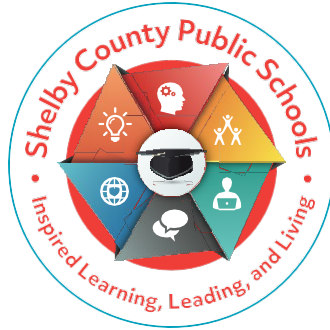


**Statement on Rights and Responsibilities  
And  
Student Discipline Code  
2022-2023**



**SHELBY COUNTY  
PUBLIC SCHOOLS**

1155 West Main Street  
Shelbyville, Kentucky 40065  
(502) 633-2375

## **SUPERINTENDENT’S MESSAGE**

The Shelby County Public School System 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 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.

Students and their parents or guardians have the need and right to know what behavior is expected of the 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 Public Schools is that every child learns self-discipline. This is a joint responsibility of all who come into contact with the children. By working together, we can help children learn proper and acceptable behavior, which will benefit them not only as children and young adults but also as adults.

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 Schools.

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Dr. Sally Sugg, Superintendent  
Shelby County Public Schools

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## **PART I - RIGHTS AND RESPONSIBILITIES**

### **STUDENT 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.

**Student Right:** To an education preparing the student within the limits of abilities to reach maximum potential for contributing to the individual's welfare and that of society.

**Student 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.

**Student Right:** To freedom of speech and expression.

**Student Responsibilities:** To 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.

**Student Right:** To request an explanation of the purpose of rules.

**Student Responsibilities:** To 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.

**Student Right:** To suggest rules or changes in rules.

**Student Responsibilities:** To make suggestions in a positive, reasonable manner, taking into careful consideration the welfare of all, not just that one or a few individuals.

## **STUDENT RIGHTS AND RESPONSIBILITIES (continued)**

**Student Right:** To “due process” in regard 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.

**Student Responsibilities:** To 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.

**Student Right:** To receive academic grades based only upon academic performances.

**Student Responsibilities:** To complete all homework, class work, and make-up assignments in accordance with the teacher’s instructions.

**Student Right:** To freedom from abuse and threat of abuse by members of school faculties and administrative personnel. To protection of person and property to the extent reasonably possible by the school.

**Student Responsibilities:** To 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.

**Student Right:** To participate in all school programs and activities within the limits of capabilities and the established standards without regard to race, creed, sex or disability.

**Student Responsibilities:** To 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.

**Student Right:** To access and confidentiality of academic records, except upon written authorization of the student or his/her parents or guardian.

**Student Responsibilities:** To follow established procedures in requesting release of personal records to persons not legally entitled to such records without proper consent.

## PARENT RIGHTS AND RESPONSIBILITIES

**Parent Rights:** To send their child to a school with a positive education climate where parents play an integral part in the child's education.

**Parents 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.

**Parents Rights:** To expect disruptive behavior to be dealt with fairly, firmly and quickly.

**Parents Responsibilities:** 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.

**Parents Rights:** To enroll their child to regularly scheduled classes with minimal interruptions.

**Parents Responsibilities:** Understand that unnecessary interruptions in the school are detrimental to the educational program for all students.

**Parents Rights:** To expect their school to maintain high academic and accreditation standards.

**Parents Responsibilities:** Be familiar with the educational program, procedures and policies.

**Parents Rights:** 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.

**Parents Responsibilities:** To exhibit concern for the progress and grades of their child.

**Parents Rights:** To address a question concerning their child to the proper authority and receive a reply within a reasonable time period.

**Parents Responsibilities:** 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 the Director of Human Resources at 502.633.2375.

## TEACHER RIGHTS AND RESPONSIBILITIES

**Teacher Rights:** To support students, co-workers, administrators and parents.

**Teacher Responsibilities:** To maintain high standards of professional and personal conduct which foster mutual respect and consideration for parents and co-workers.

