COVID-19 – Behavior Guidance
Pending Final Board Approval in February, 2021

Leaders,

As we look toward a return to the physical school setting, we want to be sure to provide guidance on relevant COVID-19 related safety/behavior incidents and corresponding progressive discipline measures.

Our first priority is to keep our students and staff safe. Immediately following safety is our commitment to supporting and educating all children. No doubt, our most successful resolutions will be those that help our students understand the importance of safety, and to the greatest degree possible, allow them to stay in the classroom/school.

As you are building systems to support behavior in this new context, please consider the following:

1) **Clear Expectations:** Your school staff, and students, should have a clear understanding of what it means to properly wear a mask/face covering and to social distance. Students should be taught and shown how it looks to wear their mask properly, covering nose and mouth. Your new social distancing procedures for classrooms, hallways, cafeterias, gyms or general spaces, etc. should be taught to students and modeled.

2) **Modeling:** It will be critical that all staff model your school's PPE expectations at all times. If students feel their safety is being compromised or that staff members aren't expected to follow the "rules," issues will arise.

3) **Affect:** Remember, students will not be able to see our mouths, thus making it very difficult for them to interpret our tone or affect. All we have is our voices, eyes, and physical gestures to communicate. Some students might find this stressful, intimidating, or even inciting as a result of lived experiences. As leaders, we will need to consider the tone of voice we use, the manner with which we approach students for redirection, and the expressions of our eyes. Additionally, we will have to influence, coach, and lead our staff to consider and do the same.

- **IMPORTANT NOTE**: *Any disciplinary action that involves a student who currently has an IEP/504 plan or a student in the referral process, please contact your ECE Implementation Coach for guidance on how to implement disciplinary actions in accordance with IDEA. If the ECE Implementation Coach has questions, he/she should contact your ECE Zone Specialist. Please note that removals from virtual learning are considered the same as any removal from the brick and mortar environment and must be recorded.*

We have many online videos, Positive Behavior Interventions and Supports (PBIS) resources and materials, and school-based support persons that can assist you with any of these considerations.

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Please don't hesitate to reach out to your Behavior Support Resource Teacher or Saundra Hensel, Behavior Support System Coordinator, for support or access to these materials. (Saundra.hensel@jefferson.kyschools.us)

Behavior Codes:

The two primary behaviors that relate to added COVID-19 safety procedures are; student unwillingness to wear a mask; or student unwillingness to practice social distancing . Those behaviors can occur in a classroom, in a school building common space, on school grounds, at a school-sponsored event, or on a bus. In response to those possibilities, we will be adding the following 4 codes to Infinite Campus (IC). Two apply to school-based incidents and two apply to bus-related incidents. This will allow us to be able to easily differentiate between challenges we are experiencing in buildings versus on our buses, and adjust responses accordingly.

New codes:
Social Distancing Noncompliance
Mask Noncompliance
Bus Social Distancing Noncompliance
Bus Mask Noncompliance

Behavior Definitions and Determinations

Mask Noncompliance:
(pertaining to mask noncompliance in a classroom, school building common space, on school grounds, or at a school-sponsored event)
If a student is in need of a mask, one will be provided by the school. If a student is visibly in possession of a mask and has it around his/her neck, hanging to one side, or pulled down under nose or under the mouth, prompt the student to readjust their mask to its correct place over the nose and mouth. **If the student complies without resistance, that is not a disciplinary event.**

Mask noncompliance is a Level 1 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

As all of us have experienced, especially when wearing a mask for several hours of time, we might drink water, eat, or simply adjust our masks. It is our intent to be patient but diligent with our safety expectations.

It is possible mask related incidents can be more serious in nature.
1. If a student is redirected and reacts with profanity, or engages in another unacceptable behavior in the SSBIH, BUT corrects the mask noncompliance, the SSBIH guidelines for the most severe behavior exhibited should be considered when assigning consequences to that incident.

2. If a student does not have a mask visibly present, refuses to respond to redirection, ignores, or becomes combative, a consequence should be issued. That level of noncompliant behavior should be considered a high level safety concern, so should be considered a Level 3 or 4. Any individual not wearing a mask is compromising the health and safety of those around them. *See important note above for students who have an IEP or 504 plan.*

In either case above, the consequence should be focused on the most severe behavior exhibited. Additionally, it is critical to identify why the student is refusing to comply with mask expectations. While it is defiant behavior, it is also a safety concern for the student and others. If barriers exist that are impacting the student's sense of safety and willingness to keep themselves and others safe, that information will be critical to avoid future non-compliance. The progression of discipline resolutions should be documented and consistent with the examples provided.

