

# Code of Acceptable Behavior and Discipline



**Beechwood**  
ELEMENTARY

## **Beechwood Elementary**

**54 Beechwood Road, Ft. Mitchell, KY 41017**

**(859) 331-1220**

*SBDM Council Approved*

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# Code of Acceptable Behavior and Discipline

## Philosophy and Rationale

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Our Code of Acceptable Behavior and discipline has been developed using a variety of sources designed to improve and maintain a positive and safe learning environment. We ask that all students, staff and members of our learning community treat others as you would like to be treated. Our Code is aligned with Board policy and state law to provide expectations and rules of conduct for our staff, students and members of our learning community.

This document was created through the cooperative efforts of parents, teachers, and administrative staff of Beechwood Elementary School for the following purposes:

1. To provide certain disciplinary procedures to ensure that students may attend school in an environment conducive to learning.
2. To provide all concerned parties with information regarding regulations and procedures affecting the educational program as it pertains to individual rights and responsibilities.

The Beechwood Code of Acceptable Behavior and Discipline will apply in all cases: before, during and after school hours and before, during and after school related activities. Inappropriate student behavior may be categorized as:

1. Interfering with the opportunity for other students to learn and/or to participate in school and school related activities.
2. Interfering with a teacher’s opportunity to teach
3. Creating a disturbance or nuisance to others in school or at school related activities
4. Presenting a danger to him/herself or to the other students
5. Causing or potentially causing damage to the buildings and/or grounds of the school

It is the responsibility of the administration that all teachers, parents, and students are informed of the policies and procedures related to the Code of Acceptable Behavior and Discipline. To keep families informed, the Code will be distributed to all parents at the beginning of each school year. A copy will always be available in the elementary office.

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## RIGHTS AND RESPONSIBILITIES

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### STUDENTS

While in attendance at school, students have certain rights. With these rights come certain responsibilities. The rights and responsibilities of students include:

- a. A system of public education which attempts to meet the needs of individual students.
- b. Reasonable and timely notice of all rules, regulations, policies, and penalties to which they may be subject.
- c. Physical safety and protection of their personal property.
- d. Consultation with teachers, counselors, administrators, and other school personnel.
- e. Free election of their peers in student organizations in which students have the right to seek and hold office.
- f. Involvement in school activities without being subject to discrimination on the basis of race, color, national origin, sex, handicap, or religion.
- g. Respect from other students and school personnel.
- h. A place to present complaints or grievances to school authorities and receive replies from school officials regarding such matters.
- i. Examination of personal school records by the student (if 18 years or older), parents/guardians, or authorized representative and the right to challenge any misleading or inaccurate statement contained in the record.

## **PARENTS/GUARDIANS**

Just as students have rights and responsibilities, so do parents and guardians. These include:

1. *PARENTS/GUARDIANS HAVE THE RIGHT TO:*
  - a. Send their child to a school in an environment where learning is valued.
  - b. Expect that classroom disruptions will be dealt with fairly, firmly, and quickly.
  - c. Expect that their children shall attend classes regularly and promptly with minimal interruptions.
  - d. Expect the school to maintain high academic standards.
  - e. Review the student's academic progress and other pertinent information which may be contained in the student's personal records.
  - f. Address a question concerning their child to the proper authority and receive a reply in a reasonable time.
  
2. *PARENTS/GUARDIANS HAVE THE RESPONSIBILITY TO:*
  - a. Instill in their children the values of education, a sense of responsibility, and a sense of respect.
  - b. Understand that interruptions in the school are detrimental to the educational program.
  - c. Be familiar with the educational program and procedures.
  - d. Inform children about the disciplinary procedures of the school and the importance of following them.
  - e. See that children attend school regularly and promptly.
  - f. Check with the proper school officials regarding the facts of any situation that they might question.
  - g. Support the efforts of the school personnel.
  - h. Demonstrate respect for the teachers, administrators, and school personnel at school and all school related activities.
  - i. See that students exhibit neatness and cleanliness in their personal attire and hygiene.

## **TEACHERS**

Teachers also have rights and responsibilities. These include:

1. *TEACHERS HAVE THE RIGHT TO:*
  - a. Expect the support of co-workers, administrators, and parents.
  - b. Work in an educational environment with minimal disruptions.
  - c. Expect all assignments, including homework, to be completed and turned in as assigned.
  - d. Remove any student from class whose behavior significantly disrupts a positive learning environment for no more than one class period during which time the

- student will be in the office or other designated area.
- e. Expect safety from physical harm and freedom from verbal abuse.
- f. Provide input to aid in the formulation of policies that relate to their relationships with students and school personnel.
- g. Take action, necessary in emergencies, to protect their own person or property or the person or property of those in their care.

2. *TEACHERS HAVE THE RESPONSIBILITY TO:*

- a. Present subject matter and experiences to students and to inform students and parents/guardians of achievement and/or problems.
- b. Aid in planning a flexible curriculum which meets the needs of all students, and which maintains high standards of academic achievement.
- c. Assist in the administration of such discipline as it is necessary to maintain order throughout the school without discrimination on any basis.
- d. Evaluate students' assignments and return them as soon as possible.
- e. Exhibit exemplary behavior in action, dress, and speech.
- f. Exhibit neatness and cleanliness in personal dress and hygiene.
- g. Reward exemplary behavior or work of students.
- h. Maintain an atmosphere conducive to good behavior and to exhibit an attitude of respect for students.
- i. Recommend retention in a grade level to any student who fails to meet the basic standards for such class.
- j. Maintain necessary records of student progress and attendance as accurately as possible.
- k. Follow and enforce rules and regulations of the Board of Education and/or school administration including *immediately* reporting any incident that could be in violation of a felony offense specified in KRS Chapter 508.
- l. Care for equipment and physical facilities of the school.

