

Student Behavior and Discipline

WHAT BEHAVIOR EXPECTATIONS AND CONSEQUENCES APPLY ACROSS A SCHOOL DISTRICT?

Each local board of education sets a code of acceptable behavior and discipline for students, which includes:

- The type of behavior expected from each student
- The consequences of failure to obey the standards
- Procedures for handling violations, including keeping records and sharing information with parents and legal guardians
- All school employees and all students' parents and guardians must receive copies of the code.

HOW DO STUDENTS LEARN TO FOLLOW THOSE RULES?

Each school council sets a discipline and classroom management policy. Reading that policy and talking with the principal and teachers about how it is being implemented are two important ways to learn about behavior successes, strategies, and challenges at any specific school.

Two state initiatives provide added support for positive, learning-focused student behavior.

- For primary students (kindergarten to grade 3), a "Response to Intervention" approach provides a first tier of behavior instruction for all students and then adds tiers of supplemental support and more intensive help for individual students if needed to help each one behave appropriately.
- For teachers, the Professional Growth and Effectiveness System values "Creating an Environment of Respect and Rapport" as a component of classroom success. Teachers will receive individualized feedback on what they are doing well and professional development support to become more effective as needed.

WHAT STUDENT BEHAVIOR CAN LEAD TO SUSPENSION OR EXPULSION?

Kentucky law allows students to be suspended or expelled for:

- Willfully disobeying or defying teachers or administrators
- Using profanity or vulgarity
- Committing assault or battery or abuse of students or school personnel
- Threatening to use force or violence
- Using or possessing alcohol or drugs
- Stealing, destroying or defacing property belonging to the school, students, or school personnel
- Carrying or using weapons or dangerous instruments
- Committing other incorrigible bad conduct on school property or at school-sponsored activities.

Board policy must require expulsion for at least a year if a student brings a weapon to a school, and it must require disciplinary action if a student physically assaults or batters another person at school or brings drugs to school planning to sell or distribute them.

LEARNING MORE

Learn more about the Kentucky System of Interventions by visiting education.ky.gov and searching for "KSI".

Added information on how Kentucky schools serve students can be found in other Kentucky EdGuides offered at www.prichardcommittee.org, including those on:

- Student Safety
- Educator Growth and Effectiveness
- Early Childhood and Preschool
- Elementary Schools, Middle Schools, and High Schools
- Alternative Schools
- Students Who Need Added Support
- Students With Disabilities
- Students Ready for Added Challenge
- Poverty and Nonacademic Barriers to Learning

For primary students (kindergarten to grade 3) suspension is only an option “in exceptional cases where there are safety issues for the child or others.”

WHAT PROCESS MUST BE FOLLOWED FOR SUSPENSION?

The superintendent, principal, or assistant principal makes the suspension decision. Students must be told what they are charged with having done, be told the evidence against them, and be given a chance to present their own version of the facts. Usually, that must happen before the student is suspended. However, the student can be suspended first and receive the due process steps up to three school days later if “immediate suspension is essential to protect persons or property or to avoid disruption of the ongoing academic process.” The superintendent and parent or guardian must receive immediate written notice when a student is suspended.

WHAT PROCESS MUST BE FOLLOWED FOR EXPULSION?

The board of education makes the expulsion decision after giving the student’s parent or guardian an opportunity to have a hearing before the board. In almost all cases, an expelled student must receive educational services in an appropriate alternative program or setting. An exception to that requirement is allowed only if the board determines, based on evidence, that the student is a threat to the safety of other students or school staff and placement in a “state-funded agency program” is not possible.

WHAT ADDED REQUIREMENTS APPLY IF A STUDENT HAS A DISABILITY?

If a student with a disability is suspended for 10 consecutive days or 10 separate days that add up to a pattern within a single school year, that student’s Admission and Release Committee (ARC) must meet. The ARC then determines whether the student’s behavior problem is related to the child’s disability. If the behavior is disability related, the student cannot be suspended any further or expelled, except that if “the current placement could result in injury to the child, other children, or the educational personnel, in which case an appropriate alternative placement shall be provided that will provide for the child’s educational needs and will provide a safe learning and teaching environment for all.” If the behavior is not disability related, the district may follow its regular rules for suspension or expulsion if warranted by the student’s behavior, but educational services must continue even if a student is expelled or suspended.

CAN PHYSICAL RESTRAINT OR SECLUSION BE USED AS STUDENT PUNISHMENTS?

No. Under rare circumstances, a student can be restrained or secluded to address an “imminent danger of physical harm to self or others,” as discussed in the Kentucky Education Guide on School Safety, but state regulations do not ever allow physical restraint or seclusion to be used as a consequence for student misbehavior.

IS CORPORAL PUNISHMENT ALLOWED IN KENTUCKY SCHOOLS?

State law does not forbid corporal punishment, though many school board policies do prohibit it and the risk of school liability makes it quite rare. With more than 650,000 students enrolled during the 2013-14 school year, corporal punishment was applied to just over 800 students according to the statewide school report card data.