THE NELSON COUNTY SCHOOLS
COMMUNITY CENTERED CARE

I ❤ NC

2019-2020

PUT PEOPLE FIRST
REIMAGINE POSSIBILITIES
INNOVATE & GROW
DEDICATED TO THE COMMUNITY
NERGIZE THE WORLD
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Thank you for your investment in CARETAKING for the students of Nelson County Schools. We know that 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 of the basis of race, creed, color, national origin, gender, sexual orientation, disability, age, marital status, or religion in their 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 in 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
NELSON COUNTY SCHOOLS

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

INSPIRED LEADERS & LEARNERS
WE WILL UNITE THE GIFTS OF OUR STUDENTS WITH THE GIFTS OF OUR COMMUNITY CREATING TRANSFORMATIVE EXPERIENCES

NPOSSIBLE LEADERSHIP
WE WILL UNITE PEOPLE AT THE COMMUNITY TABLE TO CREATE THE FUTURE TOGETHER
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, staff, and parents/guardians.
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 dress code and use proper hygiene.

Refrain from using cell phones during regular school hours and understand that the phone shall not be out or on during this time and understand that it may be confiscated by any staff member if in violation of this.

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.
COMMITMENTS OF CARE
AS A STAFF MEMBER, I COMMIT TO...

• Engage each student in the educational process to promote appropriate behavior and academic growth.
• Assign relevant classwork and homework and provide clear directions.
• Provide appropriate assessments, both formative and summative, that check for understanding along the way and then mastery of content at the end of unit, etc.
• Create a school/classroom environment in which students can ask for help and feel safe and respected.
  Set high expectations for student academics and behavior and help students set and reach their goals.
• Encourage all students to participate in school activities and to take advantage of the opportunities offered by the schools to excel academically.
• Be a role model who demonstrates self-control, respect, and responsible citizenship in the school.
• Exhibit exemplary behavior in action, dress, and speech.
• Implement and evaluate all aspects of the educational program to improve student learning and comply with the policies, regulations, procedures, or laws of the district, state, and nation.
• Help students understand class and school rules and the COMMUNITY CENTERED CAREBOOK.
• Create and foster an atmosphere of mutual respect and consideration among students and staff members.
• Administer discipline fairly, equally, and consistently, following the guidelines within, but in doing so, use best judgment.
• Follow guidelines concerning the reporting of certain conduct.
• Provide regular communication with parents about successes and concerns through a variety of media.
• Reward exemplary work and/or class behavior.
• Employ fair and consistent discipline to teach students responsible behaviors.
• Seek training and education in the establishment of safe and successful schools.
• Assist the parent/guardian in finding help with health and social problems.
• Take necessary action in emergencies to protect the persons or property of those in their care.
• Keep accurate and timely records of grades, attendance, and behavior.
• Maintain entry/exit logs in the office for students who are not present for the entire instructional day.
• Follow the rules/regulations of the Board of Ed. and the local school. (NC Schools Employee Handbook and school handbooks.)
• Return parent and community contacts within one business day.
COMMITMENTS OF CARE
AS A PARENT/GUARDIAN, 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 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.
COMMUNITY RIGHTS
AS A STAFF MEMBER, I HAVE THE RIGHT TO...

• To work in a positive school climate with minimal disruptions.
• To expect all student assignments to be completed as requested.
• To seek support from a supervisor for any student whose behavior significantly disrupts the positive school/classroom climate.
• To be free from verbal abuse or physical harm.
• To provide input to committees designed with the responsibility of drafting policies that relate to relationships with students and school personnel.
• To take appropriate action in emergencies pertaining to the protection of persons or property.
• To take appropriate action in emergencies to protect own person or property, or the person or property of those in my care.
• To administer the school environment so that a proper learning atmosphere is provided.
• To provide input for the establishment of procedures and regulations that relate to the school.
• To suspend any student whose conduct significantly disrupts the educational process (principal/desigee).
• To expect all participants in the schooling process to comply with school rules and Board of Education policy.
• To expect respect from students, parents/guardians, and the school staff.
• To receive the support of students, parents/guardians, and school staff in carrying out the educational programs and policies established by the school system.
• 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.
Most discipline is handled by the teachers in their classroom. 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.

