consequently, when student behavior is unacceptable, necessary action will occur to modify such behavior. KSD provides consistent discipline for all students, through adherence to the Student Code of Conduct, fairness as required by constitutional due process, and an atmosphere of open communication with clearly defined rules. It encourages behavior that will enable the pupils to develop to their fullest potential. As a school, we expect that sound, impartial and equitable judgment will occur in applying the principles of the Student Code of Conduct.

When and Where the Code Will Apply

The Code of Conduct applies to all students attending Kentucky School for the Deaf, regardless of age. Pupils are under the authority of KSD staff members at all times when they are supervised by KSD staff, either on or off campus. Any student who enters school property is under the authority of KSD during the time he or she remains on school property or attends/participates in school sponsored activities on and off campus, and shall abide by all rules and regulations as set forth in this Code of Conduct. Accordingly, a Behavior Violation Chart is designed to provide a framework and guidance on discipline options for various violations under Level IV, III, and II/I to ensure school-wide implementation of consistent discipline. See attached the Four Levels of Disciplinary Responses and Behavior Violation Chart.

The Principal/Safe School Officer, by the nature of their roles and responsibilities, are the responsible school officials for managing student behavior and discipline in their areas of Instructional Services and Student Life Services respectively. In the absence of the Principal/Safety Officer, a person will be designated to manage discipline.

Adherence to Federal and State Regulations

KSD will comply with all state and federal mandates regarding services to exceptional children as delineated in IDEA 2004 Reauthorization, the Code of Federal Regulations, United States Codes, OAG 78-763 and corresponding state laws and regulations including but not limited to HB 330, KRS 158.150.

Student Rights and Responsibilities

RIGHTS	RESPONSIBILITIES
Students have the right to an education that meets high expectations and is appropriate to their needs.	Students have the responsibility to show respect for the educational process by taking advantage of every opportunity to further their education and by completing all that is required of them by their instructors.
Students have a right to clearly defined rules that are enforced without discrimination.	Students have the responsibility to know the school rules that pertain to them and to seek the help of faculty, staff, or administrators when in doubt.
Students have the right to due process.	Students have the responsibility to use due process in an appropriate manner.
Students have the right to present complaints and grievances to proper school authorities and to receive replies regarding such matters.	Students have the responsibility to refrain from violation of school regulations and policies.
Students have the right to confidentiality.	Parents, guardians, and eligible students have the responsibility to release information to legally authorized persons, and to provide the school with accurate and current information.
Students have a right to receive respect and honesty from members of the KSD staff, and from other students.	Students have the responsibility to extend courtesy, fairness, and truthfulness to members of the KSD staff, and to other students.

Students have the right to protection of person and property.	Students have the responsibility to assist and cooperate with the KSD staff in operating a safe school free from any materials prohibited by school rules and state and local laws.
All students have property rights.	Students have the responsibility to respect the property rights of others. Students are responsible for their own property as well as school property entrusted to them.
Students have the right to express their opinions orally, in writing (under the supervision of the Principal) or in their own form of communication without jeopardizing their relations with their school.	Students have the responsibility to express and publicize their opinions and ideas in the appropriate time and place, and in such a manner so as NOT to offend, slander or libel other persons.
Students have the right to assembly.	Students have the responsibility to plan for, seek approval of, and conduct assemblies consistent with the educational objectives of the school.
Students have the right to free election of their peers in student organizations and to be involved in school activities without being subject to discrimination on the basis of race, sex, religion, or disability.	Students have the responsibility to participate appropriately in elections and during their membership in student organizations.

