THE NELSON COUNTY SCHOOLS
COMMUNITY CENTERED CARE
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

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2020-2021
<table>
<thead>
<tr>
<th>PAGE</th>
<th>CONTENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>COMMUNITY CENTERED CARE VISION</td>
</tr>
<tr>
<td>3</td>
<td>DISTRICT PRIORITIES</td>
</tr>
<tr>
<td>4</td>
<td>DISTRICT VALUES</td>
</tr>
<tr>
<td>5-7</td>
<td>COMMUNITY COMMITMENTS OF CARE</td>
</tr>
<tr>
<td>8-9</td>
<td>COMMUNITY RIGHTS</td>
</tr>
<tr>
<td>10-17</td>
<td>VIOLATIONS &amp; CARE DEFINITIONS</td>
</tr>
<tr>
<td>15</td>
<td>DRESS CODE</td>
</tr>
<tr>
<td>16</td>
<td>LEAVING SCHOOL CAMPUSES</td>
</tr>
<tr>
<td>16</td>
<td>VISITORS ON SCHOOL CAMPUSES</td>
</tr>
<tr>
<td>16</td>
<td>SOCIAL SECURITY NUMBERS</td>
</tr>
<tr>
<td>16</td>
<td>TOBACCO &amp; ELECTRONIC CIGARETTES</td>
</tr>
<tr>
<td>16</td>
<td>COMPULSORY SCHOOL ATTENDANCE &amp; FERPA</td>
</tr>
<tr>
<td>17</td>
<td>WEAPONS ON SCHOOL CAMPUSES</td>
</tr>
<tr>
<td>17</td>
<td>ILLEGAL SUBSTANCES</td>
</tr>
<tr>
<td>17</td>
<td>COMPUTER TECHNOLOGY &amp; INTERNET ACCESS</td>
</tr>
<tr>
<td>18-28</td>
<td>COMMUNITY RESPONSIVENESS</td>
</tr>
<tr>
<td>19</td>
<td>REFERRAL PROCESS</td>
</tr>
<tr>
<td>20</td>
<td>GRIEVANCE PROCEDURES</td>
</tr>
<tr>
<td>21</td>
<td>REMOVAL OF STUDENTS WITH DISABILITIES</td>
</tr>
<tr>
<td>22</td>
<td>DUTY TO REPORT VIOLATIONS</td>
</tr>
<tr>
<td>22</td>
<td>REPORTING HARASSMENT</td>
</tr>
<tr>
<td>22</td>
<td>REPORTING CRIMINAL VIOLATIONS</td>
</tr>
<tr>
<td>23-24</td>
<td>REPORTING BULLYING</td>
</tr>
<tr>
<td>25</td>
<td>STUDENT SEARCHES</td>
</tr>
<tr>
<td>26</td>
<td>SUBSTANCE ABUSE TESTING</td>
</tr>
<tr>
<td>27-28</td>
<td>TERRORISTIC THREATENING KRS 508.078</td>
</tr>
<tr>
<td>29-32</td>
<td>DISCIPLINE MATRICES</td>
</tr>
<tr>
<td>33-36</td>
<td>TRANSPORTATION</td>
</tr>
</tbody>
</table>
FELLOW NELSON COUNTY COMMUNITY MEMBERS,

Thank you for your investment in CARETAKING for the students of Nelson County Schools. We know that the community and school must work together to create experiences for students that foster CARE. We believe that every community member is gifted and thus will contribute their gifts to the experiences our students have and ultimately to the success of the community. The success of the community begins with the success of each individual. To foster CARE in each individual, we have developed COMMUNITY CENTERED CARE processes when students face decisions that violate the Nelson County Schools Code of Acceptable Behavior and Discipline.

It is the responsibility of each student, through the development of his/her self-control and self-discipline, to behave in a manner that does not threaten, interfere with, or deprive other students of their right to an education. COMMUNITY CENTERED CARE instills in individuals the gifts of CARE for oneself, CARE for others and CARE for the community. We do not discriminate on the basis of race, creed, color, national origin, gender, sexual orientation, disability, age, marital status, or religion in educational programs, activities, employment or vocational program. School authorities insist that an environment in each school be conducive to the learning process. The United States Supreme Court has held that a student may not be deprived of the opportunity to a public education without good cause in which procedural due process is observed.

We invite you to explore with us the processes and resources we use when students are in need of COMMUNITY CENTERED CARE. The foundation for COMMUNITY CENTERED CARE is rooted in restorative processes that offer students opportunities for reflection, recovery and restoration without regard to race, color, national origin, gender, or disability. We shall also apply our practices throughout all phases of pupil transportation, to and from school and for school-related trips. This COMMUNITY CENTERED CAREBOOK, on adoption by the Nelson County Board of Education, shall be furnished to every principal, staff member, student, and parent/guardian.

The Nelson County Schools are in compliance with P.S. 93.380 of the Family Education Rights and Privacy Act. They also operate within Title IX of the Education Amendment of 1972, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973.

For any inquiries regarding non-discrimination policies, please contact Robin McCoy, Director of Community Health & Engagement, 288 Wildcat Lane, Bardstown, KY 40004 (502) 349-7000.

Your contributions to CARETAKING for our students are valued and allow us to REIMAGINE POSSIBLE in order to PUT PEOPLE FIRST.