## **PRINCIPALS**

Principals have certain rights and responsibilities which include:

1. *PRINCIPALS HAVE THE RIGHT TO:*

- a. Expect the support of students, parents, and teachers in carrying out the educational programs and policies established by the school system.
- b. Provide input for the establishment of procedures and regulations that relate to the school.
- c. Expect safety from physical harm and verbal abuse.
- d. Take the necessary action in emergencies to protect their own person or property, or the person or property of those in their care.
- e. Suspend any student whose conduct disrupts the educational process.

- f. Administer the school environment to provide the proper learning atmosphere.
2. *PRINCIPALS HAVE THE RESPONSIBILITY TO:*
- a. Create and foster an atmosphere of mutual respect and consideration among pupils and staff members.
  - b. Administer discipline fairly and equally, following guidelines, but in doing so use his/her own best judgment.
  - c. Exhibit exemplary behavior in action, dress, and speech.
  - d. Implement and evaluate all aspects of the educational program to improve learning and comply with the policies, regulations, procedures, or laws of the district, state, and nation.
  - e. Direct a program of dissemination of information explaining the Code of Acceptable Behavior and Discipline to the school community.
  - f. File any allegations of a felony offense specified in KRS Chapter 508 with Beechwood Board of Education and the local law enforcement agency, the Department of KY State Police, or the county attorney within 48 hours of the original report.
  - g. Notify parents or legal guardians when involved in an incident reportable under KRS Chapter 508.

## **STEPS TO DISCIPLINARY PROCEDURES**

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1. Confer with parties and investigate issues as soon as possible.
2. Assign a consequence defined by the Code of Acceptable Behaviors and Discipline.
3. Notify legal guardian by phone, letter, or message as soon as possible.

## LIST OF VIOLATIONS

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<p><b>Offenses requiring Administrative Action:</b></p> <p>Attendance</p> <p>Bullying*</p> <p>Bus Disturbance</p> <p>Cheating</p> <p>Communication Device*</p> <p>Defiance of Authority</p> <p>Disruptive Behavior/Disorderly Conduct*</p> <p>Dishonesty/Lying</p> <p>Dress Code</p> <p>Failure to Complete Assignments</p> <p>Failure to Comply with Discipline</p> <p>Falsifying Notes/Forgery/Counterfeiting</p> <p>Fighting (physical aggression)</p> <p>Harassment*</p> <p>Inappropriate Materials</p> <p>Marketing, Buying and/or Selling Items</p> <p>Profanity/Vulgarity</p> <p>Public Displays of Affections</p> <p>Repeated Violations</p> <p>Smoking/Paraphernalia/Tobacco</p> <p>Unlawful Assembly</p> <p>Violating AUP/Pledge for Device Use</p> <p>Violating Security Procedures/Computer Hacking</p>	<p><b>Offenses MAY Result in Suspension and/or Expulsion:</b></p> <p>Aggressive to School Employee*</p> <p>All Other Offenses*</p> <p>Arson*</p> <p>Assault/Degree 1,2,3,4*</p> <p>Beyond Control of School</p> <p>Burglary/Larceny/Theft/Robbery*</p> <p>Bullying* (verified case)</p> <p>Disorderly Conduct</p> <p>Drug/Alcohol Distribution/Possession*</p> <p>Fighting (physical aggression)</p> <p>Fraud</p> <p>Gangs/Gang Related Activity*</p> <p>Libel/Slander towards any Employee*</p> <p>Menacing*</p> <p>Sexual Misconduct*</p> <p>Stealing/Stolen Property*</p> <p>Terrorist Threatening*</p> <p>Under the Influence*</p> <p>Vandalism (Criminal Mischief)*</p> <p>Weapon*</p>
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*\*=notify law enforcement authorities as necessary*

## PROCEDURE DEFINITIONS

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*School personnel will follow appropriate due process procedures unless immediate suspension is essential for safety reasons or to avoid disruption of the educational environment. Administrators have the option of proceeding to a higher level of violation response when they deem appropriate.*

### **Administrators may deviate from the established code as situations warrant.**

**STUDENT CONFERENCE** – Conference (informal or formal) held between the student and a member of the school administrative team.

**WARNING/PROBATION/CONTRACT** - A contract between the student, parents, and the school to reinforce good behavior.

**WITHDRAW PRIVILEGES** – Not permitting students to participate in various school activities such as recess.

**CLASSROOM DETENTION** – Served in a teacher’s classroom and will last up to 3:50.

**OFFICE DETENTION** - Detaining a student after school, before school, or during the student's free time (e.g. lunch) with advance notice to the parent and/or student as appropriate. (usually held in the office from 2:50-3:30 or 2:50-3:50)

**ALTERNATIVE ASSIGNMENT** - (Short term) placement in separate supervised area that allows students to complete assignments, take tests, and be counted as present in school. This placement may impact a student's participation grades in a course or courses. During the alternative assignment, students will be socially isolated from the regular environment.