Instructional and Student Life Staff Rights and Responsibilities

RIGHTS	RESPONSIBILITIES
Instructional and Student Life Staff have the right to have the support of co-workers, administrators, parents and students.	Instructional and Student Life Staff have the responsibility to present subject matter and practical experiences at the appropriate skill level to students and to inform students and parents or guardians of achievement and/or problems.
Instructional and Student Life Staff have the right to work in an educational environment with a minimum of disruptions.	Instructional and Student Life Staff have the responsibility to exhibit exemplary behavior in action and communication and to exhibit professional attire.
Instructional and Student Life Staff have the right to expect all students to obey the Code of Conduct.	Instructional and Student Life Staff have the responsibility to maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students, faculty and staff.
Instructional and Student Life Staff have the right to expect all assignments to be completed as assigned.	Instructional and Student Life Staff have the responsibility to acknowledge and reward exemplary behavior or work of students.
Instructional and Student Life Staff have the right to be safe from physical harm and free from verbal abuse	Instructional and Student Life Staff have the responsibility to provide a safe atmosphere and environment for all students.
Instructional and Student Life Staff have the right to provide input to aid in the formation of policies that relate to their relationships with students and school personnel.	Instructional and Student Life Staff have the responsibility to follow and enforce rules and regulations of the Kentucky Board of Education, Kentucky Department of Education, and KSD including appropriate school/dormitory program rules.
Instructional and Student Life Staff have the right to take action necessary in emergencies to protect their own persons or property or person or property of those in their care.	Instructional and Student Life Staff have the responsibility to care for the safety of all persons and the equipment and physical facilities of the school.
Instructional and Student Life Staff have the right to discipline, according to the Code of Conduct, any student whose behavior is disruptive to students or staff.	Instructional and Student Life Staff have the responsibility to assist in the administration of discipline as is necessary according to the Code of Conduct to maintain order without discrimination on any basis.
Instructional and Student Life Staff have the right to maintain high performance expectations for students.	Instructional and Student Life Staff have the responsibility to aid in planning a flexible curriculum which meets the needs of all students and which

	maintains high standards based on the program of studies.
Instructional and Student Life Staff have the right to access pertinent information of students under their charge.	Instructional and Student Life Staff have the responsibility to maintain necessary records of student's academic progress and attendance accurately.

Parent / Guardian Rights and Responsibilities

RIGHTS	RESPONSIBILITIES
Parents/Guardians have the right to send their child to a school with a positive educational climate.	Parents/Guardians have the responsibility to assist their child in understanding the need for a positive school learning environment.
Parents/Guardians have the right to expect all disruptive behavior to be dealt with fairly, firmly and quickly.	Parents/Guardians have the responsibility to aid their child in understanding the disciplinary procedures of the school and to inform school officials of concerns pertaining to disciplinary procedures.
Parents/Guardians have the right to enroll their child in regularly scheduled classes with minimal interruptions.	Parents/Guardians have the responsibility to see that their child attends school regularly in compliance with the KSD attendance policy.
Parents/Guardians have the right to expect KSD to maintain high academic and accreditation standards.	Parents/Guardians have the responsibility to become familiar with the educational policies and programs of the Kentucky School for the Deaf.
Parents/Guardians have the right to examine their child's personal school records.	Parents/Guardians have the responsibility to inform the school of any inaccuracies and provide accurate and current information.
Parents/Guardians have the right to address grievances to proper school authorities concerning their child and to receive a prompt reply pertaining to the specific grievance.	Parents/Guardians have the responsibility to assist their child in upholding the policies, procedures and rules assigned by the school.

Administration Rights and Responsibilities

RIGHTS	RESPONSIBILITIES
Administration has the right to have the support of students, parents, and teachers in carrying out the educational programs and policies established by the school system.	Administration has the responsibility to create and foster an atmosphere of mutual respect and consideration among pupils and staff members.
Administration has the right to discipline any student whose conduct disrupts the educational process.	Administration has the responsibility to administer discipline fairly and equally, following the guidelines set forth herein and using his/her own best judgment.
Administration has the right to be safe from physical harm and verbal abuse.	Administration has the responsibility to foster a school climate of safety and respect conducive to learning.
Administration has the right to provide input for the establishment of procedures and regulations that relate to the school.	Administration has the responsibility to implement and evaluate all aspects of the educational program to improve learning and comply with the policies, regulations, procedures of the KSD or local, state, and federal laws.
Administration has the right to facilitate a school environment that provides the proper learning atmosphere.	Administration has the responsibility to exhibit exemplary behavior in action, dress and communication.
Administration has the right to expect all students to obey the Code of Conduct.	Administration has the responsibility to direct a program of dissemination of information explaining the Code of Conduct to the school community.
Administration has the right to take necessary action in emergencies to protect their own persons or property, or the persons or property of those in their care.	Administration has the responsibility to train staff in behavior management, crisis prevention, and emergency preparedness.

CODE OF CONDUCT VIOLATIONS

Level IV Violations

Level IV violations are acts which result in violence to a person(s), student(s) or staff, or which pose a direct threat to the safety of others in the school. For primary students the School Safety Act says that suspension can only be considered in exceptional cases where there are safety issues for the child or others. The school administration reserves the right to determine what constitutes a rule violation and how it is classified.