For serious misbehavior or if previous measures have failed to correct behavior problems, an administrator can make a referral for placement at The Academy. A Principal may also recommend that a student be expelled. Students may be expelled only by the Board of Education.

Corporal Punishment is Prohibited
Classroom Teacher’s Restoration Measures:

- Post classroom rules and expectations
- Use assigned seats
- Model appropriate behavior
- Use verbal or non-verbal cues of disapproval/approval of behavior
- Use verbal reprimand
- Notify parent/guardian
- Parent/guardian conference
- Use assignment of constructive task
- Use classroom/school-wide discipline/rewards plans/systems
- Use student-teacher conference
- Use assignment to class/team detention
- Develop a behavior contract
- Use temporary classroom isolation from other students
- Use referral to school counselor
- Use referral to principal/designee when classroom strategies have not worked or are not appropriate
Administrator’s Restoration Measures:

- Parent/guardian conference
- Temporary loss of school privileges
- Change in student’s schedule (with parent notification)
- Temporarily isolate student
- Assign before or after school detention and/or Saturday School
- Assign In-School Suspension
- Establish in-school counseling/evaluation
- Assign constructive tasks
- Recommend transfer to another school/program such as The Academy.
- Suspend from school
- Initiate pre-expulsion procedures
- Restitution for damages caused
Central Office Administrator’s Disciplinary Measures

• Parent/Guardian conference
• Change in school/program
• Placement at The Academy
• Recommendation for expulsion
• Action/Revisions taken based on the data
• Review school data regarding
  o In-school suspension
  o Detention
  o Teacher initiated time-out
  o Saturday School
Central Office Administrator’s Disciplinary Measures

- Parent/Guardian conference
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- Action/Revisions taken based on the data
- Review school data regarding
  - In-school suspension
  - Detention
  - Teacher initiated time-out
  - Saturday School

Board of Education’s Disciplinary Measure

- Expulsion
- Review district level data regarding disciplinary
  measures/interventions etc...
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 charges 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.
Parent/Guardian Conference

As a result of student misbehavior, the school may arrange a conference with the parent/guardian. An effort will be made to arrange the conference at a time that is convenient for the parent/guardian and school staff involved. If it is impossible for the parent/guardian to meet at the school, an alternative means of discussion will be arranged. The conference will be arranged by telephone. If contact by telephone is impossible, the parent/guardian will be contacted by mail, email, or other electronic means.

If the parent/guardian is unable to attend or chooses not to attend the conference, the conference will be held with the student. The administrator will report the results of the conference to the parent/guardian.

The purpose of the conference will be to discuss the problem(s) and possible solutions with appropriate school staff. School records and discipline records will be available at the meeting. The student may be invited to the meeting. The results of the meeting will be recorded in Infinite Campus.
The Role of the School Counseling Support Services

It is recommended that the school counselor be notified of referrals and disciplinary action taken. The school counselor may provide help to the student with individual or group counseling. The counselor also may refer students to the Family Resource and Youth Service Centers (FRYSCs) or to community agencies. A teacher, administrator, or parent/guardian may refer a student to the school counselor for assistance.
Suspension

• The Nelson County Board of Education acknowledges that suspension is a last resort. Specific intervention steps will be taken in order to keep students in school.

• A student serving a suspension may attend pre-arranged conferences or courses, attend any day or night school functions of the Nelson County Schools that contribute to the the overall educational experience of the student, and ride the school bus with principal/designee approval.

• Violations of the conditions of the suspension shall cause further disciplinary action to be taken which could include but not limited to legal action. At all stages of the suspension process, students shall be guaranteed informal due process rights as outlined in this Code. A suspension shall be for a defined number of days, except in the case of a pre-expulsion suspension. Contact Robin McCoy at 502-349-7000, ext. 2324, for an appeal hearing.
Expulsion

If behavior problems warrant the initiation of the expulsion process, the following procedures will be initiated:

