

Uniform Code of Conduct

Introduction

Students in the Kentucky School for the Blind are provided the right to an education in the public schools. The United States Supreme Court has held that a student may not be deprived of the opportunity to a public education without good cause in which procedural due process is observed. It is the responsibility of each student to behave in a manner that does not threaten, interfere with, or deprive other students of their rights to an education. This Code has been adopted by the Kentucky School for the Blind and the Kentucky Department of Education.

This Code shall be mandatory and enforced in a fair and equitable manner without regard for race, gender, or disability at the Kentucky School for the Blind, at all school-related events, and in all phases of school programs, including school-related trips, and residential living program.

This Code, on adoption by the Kentucky Department of Education, shall be furnished to every parent, faculty member, and student. The Director of Instruction shall post, in a conspicuous place, a notice informing anyone entering the school where a copy of this Code may be obtained.

It is the responsibility of all students and staff to become familiar with this Code, with orientation provided to students, staff, and parents at the beginning of each school year, and to any new student upon entering during the year.

Director of Instruction refers to the Director of Instruction or his/designee. The Director of Instruction/designee shall provide appropriate arrangements for all students who are non-English speaking, or blind, or deaf, or nonreaders, to become familiar with the rights and responsibilities as specified in this Code by making necessary materials available, such as, producing the Code in braille, large print, or on recorded format.

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Further explanation of this Code may be obtained from the Classroom Office, 502-897-1583.

Staff and Parent Responsibilities

A. Staff responsibilities are to:

- Keep accurate attendance records
- Communicate with the home about students with attendance problems
- Make classwork and homework assignments clear and appropriate
- Create an atmosphere in which students can ask for help if needed
- Communicate with students and parents regarding academic progress and make helpful suggestions
- Review information in the *Student Handbook* with students
- Assist the home in finding resources to address health and social problems of students
- Inform the home whom to contact at school for information
- Make sure the home is aware of student problems early
- Ensure firm, fair, and appropriate disciplinary practices and procedures
- Expect students to excel and assist them in doing so
- Encourage students to take part in school activities

B. A parent's/guardian's responsibilities are to:

- Stress the importance of an education with your child-send your child to school and on time
- Provide resources to enable your child to complete classwork and homework
- Be involved with what goes on in your child's school
- Keep in touch with the school about your child's progress
- Make sure the school knows where or how to contact you
- Cooperate with school staff in carrying out appropriate disciplinary measures
- Review student progress reports and report cards
- Keep the school informed about any health problem your child may have
- Be sure your child has up-to-date immunization and/or medical exam(s)

Due Process

The courts have ruled that due process is a right of all citizens. In matters of discipline resulting in suspension, the student who has allegedly committed a breach of rules is entitled to due process. In general, due process rights include:

1. Being informed of charges and evidence
2. Being given the opportunity to present one's case
3. Having the right of appeal

Appeal may be made, in writing, through administrative channels to the Kentucky School for the Blind. Written appeals will receive a written response. The channel of appeal is as follows: Director of Instruction, Director of Services for D/HH and B/VI Students or designee. The final appeal shall be the Director of Services for D/HH and B/VI Students and the State Board of Education.

Student Searches

School officials have the right to search students or their property if the officials have reasonable suspicion that a student may be in possession of something that violates school rules or endangers others. The purpose of searching students, their belongings, lockers, rooms, desks, or automobiles is to protect the property and safety of others and/or to maintain the ongoing educational/residential process of the school. Students have the protection, as do all citizens, against unreasonable search and seizure of their property. Searches will be used when other techniques to remedy the situation have been exhausted or when there is an immediate danger to life or safety.

Right to Counsel

All persons involved in any disciplinary process shall have the right to legal counsel at their own expense.

Physical Restraint

School personnel, may under the authorization of the Board of Education (see KRS 161.180), use reasonable physical force to restrain a student whenever immediate action is essential for self-defense, preservation of order, or protection of other persons or property.