**Teacher Rights:** To work in a positive educational environment with a minimum of disruptions.

**Teacher Responsibilities:** Maintain an atmosphere of good behavior and exhibit an attitude of respect for students.

**Teacher Rights:** To expect all assignments, including homework, to be completed and turned in as assigned.

**Teacher Responsibilities:** Evaluate student's assignments and return them as soon as possible, recognizing improved and exemplary behavior or work of students.

**Teacher Rights:** To request the removal of any student from class whose behavior significantly disrupts a positive learning environment.

**Teacher Responsibilities:** 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.

**Teacher Rights:** To have safety from physical harm and freedom from verbal abuse.

**Teacher Responsibilities:** Exhibit exemplary behavior in action, speech and personal appearance.

**Teacher Rights:** To provide input to aid in the formulation of policies that relate to their relationship with students and school personnel.

**Teacher Responsibilities:** Follow and enforce rules and regulations of the Board of Education and/or school administrators.

**Teacher Rights:** To take action necessary in emergencies pertaining to the protection of persons or property.

**Teacher Responsibilities:** To care for the people, equipment and physical facilities of the school.



## **ADMINISTRATOR RIGHTS AND RESPONSIBILITIES PRINCIPAL/ADMINISTRATOR**

**Principal/Administrator Rights:** To the support of students, parents and teachers in carrying out the educational programs and policies established by the school system.

**Principal/Administrator Responsibilities:** To create and foster an atmosphere of mutual respect and consideration among pupils, parents and staff members.

**Principal/Administrator Rights:** To provide input for the establishment of procedures and regulations that relate to the school.

**Principal/Administrator Responsibilities:** To follow and enforce rules and regulations of the Board of Education and/or administrators.

**Principal/Administrator Rights:** To have safety from physical harm and verbal abuse.

**Principal/Administrator Responsibilities:** To exhibit exemplary behavior in action, speech and personal appearance.

**Principal/Administrator Rights:** To take necessary action in emergencies to protect their own person or property, or the persons or property of those in their care.

**Principal/Administrator Responsibilities:** To care for the people, equipment and physical facilities of the school.

**Principal/Administrator Rights:** To suspend any student whose conduct disrupts the educational environment or process.

**Principal/Administrator Responsibilities:** 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.

**Principal/Administrator Rights:** Respect from students, parents/guardians, and the school staff.

**Principal/Administrator Responsibilities:** 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 deal with a behavior violation. In determining the appropriate disciplinary option, consideration needs to 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.

Clearly, 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 PHILOSOPHY STATEMENT**

Shelby County Public Schools is committed to maintaining a safe, supportive environment for everyone in our community. Every community member is expected to act with integrity in accordance with the principles of responsibility and respect. The focus of our student behavior system is on teaching sound decision making and promoting positive behavior, not on punishing wrongdoers. We highly value truthfulness, taking responsibility for one's actions, and learning from one's mistakes. Our vision is a caring community of self-disciplined students whose words and actions consistently reflect the values of our school community.

### **BEHAVIOR EXPECTATIONS FOR STUDENTS AND COMMUNITY MEMBERS**

#### As Citizens of our Community:

##### *Expectations:*

- 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 in a positive way.
- Demonstrate a commitment to the school's value.
- Show care for others in the larger community with our words and actions.

#### On Campus:

##### *Expectations:*

- Be courteous and respectful to all members of the community and to visitors.
- Use appropriate language at all times.
- Be where they are supposed to be and not leave the campus without a parent or staff member.
- Be good stewards of the environment by not littering.
- Respect the property of others and not tamper with or damage other property.
- Use school office equipment (including phones) at the discretion, and under the supervision of an adult.

## **BEHAVIOR EXPECTATIONS FOR STUDENTS AND COMMUNITY MEMBERS (continued)**

### In the Classroom:

#### *Expectations:*

- Arrive on time to class with the appropriate materials to work.
- Be courteous to teachers and other students.
- Respect all classroom rules, teacher directions, and materials used in class.
- Demonstrate a commitment to learning.
- Demonstrate academic honesty.