Thank you,

Nelson County Schools
THE NELSON COUNTY SCHOOLS
2020-2021 DISTRICT PRIORITIES

NELSON COUNTY PRIDE
WE WILL UNITE OUR SCHOOLS, FAMILIES, & COMMUNITY THROUGH POWERFUL CARETAKING EXPERIENCES

COMMUNITY CENTERED EXPERIENCES
WE WILL UNITE THE GIFTS OF OUR STUDENTS WITH THE GIFTS OF OUR COMMUNITY CREATING TRANSFORMATIVE EXPERIENCES

SHARED LEADERSHIP
WE WILL UNITE PEOPLE AT THE COMMUNITY TABLE TO CREATE THE FUTURE TOGETHER
WE BELIEVE THAT WE MUST SHARE OUR PURPOSE, PASSION, & POSITIVITY TO DEEPEN THE CONVERSATION ABOUT POSSIBILITY

WE BELIEVE EVERY PERSON IN OUR COMMUNITY IS GIFTED & IT’S OUR WORK TO HONOR AND EXCAVATE THOSE GIFTS

WE BELIEVE THAT GROWTH IS DRIVEN BY CONTINUOUSLY LEARNING TOGETHER, CLARIFYING, AND SHARING OUR VISION FOR THE FUTURE

WE BELIEVE THAT CHANGE IS CONSTANT & IS ESSENTIAL TO INDIVIDUAL & COMMUNITY TRANSFORMATION

WE BELIEVE THAT WORKING TOGETHER, WITH OUR COMMUNITY, WE CAN CHANGE THE WORLD

WE BELIEVE THAT WE MUST SHARE OUR PURPOSE, PASSION, & POSITIVITY TO DEEPEN THE CONVERSATION ABOUT POSSIBILITY

POSSIBLE TOGETHER WE CAN CREATE THE FUTURE
COMMUNITY CENTERED CARE
COMMUNITIES OF CARE
The United States constitution provides for the protection and safeguard of all people. In this same vein, there is responsibility inherent in all rights. Therefore, all participants in the schooling process must exercise the 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 sections outline the responsibilities and rights of all students and parents/guardians.
COMMITMENTS OF CARE

AS A STUDENT, I COMMIT TO...

- Take advantage of the opportunities provided at school and work to excel academically.
- Complete class work and homework on time.
- Be on time and prepared for school and classes.
- Understand and follow school and classroom rules and follow the COMMUNITY CENTERED CAREBOOK.
- Ask teachers or school staff members for help with problems.
- Practice good citizenship by being helpful and honest whenever there is a problem.
- Respect the rights and property of students, staff, and school.
- Behave in a safe and responsible manner.
- Behave respectfully to others, avoiding profanity, insults, threats, and harassment.
- Follow the district and school dress code and use proper hygiene.
- Be at school every day unless an absence is excused.
- Bring notes from parents/guardians or physicians for excused absences within the state attendance guidelines.
- Sign in or out of school on entry/exit logs.

AS A PARENT, I COMMIT TO...

- Support and encourage my child in regards to the importance of an education.
- Make sure that my child has time, space, materials, and help for homework.
- Be involved in what goes on in school and contact the teacher with questions/concerns and attend needed parent-teacher conferences.
- Keep up to date with my child’s academic progress by reviewing Infinite Campus Parent Portal, all mid-term/progress reports and report cards and contact the school if there are questions or concerns.
- Send my child to school on time and prepared every day.
- Review the COMMUNITY CENTERED CAREBOOK, and the school/class rules with my child.
- Support the school’s discipline measures and assist the school with discipline when needed.
- Ensure that my child dresses appropriately, abides by the district dress code, and practices good hygiene.
- Ensure that my child is responsible, respectful, and behaves appropriately at school.
- Provide required COMMUNITY CENTERED CARE per disciplinary measures.
- Keep the school up to date on telephone numbers and address changes, medical problems, and family or social problems that may affect my child’s school performance.
- Notify the school on the day on which my child is absent and in writing of any long term illness affecting my child.
- Send notes to school to explain and confirm excused absences based on state attendance law requirements.
- Ensure that my child has current immunizations and required medical examinations.
- Pay required fees/fines (unless on fee waiver).
- Provide, upon enrollment, a sworn statement on an official form when a student has been adjudicated guilty/expelled for an offense involving weapons, alcohol, and/or drugs.
- Provide official documentation regarding custody, court orders, and student emancipation.
COMMUNITY CENTERED CARE
COMMUNITY RIGHTS
COMMUNITY RIGHTS

AS A STUDENT, I HAVE THE RIGHT TO...

- To receive an appropriate public education that has high educational standards and meets individual needs.
- If determined eligible as a student with an educational disability, to be entitled to specially designed instruction and/or accommodations to meet my unique needs.
- To receive timely academic grades and progress reports based only on academic performance.
- To make up work upon returning to school from an absence.
- To inspect, review, and transfer my educational records and Student Infinite Campus Portal, including the right to challenge any misleading or inaccurate statement contained in my record if I am 18 years of age or older, or with the written consent of my parent/guardian.
- To experience freedom from verbal and/or physical abuse by other students, staff members, school administrators, and other school personnel.
- To organize or to have membership in groups/clubs within the school, as long as the group/club follows established Board of Education guidelines, does not disrupt the orderly educational process, and does not discriminate against any student because of gender, religion, age, race, color, national origin, economic status, marital or parental status, disability, and/or veteran status.
- To present complaints and grievances to the proper school authorities and to receive replies from school officials regarding the disposition of my complaints and grievances.
- To legal counsel at my own expense.

AS A PARENT, I HAVE THE RIGHT TO...