- The Principal/Assistant Principal convene an informal hearing to determine the validity of the charge against the student.
- If the evidence indicates that the student has committed an expellable offense, the student is given a pre-expulsion suspension.
- All documentation is forwarded to Nelson County Board of Education. Refer to NCBE policy 9.435 for expulsion procedures.
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 violated a code of student conduct 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; or (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.
According to board policy 9.431, before being disciplined at the school level with suspension for violation of school regulations, a pupil shall have the right to the following due process procedures:

- The student shall be informed of the charges for the proposed suspension and provided an explanation of the evidence supporting the charges.
- The student will be provided a reasonable opportunity to present his/her case.
- The principal or assistant principal shall report the decision to suspend, by telephone or mail, to the student’s parents/guardians as soon as they can be contacted following the disciplinary process.
- District form to be used.

Due-process procedures will be followed before any suspension, and will be held as soon as possible, not to exceed three (3) days.
Appeal and Due Process

The courts have ruled that due process is a right of all citizens. In matters of discipline the student in question is entitled to due process.

In general, due process rights include:

- Being informed of charges and evidence
- Being given the opportunity to present one’s case
- Having the right to appeal a suspension.

Appeals may be made in writing through administrative channels to the Board of Education. Written appeals will receive a written response. The channel of appeal is as follows:

School Administration, Superintendent, and the Board of Education. Further appeals concerning Title VI, Title IX, and Section 504 may be addressed to:

U.S. Dept. of Education
Office for Civil Rights
Washington, D.C. 20202
Anyone who feels they have been discriminated against on the basis of gender, color, national origin, creed, age, disability, race, marital status, 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.

- 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
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.
Students shall be disciplined for committing the offenses listed below or any other disruptive behavior that interferes with the educational process. Certain violations will be handled with informal or in-school disciplinary measures. Some of these offenses may also result in suspension or expulsion from school.

- Failure to follow school or class rules or directives
- Unexcused tardiness to class or school/Non-attendance to class
- Failure to sign in or out of school
- Leaving school grounds without permission
- Forgery – falsifying documents or signatures
- Deliberate disruption-any deliberate action by the student which results in serious disruption
- Insubordination-the willful refusal by a student to follow any reasonable directives of authorized school personnel (including failure to identify oneself) or to accept in school disciplinary measures
- Use/Possession of electronic cigarettes or nicotine products (cigarettes, chewing tobacco, or any other processed tobacco product or other smoking paraphernalia in or on any school grounds or on buses at any time is prohibited.
Gambling—games of chance or skill for money or profit
Profanity/Vulgarity
Striking school personnel
Fighting—use of physical force between two or more students
Intimidating or interfering with school personnel/students; preventing or attempting to prevent school personnel from performing their responsibilities through threats, violence or harassment
Assault—intending to or causing physical injury to another person by means of a deadly weapon or dangerous instrument, or abuse of any kind
Theft—stealing property belonging to the school or another person
Extortion—obtaining of property from an unwilling person by intimidation or physical force
Robbery—theft involving the use of physical force, deadly weapons, or dangerous instruments
The intentional false activation of a fire alarm or bomb threat
Vandalism—damaging or defacing school property, the property of school personnel or of students
Arson—intentionally damaging school property or property of another person by starting a fire or causing an explosion
• Use, possession, or sale of drugs, synthetic compounds/substances, drug paraphernalia (including e-cigarettes and vaping products), substances that “look like” a controlled substance or alcohol (see Board Policy 9.423)
• Use, possession or sale of fireworks
• Sexual Harassment (see Board Policy 9.42811)
• Sexual Abuse
• Discrimination
• Possession of weapon or dangerous instrument including pocket knives by any student carrying, storing or using deadly weapons on school property, including those inside a vehicle
• Public display of affection
• Inappropriate use of any personal telecommunications (see Board Policy 9.4261)
• Drugs Prohibited – No pupil 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. Drugs Defined – 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.