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The Discipline Process

A. Teacher's and houseparent's disciplinary actions

The staff person has the following responsibilities:

- To stop behavior that interferes with the educational/residential program
- To preserve the rights of others
- To help students improve their self-discipline

The staff is responsible for utilizing, as appropriate, the following measures to maintain discipline:

- Give a verbal reprimand
- Notify parent/guardian; confer with as necessary
- Assign constructive assignments/tasks
- Assign after school or lunch detention
- Require a student-teacher/houseparent conference
- Develop with the student and other teachers/staff a contract of behavior
- Refer the student, if the misbehavior continues, to the Director of Instruction/designee for further action
- Corporal punishment is prohibited
- Serious offenses may require direct referral to the Director of Instruction/designee

B. Administrator's in-school disciplinary actions

When an administrator receives a referral on a student whose misbehavior has continued in spite of the staff person's efforts to correct it or whose misbehavior interferes with the learning environment, then **the administrator is responsible, when appropriate, for utilizing the following measures to maintain discipline:**

- Remove temporarily school privileges (e.g., participation in sports, clubs, assemblies, lunch room preferences)
- Change the student's schedule (with parent notification)

- Separate temporarily the student from other students
- Recommend a transfer to another school and/or program (must be done through IEP process)
- Assign the student to the In-School Adjustment Program (ISAP) during the school day.
- Establish in-school counseling or evaluation
- Provide a constructive special assignment
- Detention after school
- In-dormitory disciplinary measures
- **Corporal punishment is prohibited**

Discipline Referral Procedures

If in-class/dorm discipline does not succeed in correcting misbehavior or if the behavior requires assistance, the student will be referred to a school administrator.

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

1. The referring person will fill out a referral form.
2. The student will be referred to the office to talk to the Director of Instruction/designee.
3. The Director of Instruction will read the referral form to the student and allow him/her to respond.
4. The Director of Instruction will decide what action will be taken, will inform the student of the action, and will record it on the form. The student will sign and receive a copy of the form.
5. The Director of Instruction will process the referral form. Additional copies will be distributed as indicated.
6. As needed, the appropriate counselor will review and initial the office copy prior to filing.
7. The Director of Instruction may require that the student take the form home to be signed by his/her parent/guardian or mail the form home.
8. Discipline records shall be maintained by the Director of Instruction and made accessible upon request to teachers, Director of Instruction, counselor(s), houseparents, and the student and/or parent(s) of the student in compliance with the Family Privacy Act of 1975. Such information shall not become a part of the student's permanent record.

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Parent/Guardian Conference

When a student's misbehavior continues despite repeated efforts to correct it by school personnel, the administrator shall call a conference to meet with the student, parent/guardian, and appropriate school staff. The administrator will schedule the conference in consultation with the parent/guardian. If telephone or personal contact with the parent has not occurred, written notice of the conference shall be sent. A mutually acceptable method of conferring should be agreed upon if a conference at school (during school hours) is not possible for the parent/guardian. If multiple violations occur at frequent intervals, a single conference to address these problems will be sufficient.

If the parent/guardian is unable to attend or chooses not to attend the scheduled conference, then the conference will take place in the absence of the parent/guardian. When it proceeds in the absence of the parent/guardian, the administrator will report the conference results to him/her.

The purpose of the conference is to identify the source of the problem; to arrive at fair, effective solutions and to improve student behavior. During the conference, the student will be afforded the opportunity to describe the problem as he/she sees it and to suggest actions that would resolve the problem. Parent/guardian and staff will be afforded the same opportunity. The student's academic and disciplinary records will be available for review during the conference. Strict courtesy will be observed by all participants in the conference. A summary of the results of the conference will be recorded on the pupil disciplinary referral form.

Role of the School Guidance Counselor

As needed, a guidance counselor will be notified in all referrals. After repeated referrals, or if a problem seems to stem from causes more serious than simple misbehavior, the counselor will hold individual and/or group sessions with the student. Students may also be referred to the counselor by teachers, houseparents, parents and/or other administrators for assistance. The counselor may contact outside resources to assist with this process.

Suspension Procedures

The Director of Instruction may suspend a student for offenses as outlined in the charts on pages 70-71. A student may be suspended according to the following guidelines if his/her handicapping condition is not causing the behavior problems.

1. Short-term suspensions shall be for a period of 1-5 days. The preferred suspension practice is the in school adjustment program, ISAP. The student attends school and reports to a separate classroom, completes the assigned work and returns it to the teachers upon return to the class. This practice ensures learning continues and stresses the social isolation as the primary deterrent. This may continue into the evening program.
2. Long-term suspensions shall be for a period of 6-10 days.
3. A student placed on suspension is prohibited from entering the school or school grounds (except for a prearranged conference with an administrator), attending day or night school functions or field trips, or activities. Violations of the conditions of suspension shall cause further disciplinary action to be taken. At all stages of the suspension process, students shall be guaranteed informal due process rights as outlined in this Code.
4. Make-up work during a suspension shall be granted at the student's request and scheduled at the teacher's convenience. Make-up work shall include regular daily work, written tests, examinations and/or major projects. Make-up work must be completed in a period of time equal to the length of the suspension. If a suspension occurs at the end of a semester, students and/or parents/guardians may make arrangements for tests/exams to be taken and/or for major projects to be turned in.
5. A suspension shall be for definite number of days and shall not be extended without the prior written approval of the parent/guardian, except in the case of pre-expulsion suspensions.