- To send my child to a school with an environment where learning is valued.
- To expect the school to maintain high academic standards.
- To review my child’s academic progress in the Infinite Campus Parent Portal in a timely manner and other pertinent information and to receive a reply in a reasonable time period if requested.
- To expect that classroom disruptions will be dealt with fairly, firmly, consistently, and quickly.
- To address a question concerning my child to the proper school personnel and to receive a reply within one business day.
- To enroll my child in their school of residence where they shall attend classes regularly and promptly with minimal interruptions.
COMMUNITY CENTERED CARE VIOLATIONS & CARE
DEFINING TERMS

APPEAL - An urgent request for reconsideration of a decision made to respond to a violation of the code of acceptable behavior and discipline. Appeals may be made in writing through administrative channels to the board of education: school administration, superintendent, and the board of education. Further appeals concerning Title VI and IX, and section 504 may be addressed to the US Dept. of Education, Office for Civil Rights, Washington, D.C. 20202;

ARSON - Intentionally, or through horseplay, damaging school property or property of another student by starting a fire or causing an explosion;

ASSAULT - Intending to cause physical injury to another person by means of a deadly weapon, dangerous instrument, or physical abuse of any kind;

AUTHORIZED MEDICATION - Use of a drug authorized by and administered in accordance with a prescription from an authorized medical provider. Authorized medication shall not be considered in violation of the code of acceptable behavior and discipline unless distributed to others;

BOMB THREAT/INTENTIONALLY ACTIVATING FALSE FIRE ALARM - Engaging in acts that mirror, even unknowingly, intentional false activation of a fire alarm or bomb threat;

BULLYING - Actions which harm, intimidate, or coerce someone through an imbalance of power and repetition. In order for actions to be considered bullying, the behavior must be aggressive and include an imbalance of power, such as physical strength, access to embarrassing information, or popularity, and repetition, happening more than once;

ELECTRONIC CIGARETTE/VAPE - A device containing a nicotine-based or illegal substance liquid that is vaporized and inhaled, used to simulate the experience of smoking tobacco or illegal substances;

FAMILY RESOURCE AND YOUTH SERVICES CENTER (FRYSC) SUPPORT SERVICES - A frysc director may provide assistance to remove non cognitive barriers to students following being notified of referrals and disciplinary actions taken;

DELIBERATE CLASSROOM DISRUPTION - Any deliberate action by a student to cause a serious disruption to the learning environment of others and themselves;

DISCRIMINATION - Unfair treatment of people and groups based on characteristics that include but not are not limited to race, gender, age or sexual orientation;

DRESS CODE VIOLATION - Dress considered in violation of the dress code policy either intentionally or unknowingly;

DUE PROCESS - A student’s right to be informed of charges and evidence, to be given the opportunity to present one’s case, and to have the right to appeal a suspension. Board policy 9.431 states that before students are disciplined at the school level with suspension for violation of school regulations, a student shall have the right to due process. due process procedures will be held as soon as possible, not to exceed three (3) days;

EXPULSION - Removal or banning of a student from their school community/campus due to persistent violations of the Code of Acceptable Behavior and Discipline, or for a single offense of marked severity. If behavior warrants the initiation of the expulsion process, the following procedures will be initiated:

a. The principal/designee convenes an informal hearing to determine the validity of the charge against the student
b. If the evidence indicates the student has committed an expellable offense, the student is given a pre-expulsion suspension
c. All documentation is forwarded to the Nelson County Board of Education. Refer to NCBE Policy 9.435 for expulsion procedures.
DEFINING TERMS

EXTORTION- Obtaining of property from an unwilling person by intimidation or physical force;

FAILURE TO FOLLOW DIRECTIVES/INSUBORDINATION- The willful refusal by a student to follow any reasonable directives of authorized school personnel (including failure to identify oneself) or to accept school disciplinary measures;

FIGHTING- Use of intentional physical aggression (harm) between two or more students;

FORGERY- Falsifying documents or signatures;

GAMBLING- Games of chance or skill for money or profit;

HARASSMENT- Conduct which annoys, threatens, intimidates, alarms or causes fear of a person’s safety. Harassment is unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. Criminal harassment as defined in KRS 525.070 and KRS 525.080 is a misdemeanor and thus is not part of the mandatory reporting requirement for school systems. The school retains the ability to take district disciplinary action for any misbehavior, even if the misbehavior does not rise to the level where a report to law enforcement is necessary. See page 22 for reporting processes;

HARASSING COMMUNICATION- Communication while enrolled as a student in a local school district with another student in any manner that would cause the other student to suffer from fear of physical harm, intimidation, humiliation, or embarrassment. This could include any harassing communication that takes place away from school property or via telecommunication networks that disrupts the educational process;

HATE LANGUAGE- Public speech that expresses hate or encourages violence toward a person or group based on race, creed, color, national origin, gender, sexual orientation, disability, age, marital status, or religion;

INAPPROPRIATE USE OR POSSESSION OF TELECOMMUNICATION DEVICE- Inappropriate use of any personal telecommunications (SEE BOARD POLICY 9.4261);

PARENT-TEACHER CONFERENCE- A conference between school representatives and the parent/guardian of a student to discuss concerns and possible solutions to address concerns; conferences can take place in person or by telephone; if the parent/guardian is unable to attend or chooses not to attend the conference, the conference will be held with the student, and the results of the conference will be reported to the parent/guardian;

PROFANITY/VULGARITY- The use of obscene language through verbal or non verbal communications;

PROHIBITED DRUGS- No student shall possess, use, be under the influence of, sell or transfer any controlled drug substance, or any substance which “looks like” a controlled substance, on or about school property, at any location of a school sponsored activity, or on the way to or from a school sponsored activity. Controlled substances means any substance or immediate precursor listed in Chapter 218a of the Kentucky Revised Statutes or any other substance which may be added by the Kentucky Department of Human Resources under regulations pursuant to KRS 218A.020;

PUBLIC DISPLAY OF AFFECTION- Public acts of physical intimacy;

REPETITION OF SUSPENSION CONSEQUENCES- Repetition of misconduct resulting in repetition of consequences resulting in suspension;
SALE/DISTRIBUTION OF DRUGS, ALCOHOL, NICOTINE BASED PRODUCTS, SYNTHETIC COMPOUNDS/SUBSTANCES-
Passing of drugs, alcohol, nicotine based products, synthetic compounds/substances, and substances that “look like” controlled substances or alcohol (SEE BOARD POLICY 9.423);

SCHOOL COUNSELING SUPPORT SERVICES-
The school counselor may provide help to the student through individual or group counseling following being notified of referrals and disciplinary actions taken;