**BUS SUSPENSION** – Not permitting a student to ride the school bus to or from any school activity following appropriate due process procedures. While suspended, it will be the legal parent/guardians responsibility to transport their child to/from school activities. Transportation is a privilege, not a right.

**SUSPENSION** - Not permitting a student to attend school for full or partial day (s) following appropriate due process procedures. While suspended, students do not receive credit for daily assignments, but are allowed to make up major tests, quizzes and projects. While suspended, students are not permitted to attend school-sponsored events. Suspension from school shall not exceed 10 school days. The student is not permitted to be on school property or attend school functions during a suspension.

**ALTERNATIVE PLACEMENT** -The superintendent or his/her designee has the right to reassign a student to a different placement within his/her school or to another school following a recommendation for expulsion from the school. This placement can be for up to one calendar year.

**EXPULSION** - Removal of student's right to attend school for a period of time over 10 days not to exceed one calendar year. Following guidelines of the code of conduct, the principal may recommend expulsion in writing to the superintendent. The Board of Education has the authority to expel a student.

**REPORT TO AUTHORITIES (HB 91)** – Any Beechwood employee who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense as specified in KRS Chapter 508 (assault, wanton endangerment, stalking, menacing, terroristic threatening) committed by another student while on school premises, on school sponsored transportation, or at a school sponsored event must immediately make a report to the principal of the school the student attends. The principal will contact the student’s legal parent/guardian and make a report to the local school board and local law enforcement agency. A report may coincide with any of the steps above. (KRS 158).

*All felonies must be reported to principal following school board procedures and reported to the Central Office Designee and proper law enforcement.*



## **VIOLATION DEFINITIONS/VIOLATION PROCEDURES**

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### **AGGRESSIVE MISBEHAVIOR TOWARD SCHOOL EMPLOYEES –**

Verbal abuse, threats, physical contact, or threat of physical contact by student(s) toward school employee(s). Student conduct toward staff may be grounds for legal charges for Abuse of Teacher and/or other statutes. (5002, 8003)

#### **Violation Procedure for Aggressive Misbehavior towards School Employees (Options):**

- Notify law enforcement authorities
- Immediate 1-5 day suspension (Superintendent may add 5 days)
- Recommendation for alternative placement
- Recommendation for expulsion

### **ALL OTHER OFFENSES –**

Anything not specifically detailed but constituting cause for discipline measures including suspension or expulsion. To include (but not limited to) blackmail and extortion; criminal anarchism; criminal syndicalism; and kidnapping.

#### **Violation Procedure for All Other Offenses (Options):**

- Warning
- Withdraw privileges
- Detention
- 1-5 day suspension
- 6-10 day suspension
- Recommendation for alternative placement
- Recommendation for expulsion
- Notify law enforcement authorities

### **ARSON (or attempted arson) –**

Starting a fire within the school, on buses, on the school grounds, or other locations while on school sponsored events, for any purpose that results in destruction or disruption. (90)

#### **Violation Procedure for Arson:**

- Notify law enforcement authorities
- 6-10 suspension
- Recommendation for alternative placement
- Recommendation for expulsion

## **ASSAULT –**

Intentionally causing harm to other(s). According to Kentucky Revised Statutes 508.010, 508.020, 508.030, and 508.040, assault is classified in four different ways: Assault in the first degree, second degree, third degree, and fourth degree. The level of the assault will depend upon the nature of the injury sustained and if a deadly weapon or dangerous instrument was used. (301-304, 174)

### **Violation Procedure for Assault (Options):**

Warning  
Withdraw privileges  
Detention  
1-5 day suspension  
6-10 day suspension  
Recommendation for alternative placement  
Recommendation for expulsion  
Notify law enforcement authorities

## **ATTENDANCE – TARDIES/SKIPPING SCHOOL/TRUANCY-**

Excused Notes from Parents/Guardians – Students are allowed 7 excused (partial day, half day, or whole days) absence notes PER YEAR from a parent. **The 8<sup>th</sup> and any subsequent events** (partial day, half day, or whole day) during the same school year shall be considered unexcused, unless the school receives a doctor's note within **24 hours** of the student returning to school. Absences cannot be excused during local or state testing windows. (1005, 1006, 1007)

Truancy – In accordance with state attendance laws, any student who has an unexcused absence from school three (3) or more days, or tardy three (3) or more days, is truant. A student who has been reported as a truant two (2) or more times – 6 days or 6 tardies – is a habitual truant and truancy charges may be filed against the student. It may result in a mandatory court appearance by the student/parent.

### **Violation Procedure**

#### **• For Unexcused Absences:**

1. 1<sup>st</sup>-2<sup>nd</sup> violation -Teachers are to record a ZERO for any homework, assignment, or assessment that is collected on the day of the unexcused absence.
2. 3<sup>rd</sup> violation – Truancy Notification
3. 6<sup>th</sup> violation – Habitual Truancy Notification
4. 7<sup>th</sup> or greater violation – school to file Truancy. Refer to KRS 159.150.

#### **• For Unexcused Tardies:**

1. 1<sup>st</sup>-2<sup>nd</sup> violation – written reprimand
2. 3<sup>rd</sup> or greater violation – after school detention
3. After 3<sup>rd</sup> violation – Truancy Notification
4. 6<sup>th</sup> violation – Habitual Truancy Notification
5. 7<sup>th</sup> or greater violation – school to file Truancy. Refer to KRS 159.150.