### In the Lunchroom:

#### *Expectations:*

- Respect the posted rules.
- Keep voices at a respectable level.
- Refrain from getting out of their seats except for the following reasons:
  - To get food for yourself.
  - To use the restroom.
  - To clear the table.
  - When dismissed by staff.
- Refrain from throwing food or running in the lunchroom.
- Contribute to keeping the lunchroom clean by cleaning tables, chairs, floors, and the area around their table before being dismissed.

### In Assemblies:

#### *Expectations:*

- Arrive on time.
- Sit with their assigned class or group.
- Respect the program and /or performers by being courteous with applause or other forms of approval.
- Refrain from running or jumping on the stairs/bleachers.

## **BEHAVIOR EXPECTATIONS FOR STUDENTS AND COMMUNITY MEMBERS (continued)**

### In the Hallways/Locker Area:

#### *Expectations:*

- Respect the property and space of others.
- Store all backpacks, books and coats in designated areas.
- Help keep the lockers clean by refraining from writing on them, by throwing away perishable goods and trash, and by cleaning out miscellaneous papers/clothing regularly.
- Be efficient with their time in order to arrive on time to class or school activity.

### On Field Trips:

#### *Expectations:*

- Always keep in mind that they are representing the school and behave accordingly.
- Respect the people and environment in which the field trip takes place.
- Pay attention to the directions of teachers, chaperones and guides.
- Clean up after themselves on the bus and at the field trip site.
- Refrain from shouting or getting out of their seats while the bus is moving and follow all bus rules.

### In After School Programs:

#### *Expectations:*

- Always keep in mind that the school rules extend into after school activities.
- Respect the people and environment in the after school program.
- Follow all directions of the adult leaders.
- Clean up spaces used before departing home.
- Be sure the adult leader is aware of your location **AT ALL TIMES.**

## **BEHAVIOR EXPECTATIONS FOR STUDENTS AND COMMUNITY MEMBERS (continued)**

### At Sporting Events:

#### *Expectations:*

- Demonstrate good sportsmanship by winning and losing gracefully.
- Remember to keep all comments, cheers and remarks to teammates, opponents and officials **POSITIVE**.
- Clean up the bleachers, locker area or bench area used.

### On the School Bus:

#### *Expectations:*

- Sit in an assigned seat.
- Remain seated at all times when the bus is moving.
- Speak in conversational tones.
- Obey any directions given by the bus driver.

### **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.

If a student becomes a danger to himself/herself or others, fully trained staff may use Safe Crisis Management techniques. 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.

## **LEVELS OF DISCIPLINARY ACTIONS**

### **I. IN-SCHOOL MEASURES**

To alter inappropriate student behavior, faculty members and administrators use in-school measures before moving to the next highest measure.

The following ALPHABETICAL list of in-school measures is not to be considered sequential or inclusive. THE OPTIONS MAY BE USED INDIVIDUALLY OR IN COMBINATION in attempting to change a student's behavior:

- Behavioral contracts
- Confiscation of prohibited item
- \*Constructive special assignments
- Detention (See Policy 09.432)
- Lowering conduct grade
- Notification of parent/guardian
- Parent conference at school or by phone
- Referral for counseling and/or evaluation
- \*\*Referral to principal
- Schedule changes
- Temporary removal from class
- Temporary withdrawal of school privileges
- Verbal reprimand/conference
- Check and Connect

\*Assignment such as writing an essay, reading a book or other material, attending an awareness program, giving a presentation, or other assignments may be considered. The assignment should relate to the incident and should not be embarrassing to the student.

\*\*All referrals to the principal must be accompanied by a Corrective Action Form that has been completed by the referring teacher. In all cases parent contact will be attempted.



## **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 the highly structured environment by the principal and must perform a constructive assignment as well as continue their academic work. It is staffed at the middle school and high school by a full-time teacher.