These violations include, but are not limited to:

- Sexual offense [abuse, assault or misconduct] (KRS 620)*
- Assault and battery or abuse of students resulting in serious physical injury* (KRS 158.150)
- Sale/transfer/distribution of illegal drugs, controlled substances, intoxicating substances, or Alcohol (USC Title 21, Section 12; KRS 158.150)*
- Possession/use of weapons [defined as firearms or deadly weapon, destructive device or booby trap] (USC Title 18, Section 930; KRS 158.150 & 527.070)*
- False fire alarm/bomb threat
- Arson/attempted arson
- Assault of staff member (KRS 158.150)*
- Possession/use/under the influence of illegal drugs, controlled substances, alcohol; misuse of controlled substances
- Kidnapping*
- Threat of force or violence; Terroristic threatening (KRS 158.150)
- Violent or harmful acts not listed above in violation of local, state or federal law
- Incurable behavior [behavior that does not improve after sustained efforts to correct student's conduct by long and short term suspensions and/or other Level III discipline options] (KRS 158.150)

*Administration required by HB330 (the School Safety Act) & KRS 158.150 to notify police.

Level III Violations

Level III violations are harmful acts directed against staff, students or property which do not seriously endanger the health and safety of others in school. The school administration reserves the right to determine what constitutes a rule violation and how it is classified.

These violations include but are not limited to:

- Consensual sexual activity on or off campus while under school supervision
- Fighting involving injury
- Theft over \$100/Extortion/Gambling
- Reckless driving on campus/endangering pedestrians
- Creating fire hazards (with fireworks, smoke bombs, aerosol torches, matches, lighters, candles, smoking in buildings, etc.)
- Criminal destruction, forced entry/breaking & entering or defacement or vandalism of public or private property, on or off campus, while under school supervision, (KRS 158.150)*
- Complicity (look outs etc.) in acts that are harmful/withholding information from school personnel about harmful behavior.
- Willful defiance of authority (complete refusal) including sit downs, walk outs and picketing, not exiting building during fire alarm (KRS 158.150)
- Verbal/physical/sexual harassment (to include pinching, touching, grabbing, bullying)
- Instigating/Intimidation/coercion (compel or force others to participate in harmful behavior through various means like pager/cell phone/computer or third party means); stalking
- Sale/transfer/distribution of tobacco products to a minor by a student age 18 or over.
- Indecent exposure
- Incurable behavior [repeated violations after a sustained effort to correct students conduct through Level II/I discipline options] (KRS 158.150)

*Administration required by HB330 (the School Safety Act) & KRS 158.150 to notify police.

Level II/I Violations

Level II/I violations are acts whose frequency or seriousness disrupts the social and learning climate of the school. The school administration reserves the right to determine what constitutes a rule violation and how it is classified.

These violations include but are not limited to:

- Elementary and Middle School students will NOT have public displays of affection at any time. High School students will have no physical contact or public displays of affection during class time. High School students in the after school program will not have inappropriate displays of affection and sexual activities- including heavy necking or petting.
- Leaving school property or a school sponsored event without permission from school personnel
- Possession of pornography (e.g. magazines, pictures, videotapes or sexually explicit material on the Internet or any electronic means like cell phones, pagers, etc.)
- Unauthorized entry, (including, but not limited to, buildings, classrooms, dorm rooms, lockers, any “off-limits” area, unauthorized use of another person’s e-mail account or of another person’s pager/cell phone)
- Falsification or forgery. (Students are not to sign parent, staff, or sponsor names to any KSD forms, including forged notes or excuses, cheating, plagiarism, using a false name on a TTY or e-mail or pager/cell phone)
- Defiance/interference with staff (refusal to obey a directive)
- Unauthorized use of a motor vehicle (unauthorized use includes riding in a motor vehicle without permission on campus)
- Verbal threats and/or confrontations directed towards staff or students, including explosive outbursts of anger, biting, pushing/shoving, and fighting without injury
- Theft (under \$100)
- Possession/use of tobacco products and/or paraphernalia by minors
- Possession of tobacco products and/or paraphernalia during school hours (students age 18 or older must leave campus after school hours to smoke)
- Profanity/Vulgarity (KRS 158.150)
- Incurable behavior (KRS 158.150) Repeated violations of classroom/dormitory rules after interventions have been utilized by KSD staff
- All personal devices (smartphones, tablets, iPads, iPods...etc.) will 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, unless an emergency situation exists that involves imminent physical danger and a certified employee authorizes the student to do so. Otherwise, devices shall be turned in and operated only after regular school hours (see High School Mobile Device Policy for exceptions).
- Sale/Transfer/usage of look-a-like drugs (PSEUDO DRUGS). An example is aspirin passed off as cocaine
- While at KSD students in Middle School and High School will not have romantic relationships, between the two levels
- Students will not - through any means - intentionally bear false witness (lying) about another student.