Social Distancing Noncompliance:
(pertaining to social distancing noncompliance in a classroom school building common space, on school grounds, or at a school-sponsored event)
The primary response to students' interacting too closely should be prompting and cueing to create appropriate space, return to an assigned space/seat, etc. There is no question students are going to be excited to see each other and interact socially after such a long virtual school experience. We want to both be understanding, but also ensure staff and students are safe. **If the student responds to your prompt, that is not a behavior incident.**

If a student is not responding to a prompt, refusing to comply, or uses profanity, etc., the consequence should be focused on the response behavior as it would in a walk out of class or refusal to attend ISAP situation. The progression of discipline resolutions should also be documented and in line with progressive discipline guidelines included in the SSBIH.

Social Distance noncompliance is a Level 1 or 2 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

Bus Mask Noncompliance:
(pertaining to mask noncompliance at a bus stop, bus compound, or on the bus)
If a student is in need of a mask, one will be provided by the bus driver. If a student is on the bus stop or on the bus and visibly in possession of their mask and has it around their neck, hanging to one side, or pulled down under their nose or under their mouth, prompt the student to readjust their mask to its correct place over the nose and mouth. **If the student complies without resistance, that is not a disciplinary event and/or the student should be permitted to board the bus.**

If a student does not have a mask visibly present, or responds with profanity, refuses to respond, ignores, or becomes combative, a consequence can be provided or the student can be refused access to the bus. The consequence should be focused on the response behavior as it would in any similar situation (i.e. refusal to sit down, sit in assigned seat, arm out the bus window).

The progression of discipline resolutions should also be documented and in line with the examples provided.

Bus Mask noncompliance is a Level 1 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

Bus Social Distancing Noncompliance:
(pertaining to social distancing at a bus stop, bus compound, or on the bus)
The primary response when students interact too closely to one another on the bus should be assigned seating. There is no question students are going to be excited to see each other and interact socially after such a long virtual school experience. We want to both be understanding, but also ensure drivers and students are safe. **If the student responds to your prompt to sit in the appropriate seat, that is not a behavior incident.**

If a student does not respond to a prompt, refuses to comply, or uses profanity, etc., the consequence should be determined in the manner used to address student behavior in any other situation when a student refuses to sit in their assigned seat on the bus. The progression of discipline resolutions should also be documented and be consistent with the examples provided.

Bus Social Distance noncompliance is a Level 1 or 2 behavior, thus not suspendible unless coupled with a level 3 or 4 behavior.

Resolutions for COVID-19 Related Behavior Codes

If a student is involved in an incident and violates a code in the SSBIH, you should follow the same procedures you would observe during non-COVID-19 conditions. **All SSBIH guidelines should be followed, including due process, progressive discipline, and SSBIH outlined resolution options**.

If a student is non-compliant with mask wearing or social distancing non-compliance, coupled with another violation of the SSBIH, you may intervene in accordance with the SSBIH. Additionally, if a student is wearing a mask with inappropriate language or visuals, these would be considered dress code violations. Masks with racially charged material may also be coded as "Racial slurs/Hate speech toward staff/ student."

When entering the behavior into Infinite Campus for mask or social distancing noncompliance, coupled with another SSBIH violation, you MUST include two event codes for each incident. The first should be the code that aligns with the type of masking or social distancing non-compliance the student demonstrated, and the second should be the appropriate behavior code for any other SSBIH violation. If the student exhibits more than one SSBIH behavior violation after the escalation, the appropriate code for most severe behavior should be used. Under normal

circumstances, any incident that involves multiple behaviors, always enter the code you are using to determine consequences/resolution. The same applies here, however, we also want to be able to track incidences that originated with masking and social distancing non-compliance.

If you need assistance with entries involving two event codes, please refer to the IC Behavior Manual or contact Matt Anderson, Executive Administrator, Culture and Climate, at matthew.anderson@jefferson.kyschools.us.

 Please ensure that your narratives are thorough and give a clear picture of the incident.