#### **• For Excused Absences or Tardies:**

1. Students will have the number of days missed plus one additional day to make up all work (refer to homework policy).

**BEYOND CONTROL –**

Demonstrating chronic non-compliant behavior as determined by administration. These actions may result in a mandatory court appearance by the student and parent.

**Violation Procedure for Beyond Control:**

Recommendation for alternative placement

Recommendation for expulsion

**BULLYING –**

When someone and/or a group uses POWER or INTIMIDATION to hurt or scare another person. Including but not limited to means of intentional written, electronic, verbal or physical act or actions against another person(s).

**These actions are one sided and repeated over time. (8001)**

**Violation Procedure for Bullying:**

1<sup>st</sup> violation (once a pattern has emerged) – 2 day detention/1 day suspension

2<sup>nd</sup> violation - 2 day suspension

3<sup>rd</sup> violation – 3-4 day suspension

(Other options may include recommendation for alternative placement, recommendation for expulsion, and notifying law enforcement authorities)

**BURGLARY-**

A person is guilty of burglary when, with the intent to commit a crime, he/she knowingly enters or remains unlawfully in a building. A building, in addition to its ordinary meaning, means any structure, vehicle, watercraft or aircraft where any person lives or where people assemble for purposes of business, government, education, religion, entertainment or public transportation. Thus, breaking into a bus and stealing something from the bus would be counted as burglary. (50)

**Violation Procedure for Burglary:**

1<sup>st</sup> violation – 2 day detention

2<sup>nd</sup> violation – 1-2 day suspension

3<sup>rd</sup> violation – 3-5 day suspension

(Other options may include recommendation for alternative placement, recommendation for expulsion, and notifying law enforcement authorities)

**BUS DISTURBANCE –**

Conduct on the bus which makes for an unsafe condition for students, driver and other motorists or pedestrian. (2002)

**Violation Procedure for Bus Disturbance:**

1<sup>st</sup> violation – warning/withdraw privileges

2<sup>nd</sup> violation – 1 day detention

3<sup>rd</sup> violation – 1 day suspension

**CHEATING/PLAGIARISM -**

Doing something unfair or dishonest in order to gain something for oneself or another. Stealing the work of another in order to use it as one's own work. Intentionally misrepresenting the truth. (1001)

**Violation Procedure for Cheating and Plagiarism:**

- 1<sup>st</sup> violation - Zero for cheating, warning/withdraw privileges
- 2<sup>nd</sup> violation – zero for cheating and office detention
- 3<sup>rd</sup> violation – zero for cheating and suspension

**COMMUNICATION DEVICES/CELL PHONES –**

"Personal Telecommunications Device" means a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including, but not limited to, a paging device and a cellular telephone. By choosing to allow your student to bring any type of COMMUNICATION DEVICES/CELL PHONES/COMPUTERS to school, you agree to support the following:

- Cell phones must be turned off, put away, and not used during schools hours or on buses. If a phone is observed or heard, or if a student is observed using the phone for any reason (voice, data, picture, text, etc.), disciplinary consequences following code guidelines may be issued. Repeated offenses of cell phone use and/or abuse; may result in banning of the privilege for individual students to possess phones during the school day. This may also result in the cell phone/sim card being confiscated at the principal's discretion. CELL PHONE AND SIM CARD MAY BE CONFISCATED. KRS 158.165 (The school district accepts no responsibility for use, breakage, theft or loss of these personal items). Also refer to the AUP (Acceptable Use Policy) VIOLATIONS. Consequences may include removing phone/computer privileges as well as additional consequences of The Beechwood Elementary Violations and Procedures. (2001)

**Violation Procedure for Communication Devices/Cell Phones:**

- 1<sup>st</sup> violation – Verbal reprimand/confiscate device until retrieved by parent/guardian
- 2<sup>nd</sup> violation – After 2 office detentions, return device to parent/guardian
- 3<sup>rd</sup> violation - After 2 additional office detentions, return device to parent/guardian
- 4<sup>th</sup> violation – After 1 day suspension, return device to parent/guardian

**DEFIANCE OF AUTHORITY-**

Refusal to comply with reasonable request of school personnel. (1010)

**Violation Procedure for Defiance of Authorities:**

- 1<sup>st</sup> violation – withdraw privileges
- 2<sup>nd</sup> violation – office detention
- 3<sup>rd</sup> violation – 2-4 day office detention
- 4<sup>th</sup> violation – 1 day suspension

### **DISRUPTIVE BEHAVIOR/DISORDERLY CONDUCT**

- **Destructive Disorderly Conduct:** Dangerous or destructive conduct while also being disorderly at school or at any school sponsored event, on buses including, but not limited to, throwing harmful objects, scuffling or lack of control of voice, or language or limbs. This type of conduct does create a danger to self or others.
- **Disorderly Conduct:** Committing a breach of the peace. In Kentucky, a person is guilty of disorderly conduct when in a public place and with intent to cause public inconvenience, annoyance or alarm, or creating a risk thereof.
- **Disruptive Disorderly Conduct:** Disrupting the orderly educational environment at school, any school sponsored event, or on buses including, but not limited to, throwing objects, horseplay, public display of affection, any unauthorized editing or use of media and/or audio that disrupts the educational environment/atmosphere is prohibited. This includes posting video and/or audio to internet that is disruptive to the learning environment.
- **Willful Misconduct:** Willingly engaging in physical contact for the purpose of inflicting harm on the other person. Any provocation (verbal/physical) may be considered a mitigation of the charge. A student who finds himself/herself the victim of an attack should make every effort to get out of the situation including blocking, running, and calling for help.