FOUR LEVELS OF DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT DURING
INSTRUCTIONAL PROGRAM

Following current research-based data for best disciplinary practice, KSD has categorized student misconduct into four levels of severity, and has added appropriate disciplinary responses, or consequences, for each level.

LEVEL I – TEACHER / OTHER SCHOOL STAFF INTERVENTION

LEVEL I MISBEHAVIORS

- Tardy to class
- Excessive talking during instructional time
- Lack of classroom materials / unprepared for class
- Inappropriate behavior (yelling, pushing, horseplay, etc.)
- Violation of established rules/procedures
- Cheating/plagiarism
- Minor defacement of school property
- Public displays of affection
- Refusal to work / non-compliance
- Bus misconduct
- Throwing objects
- Disrespect
- Disruptive behavior
- Dress code violation
- Chewing gum
- Other minor behavior problems

LEVEL I CONSEQUENCES- Administered by teachers/school staff

- Infraction
- Student receives a zero for their work
- Student conference
- Student-staff contract
- Change classroom seating
- Withdraw privileges
- Area clean-up
- Teacher/dorm supervisor contact parent
- Writing assignment
- Cooling off or time-out
- Temporary confiscation of items disruptive to educational process
- Loss of privileges
- Room restriction
- Verbal reprimand

LEVEL II – SAFE SCHOOL OFFICER INTERVENTION

LEVEL II MISBEHAVIORS

- Persistent Level I misbehaviors
- Cell phone violation
- Insubordination / willful defiance

- Out of assigned area unsupervised or unauthorized
- Skipping class
- Leaving class / school building without permission
- Loitering/entry in unauthorized areas
- Profanity/vulgarity
- Failure to attend after school detention
- Inappropriate use of school computers / technology
- Inciting violence
- Use or possession of tobacco products
- Other persistent/serious behaviors

LEVEL II CONSEQUENCES- Administered by Safe School Officer

- Loss of privileges
- Contact parent/guardian
- After school detention
- Restitution of damages
- In Dorm suspension
- Supervisor counsel student
- Out of school suspension (1,2, or 3 days)
- SAFE Room
- Other consequences as determined appropriate by Safe School Officer

LEVEL III – SAFE SCHOOL OFFICER AND COUNSELOR INTERVENTION

LEVEL III MISBEHAVIORS

- Persistent Level I and Level II misbehaviors
- *Fighting
- Assault
- **Possession or use of fake / look-alike weapons
- Possession/sale/delivery of look-alike substances/drugs
- **Vandalism/defacement of school property
- *Threats/intimidation/coercion
- *Disrupting school environment
- *Written or verbal/signed profane/inappropriate language
- False fire alarm / tampering with equipment
- *Verbal/physical/sexual harassment
- Discrimination
- Gang-related activities
- Damaging others' property
- **Theft/possession/sale of others' property
- **stolen property (buy/receive/possess)
- **fraud/forgery/falsification of documents
- Injury to others or self
- **Disorderly conduct/disruptive behavior
- Obscene literature
- **sell/deliver/possess look-alike drugs
- Other very serious misbehaviors

LEVEL III CONSEQUENCES – Administered by Safe School Officer and Counselor

- Restitution of damages
- Contact law enforcement agency
- After school detention
- Temporary/emergency removal or physical restraint
- Out of school suspension (up to 10 days)
- Contact parent/guardian
- Other consequences as determined appropriate by Safe School Officer and Counselor

LEVEL IV – SAFE SCHOOL OFFICER AND PRINCIPAL INTERVENTION

LEVEL IV MISBEHAVIORS

- Persistent Level I, Level II, and Level III misbehaviors
- Aggression toward students, teachers, employees, or others
- **Assault/aggravated assault
- **sell/deliver/possess/use illegal/dangerous drugs/controlled substances
- **drug paraphernalia
- **misuse of prescription/non-prescription drugs
- **sell/possess/deliver alcoholic beverages
- **under the influence of drugs or alcohol
- **possession/use of a dangerous instrument and/or weapon
- Offense related to abuse of glue or aerosol paint or spray
- **arson
- **criminal mischief (felony)
- **breaking and entering any KSD school property, building, facility or vehicle
- **criminal trespassing
- **robbery/larceny-theft
- **bomb threat
- Possession/use of minor fireworks/explosives
- **Endangering the safety and/or welfare of others
- **Criminal homicide
- **forcible rape
- **possession/use/sale of harmful substances
- Other extremely serious behavior