Informal Hearing Procedures

An informal hearing is required and will be conducted by the Director of Instruction/designee before a student is suspended for 1-10 days. **The process will include the following steps:**

1. The student shall be informed of the charges for the proposed suspension and provided an explanation of the evidence supporting the charges.

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2. The student will be provided a reasonable opportunity to present his/her case.
3. The Director of Instruction/designee shall report the decision to suspend, by telephone and by mail, to the student's parent/guardian within one school day of the informal hearing. The student's home school district will also be notified.

In cases involving clear and present danger to the safety of persons or property, a student may be suspended before an informal hearing is held. In these cases, an informal hearing shall be held as soon as possible, not to exceed three (3) days.

Suspension/Expulsion Procedures for Exceptional Child Education

Any student attending KSB may be suspended up to ten (10) days without conducting an ARC meeting. An informal hearing procedure, as outlined above, must occur before a student is suspended.

If school personnel seek to order a change in placement that would exceed ten (10) school days, an ARC meeting must first be held to determine if the behavior was a manifestation of the child's disability. If the ARC determines that the violation of the code of student conduct was not a manifestation of the child's disability, then the student may be removed beyond ten (10) days or to an interim alternative educational setting. However, the student must continue to receive educational services so as to enable him/her to make progress toward meeting the goals set out in the student's IEP.

The student must also receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not reoccur.

School personnel may remove a student from KSB and place the student in an interim alternative education placement for up to 45 days without regard to whether the behavior was a manifestation of the child's disability, if he/she:

1. Carries a weapon to school or to a school function
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function

School Rules

1. Visitors during school hours must sign in and obtain a visitors pass in the classroom office. Failure to do so may result in trespassing charges.
2. Students are expected to arrive at school on time, move promptly between classes and be in class with appropriate materials when the final bell rings. Students must obtain a tardy slip from the classroom office if late.
3. Students are not permitted to leave early without written permission from parents, or written permission from the Director of Instruction or his designee. Notes for early dismissal must be turned into the office before first period.
4. Students must adhere to the Acceptable Use Policy (see page 20) when using school computers and networks.
5. Students/parents/guardians are expected to pay for any damages done to school property, including textbooks and/or library books not returned.
6. All students are expected to dress appropriately. Wearing or displaying emblems that disrupt the educational process, tank tops, sleeveless shirts, halter tops, low-cut tops, clothing that reveals the midriff or other revealing apparel is not allowed. Sagging of pants is not permitted. Allowable headwear includes only caps with a front extending bill for the purpose of shielding sunlight and reducing glare. No other type of headwear is allowed. Students in work programs must dress in acceptable work clothing for their assigned work area.
7. Food, drinks and candy are not permitted in the classroom without permission from the supervising teacher.
8. Students are not allowed to bring the following items into the classroom during the instructional day without the permission of the supervising teacher: cassette player, MP3 player, CD player, radio, two-way radio, headphones, television, video game, noise maker, yoyo, laser, pager, playing cards, skateboard, roller blades, or any other such device for entertainment or that would disrupt classroom learning.
9. Students are allowed to possess cell phones, but they are not to be turned on and visible during the school day. They will be confiscated if visible and returned at the Director of Instruction's discretion.
10. Students are not allowed in the staff lounges, elevators, dormitories or workrooms without permission.
11. Any behavior that would jeopardize the safety of self or others such as running, pushing, throwing objects, etc. is prohibited.

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12. Students are not to work, play, or practice in any part of the school building after school hours unless they have permission and a teacher or an authorized adult is present.
13. Public display of affection is limited to hand-holding during the instructional day.
14. Students are not permitted to use tobacco products during the school day.
15. Student prescription medications must be kept in original containers and registered with the school nurse. Students may be allowed to carry medications with them only if medical conditions warrant and the student has written approval/ acknowledgment from the nursing staff.
16. Students must be at exit point on Friday for transportation home and should not be in dormitories or classroom building unsupervised.
17. All school functions outside of normal school hours are under the jurisdiction of district and school policies.
18. No Cheating/Plagiarism—to act dishonestly; to practice fraud. Taking someone's words or ideas as if they were your own.