SCHOOL CAMPUS-
Area and/or property owned by the Nelson County Board of Education. The district/school shall hold parents responsible for payment or damages to school property, books, etc;

SEXUAL VIOLENCE-
Sexual contact or behavior that happens without consent. Other names of violence include rape, sexual abuse, and sexual assault. May include incest, fondling, attempted rape, human trafficking, sexual harassment, and any other type of unwanted sexual contact;

SEXUAL HARASSMENT-
Behavior characterized by the making of unwelcome and inappropriate sexual remarks or physical advances (SEE BOARD POLICY 9.42811);

SEXTING-
The act of sending and receiving sexual messages through technology such as phone, app, program, email, or web camera;

STUDENT PROPERTY-
Personal items including electronics and valuables owned by the individual student. Items of value should not be brought to school; the school will not be responsible for lost, damaged, or stolen personal times;

SUSPENSION-
A temporary removal of a student from their community/campus for a defined number of days, except in the case of a pre-expulsion suspension; students serving suspensions may attend pre-arranged conferences or courses, attend any day or night school functions of the Nelson County Schools that contribute to the overall educational experience of the student, and ride the school bus with principal/designee approval. The principal/designee shall report the decision to suspend by telephone or mail to the student’s parent/guardian as soon as they can be contacted following the disciplinary process;

THEFT-
Stealing property belonging to the school or another person; can include robbery, which is theft involving the use of physical force, deadly weapon(s), or dangerous instrument(s);

THREATS TO CAUSE HARM TO PROPERTY OR OTHERS-
Credible verbal or nonverbal threats to cause harm to property and or other persons;

USE, POSSESSION OF DRUGS, ALCOHOL, INCLUDING ELECTRONIC CIGARETTES, AND RELATED PRODUCTS-
Carrying, storing, or using drugs, alcohol, and related products (including nicotine in electronic cigarettes) in or on any school grounds or on buses;

USE, POSSESSION OF FIREWORKS-
Carrying, storing, or using fireworks in or on any schools grounds or on buses;

USE, POSSESSION OF TOBACCO PRODUCTS-
Carrying, storing, or using nicotine products such as cigarettes, chewing tobacco, or any other processed tobacco product or other smoking paraphernalia in or on any school grounds or on buses;

USE, POSSESSION OF WEAPON(S)/FIREARM(S)-
Possession of weapon(s) or dangerous instrument(s) including pocket knives by any student carrying, storing or using in or on school grounds, including inside of vehicles, or on buses;
DEFINING TERMS

UNEXCUSED TARDINESS TO CLASS OR SCHOOL - A student’s non-attendance to school or class or attending late to school or class;

VANDALISM - Damaging or defacing school property including buses, the property of school personnel or of other students;

VIOLATING CONDITIONS OF SUSPENSION - Violating terms of suspension as set by school principal/designee. Violations of the conditions of suspension shall cause further disciplinary action to be taken which could include but not limited to legal action;

WANTON ENDANGERMENT - The act by a student to create a substantial danger of death or serious physical injury to another person (used with bus violations for NC Schools due to the potential risks to lives by actions during transport);

YOUTH GANG - A self-formed association of peers having the following characteristics: a gang name, recognizable symbols, identifiable leadership, a geographic territory, a regular meeting pattern, and collective actions to carry out illegal activities. Gang activity is not permitted on school grounds or at any school activity. Students will not wear or display explicit gang symbols. Violation may result in suspension or other appropriate action;
DISTRICT DRESS CODE

SHIRTS:
Type: Polo shirt with visible fold-down collar, buttoned to avoid exposure; dress shirt with visible fold-down collar; visible turtleneck or mock turtleneck; district or school spirit t-shirt or sweatshirt.

Sleeve: Shirts may be long or short sleeve (no sleeveless or sheer). Sleeves cannot extend below the wrist.
Midriff: Front, back, or side may not be exposed at any time.

All sweatshirts and sweaters/vests (V Neck, crew neck or cardigan) must be worn with dress code shirts. Attached hoods are acceptable, but must be removed from the head upon entering the building.

PANTS/SHORTS/OVERALLS:
Type: Twill, chino, corduroy, denim or jean. Elastic waist slacks may be worn. No sweat/nylon jogging, or yoga pants are allowed. Pants are to be worn at the waist (no sagging or excessively tight pants). Overalls must be worn with collared shirts that have sleeves. Shorts must extend to the knee area. No athletic shorts.

SKIRTS/JUMPERS/DRESSES:
Type: Twill, chino, corduroy, denim or jean (no spandex/lycra or stretch material). Must meet or extend to the knee. Slits may not be shorter than the knee. Shorts may be worn under the dress, skirt or jumper. Dresses must have sleeves and backs. Jumpers must be worn with dress code shirts that have sleeves.

HATS: Hats must be removed upon entering the building.

SHOES: All sandals or shoes must have a back.

General Expectations

• Students may not carry or wear anything that advertises drugs, alcohol, tobacco products or anything that promotes or suggests lewd, dangerous, or unacceptable messages.

• Clothing must not have holes or tears and must have finished hems. Pants and skirts must not drag the ground.

• Out of code days will be determined by the school administration. Student payment to participate will not be permitted.

• While students are expected to dress appropriately at after-school functions, they are not required to follow the dress code.

• JROTC uniforms and extracurricular activity jackets may be worn on designated days.
LEAVING SCHOOL CAMPUSES

Students will need a note from their parent/guardian if they are to ride another bus or go home with another student at any time.

Upon arriving on the school campus, students are not to leave the campus unless they first secure permission to do so from the principal or designee. Students who obtain permission must sign out and upon return must sign in. If it is known in advance that the student must leave school, parents should send a written excuse for their child to leave.

VISITORS ON SCHOOL CAMPUSES

All visitors, including volunteers, parents, alumni, salespersons, and others, should enter through the front doors of all schools and proceed directly to the front administrative office to sign in and show identification. Visitors will be issued a visitor badge. The visitor badge shall be visible at all times while in the school and on school grounds. Visits by other students and children cannot be allowed. Upon request, all visitors must identify themselves to school authorities.