LEVEL IV CONSEQUENCES – Administered by Safe School Officer and Principal

- Restitution of damages
- Contact law enforcement agency
- Out of school suspension (10 days)
- Recommendation for expulsion
- Other consequences as determined appropriate by Safe School Officer and Principal

(* Denotes Board Violation ** Denotes Law Violation)

NOTE: When a student is suspended, they may not come on KSD campus for any school function, nor participate in any activity KSD-supported. This includes any extra-curricular activity, including, but not limited to, school dances, clubs, and athletic events, regardless of location, without parental supervision and the permission of the Principal.

FOUR LEVELS OF DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT –AFTER SCHOOL
RESIDENTIAL PROGRAM

Following current research-based data for best disciplinary practice, KSD has categorized student misconduct into four levels of severity, and has added appropriate disciplinary responses, or consequences, for each level.

LEVEL I – STUDENT DEVELOPMENT STAFF INTERVENTION

LEVEL I MISBEHAVIORS

- Inappropriate behavior (yelling, pushing, horseplay, etc.)
- Violation of established rules/procedures
- Cheating/plagiarism during homework time
- Minor defacement of school property
- Public displays of affection
- Student arguments
- Non-compliance
- Bus / state vehicle misconduct while on dorm outings
- Throwing objects
- Disrespect
- Disruptive behavior
- Other minor behavior problems

LEVEL I CONSEQUENCES- Administered by student life staff

- Student conference
- Student-staff contract
- Withdraw privileges
- Area clean-up
- Dorm supervisor contact parent
- Temporary confiscation of items disruptive to dormitory environment
- Loss of privileges
- Room restriction
- Verbal reprimand

LEVEL II – SAFE SCHOOL OFFICER/STUDENT LIFE PROGRAM SUPERVISOR INTERVENTION

LEVEL II MISBEHAVIORS

- Persistent Level I misbehaviors
- Violation of personal electronic device
- Insubordination / willful defiance
- Leaving building without permission
- Loitering/entry in unauthorized areas
- Profanity/vulgarity
- Inappropriate use of school computers / technology
- Destruction of school property
- Inciting violence

- Use or possession of tobacco products
- Other persistent/serious behaviors

LEVEL II CONSEQUENCES- Administered by Safe School Officer/Student Life Director

- Loss of privileges
- Contact parent/guardian
- After school detention
- Restitution of damages
- In Dorm suspension
- Supervisor counsel student
- Out of school suspension (1,2, or 3 days)
- SAFE Room
- Other consequences as determined appropriate by Safe School Officer

LEVEL III – SAFE SCHOOL OFFICER AND COUNSELOR INTERVENTION

LEVEL III MISBEHAVIORS

- Persistent Level I and Level II misbehaviors
- *Fighting
- Assault
- **Possession or use of fake / look-alike weapons
- Possession/sale/delivery of look-alike substances/drugs
- **Vandalism/defacement of school property
- *Threats/intimidation/coercion
- *Disrupting school environment
- *Written or verbal/signed profane/inappropriate language
- False fire alarm / tampering with equipment
- *Verbal/physical/sexual harassment
- Discrimination
- Gang-related activities
- Damaging others' property
- **Theft/possession/sale of others' property
- **stolen property (buy/receive/possess)
- **fraud/forgery/falsification of documents
- Injury to others or self
- **Disorderly conduct/disruptive behavior
- Obscene literature
- **sell/deliver/possess look-alike drugs
- Other very serious misbehaviors

LEVEL III CONSEQUENCES – Administered by Safe School Officer and Counselor

- Restitution of damages
- Contact law enforcement agency
- After school detention
- Temporary/emergency removal or physical restraint
- Out of school suspension (up to 10 days)
- Contact parent/guardian
- Other consequences as determined appropriate by Safe School Officer and Counselor