Recommendations for Placement in School-based Virtual Option

As discussed above, our most successful resolutions will be those that help our students understand the importance of safety, and to the greatest degree possible, allow them to stay in the classroom/school in a safe manner. In general, placement in a school-based virtual setting should be used sparingly and after other progressive discipline options have been exhausted. When appropriate to ensure the health and safety of students and staff, however, and in instances of severe, persistent, or defiant non-compliance, administrators should not hesitate to recommend virtual placement for a student.

IMPORTANT NOTE*: For any placement determination that involves a student who currently has an IEP/504 plan or a student in the referral process, please contact your ECE Implementation Coach for guidance on how to proceed in accordance with IDEA. If the ECE Implementation Coach has questions, they should contact your ECE Zone Specialist. Please note that removals from virtual learning are considered the same as any removal from the brick-and-mortar environment and must be recorded.*

If a school wishes to transition a student to the School-based Virtual setting for any reason, the administrator should do the following:

1.   During the progressive discipline process, conference with the student and parent/guardian to ensure they understand PPE related expectations, ensure they have access to the appropriate face covering, and discuss the ***possibility*** of a move to virtual school. Explain what the student and parent can do to improve the student's behavior.

If after the conference, the progression continues and the administrator feels the move is warranted, then:

2.   Complete the Recommendation for School-based Virtual Option referral form and submit it to the Zone or Level Assistant Superintendent. Please ensure that your justification for this action is thorough and gives a clear and complete description of the incident or incidents.
**Part of the recommendation will include the length of the move, stipulations for return, etc.

You should receive a response within 24-48 hours.

3.   Once a decision is made, the Zone/Level Secretary should indicate the decision and administrator approving on the referral form. The referral form should be scanned and emailed to the following:

      a. Referring Administrator
      b. Principal at referring school
      c. Assistant Superintendent for the referring school
      d. Erin Fiorella, Secretary, Culture and Climate Office

4.   If granted, school staff should conduct a virtual or in-person meeting with the guardian and student to make them aware of the decision and provide guidance on how the student should proceed, including ALL of the following:

      a. Reconciliation of grades and transfer grades in current courses
      b. Access to new schedule
      c. Log-in credentials
      d. Orientation to the online learning platform
      e. Potential return date and outline of any stipulations required for return.
      f.   Resources for direct personal support during transitions to the virtual setting and the return.
      g. Access to mental health and other student supports, as needed, to assist in addressing underlying causes of inappropriate behaviors and ways to change them.

Equity, Data Fidelity & Procedural Compliance

The process for return to in-person school will be an adjustment for staff, parents, and students. We know some students and staff will return with trauma suffered during the pandemic and social justice related incidents in our community.   Additionally, our immediate attention will be on safety and creating an environment in which all students feel comfortable, welcomed and accepted.

As a district we have committed to racial equity a reality for our students and have a laser focus on bias reduction. The guidance shared in this document was created to ensure our school-level and District-level practices align with our mission and are applied consistently and fairly across the District.

Compliance with the procedures, data reporting/entry, and Virtual School transition expectations outlined above are mandatory. These guidelines exist to ensure that we have a consistent and effective set of expectations for student behavior related to masks and social distancing, and appropriate, progressive responses to student misbehavior available to school staff. The guidelines attempt to take into account the impact of COVID-19 on our students and staff, and

offer guidance regarding how we can provide support and deploy additional supports and resources to ensure a safe learning environment for students and staff. **Failure to follow these guidelines could result in disciplinary action** in accordance with District Human Resource policies**.**

If you have questions or need assistance with an incident, please contact Matt Anderson or Katy DeFerrari. (matthew.anderson@jefferson.kyschools.us or katy.deferrari@jefferson.kyschools)

ECE RESOURCES

- [Special Ed Connection - 8 Tips to Mask Wearing](#)
- [Special Ed Connection How to Transition Students EBD to School](#)
- [Special Ed Connection Restorative Questions for Challenging Behavior](#)
- [Special Ed Connection How to Follow BIP During Pandemic](#)
- [Special Ed Connection Keeping Students Safe During Transportation COVID](#)
- [Special Ed Connection Reasonable Accommodations for Students Who Cannot Wear Mask](#)
- [Special Ed Connection Social Distancing Mask Wearing Helping Students with Autism](#)
- [Special Ed Connection What Constitutes a Removal for Purposes of MDR During COVID](#)