• Authorized Medication – Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy unless distributed to others.
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 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:

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

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process. (KRS 158.148)
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:

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<th>First degree assault</th>
<th>First degree terroristic threatening</th>
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<td>Second degree assault</td>
<td>Second degree terroristic threatening</td>
</tr>
<tr>
<td>Third degree assault</td>
<td>First degree criminal abuse</td>
</tr>
<tr>
<td>Assault under extreme emotional disturbance</td>
<td>Second degree criminal abuse</td>
</tr>
<tr>
<td>First degree wanton endangerment</td>
<td>First degree stalking</td>
</tr>
<tr>
<td></td>
<td>Disarming a police officer</td>
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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 serious 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](http://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.
Misdemeanors related to Criminal Harassment KRS 525.070 and KRS 525.080

HB 91 amended two criminal statutes that address criminal harassment. These two sections, Section 4 and Section 5, are misdemeanors and thus are not part of the mandatory reporting requirement of HB 91. Depending upon the circumstances involved in an incident involving harassment, a school may report the incident to law enforcement; however, that is up to the district. All administrators should keep in mind that whether an incident is reported to law enforcement or not, 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.
Section 4 (KRS 525.070) Harassment

There were changes made in this statute to more clearly define harassment. These include the intent to intimidate where information is included about various school locations such as school premises, school-sponsored transportation, or school-sponsored events where harassment may occur. Schools should report any incidents of harassment as they would have in the past (as with Safe Schoo incidents).

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.
Section 5 (KRS 525.080) Harassing Communications

The addition to this statute states that:

A person is guilty of harassing communications if “he/she communicates 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 also include any harassing communication that takes place away from school property or via telecommunication networks. Usually, schools only report when the educational process is disrupted. If this behavior manifests itself at school, the school should pursue appropriate action through their Codes of Acceptable Behavior and Discipline or local law enforcement. Schools should report any incidents of harassing communication as they would have in the past.

YOUTH GANGS

Gang activity will not be tolerated 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.
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.
No pupil’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 pupil 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 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 pupil. 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.
SHIRTS: (BOYS AND GIRLS):

Type: Polo shirt with visible fold-down collar, buttoned to avoid exposure; dress shirt with visible fold-down collar; visible turtleneck or mock turtleneck.

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.

SWEATSHIRTS/SWEATERS/VESTS:

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

PANTS/OVERALLS: Types: Twill, chino, corduroy, denim or jean with plain or pleated front. 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.
SKIRTS/JUMPERS/DRESSES:
Types: 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, but may not extend below the hem. Dresses must have sleeves and backs. Jumpers must be worn with collared shirts that have sleeves.

WALKING SHORTS (BOYS AND GIRLS): TYPES: SHORTS MUST EXTEND TO THE KNEE AREA. NO ATHLETIC SHORTS.

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.

• Students may wear school spirit T-shirts on Fridays. This rule applies to shirts only, shorts and pants must still be in dress code.
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.
• 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.
• Tobacco and electronic cigarette materials may be seized and destroyed by school administration or designee.
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.
• The department will supply schools with bus rosters.
• The department will make a fundamental effort to assure that all drivers and monitors will be adequately trained in the area of student discipline/management.
• The department will make a fundamental effort to assure that buses are operated within an acceptable range of route times and student loads.
• The department will make a fundamental effort to acquire technological equipment (video monitors, radios, etc.) to assist with bus discipline matters.
• The department will accurately record and act on all received complaints.
• The department will actively work with drivers, monitors, school officials and parents to address discipline issues.
• The department will evaluate and discuss routing with school officials and make plausible routing adjustments that may impact discipline issues. The department reserves the right to make the final decision regarding routing.
• The department will work with school administrators in enlisting the aid of school resource officer and/or local police officers in more serious student conduct matters.
Disciplinary Procedures and Driver Responsibilities

- Drivers shall conform to all applicable rules/regulations as outlined in 702 KAR 5:080.
- Drivers shall provide the department with a bus roster.
- Drivers and Transportation Monitors shall strive to maintain a positive rapport with all students and other school staff.
- Drivers shall handle discipline issues for all students in a firm, timely and consistent manner that will be equitable and age appropriate.
- Drivers shall enforce bus rules that are posted on all buses.
- Drivers shall cooperate with school authorities.
- Drivers will attend conferences with parents, as requested by school and/or transportation department.
• Drivers will attend conferences with parents, as requested by school and/or transportation department.