LEVEL IV – SAFE SCHOOL OFFICER AND PRINCIPAL INTERVENTION

LEVEL IV MISBEHAVIORS

- Persistent Level I, Level II, and Level III misbehaviors
- Aggression toward students, teachers, employees, or others
- **Assault/aggravated assault
- **sell/deliver/possess/use illegal/dangerous drugs/controlled substances
- **drug paraphernalia
- **misuse of prescription/non-prescription drugs
- **sell/possess/deliver alcoholic beverages
- **under the influence of drugs or alcohol
- **possession/use of a dangerous instrument and/or weapon
- Offense related to abuse of glue or aerosol paint or spray
- **arson
- **criminal mischief (felony)
- **breaking and entering any KSD school property, building, facility or vehicle
- **criminal trespassing
- **robbery/larceny-theft
- **bomb threat
- Possession/use of minor fireworks/explosives
- **Endangering the safety and/or welfare of others
- **Criminal homicide
- **forcible rape
- **possession/use/sale of harmful substances
- Other extremely serious behavior

LEVEL IV CONSEQUENCES – Administered by Safe School Officer/Student Life Director and Principal

- Restitution of damages
- Contact law enforcement agency
- Out of school suspension (10 days)
- Recommendation for expulsion
- Other consequences as determined appropriate by Safe School Officer/Student Life Director and Principal

(* Denotes Board Violation ** Denotes Law Violation)

NOTE: When a student is suspended, they may not come on KSD campus for any school function, nor participate in any activity KSD-supported. This includes any extra-curricular activity, including, but not limited to, school dances, clubs, and athletic events, regardless of location, without parental supervision and the permission of the Principal.

Student Suspension / Expulsion

Suspension is exclusion of a pupil from school for a limited period of time not to exceed 10 cumulative days during a school year (CFR 300.519; KRS 157.200). According to the School Safety Act (section 12 of House Bill 330), primary students can only be suspended "in exceptional cases where there are safety issues for the child or others." Students in fourth grade and above may be suspended for a number of severe kinds of behavior. (See attached Behavior Violation Chart).

No suspension may be made by the Principal unless the following due process procedures are followed:

- A. Verbal (oral or signed) or written notice to the student of the charges that are cause of suspension.
- B. An explanation in writing of the evidence of the charges if the pupil denies them, and
- C. An opportunity for the student to present his/her own version of the facts in response to the charges.
- D. Investigation, when needed, has been conducted by the school and reviewed by the Principal/Safety Officer.

The exception is when immediate removal of a student from KSD by the Principal/Safety Officer or authorized school official is necessary to protect persons, property or to avoid disruption of the ongoing academic and student development process. In the case of this immediate suspension, notification, followed up with a written report, shall be given to the parent and guardian, or other person having legal custody and control of the student within 24 hours and that due process must be given as soon as possible, but no later than within three school days of the suspension.

In event of a Level IV/III violation, the Principal/Safety Officer shall involve a second KSD staff member (example: teacher, student life staff, team leader, etc.) to witness the meeting to ensure the student's due process rights are maintained.

A suspended student will not be allowed to enter any KSD building, be on school grounds or attend any school sponsored activity unless accompanied by a parent/guardian and with the permission of the KSD administration. **Expulsion** is the exclusion of a student from the school for a period longer than ten days, not to exceed one school year or two semesters. Only the Kentucky Board of Education has the power to expel a student from KSD upon the recommendation of the KSD Principal.

Expelling or suspending for more than 10 days must be handled as a change of placement which must be dealt with by an Admissions and Release Committee (ARC) meeting. If expulsion is recommended by the school, all due process and ARC procedures must be followed. In addition, the ARC must clearly document the manifestation determination procedures and indicate that the behavior was not related to the student's educational disability. Exceptional students who are expelled are granted access to educational services under CFR 300.121, Free Appropriate Public Education (FAPE) although those services will not be held in the former location or placement of the student.

Discipline Referral Procedures

When a KSD faculty/staff notices an inappropriate conduct/behavior by a student, the faculty/staff member has a responsibility to correct/stop/intervene as appropriate. When the faculty/staff member has tried to discipline a student and has failed to correct the misbehavior or when the behavior requires additional support or other help, the student shall be referred to the appropriate school administrator/supervisor. Any type of misconduct under the Code of Conduct shall be reported by the faculty/staff member.

When a student is referred, these steps shall be followed:

1. The referring person shall complete an Incident Report form, keep a copy, and send the original to the Safety Officer within 24 hours of the incident. (In serious incidents, school personnel may take the students to the office or report the incident immediately to the appropriate Team Leader. The referring person shall complete the Incident Report form as quickly as possible).
2. Upon receipt of the written referral, the student referred will be called to the office to talk with an appropriate Team Leader within a reasonable amount of time.
3. The Team Leader and the student shall discuss the charges in the referral and the student shall be given a chance to respond to the charges. To ensure the student due process rights are maintained. The following process will occur:

Level II/I Violation will proceed with communication/consulting with the Safety Officer.