SOCIAL SECURITY NUMBERS

Kentucky no longer requires a student possess or present a Social Security card for enrollment purposes. Parents have the right to not provide this information to schools. However, some Federal and State programs may require such information before certain benefits may be provided to your student. These benefits include, but not limited to, specific Food Service programs (e.g., reduced or free lunch program benefits), KEES (Kentucky Educational Excellence Scholarship) money, and driver’s license verification (e.g. No Pass/No Drive law; KRS 159.051).

TOBACCO AND ELECTRONIC CIGARETTES

Nelson county schools are smoke and vapor free. No student shall use or possess any nicotine, electronic cigarettes, or vaping material on any district property or function. E-cigarettes and vapes are considered drug paraphernalia and will face consequences that align to drug use and possession on school campuses. Nicotine and electronic cigarette materials may be seized and destroyed by school administration or designee.

COMPULSORY SCHOOL ATTENDANCE & FERPA

PLEASE CLICK THE FOLLOWING LINK TO ACCESS INFORMATION ON ATTENDANCE REQUIREMENTS & FAMILY EDUCATION RIGHTS (FERPA).
WEAPONS ON SCHOOL CAMPUSSES

Carrying, bringing, using, or possessing any firearm or deadly weapon in any school building, on school grounds, in any school vehicle, or at any school sponsored activity is prohibited.

A firearm is defined as “any weapon which will expel a projectile by means of explosion” KRS 527.010(2). A deadly weapon means “any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged”; any “knife other than an ordinary pocket knife or hunting knife”; nightstick or club; blackjack or slapjack, karate sticks; shuriken or death star or artificial knuckles made from metal, plastic or other similar hard material KRS 500.080.

School officials may seize and destroy weapons determined by proper school authorities to be a threat.

Unlawful possession of a deadly weapon on school property is a class D felony, punishable by one to five years’ imprisonment and a fine of up to $10,000.

Possession of a firearm, deadly weapon, or dangerous instrument, including tasers by any student is grounds for immediate suspension and/or an expulsion hearing.

The law requires school employees to report any student who is determined to have brought a firearm or deadly weapon to a school or school grounds, under the jurisdiction of this system, to the criminal justice or juvenile delinquency system.

To comply with existing requirements of the Individuals with Disabilities Education Act (IDEA), regarding discipline of students with disabilities, the Board of Education may modify the expulsion requirements, on a case-by-case basis. IDEA-eligible students may be expelled for behavior unrelated to their disabilities, as long as the procedural safeguard required by IDEA and KRS 158.150 is followed. Non-IDEA-eligible students may also have their expulsion requirements modified on case-by-case basis.

ILLEGAL SUBSTANCES

No student shall purchase, possess, use, be under the influence of, sell or transfer any alcoholic beverage, narcotic drug, controlled substance, mood altering substance (such as inhalants), over the counter medicines/drugs or drug paraphernalia, counterfeit, look-alike, or stimulated narcotics, drugs or controlled substances and/or assist another student purchase, possess, use, be under the influence of, sell or transfer any alcoholic beverage, narcotic drug, controlled substance, mood altering substance (such as inhalants), over the counter medicines/drugs or drug paraphernalia, counterfeit, look-alike, or stimulated narcotics, drugs or controlled substances on school property, in any vehicle, at any school sponsored event or school sanctioned activity or event, or en route to or between school campuses.

COMPUTER TECHNOLOGY & INTERNET ACCESS

PLEASE CLICK THE FOLLOWING LINKS TO ACCESS OUR RESPONSIBLE USE POLICY AND THE CHROMEBOOK USER GUIDE.
COMMUNITY CENTERED CARE RESPONSIVENESS
Most discipline is handled by the teachers in their classrooms. When in-class measures do not correct the behavior the teacher or staff member will submit a written discipline referral or electronic referral to the appropriate administrator.

The administrator has a variety of measures that he/she can use depending on the severity of the infraction. Administrators may use in-school discipline measures or they may suspend the student depending on the seriousness of the behavior. If the suspension is severe enough to warrant an administrator to seek alternative placement or initiate expulsion procedures, then a formal hearing is conducted unless the hearing is waived by the parent/guardian. Students may be expelled only by the Board of Education.

Corporal Punishment is Prohibited

If classroom community restoration measures do not correct a student’s misconduct, or if his or her behavior is a serious offense, the student is referred to a school administrator by a staff member.

The staff member describes the student’s behavior and/or records the student’s statements on a Pupil Disciplinary Referral Form or in Infinite Campus. The form is submitted to the appropriate administrator. Discipline records are kept by the administrator. The records are accessible to teachers, administrators, the student, and/or the parent/guardian, as required by the Family Educational Rights and Privacy Act. Discipline records become a part of the student’s permanent record.

The administrator:

- Reads the referral form to the student.
- Allows the student to respond to the accusations and evidence.
- Conducts an investigation, if necessary.
- Decides what action to take, and records it on the form.
- Informs the student of the action to be taken and has the student sign the form.
- Personally notifies the parent/guardian of the issue, including action taken.
- Requires the student to take the form home to be signed by his or her parent/guardian and has the student return it, if necessary.
- Communicates the outcome of discipline issues to initiating staff as well as any other relevant staff members.
Anyone who feels they have been discriminated against on the basis of gender, color, national origin, creed, age, disability, race, marital status, sexual orientation, or religion, should take the following steps:

• Within five working days contact, in writing, the building principal to seek resolution of the grievance/complaint on an informal/discussion basis. The principal will respond, in writing, within five working days of the receipt of written communication;

• If not resolved on the informal/discussion basis, within five working days, contact the local Section 504 Coordinator at the Nelson County Board of Education. The local Section 504 Coordinator will seek resolution of the grievance/complaint on an informal/discussion basis. The local Section 504 Coordinator will respond in writing within five working days. The Local Section 504 Coordinator is Tiffanie Clark at the Nelson County Board of Education, 349-7000.