#### **Violation Procedure for Disruptive Behavior/Disorderly Conduct (Options):**

Warning/withdraw privileges

Office detention

1-5 suspension

6-10 suspension

### **DISHONESTY/LYING-**

Intentionally misrepresenting the truth. (1001)

#### **Violation Procedure for Dishonesty and Lying:**

1<sup>st</sup> violation – withdraw privileges

2<sup>nd</sup> violation – office detention

3<sup>rd</sup> violation – 2-4 day office detention

4<sup>th</sup> violation – 1 day suspension

### **DRESS-**

Work-place environments have expectations for dress. School SBDM Councils may enhance expectations for student dress. The dress code ensures appropriate clothing that is not offensive, provocative or disruptive and that reinforces safe behaviors and a safe and orderly learning environment. Beechwood Elementary has a defined SBDM/Board approved Dress Code that can be found in the Student/Parent Handbook. (1002)

#### **Violation Procedure for Dress Code:**

1<sup>st</sup> violation – Document and allow opportunity to change clothes. If student refuses to change, withdraw privileges and notify parent

2<sup>nd</sup> violation – office detention

3<sup>rd</sup> violation – 2 office detentions

**DRUGS/ALCOHOL (Marijuana, Prescription, Others, Any alcohol/alcoholic items) –**

Use, Possession or Under the Influence; Sale, Transfer or Distribution of a drug, look-a-like drug, prescription medication, over-the-counter medicine, or drug paraphernalia including (pipes, roach clips, hemostats, rolling papers, etc.) Drugs are defined as prescription (must be taken in accordance with school policy requiring a written pre-approved medical form completed by the parent) or any substance that has a harmful or unnatural effect on the person using them. This includes possession, use or under the influence on school property or at a school sponsored function. Possession includes items found on school property or at a school sponsored function. (To include, but not limited to locker assigned to student, any other place deposited by student including purse, backpack, garbage container, etc.) (1801-1892)

**Violation Procedure for Drugs and Alcohol:**

If illegal drugs or substances – notify law authorities and/or recommend for alternative placement or expulsion

1<sup>st</sup> violation – 2-3 day suspension

2<sup>nd</sup> violation – 3-4 day suspension

**FAILURE TO COMPLETE ASSIGNMENTS –**

Includes failure to complete assignments and/ or bring materials for class. It is expected that, prior to any referral of this nature, the teacher must provide documentation of parent contact and teacher interventions. (1010)

**Violation Procedure for Failure to Complete Assignments:**

1<sup>st</sup> violation – warning/withdraw privileges

2<sup>nd</sup> violation – 1 day detention

3<sup>rd</sup> violation – 2-5 day detention

4<sup>th</sup> or greater violation – possible 1-5 day suspension

**FAILURE TO COMPLY WITH DISCIPLINARY ACTION (DETENTIONS) –**

Failure to follow discipline given by the school including detention. This includes students who fail to attend detention or students that have been suspended or expelled being on school property or school sponsored events. (40)

**Violation Procedure for to Comply with Disciplinary Actions:**

1<sup>st</sup> violation – withdraw privileges

2<sup>nd</sup> violation - 2-3 day office detention

3<sup>rd</sup> violation – 1-5 day suspension

**FALSIFYING/FORGERY/NOTE/COUNTERFEITING –**

Occurs when a person, with intent to defraud, deceive or injure another, falsely makes, completes or alters a written instrument (e.g., checks, transcripts, official identification, currency). (1008)

**Violation Procedure for falsifying, forgery, or counterfeiting:**

1<sup>st</sup> violation - warning/withdraw privileges

2<sup>nd</sup> -3<sup>rd</sup> violation - 1-2 day office detention

4<sup>th</sup> violation -1-5 day suspension

**Fighting (Physical Aggression)**

Any physical contact (hitting, pushing, slapping, kicking, etc) with another student/staff.

- 1<sup>st</sup> violation – Parent Contact with possible 1-2 day Suspension
- 2<sup>nd</sup> violation – 1-3 day suspension suspension

**FRAUD -**

Obtaining money or property by false pretenses. (110)

**Violation Procedure for Fraud:**

- 1<sup>st</sup> violation – warning/withdraw privileges
- 2<sup>nd</sup> violation – 1-2 day office detention
- 3<sup>rd</sup> violation – 3-5 day office detention
- 4<sup>th</sup> violation - 1-5 day suspension

**GANGS, GANG-RELATED AND GANG-LIKE ACTIVITIES –**

The presence of, or student involvement in, gangs, gang-related, or gang-like activities on school property or at school-related events. Gang related items include but are not limited to the display of gang symbols, drawings, paraphernalia or apparel (bandanas, hats/caps, or any item that may interfere with the process of maintaining a safe school environment)

**Violation Procedure for Gangs or Gang Related Activities (Options):**

- Warning/Withdraw Privileges
- 1-5 day office detention
- 1-5 day suspension
- 6-10 day suspension
- Recommendation for alternative placement
- Recommendation for expulsion
- Notify law enforcement authorities