□ Level IV/III will be processed by the Safety Officer with communication/consulting with the leader of the department and the Principal it occurred in.

4. The Team Leader shall investigate the incident and decide the action to be taken, write it on the Incident Report and attach any documentation supporting the referral. The Team Leader in charge may make determinations of appropriate disciplinary actions and implement consequences in the case of a Level II/I. If the Team Leader thinks the incident is Level IV or III, then the incident report form is given to the Safety Officer. In the event the Safety Officer is not available, the Principal should be contacted. The Safety Officer will proceed with appropriate consequences.

5. The Team Leader/Safety Officer who determines the appropriate disciplinary action shall inform the student, the referring staff member, and the parent/guardian about the action being taken. The parent/guardian shall be informed about the referral within 24 hours if any serious incident occurs. Level II/I offenses will be informed to the student's parents by leader. Level IV and III will be informed by the Safety Officer/Principal.

6. Team Leaders will send discipline incident report forms Level II/I violations to the Safety Officer for the Safety Officer Administrative Assistant for processing into the Infinite Campus system and letter to parents and to appropriate KSD staff members. The original will be sent to the Special Education Director's office to be placed in the central student file. The Safety Officer will do the same for Level IV and III violations. Records must be made available upon request as allowed by the Family Educational Rights and Privacy Act of 1975 (FERPA).

Due Process Guidelines

1. According to IDEA 2004, the behavior of exceptional students should be considered during every Admissions and Release Committee (ARC) meeting (CFR 300.519). If deemed appropriate, behavioral interventions, treatment and consequences should become a part of the Individual Education Plan (IEP). Should these interventions prove unsuccessful, as evidenced by misconduct of the student's program, a Functional Behavior Analysis (FBA) may be conducted, which might result in more appropriate behaviors.

2. All KSD students shall adhere to the Code of Conduct unless otherwise specified on the current IEP, i.e. Behavior Plan.

3. A KSD student may be suspended temporarily (maximum of ten cumulative days during a school year) without the special education change of placement procedures. Both KRS 158.150 and OAG 78-673 outline due process requirements which must be followed in suspension of all children. The due process procedures that should be followed for short term suspension (generally no longer than 10 days) are the same for all students and are outlined in KRS 158.150.

4. A KSD student may be recommended for expulsion if due process procedures have been followed and the appropriate ARC has determined that the child's behavior was not a result of educational disability.

5. A KSD student may not be expelled if the ARC determines that the child's behavior was a result of the educational disability.

6. Even if the child is expelled through the appropriate procedures, there must not be a complete cessation of educational services. Therefore, if a KSD student is expelled, alternative services must be provided. The Alternative School at KSD may be considered as an appropriate placement for alternative services.

Student/Parent Right to Appeal

A student/parent has the right to make a verbal appeal, followed by a written appeal, of any decision affecting his/her education to staff in the following order:

1. A Level II violation decision can be appealed to the Safety Officer.

2. A Level IV/III violation decision can be appealed to the Chief Academic Officer.

3. A Level IV violation may be appealed to the Principal.

4. The Team Leader, Chief Academic Officer, Safety Officer or Principal must give written response to the student/parent within five school days. The written decision is final.

Criteria for a reasonable appeal in disciplinary actions would be:

1. New information/evidence was brought forth

2. Evidence of unjust procedure(s)

The written appeal must be presented within three school days of the determination of consequences.

Based on KRS 158.153 section 4 (excerpted below), KSD, as a school, may deny participation in extracurricular activities during the investigation process and enforce consequences during the appeal process. Participation in

extracurricular activities is a privilege, not a right. KSD Athletic Director and Principal or his designee will make the determination.

“Nothing in this section shall be construed to prohibit a local board of education from establishing district-wide standards of behavior for students who participate in extracurricular and co-curricular activities, including athletics. A school principal may deny or terminate a student’s eligibility to participate in extracurricular or co-curricular activities if the student has violated the local district behavior standards or the council’s criteria for participation, as described in KRS 160.345(2) (I) 8. A student’s right to participate in extracurricular or co-curricular activities, including athletics, may be suspended, pending investigation of an allegation that the standards of behavior have been violated.”