• If not satisfied with the response from the local Section 504 Coordinator, within five working days, contact in writing the district superintendent whom will seek resolution of the grievance/complaint on an informal/discussion basis. The district superintendent will respond in writing within five working days.

• If not satisfied with the response from the district superintendent, within five working days, contact in writing the Nelson County Board of Education, which will respond within twenty working days.

At any time during these steps for due process, the appellant may Request a hearing before an impartial hearing officer or contact the Office for Civil Rights, Washington, D.C. 20202-1172

This grievance/complaint procedure may be found in the Nelson County Board of Education Policies and Procedures Handbook and also on District webpage at http://nelson.kyschools.us/ and the Nelson County Code of Acceptable Behavior and Discipline.

KRS 158.156
Suspension/Expulsion Procedures for Special Education/504 Students

Students who create a dangerous or disruptive situation may be suspended from school in accordance with the Kentucky Administrative Regulations (707 KAR 1:270-707 KAR 1:340) and the Nelson County Procedures for Special Education.

The behavior of exceptional (special education) students and students who have been referred for evaluation for possible special education placement and/or related services, and students protected under Section 504 of the Rehabilitation Act of 1973 and should be considered during initial referral meetings. If a student has a behavioral intervention plan, it shall become an integral part of a student’s Individual Education Plan (IEP) or 504 Plan.

Prior to disciplinary action of a student identified with a disability, school administrators will contact the student’s case manager and review the student Individual Educational Plan and Behavior Intervention Plan.

Protections for Children not Determined Eligible for Special Education Services:

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates The Code of Acceptable Behavior and Discipline may assert any of the protections provided for students already eligible for special education services if the district had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

The Basis of Knowledge can be made if:

(a) The parent of the child has expressed concern in writing (or orally if the parent cannot express it in writing) to supervisory or administrative personnel of the appropriate school official, such as a teacher of the child or school counselor, that the child is in need of special education and related services;

(b) The parent of the child requested an evaluation for special education services;

(c) The teacher of the child, or other personnel of the district, expressed concern about a pattern of behavior or performance demonstrated by the child directly to the district Director of Special Education or to other supervisory personnel. If a student demonstrates a pattern of behavior, a referral should be made to the school’s counselor or student support team.

Reporting to Law Enforcement Agencies for Students with Disabilities.

Notwithstanding any provisions of 707 KAR Chapter 1, an agency may report a crime committed by a child with a disability to appropriate authorities.

If the District reports a crime committed by a child with a disability, the building principal, or designee, shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to the extent the transmission is permitted by the Family Educational Rights and Privacy Act, 20 USC Section 1232g. The Director of Special Education or designee shall be notified by the school administrator making the report.
DUTY TO REPORT VIOLATIONS

DUTY TO DOCUMENT AND REPORT MISDEMEANOR BEHAVIORS

KRS 158.155 requires the school records of any student expelled or subject to expulsion proceedings for homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs to reflect the charges and the final disposition of the expulsion proceedings.

KRS 158.155 also requires any school employee to report to the local police department, sheriff, or Kentucky State Police:

- Any felony occurring on school property or
- Any misdemeanor or violation relating to carrying, possession, or use of a deadly weapon on school property or use, possession, or sale of controlled substances on school property.

REPORTING HARASSMENT

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment or discrimination shall, as soon as reasonably practicable, report it. In each school building, the principal is the person responsible for receiving reports of harassment or discrimination at the building level. Otherwise, reports of harassment or discrimination may be made directly to the superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment or discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

Without a report being made to the principal, superintendent, or Title IX/equity coordinator, the district shall not be deemed to have received a complaint of harassment or discrimination.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim’s principal, who shall immediately forward the information to the superintendent.

In applicable cases, employees must report harassment or discrimination to appropriate law enforcement authorities in accordance with law.

REPORTING CRIMINAL VIOLATIONS

Students are accountable to their school in their role as students, as well as to the law in their capacity as citizens. The criminal laws of the Commonwealth of Kentucky and of the Federal Government apply to the conduct of all persons on school property. Violations should be dealt with according to these laws and local school board policy. Verified criminal misconduct may result in the immediate removal of the student from the school, pending a hearing before the board in accordance with KRS 185.150.

Schools shall report these offenses to the appropriate law enforcement agency and assist these agencies in investigating and prosecuting the offender. In cases of assault and/or battery on a student or school employee, it is encouraged that the victim(s) press charges. A student charged with criminal misconduct will be given a full due process hearing before the Board of Education.
REPORTING BULLYING

KRS 158.148 sometimes referred to as the “Golden Rule Bill” or the “Bullying Bill”, was enacted during the 2008 legislative session. The legislation focuses on students who are victims of felony offenses as found in KRS Chapter 508.

Through the provisions of HB 91, it is possible for school and district employees to report serious safe-school incidents, including bullying that rises to the level of a felony offense, to the principal so that quick and effective actions can take place to ensure the safety and well-being of all students.

Bullying is defined as actions which harm, intimidate, or coerce someone through an imbalance of power and repetition. In order for actions to be considered bullying, the behavior must be aggressive and include an imbalance of power, such as physical strength, access to embarrassing information, or popularity, and repetition, happening more than once.