**HARASSMENT –**

A person is guilty of harassment when with intent to intimidate, harass, annoy, or alarm another person he or she:

- a. Strikes, shoves, kicks, or otherwise subjects anyone to physical contact; or
- b. Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact; or
- c. In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present; or
- d. Follows a person in or about a public place or places; or
- e. Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or
- f. Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:
  - 1. Damages or commits a theft of the property of another student;
  - 2. Substantially disrupts the operation of the school; or
  - 3. Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.
- g. Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, electronic,

- verbal or any other form of written communication in a manner which causes annoyance, intimidation, or alarm and serves no purpose of legitimate communication; or
- h. Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or
- i. Communicates with or about a student from another school, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication. Harassing communications is a Class B misdemeanor. (60, 8002, 8004)

### ***Types of Harassment***

**Sexual Harassment:** includes unwelcome advances, request for sexual favors, and other verbal or physical conduct of a sexual nature.

**Verbal Harassment:** includes derogatory comments, jokes, slurs, off-color language, or innuendoes; can include belligerent or threatening words spoken to student or employee

**Physical Harassment:** includes unwanted physical touching, contact assault, deliberate impeding or blocking movement, or any intimidating interference with normal movement or work.

**Visual Harassment:** includes derogatory, demeaning or inflammatory posters or signs, cartoons, written words, drawings, photography, novelties or gestures.

#### **Violation Procedure for Harassment (Options):**

Warning/withdraw privileges  
Office detention  
1-5 day suspension  
6-10 day suspension  
Recommendation for alternative placement  
Recommendation for expulsion  
Notify law enforcement authorities

#### **INAPPROPRIATE MATERIALS-**

Possession, handling, transmitting, or using inappropriate materials including, but not limited to, those that degrade, attack or endorse an ethnic background, religion and race, health, safety, sexually explicit, pornographic, and libelous items. (2001, 70)

#### **Violation Procedure for Inappropriate Materials (Options):**

Warning/withdraw privileges  
1-5 day office detention  
1-5 day suspension

#### **LIBEL/SLANDER TOWARD ANY EMPLOYEE –**

Any statement or portrayal (written/verbal/posted, etc.) on the Internet or any other communication that falsely disparages anyone's professional competence and/or reputation. NOTE: In addition to school level consequences, our employee(s) and/or the District have the right to file criminal charges and/or civil litigation. (2001)

#### **Violation Procedure for Libel/Slander towards School Employee (Options):**

Warning/Withdraw Privileges



1-5 day office detention  
1-5 day suspension  
6-10 day suspension  
Recommendation for alternative placement  
Recommendation for expulsion  
Notify law enforcement authorities

**MARKETING OR BUYING AND/OR SELLING OF ITEMS-**

Marketing, buying and/or selling of items not previously approved by the building principal. (2001)

**Violation Procedure for Marketing/Buying/Selling Items (Options):**

Warning/withdraw privileges  
1-5 day office detention  
1-5 day suspension

**MASKS** (if applicable for the 2021-2022 school year)–

Students in grades 1-6 are required to wear masks unless a valid medical waiver has been accepted. If there is an issue with a student wearing his/her mask, consequences will be given as follows:

1<sup>st</sup> offense: Teacher Warning  
2<sup>nd</sup> offense: Contact Administration (cases will be handled on an individual basis)

**MENACING –**

Intentionally placing self or other person(s) in harm’s way or endangering the safety, health and/or welfare of self or others on school property or at school sponsored events, including but not limited to tampering with the drink and/or food of any school official or other person(s) or recklessly operating a motor vehicle. (305)

**Violation Procedure for Menacing (Options):**

1-5 day suspension  
6-10 day suspension  
Recommendation for alternative placement  
Recommendation for expulsion  
Notify law enforcement authorities

**PROFANITY/ VULGARITY-**

Spoken or written words that is recognized as swear or curse words. Some words while profane or vulgar may be deemed for grounds of other classification according to the code of acceptable behavior. The Principal will make the final decision to what constitutes word(s) as profanity/vulgar or other violation. (70)

**Violation Procedures for Profanity:**

1<sup>st</sup> violation – Warning/withdraw privileges  
2<sup>nd</sup> violation – 1-3 day office detention  
3<sup>rd</sup> – 5<sup>th</sup> violation – 1-5 day suspension

**PUBLIC DISPLAY OF AFFECTION (PDA) –**

Any inappropriate physical or verbal display of affection between any individuals (2001)

**Violation Procedures for Public Displays of Affection:**

- 1<sup>st</sup> violation – Warning/withdraw privileges
- 2<sup>nd</sup> violation – 1-3 day office detention
- 3<sup>rd</sup> – 5<sup>th</sup> violation – 1-5 day suspension

**REPEATED VIOLATIONS-**

Demonstrating a documented pattern of inappropriate behavior for which the available procedures are not sufficient.