Look-Alike Weapons and Drugs

Any toy or model weapon that looks enough like an authentic weapon to be reasonably mistaken for one will be considered a look-alike weapon. Any student who represents a look-alike weapon to a staff member or another student as a real weapon and/or who uses it to intimidate, threaten, or harass someone will be treated as if he or she used a real weapon, according to state and federal laws. Any substance that can be reasonably mistaken for a controlled substance is considered a look-alike drug. This includes nonalcoholic beer and wine. Any student who uses, distributes, or represents a look-alike drug as authentic will be treated as if it were authentic, according to state and federal laws.

Criminal Violations

Students may be charged with criminal violations of local, state, or federal ordinances/statutes/laws if violations of this code fall under the appropriate jurisdiction. When a student violates a law, school administrators will notify the appropriate law enforcement official. Prosecution and adjudication of criminal violations shall occur separately from the administration of school procedures.

Violations/Student Misconduct

Student misconduct generally will result in classroom discipline or in-school discipline. Some violations are so serious that they will result in suspension, expulsion, or placement in an alternative school program as required by state and federal laws. These include assault of school personnel; extortion; robbery; sexual assault; arson with staff or students present; stealing or willfully or wantonly defacing, destroying, or damaging personal property of school personnel on or off school property or at school sponsored activities; distribution of drugs and alcohol; and knowingly possessing a deadly weapon.

Following is a list of violations and charts showing the consequences for each. We assume that children of different ages and grade levels need different consequences for their behavior. Therefore, there are separate charts for elementary and middle/high school students. Disciplinary measures are generally progressive, but with serious offenses, the school staff may initiate a different disciplinary action. School staffs will use reasonable discretion in the use of the code as it is applied to the specific facts of each case. They will follow the code in a fair and equitable manner.

Elementary School Behavior Violations and Consequences

Suspension of Primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

Behavior Violations

The following is a list of the behavior violations that result in disciplinary actions, which are outline on pages 63-65.

1. **Unexcused Tardiness to Class or Nonattendance to Class/school** and truancy
2. **Disruptive Behavior**—any deliberate action by the student that results in serious disruption of the educational process or any school-sponsored event including the safe transportation of students (includes disorderly conduct)

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3. **Failure to Follow Rules/Directives**—failure to follow established school rules (pages 63-65) including the dress code and the refusal/failure to follow reasonable directives of authorized school personnel (includes failure to identify oneself, violations of terms/conditions of suspension, and failure to comply with in-school disciplinary measures)
4. **Leaving School Grounds Without Permission**
5. **Forgery/Counterfeiting**—the creation or alteration of a written instrument (e.g., check, transcript, identification, currency, communication, or any other official document, note from parent/guardian)
6. **Profanity/Vulgarity**—writings, speech or gestures that convey an offensive, obscene or sexually suggestive message
7. **Bullying**—is when a person is exposed, repeatedly and over time to negative actions on the part of one or more persons (actions include injury, discomfort through physical contact, words or in other ways)
8. **Gambling**—games of chance or skill for money or profit
9. **Theft/Vandalism**—
Theft—stealing, taking by deception, receiving or being found in possession of property belonging to the school or another person (includes fraud, burglary, embezzlement, larceny, theft, and motor vehicle theft as defined by law)
Vandalism—damaging or defacing school property or the property of school personnel/students (includes criminal mischief)
10. **Robbery**—theft involving the use of physical force, deadly weapons, or dangerous instruments
11. **Fighting/Striking Student**—the use of physical violence between two students or the use of violence by a student on another person where there is no major injury as determined by the school administrator (excludes verbal confrontations, threats, intimidation, and other encounters where no injury is intended)
12. **Fighting/Striking Faculty/Staff/Other Officials**—the deliberate use of substantial physical force toward a faculty/staff/other school official when no serious injury is caused or intended
13. **Intimidation/Harassment/Interference with Staff/Student**—to deliberately place another person in fear of bodily injury or other substantial physical or emotional discomfort (includes sexual harassment, verbal abuse, threatening, and bullying when no physical force is used/intended)