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. (KRS 158.148)

School specific requirements for completion for HB 91 include the following:

• All school employees shall be informed of the requirements of the code as well as any necessary training.
• If encountered, any school employee shall report to the principal any suspected felony offense listed below:

   - First degree assault
   - Second degree assault
   - Third degree assault
   - Assault under extreme emotional disturbance
   - First degree wanton endangerment
   - First degree terroristic threatening
   - Second degree terroristic threatening
   - First degree criminal abuse
   - Second degree criminal abuse
   - First degree stalking
   - Disarming a police officer

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

Bullying is prohibited in the Nelson County Schools. Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it. Students should report it to a classroom teacher, who shall in turn make the school principal aware of the situation. In instances of peer-to-peer bullying, hazing, or harassment, employees must report to the alleged victim’s Principal, as directed by Board policy 09.42811. The principal/designee shall investigate and address alleged incidents of such misbehavior.

In applicable cases, employees must report bullying and hazing to appropriate law enforcement authorities and complete documentation as required by the District’s harassment/discrimination policies covering federally protected areas.

A full definition and explanation of KRS Chapter 508 felony offenses can be found at www.lrc.ky.gov/KRS/508-00/CHAPTER.htm.
If the principal is in doubt if the offense under consideration is a felony, he/she will consult with local law enforcement and the Board attorney.

• Within 48 hours the principal files a written report to the local board of education through the superintendent. If, in the investigation the principal finds evidence of a felony offense, ONE of the following will be contacted: a local law enforcement agency, the Kentucky State Police, or the county attorney. (If a principal does not find evidence of a felony offense he/she does not have to file a report to the agencies listed, but school disciplinary measures may be taken.)

• The principal will notify parents/guardians of the alleged victim and alleged perpetrator.

• Law enforcement agencies receiving the principal’s report will conduct an investigation.
STUDENT SEARCHES

No student’s outer clothing, pockets, or his or her personal effects (handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the student has violated or is violating either a school rule or the law. A certified person directly responsible for the conduct of the student or the principal/designee of the school, which the student attends, shall conduct searches of a student’s person or personal effects. When a pat-down search of the student’s person is conducted, the person conducting the search shall be the same gender as the student, and a witness of the same gender as the student shall be present. No search will be conducted in the presence of other students. No strip searches are permitted.

Any vehicle entering Nelson County Schools property is subject to search by school authorities and law enforcement personnel working with them. Such a search may be conducted for any reasonable purpose, without a warrant. Search of the vehicle includes all compartments and components thereof. Once the search begins, the person in control of the vehicle will not be permitted to remove it from the premises during the reasonable duration of the search.

School property, such as lockers and desks, are jointly held by the school and the student. School authorities have the right to conduct general inspections of all such property on a regular basis. A single desk or locker may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

The Board of Education gives the Superintendent the authority to use trained dogs to locate controlled substances on school grounds. Illegal items (weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the student’s safety or others’ safety and security may be seized and destroyed by school officials. All criminal items which have been seized shall be turned over to the proper authorities.

A staff member may remove items, which may be used to disrupt or interfere with the educational process, from the pupil’s possession. Contraband, including tobacco and electronic cigarette materials, may be destroyed by school administration or designee.
The policy applies to all students who drive a motor vehicle on to campus.

In order to accomplish the purpose of this policy, each student that wishes to drive a motor vehicle on to campus shall be required to participate in a program of substance abuse testing. Testing shall be accomplished by the analysis of urine specimens obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure (a) randomness of selection procedures, (b) proper student identification (c) that each specimen is identified with the appropriate student participant, and (d) maintenance of the unadulterated integrity of the specimen, and (e) the integrity of the collection and test process, as well as the confidentiality of test results.

First Violation:
The student participant shall be assigned to forty-five (45) days of attendance at the local district alternative school to include a treatment plan. At the conclusion of forty-five days, the student must submit to a new drug screen at the student’s expense, administered in accordance with the same procedures utilized for random drug testing to be re-issued a parking permit. The testing laboratory currently under contract must conduct all subsequent drug tests. A positive result shall be treated as a second violation.

Second Violation:
The student participant shall be assigned an additional forty-five (45) days of attendance at the local district alternative school to a treatment plan. At the conclusion of the additional forty-five days, the student must submit to a new drug screen at the student’s expense, administered in accordance with the same procedures utilized for random drug testing to be re-issued a parking permit. The testing laboratory currently under contract must conduct all subsequent drug tests. A positive result shall be treated as a third violation.

Third Violation:
The student will face expulsion charges with recommendations to seek inpatient substance abuse treatment from a residential facility.

The entire policy may be found at 09.423 in the Nelson County Board of Education Policies and Procedures.
Dear Families of the Nelson County Schools,

At Nelson County Schools, our most important function is to provide safe learning environments for all of our students and staff members.

Newly passed legislation, Senate Bill 1, also known as the “School Safety and Resiliency Act”, requires school districts throughout the Commonwealth to send notice to families informing them on the risk of students engaging in acts that could mirror, even unknowingly, terroristic threatening. The definition of terroristic threatening as defined by the Kentucky Revised Statutes is below:

**Terroristic Threatening in the second degree is defined in state law (KRS 508.078)**

(1) A person is guilty of terroristic threatening in the second degree when he or she intentionally:

(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;
2. Causing cancellation of school classes or school-sanctioned activity; or
3. Creating fear of serious bodily harm among students, parents, or school personnel.

(For the complete text of KRS 508.078 please see the next slide.)

In compliance with the School Safety and Resiliency Act, the purpose of this letter is to notify all families that school district officials, in coordination with responding law enforcement agencies, will pursue charges for terroristic threatening in the second degree against anyone who makes such threats, including students.

Please help us by educating your student on the seriousness of making threats in person, on social media, or in any form that could be viewed as terroristic threatening. We appreciate your partnership in keeping Nelson County Schools the safest place for your student to learn and grow.

If you have any questions or concerns, contact your building principal at your convenience.

Sincerely,

Nelson County Schools
Definitions of Terroristic Threatening:

KRS 508.078 Terroristic threatening in the 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 any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur;

(b) Makes false statements by any means, including by electronic communication, for the purpose of:
1. Causing evacuation of a school building, school property, or school-sanctioned activity;
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) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.