**Violation Procedures for Repeated Violations (Options):**

- 1-5 day suspension
- 6-10 day suspension
- Recommendation for alternative placement
- Recommendation for expulsion

**SEXUAL MISCONDUCT –**

Subjecting another person(s) to sexual contact by forcible compulsion; or Participant(s) subjecting another person to sexual contact who is incapable of consent because he/she: is physically helpless; less than sixteen (16) years old; or is mentally incapacitated including willing participant(s). (This also includes any type of Sexual Activity, Misconduct or Exposure at school, on the school bus or at any school sponsored event for any age student). (60)

**Violation Procedure for Sexual Misconduct (Options):**

- 1-5 day suspension
- 6-10 day suspension
- Recommendation for alternative placement
- Recommendation for expulsion
- Notify law enforcement authorities

**SMOKING/CHEWING/SMOKING PARAPHERNALIA/TOBACCO OTHER-**

Use, possession, sale or transfer of tobacco products or possession of smoking paraphernalia (lighters, matches, tobacco packs, etc.) Violation of this section (KRS 438.311) may also result in a fine and/or community service work assigned by the court. (9001-9003)

**Violation Procedures for Smoking/Paraphernalia/Tobacco:**

- 1<sup>st</sup> violation – 1-5 day office detention
- 2<sup>nd</sup> violation – 1-5 day suspension
- 3<sup>rd</sup> violation – 2-5 day suspension
- 4<sup>th</sup> violation – 3-7 day suspension

**STEALING-**

Violations include taking items that belong to others or the school. (1009)

**Violation Procedure for Stealing (Options):**

- Withdraw privileges
- 1-5 day office detention
- 1-5 day suspension

6-10 day suspension  
Recommendation for alternative placement  
Recommendation for expulsion  
Notify law enforcement authorities

**STOLEN PROPERTY (RECEIVING) –**

Violations include buying, receiving, possessing of stolen property. (1009)

**Violation Procedure for Stolen Property (Options):**

Withdraw privileges  
1-5 day office detention  
1-5 day suspension  
6-10 day suspension  
Recommendation for alternative placement  
Recommendation for expulsion  
Notify law enforcement authorities

**TERRORISTIC THREATENING -**

A person is guilty of one of these offenses when he/she: (a) Intentionally makes false statements that he/she or another person has placed a weapon of mass destruction on:

1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;
2. A school bus or other vehicle owned, operated, or leased by a school;
3. The real property or any building public or private that is the site of an official school-sanctioned function; or
4. The real property or any building owned or leased by a government agency; or
5. Intentionally and without lawful authority, places a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection.
6. Intentionally:
  - a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
  - b) Makes false statements that he/she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
  - c) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
  - d) He/she threatens to commit any crime likely to result in death or serious physical injury to another person or likely to result in substantial property damage to another person; or intentionally makes false statements for the purpose of causing evacuation of a building, place of assembly, or facility of public transportation. *Activating fire alarms would be included in category TERRORISTIC THREATENING for reporting purposes. (310-330)*

**Violation Procedure for Terroristic Threatening (Options):**

- 1-5 day suspension
- 6-10 day suspension
- Recommendation for alternative placement
- Recommendation for expulsion
- Notify law enforcement authorities

**UNDER THE INFLUENCE –**

Includes all offenses of intoxication with the exception of driving under the influence. In Kentucky, this offense equates to alcohol intoxication and/or public intoxication, which occurs when a person appears in a public place manifestly under the influence of alcohol, a controlled substance, or other intoxicating substance. (230)

**Violation Procedure for Under the Influence:**

- 1<sup>st</sup> violation – 3 day suspension
- 2<sup>nd</sup> violation or greater – 4 day suspension

(Other options may include recommendation for alternative placement, recommendation for expulsion, and notifying law enforcement authorities)

**UNLAWFUL ASSEMBLY –**

Two or more persons gathering or assembling for the purpose of engaging, or preparing to engage in disorderly conduct or with the intent to knowingly advance or assist in that purpose. (998)

**Violation Procedures for Unlawful Assembly:**

- 1<sup>st</sup> violation – 1-5 day suspension
- 2<sup>nd</sup> violation – 2-5 day suspension
- 3<sup>rd</sup> violation – 3-7 day suspension
- 4<sup>th</sup> violation or greater – Recommendation for alternative placement/expulsion

**VANDALISM (Criminal Mischief) –**

The intentional destruction, injury, disfigurement, or defacement of any public or private property without consent of the owner or person having custody or control (i.e., by cutting, tearing, breaking, marking, painting, drawing, or covering with filth). Loss of \$500.00 or greater requires a police report. (140)

**Violation Procedure for Vandalism (Options):**

- Restitution
- 1-5 day office detention
- 1-5 day suspension
- 6-10 day suspension
- Recommendation for alternative placement
- Recommendation for expulsion
- Notify law enforcement authorities

**VIOLATING AUP/PLEDGE FOR DEVICE USE**

These include any violations of statements in these documents. Please refer to AUP/Pledge for Device Use

- 1<sup>st</sup> Violation – Withdrawal Privileges
- 2<sup>nd</sup> Violation – 1-3 Days Detention
- 3<sup>rd</sup> Violation – 1 Day Suspension

**VIOLATING SECURITY/COMPUTER HACKING –**

Compromising district and/or school security procedures or putting others at risk. Making a threat or falsely alerting that a bomb has been placed or is about to explode. Also including: trespassing, failure to follow lock down, opening of exterior doors other than single monitored entrance, tampering of security cameras, telephone and/or fire alarm system, remaining on school grounds after posted hours without prior permission from school officials, use of fireworks, noxious substances, and intentionally reporting false tips to administrators, teachers, other sources, etc. (998)