## **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)

## **IV. EXPULSION**

Only the Board of Education can expel a student. (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.

## **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 **ABUSE OF SCHOOL PERSONNEL-** Per KRS 161.190, Any person who directs speech or conduct toward school personnel when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school.
- 2 **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.
- 3 **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.
4. **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.
5. **DEFIANCE OF AUTHORITY-** Willful disobedience of a reasonable request of school personnel.
6. **DISRUPTIVE BEHAVIOR-** Conduct which is disruptive to the orderly educational procedure of the school. (This would include intentional false accusations, or instigation of other behavioral violations.)
7. **DISPLAY OF AFFECTION-** Physical contact of a romantic nature.

8. **DISRUPTIVE BEHAVIOR ON SCHOOL BUS-** See Administrative Procedure 06.34 AP1
9. **DRIVING VIOLATIONS-** Student must drive in a responsible way on school grounds and always use acceptable driving techniques.
10. **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.
11. **FAILURE TO REPORT DEADLY WEAPONS ON SCHOOL GROUNDS** – Students must report any knowledge of deadly weapons on school grounds to administration immediately.
12. **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.
13. **FIGHTING-** Students willfully engaging in physical contact for purpose of inflicting harm on the other person.
14. **FORGERY-** The act of falsely using the name of another person, or falsifying documents or correspondence to or from the school.
15. **HARASSMENT/DISCRIMINATION-** See Administrative Procedure- 09.42811
16. **OTHER INCORRIGIBLE BAD CONDUCT-** As provided for in KRS 158.150, “Other Incurrible Bad Conduct on school property as well as off-school property at school sponsored activities constitutes cause for suspension or expulsion from school.”
17. **POSSESSION/USE OF DEADLY WEAPON-** Carrying, storing or using deadly weapons or dangerous instruments (any knives), or facsimile of, on school property.

18. **CONTROLLED SUBSTANCE 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 which 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.
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. **DISORDERLY CONDUCT** – Intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk thereof, he/she:
  - a. Engages in fighting or in violent, tumultuous, or threatening behavior
  - b. Makes unreasonable noise;
  - c. Refuses to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire, hazard, or other emergency; or
  - d. Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose.
31. **VANDALISM-** Intentional damage of school property or property of school personnel regardless of location.
32. **DISRESPECT-** Displaying inappropriate language or actions toward another person or persons.

## ELEMENTARY SCHOOL BEHAVIOR CONSEQUENCE CHART

Behavior Violations	Disciplinary Options			
	In School Measures	Suspension	Referral For Possible Expulsion	Referral To Legal Authority
√ Indicates the disciplinary options available to handle a particular behavior violation. Options may be used individually or in combination.				
Abuse of School Personnel	√	√	√	√
Arson	√	√	√	√
Assault		√	√	√
Bullying (Cyberbullying, Hazing, Menacing, Harassment, Harassing Communications & Stalking)	√	√	√	√
Defiance of Authority	√	√	√	
Disruptive Behavior	√	√	√	
Display of Affection	√			
Extortion	√	√	√	
Failure to Report Dangerous Weapon	√	√	√	√
False Fire Alarm/Bomb Threat	√	√	√	√
Fighting	√	√	√	√
Forgery	√	√		√
Harassment/Discrimination	√	√	√	√
Misuse of Telecommunication Device	√	√		
Other Incurable Bad Conduct	√	√	√	√
Possession/Use of Dangerous Weapon/Instrument	√	√	√	√
Possession/Setting Off Fireworks	√	√	√	√
Possess/Use/Under Influence of Alcohol/Drugs		√	√	√
Profanity/Vulgarity	√	√	√	
Sale/Distribution of Alcohol/Drugs		√	√	√
Sexual Abuse	√	√	√	√
Skipping Class/Leaving School Grounds	√	√		√
Threatening Behavior	√	√	√	√
Theft	√	√	√	√
Truancy	√			√
Use of Tobacco Products / Possession	√	√		
Unexcused Tardies	√			√
Vandalism (must pay for damages plus)	√	√	√	√