(5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

Penalties
Violating a Class D felony (adult) 1-5 years imprisonment (KRS 532.020) and/or $1,000-$10,000 fine (KRS 532.020).
Violating a Class C felony (adult), 5-10 years imprisonment (KRS 532.020) and/or $1,000-$10,000 fine (KRS 532.020).
Violating a felony (juvenile) fine not to exceed $500 (KRS 635.085), with fine assessed at the court’s discretion in lieu of commitment to the Department of Juvenile Justice.
COMMUNITY CENTERED CARE

DISCIPLINE MATRICES
## Elementary Matrix for Behavior Violations

<table>
<thead>
<tr>
<th>STUDENT CONFERENCE AND GUARDIAN NOTIFICATION</th>
<th>RESTORATIVE PRACTICES</th>
<th>CARE COVENANT</th>
<th>RESTORATIVE SPACE (UP TO 1 DAY)</th>
<th>OUT OF SCHOOL SUSPENSION (1-3 DAYS)</th>
<th>OUT OF SCHOOL SUSPENSION (4-7 DAYS)</th>
<th>OUT OF SCHOOL SUSPENSION (8-10 DAYS)</th>
<th>EXPULSION</th>
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<td>Bomb threats/intentionally activating false fire alarm</td>
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<td>Threats to cause harm to property or others</td>
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<td>Theft/Extortion</td>
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<td>MIDDLE/HIGH MATRIX FOR BEHAVIOR VIOLATIONS</td>
<td>STUDENT CONFERENCE AND GUARDIAN NOTIFICATION</td>
<td>RESTORATIVE PRACTICES</td>
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<td>RESTORATIVE PRACTICES</td>
<td>CARE COVENANT</td>
<td>RESTORATIVE SPACE (UP TO 1 DAY)</td>
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COMMUNITY CENTERED CARE TRANSPORTATION
Transportation Disciplinary Procedures

School bus transportation is authorized for students regularly enrolled in a public school in all grades. Nelson County provides school bus transportation within the county and is available to all students in grades preschool through 12th. School bus transportation is not a required service under state statute or regulations. Nelson County provides transportation to and from school as a courtesy to the parents and students in the district. Therefore, all students are expected to comply with all state regulations (702 KAR 5:090) and all board of education regulations, policies and procedures, in order to continue to enjoy this privilege.

Accommodations and supports will be provided in accordance with 707 KAR 1:270-1:380 for eligible students.

Student safety while in transit is a priority for our transportation team. Violations will be handled seriously due to the potential risk to lives while in transit.

At the Bus Stop:
- Be on time. Be at the bus stop five minutes before the bus is scheduled to arrive.
- Always cross in front of the bus and at a safe distance in front of the bus in order to be seen by the bus driver’s signal.
- Do not run toward or run across the street in front of a school bus while it is in motion.
- Never stand in the road while waiting for the bus. Wait in an orderly line off-highway or street. Wait until the bus stops, watch for the driver’s signal and then walk to the door and board the bus in an orderly manner. Do not push or shove.

While Riding the Bus:
- Students shall comply with district posted bus rules.
- Students shall comply immediately with the driver’s/monitor’s instructions.
- Students shall respect all others on the bus.
- Students, while riding the bus, are subject to the same conduct conditions that exist in the classroom.
- Students shall have a bus pass or note signed by their principal/designee that authorizes them to ride on a bus other than their assigned bus or to exit the bus at a location other than their designated stop. Otherwise, they shall ride only on their assigned bus and exit the bus at their designated stop.
- Students are expected to share seating space.
- Students shall not bring unapproved items on the bus. Any carry-on items should be able to be placed in a student’s lap.
- Students shall not vandalize or damage any property. Restitution will be made and they will be disciplined according to the discipline procedure.
- Students shall not use profanity or participate in yelling or screaming.
- Students will be subject to removal from the bus should their actions endanger the safe operations of the bus or the wellbeing of others.
- Students will sit in assigned seats.
Students shall not participate in any activity that contributes to the unsafe operation of the bus.

Students shall not block emergency exits with any item.

Students will not take on a position of supervision over other students at any time unless they are approved by the board of education as a monitor. In the case of an emergency; however, an appointed student will fill this role in the driver's absence.

All students are entitled to “due process” regarding disciplinary actions taken against them.

Bus Trip Home:

Passengers are permitted to leave the bus only at the regular designated stop. Any change must be made with the parent’s request in writing and approved by the signature of the school principal.

If a student lives on the opposite side of the road from the bus stop, the student should to the front of the bus and wait until the driver gives the signal to cross the road. Never cross the road in the rear of a stopped school bus.

For students, younger than 3rd grade, a parent/guardian must at the bus stop for the bus driver to release the student off of the bus.

Responsibility of Parents:

Parents should see that their children are at the bus stop five minutes before the bus is scheduled to arrive.

Parents should emphasize to their students the need to observe extreme caution when approaching bus stops, moving buses, or stopped buses.

Parents should emphasize the importance of observing all safety and conduct regulations established for the safe and efficient operation of the school bus.

Parents should report any misconduct on school buses to the building principal.

"DON'T LOSE YOUR RIDING PRIVILEGE!"

FOLLOW THESE RULES

1. Observe same conduct as in the classroom
2. Be courteous use no profane language
3. Do not eat or drink on the bus
4. Keep the bus clean
5. Cooperate with the driver
6. Do not be destructive
7. Stay in your seat
8. Keep head hands and feet inside the bus
9. Bus driver is authorized to assign seats
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<tr>
<th>BUS MATRIX FOR BEHAVIOR VIOLATIONS</th>
<th>STUDENT CONFERENCE AND GUARDIAN NOTIFICATION</th>
<th>RESTORATIVE PRACTICES</th>
<th>CARE COVENANT</th>
<th>BUS SUSPENSION (1-3 DAYS)</th>
<th>BUS SUSPENSION (4-7 DAYS)</th>
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