**Violation Procedures for Violating Security Procedures/Computer Hacking:**

1<sup>st</sup> violation – Alternative assignment/Detention

2<sup>nd</sup> violation – 1-5 day suspension

3<sup>rd</sup> violation – 2-5 day suspension

4<sup>th</sup> violation – 3-7 day suspension

**WEAPON (FIREARM ONLY) –**

Use, Possession, Sale, Transfer or Distribution - A firearm is any weapon that will expel a projectile by the action of an explosive. This offense encompasses manufacture, sale, or possession of firearms on school property or at a school function. (KRS 527.070). (151-153)

**Violation Procedure for Weapon (Options):**

Notify law enforcement authorities

6-10 day suspension

Recommendation for alternative placement

Recommendation for expulsion

**WEAPON OTHER/DANGEROUS INSTRUMENT –**

Use, Possession, Sale, Transfer or Distribution - of any object determined by the principal to be dangerous and capable of being readily used by one person to inflict severe bodily injury upon another person; examples include but not are limited to air guns, knives, artificial knuckles, club, baton, nunchaku karate sticks. (KRS 527.070) (110)

**Violation Procedure for Weapon/Other Dangerous Instrument (Options):**

Notify law enforcement authorities

6-10 day suspension

Recommendation for alternative placement

Recommendation for expulsion

**ADDITIONAL INFORMATION**

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**Due Process** - In all discipline cases, school personnel will follow appropriate due process procedures. Ordinarily, a student shall not be suspended before being given oral or written notice of charges constituting suspension, an explanation of the evidence, and an opportunity to present their version of the facts. Whenever a suspension is being given as a consequence, the school will make every effort to contact parents and to share the specifics related to the case. Immediate suspension will only be used if it is essential for safety reasons or to avoid disruption of the educational environment. In these cases, due process guidelines should occur by phone or by written statement within three school days following the suspension.

***Family Education Rights and Privacy Act (School Records)*** - In accordance with the Family Education Rights and Privacy Act, parents may review all education records relating to their child. This right is extended to students at age eighteen. Parents also have the right to file complaints if the district does not comply with this act. Parents of graduated students enrolled in a program for exceptional children, or of students who have otherwise left school, may request the destruction of any personally identifiable information, which was used for the identification, evaluation, or placement of the exceptional child. Such requests must be in writing to the Special Education Director. In accordance with federal regulations concerning the transfer of educational records, this district will forward records on request to a school in which students seek to enroll. Upon written request, parents can obtain copies of these records and discuss these records if necessary

**Note: All student records are confidential and can only be released through proper authorization. Grievance Procedures** - Parents questioning actions taken by the school may do the following:

1. In classroom matters, contact the teacher to discuss the problem.
2. If the teacher meeting does not resolve the problem, the teacher and parents can arrange a meeting with the principal.
3. If the problem is not classroom related, the parents may contact the principal.
4. If none of the above procedures are satisfactory, parents may appeal the school decision and request a conference with the superintendent or designee after discussion with principal.
5. During this conference either party may have present individuals relative to factors involved. The other party will be notified in advance if such persons are present.
6. The Superintendent or designee will advise parents in writing of the decision regarding the grievance within fourteen days after the conference of the appeal conference.

**Law Violations** - In areas where students violate state or federal laws, charges and consequences in addition to those of the school code may follow through the court system (e.g. theft, vandalism, weapons, tobacco violations, etc.).

**Maintaining a Safe and Drug Free School Setting** - The Beechwood Board of Education is committed to providing a safe and drug free school environment. To maintain this positive learning climate, security cameras, drug dogs, safety sweeps, and other security measures may be used. To meet this goal, the administration may conduct random or systematic administrative searches of lockers, desks, parking lots, and other facilities, which are the exclusive property of the Beechwood Board of Education. This also extends to school sponsored events. In addition and under the requirement of the Fourth Amendment, when there is reasonable suspicion pointing to a specific student that a school rule or criminal statute has been broken, that student and his property may be searched by school officials following reasonable suspicion, but need not be supported by search warrant or probable cause. If you feel your child has a problem with illegal substances or alcohol, we encourage you to contact your child's school for resources including individual counseling, group counseling, and contacts for professional help.

**Notification of Police and Removing Students in accordance with KRS 158.150 & 158.154** – The Beechwood Independent School District has adopted policies mandating that when the principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to property, the principal shall immediately report the act to appropriate local law enforcement. Also, school administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a school building setting or from a district transportation system pending any further disciplinary action that may occur. Each student is given a copy of the Beechwood Elementary Code of Acceptable Behavior and Discipline.

Malicious conduct toward a staff member may be subject to legal charges for Abuse of Teacher and/or other statutes. (State Law - 161.190 Abuse of teacher prohibited.) - Whenever a teacher or school administrator is functioning in his capacity as an employee of a board of education of a public school system, it shall be unlawful for any person to direct speech or conduct toward the teacher or school administrator when such person knows or should know that the speech or conduct will disrupt or interfere with normal school activities or will nullify or undermine the good order and discipline of the school.

**Possession** - The word possession includes items found in locker assigned to student, vehicles, and any other place where items have been deposited by student (Purse, backpack, garbage container, etc., but are not limited to).

**SBDM Policies** - This Code of Acceptable Behavior is seen as a minimum requirement for students of the Beechwood School District. School Based Decision-Making (SBDM) councils may strengthen individual rules of this code of acceptable behavior and discipline with review and approval of the Beechwood Board of Education.

***Retaliation Prohibited*** – Employees and other students shall not retaliate against a student because s/he reports a violation of the code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.