14. **Tobacco Violations**—use, possession of tobacco products in any form (e.g., cigarettes, cigars, loose tobacco, dip, chew) except as prescribed by a medical doctor (e.g., nicotine replacement gum or patches)
15. **Drug/Alcohol Offense**—use, possession, production, distribution, offer of distribution or sale of drugs/drug paraphernalia/alcohol (Look-alike substances will be treated as authentic.)
16. **Assault/Sexual Abuse/Sexual Assault**—intending to cause or causing physical injury to another person by means of a deadly weapon or dangerous instrument, or intentionally causing physical injury to another person. Sexual assault or physical sexual abuse of any kind is considered assault. Arson with staff/students present is considered an assault.
17. **Arson**—intentionally damaging school buildings or property of another person by starting a fire
18. **Weapons/Dangerous Instruments**—possession, transfer, storage, or use of a deadly weapon or use of a dangerous instrument as defined by law (Look-alike weapons will be treated as authentic.)
19. **Bomb Threats, False Fire Alarms**, false police reports, terroristic threatening and fireworks/explosives
20. **Inappropriate Sexual Conduct**—includes consensual sexual contact and all sexual offenses except assault/abuse
21. **All Other Criminal Offenses**—includes but is not limited to kidnapping, blackmail, extortion, etc. (law)

Elementary School Behavior Violations and Consequences	<i>In-School Discipline Measures</i>	<i>Parent/Guardian Conferences</i>	<i>Short-Term Suspension (1 to 5 days)</i>	<i>Long-Term Suspension (6 to 10 days)</i>	<i>ARC Review of Placement</i>
BEHAVIOR VIOLATIONS					
1. Unexcused tardiness to class/Nonattendance to class	•	•			
2. Disruptive Behavior	•	•			
3. Failure to follow rules/directives	•	•	•		
4. Leaving school grounds without permission	•	•			
5. Forgery/Counterfeiting/falsifying a note	•	•	•		
6. Profanity/Vulgarity	•	•	•		
7. Bullying	•	•	•		
8. Gambling	•	•	•		
9. Theft/Vandalism	•	•	•	•	•
10. Robbery			•	•	•
11. Fighting/Striking student		•	•	•	•
12. Fighting/Striking faculty/staff/other officials			•	•	•
13. Intimidation/Harassment/Interference with staff/student		•	•	•	•
14. Tobacco Violations	•	•	•		
15. Drug/Alcohol offenses				•	•
16. Assault/Sexual abuse/Sexual assault				•	•
17. Arson				•	•
18. Weapons/Dangerous instruments				•	•
19. Bomb threats, false fire alarms, false police reports, terroristic threatening, fireworks, explosives				•	•
20. Inappropriate sexual conduct (includes consensual sexual contact and all sexual offenses except assault)	•	•	•	•	•
21. All other offenses: kidnapping, blackmail, extortion, etc. (law)			•	•	•

The suspension of Primary school students shall be considered only in exceptional cases where there are safety issues for the child or others.

Middle & High School Behavior Violations and Consequences

BEHAVIOR VIOLATIONS

	<i>In-School Discipline Measures</i>	<i>Parent/Guardian Conferences</i>	<i>Short-Term Suspension (1 to 5 days)</i>	<i>Long-Term Suspension (6 to 10 days)</i>	<i>ARC Review of Placement</i>
1. Unexcused tardiness to class/Nonattendance to class	•	•			
2. Disruptive Behavior	•+	•	•		
3. Failure to follow rules/directives	•+	•	•		
4. Leaving school grounds without permission	•	•			
5. Forgery/Counterfeiting/Falsifying a note	•	•	•		
6. Profanity/Vulgarity	•+	•	•		
7. Bullying	•	•	•		
8. Gambling	•	•	•		
9. Theft/Vandalism			•	•	•
10. Robbery					•
11. Fighting/Striking Student			•	•	•
12. Fighting/Striking faculty/staff/other officials					•
13. Intimidation/Harassment or interference with staff/student				•	•
14. Tobacco Violations	•	•	•		
15. Drug/Alcohol offenses				•	•
16. Assault/Sexual abuse/Sexual assault				•	•
17. Arson				•	•
18. Weapons/Dangerous instruments					•
19. Bomb threats/False fire alarms/False police reports/Terroristic threatening/Fireworks/Explosives**				•	•
20. Inappropriate sexual conduct (includes consensual sexual contact and all sexual offenses except assault)	•	•	•	•	•
21. All other offenses: kidnapping, blackmail, extortion, etc. (law)				•	•

School staff may use an alternative disciplinary action in a particular case with written justification. Sanctions reflect our general guidelines, but depending on individual circumstances, KSB reserves the right to take more severe measures.

+ In-class actions

** Bomb threats made by middle and high school students will result in placement in an alternative school/program.