Definition of Terms

Violations of acceptable behavior at school, in dormitory, on bus/vehicles, on the way to and from school and at school sponsored activities are defined below. Behavior occurring off school grounds, at locations not listed above, 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 is also a violation.

- Arson – Starting or attempting to start a fire.
- Assault – Physical attack of one person or group of persons on another with the intent to injure. Physical sexual abuse of any kind is also considered assault. Victims of assault have the right to self-defense.
- Bomb Threat – Making a threat that a bomb has been placed in or is about to explode in a school building, on school grounds, in a school bus or at any school-sponsored activity.
- Bullying - A student engaging in behaviors such as bullying, hazing, menacing, taunting, or other threatening behavior through any means which is severe, pervasive, or objectively offensive that interferes with another / other students’ ability to participate in or receive the benefits, services or opportunities of the school’s program, or creates a hostile/abusive educational environment. (KRS 158)
- Cheating – A student acting deceptively or dishonestly: including a student copying another’s work and using it as his/her own (plagiarism).
- Cyber bullying - Involves the use of information and communication technologies: e-mails, instant messaging, text/digital imaging messages sent on cell phones, web pages, blogs, social networking websites (such as Facebook, etc.), and/or chat rooms or discussion groups to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to cause others to suffer fear of physical harm, humiliation, or embarrassment which serves no legitimate communication.(KRS 158 & KRS 525)
- Dangerous/deadly weapons/instruments or fireworks – Any weapon, device, instrument, material, article or substance, animate or inanimate, including parts of the human body, that is used for, or is readily capable of producing or causing death or serious bodily injury, including any device from which a shot or projectile may be discharged; any knife (including pocket knives 2 ½ inches or more in length or hunting knives), Billy stick, or club; blackjack or slapjack; Nun chuck karate sticks; shuriken or death star; artificial knuckles made from metal, plastic or other similar hard material. (USC 18, 930).
- Defiance/interference with staff – Willful refusal by a student to follow reasonable directives of authorized school personnel or to accept in-school/in-dormitory disciplinary measures.
- Disruptive behavior on a school bus – Any behavior that may create a safety problem on a bus or violate the Statement on Rights and Responsibilities and Student Code of Conduct. Drugs, alcohol, or other intoxicating substances examples include crack, cocaine, marijuana, amphetamines, substances which can be ‘huffed’, wine, beer, whiskey, etc.
- Extortion – Obtaining or attempting to obtain property from an unwilling person by intimidation, physical force, promise of payment, payment, or favors.
- False fire alarm – Sounding a school fire alarm or alerting fire department or any school employee when there is no fire.
- Fighting – Students who willfully engage in the use of physical force.
- Forgery – Falsifying document or signatures.
- Gambling – Any illegal game of chance for the express purpose of exchanging money, property or favors.
- Harassment – Intimidation by threats of or actual physical violence: The creation by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual.
- Incurable behavior – a particular type of unacceptable behavior that continues after sustained efforts to correct the student’s conduct.
- Instigation – Stirring up or fomenting potential conflict.

- Intimidation – The act of threatening, scaring or insulting another person.
- Intoxication – being under the influence of drugs, alcohol, and / or other intoxicating substances.
- Look-alike or toy deadly weapons – Any look-a-like, toy, or facsimile.
- Offenses committed off school grounds – Behavior of a serious violent nature and or behavior that would directly affect the school's discipline or welfare of its students or employees, not otherwise covered under this code.
- Paging/cellular telecommunications device – A student having in his/her immediate possession or control any such device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.
- Profanity or vulgarity – The use of words or gestures generally considered socially unacceptable and used for the purpose of intimidating, insulting or abusing another person.
- PSEUDO Drugs – medicine or herbs that are advertised by the student as an illegal drug.
- PDA – Public display of affection.
- Sexual Misconduct – Inappropriate conduct defined by accepted social and legal standards.
- SSTS – the school software tracking system of discipline records.
- Terroristic Threatening – The threat of force or violence toward another person.
- Tobacco products – examples include cigarettes, cigars, lighter, rolling papers, pipe, matches, loose tobacco, chewing tobacco, and snuff.
- Vandalism – Destruction of public or personal property.

It is the policy of the Kentucky School for the Deaf not to discriminate on the basis of race, color, national origin, sex, disability, age, religion, or marital status in its education programs, activities, or employment practices as required by Title VI, Title IX, Title VII, Section 540, and ADA. For additional information contact the KSD Anti-Discrimination Coordinator at P.O. Box 27, Danville, KY 40423. Telephone (859) 239-7017.