**Repeated violations may require more severe consequences.**

## SECONDARY BEHAVIOR CONSEQUENCE CHART (GRADES 6-12)

Behavior Violations	Disciplinary Options					
	In School Measures	ISSAP	Short Term Suspension 1-5 days	Long Term Suspension 6-10 days	Referral For Possible Expulsion	Referral to Legal Authority
√ Indicates the disciplinary options available to handle a particular behavior violation. Options may be used individually or in combination.						
Abuse of School Personnel	√	√	√	√	√	√
Arson			√	√	√	√
Assault			√	√	√	√
Bullying (Cyberbullying, Hazing, Menacing, Harassment, Harassing Communications & Stalking)	√	√	√	√	√	√
Defiance of Authority	√	√	√	√	√	
Disruptive Behavior	√	√	√	√	√	
Disorderly Conduct	√	√	√	√	√	√
Display of Affection	√	√	√			
Driving Violations	√					√
Extortion			√	√	√	√
Failure to Report Dangerous Weapon	√	√	√	√	√	√
False Fire Alarm/Bomb Threat			√	√	√	√
Fighting		√	√	√	√	√
Forgery	√	√	√	√	√	√
Harassment/Discrimination		√	√	√	√	√
Misuse of Telecommunication Device	√	√	√			
Other Incurrigible Bad Conduct	√	√	√	√	√	√
Possession/Use of Dangerous Weapon/Instrument	√	√	√	√	√	√
Possession/Setting off Fireworks		√	√	√	√	√
Possess/Use/Under Influence of Alcohol/Drugs			√	√	√	√
Profanity/Vulgarity	√	√	√	√	√	
Sale/Distribution of Alcohol/Drugs				√	√	√
Sexual Abuse			√	√	√	√
Sexual Harassment		√	√	√	√	√
Skipping Class/Leaving School Grounds	√	√	√			√
Threatening Behavior	√	√	√	√	√	√
Theft			√	√	√	√
Truancy	√	√				√
Use of Tobacco Products/Possession		√	√	√	√	
Unexcused Tardies	√	√				√
Vandalism (must pay for damages)	√	√	√	√	√	√

**Repeated violations may require more severe consequences.**

### **Assault and Threats of Violence - Notice of Penalties and Provisions**

In accordance to 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 (\$1,000) and not greater than ten thousand (\$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:
    1. Causing evacuation of a school building, school property, or school sanctioned activity; or
    2. Causing cancellation of school classes or school sanctioned activity; or
    3. 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**

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, & 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 Web sites, blogs, online games and online personal polling Web sites, 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, [www.shelby.kyschools.us](http://www.shelby.kyschools.us)**

**Use of Alcohol, Drugs and Other Prohibited Substances – 09.4232**

**Absences and Excuses – 09.123**

**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 and 09.435 AP1**

**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 – 09.4232**

**Weapons – 05.48**

## ACKNOWLEDGMENT

Dear Parent/Guardian:

It is the belief of the Shelby County Board of Education that parents should be informed of regulations related to the discipline of their children. Therefore, each year students and parents are provided with a copy of the Statement on Rights and Responsibilities and Student Discipline Code.

Your cooperation is sought in reading and discussing this publication with your child. It is hoped your discussion plus the explanations given at school will avoid any misunderstanding in the future.

**NOTE!** An individual school council may have adopted a school discipline code that expands this one. The school will provide each student with a student handbook.

If you have any questions, please contact the principal at your child's school or call the Director of Student Accounting and Support Services at 502-633-2375.

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Please understand that your signature on the Multiple Consent Form serves as acknowledgement of your receiving and intent to read the Statement on Rights and Responsibilities and Student Discipline Code. Furthermore, thank you for recognizing the need for regulations to assist in providing a safe and orderly learning climate.



## **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 on the basis of handicaps, which is in compliance 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