• Drivers shall deal with minor infractions by students in the following manner:
  • First offense – gives student a directive, makes sure the student understands the directive and repeats if the student does not comply.
  • Second offense – counsels student and reminds them of the code of conduct, then assigns seats as necessary.
  • Third offense – writes discipline referral and turns into the student’s principal/designee.

• More serious infractions will necessitate a bus driver to make the determination of whether or not the student’s conduct makes an unsafe condition, the driver shall not continue the route, find a safe location to park the bus and immediately notify the transportation department for assistance.

• The driver shall then follow procedures as outlined in 702 KAR 05:080 section 24.
• The driver shall safeguard the welfare of other students on the bus by the most appropriate means possible.
• The driver shall then make a written referral to the student’s school principal/designee or transportation supervisor.
• The driver shall document the actions and events that subsequently result in a call for assistance.

Monitor Responsibilities

• Monitors shall monitor and assist students while bus is in operation
• Monitors shall consult with and assist bus driver in documentation of student information, recordkeeping and completing route surveys.
• Monitors shall assist the driver in assuring seat belts, harnesses and wheelchair clamps are secured as required.
• Monitors shall communicate with school personnel and parents concerning student background, medical problems and behavior as appropriate.
• Monitors shall maintain current knowledge of emergency evacuation procedures.
• Monitors shall attend in-service meetings and training courses as assigned.
• Monitors shall perform related duties as assigned.
• Special needs monitors shall operate equipment, including wheelchairs, tie-downs, seat belts, harnesses, mechanical lift and other adaptive equipment as necessary.
Transportation Disciplinary Procedures

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.

• 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.
• Students shall conduct themselves appropriately at the bus stops on the way to and from school.
• All students shall be at their designated bus stop five minutes prior to the scheduled pick up time.
• All students shall have a signed bus pass, with their name on it, in order to ride the activity bus.
School Administration’s Responsibility

• The term “school” applies to all schools (both public and private) within Nelson County that are provided with transportation.
• School administrators shall be familiar with and function within the scope of established board policies and state statutes regarding discipline.
• School authorities shall comply with applicable outlined discipline procedures unless there is written documentation that sanctions an alternative method of discipline for an individual student.
• A principal/designee shall authorize bus passes for any student who rides any bus other than their assigned bus or who plans to exit the bus at a different designated stop. Due to overcrowding or discipline issues a principal/designee may deny individual requests.
• When bus referrals are turned in to the schools, they should be dealt with as soon as possible, but not to exceed three school days.
• The driver and transportation department shall be advised of the disciplinary action in written form, on day of resolution.
• The official transportation copy should always be sent to the transportation department.
• Should any student be suspended from the bus, the transportation department shall be advised immediately, so that the appropriate driver(s) are notified.
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<th>ELEMENTARY MATRIX FOR BEHAVIOR VIOLATIONS</th>
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<th>OUT OF SCHOOL SUSPENSION (1-3 days)</th>
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<td>Non-attendance to class</td>
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<td>Possession of weapons/firearms</td>
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<tr>
<td>Profanity/Vulgarity</td>
<td>X</td>
<td>X</td>
<td></td>
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<td>Public display of affection</td>
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<td>Repetition of suspension consequences*</td>
<td>X</td>
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<td>X</td>
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<tr>
<td>Sale/distribution of drugs/alcohol/synthetic compounds/substances</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>Sexual Abuse</td>
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<td>Sexual Harassment/Sexting</td>
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<td>Smoking, use of, carrying any tobacco products</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>COMMUNITY CENTERED CARE</td>
<td>CARE COVENANT</td>
<td>RESTORE (1-3 Days)</td>
<td>RESTORE (4-7 days)</td>
<td>RESTORE (8-10 days)</td>
<td>45 DAY RESTORATION</td>
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<tr>
<td>Unexcused tardiness to class</td>
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<td>Use/possession of drugs/alcohol, including electronic cigarettes and related products</td>
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<td>Use/possession of fireworks</td>
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<td>Use/possession of telecommunication device</td>
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<td>Vandalism</td>
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<tr>
<td>Violating conditions of suspension</td>
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<tr>
<td>Threats to cause harm to property or others</td>
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<td>X</td>
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</table>
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.