CODE of STUDENT CONDUCT

COVINGTON INDEPENDENT PUBLIC SCHOOLS
COVINGTON, KENTUCKY
INTRODUCTION
A Districtwide School Discipline Improvement Committee was appointed by the Superintendent of Schools in September, 1979. The Committee was broad based, including, a student representative, a parent representative, and school personnel of all levels.

The Committee felt that discipline was not being handled uniformly throughout the school system; different schools had different rules and the severity of punishment for a given offense varied from school to school. Hence, the major goal of the Committee was to formulate a consistent and uniform written discipline policy that would apply to all students in all schools.

The Covington Board of Education’s primary concern in the area of discipline is that students have the opportunity to learn in an environment conducive to learning. Means of discipline should be employed to inhibit those few students who would destroy or deny such an environment.

The Code of Student Conduct Handbook provides a clear, concise, and consistent discipline policy which will be implemented at the beginning of the 1980-81 school year in a systematic manner with all students in all schools throughout the Covington Independent Public School District. We ask that students and parents review the Conduct Code and keep a copy available for future reference.

Dr. David L. Lusk
Superintendent of Schools
Covington Independent Public Schools

Mr. Tom Mershon, Chairman
Districtwide School Discipline Improvement Committee

(Revised August 23, 1982)
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Covington, Kentucky

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DISCIPLINE
Policy and Philosophy Statement

The ultimate purpose of education is to help each student explore his capabilities and become an effective citizen. Developing and accepting responsibilities and obligations is a major part of his purpose. The Covington Board of Education's primary concern in the area of discipline is that students have the opportunity to learn in an environment conducive to learning. Means of discipline should be employed to instill those few students who would destroy or deny such an environment.

The following three definitions have served as guidelines in the development of a Districtwide Code of Student Conduct.

CITIZENSHIP is the status of being a member of the Covington Independent Schools entitled to the privileges and obligations of that membership.

DISCIPLINE is the positive direction of behavior toward established standards of conduct, fully understood and based upon reason, judgement and the rights of others.

- Ideal discipline is self-directed and self-controlled. Schools, and community and parents share the responsibility for helping students develop self-discipline.
- Discipline is necessary to assure an orderly environment in which each person may live and learn to his/her capabilities in harmony with others.
- When self-control fails and self-discipline fails, disciplinary forces outside the individual must be imposed to protect the rights of others. The student's age is a factor in determining expectations for self-discipline.

RESPECT FOR OTHERS AND PROPERTY is based upon those accepted traits acknowledged by a majority of the school community, which an individual is willing and able to recognize in himself or others which lead to a high standard of conduct. Respect for property is demonstrated by a student who displays pride of ownership through preservation, protection and proper utilization and maintenance of facilities and equipment of the school district and of personal property. These traits, if recognized by an individual, will lead to a high standard of conduct.

The following code of conduct provides grievance procedures to promote an atmosphere of open communication and fairness as required by constitutional due process.

This code should also encourage behavior that will enable pupils to develop to their fullest potential. Students will be responsible for the code in school, at school-sponsored or school-related activities and on school buses. It is expected that sound, fair and equitable judgement should be considered by pupils, teachers, principals, parents/guardians and others in applying the principles of the code of conduct. This policy applies to all students in the Covington Independent Public School System.

INAPPROPRIATE BEHAVIORS
CLASS I OFFENSES

General Note:
The enumerated inappropriate behaviors listed here are applicable at all times while students are on school property as well as off school property at school sponsored activities and on the way to and from school or school sponsored trips and activities unless otherwise specifically accepted herein. (KRS 161.180 and KRS 158.150 Kentucky Statutes and Laws).

1.1 Disruption of Class is an intentional act, behavior, or conduct in the classroom or in the school building or upon school grounds, which disrupts the educational process.

1.2 Excessive Tardiness is repeated failure to report without acceptable excuse to assigned classrooms or other instructional areas after the "tardy bell" rings. Five instances of such conduct at the start of the school day is presumed to be excessive tardiness, and five instances of being tardy to classes during the school day is considered to be excessive.

1.3 Verbal Abuse of Another Student is an intentional or wilful maligning or gross insult of another student (KRS 158.150 Kentucky Statutes and Laws).

1.4 Use of Profane Language is the use of any language, act, expression, or remark which is offensive to modesty or decency.

1.5 Academic Cheating is the use of unauthorized notes or other aids, or the copying or using of the work of other students without prior permission of the teacher when such use or copying relates to required school work.

1.6 Failure to Complete Assignments is the failure to turn in assignments, or failure to do required assignments within the time specified.

1.7 Unexcused Absence is any unauthorized absence from class or school. A note from the parent or physician should be furnished the day(s) that the student was absent. Failure to do so constitutes unexcused absence. (See also the statement on compulsory attendance in this booklet).

1.8 Transfer of Lunch Tickets is any intentional transfer of subsidized lunch tickets from one student to another with or without gain or profit, for the purpose of use by the other student.

1.9 Gambling is the act of wagering, betting, or taking risks for gain, either monetarily or otherwise. Examples include, but are not limited to, playing cards, throwing dice, or other like games.

1.10 Failure to Follow Established Procedures for Physical Education is the failure to comply with or follow established procedures for physical education facilities.
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1.11 Use or Possession of Tobacco or Tobacco Products is the use in any manner of the possession in any form or manner of tobacco or tobacco products while in or upon school premises, including, but not limited to, smoking, chewing, or inhaling tobacco or having such products on one's person, in one's school desk, or in one's school locker.

Note: The prohibition of the possession of tobacco and tobacco products applies only to elementary students. It does not apply to students in Junior and Senior High.

1.12 Skipping Class is the failure of a student to report to a scheduled class without first obtaining consent of the proper school authority.

1.13 Leaving School Grounds Without Permission is the leaving of school grounds, during the designated school day, without first obtaining permission of the principal or the assistant principal or a dean. (Parents may request, by note or telephone, permission for their child to leave school grounds for just cause). (See also the statement on compulsory attendance in this booklet).

Note: This is a Class I offense only for secondary students. For elementary students it is a Class II offense.

1.14 Failure to have Identification Card (Holmes High School Students only) is the failure to have a photo identification card in students possession during school hours or school sponsored activities.

1.15 Bus Discipline is situations arising within the bus that may detract from the safety of students and driver. (KRS 168.110 sub section (4) Kentucky Statutes and Laws).

CLASS II OFFENSES

General Note: The enumerated inappropriate behaviors listed here are applicable at all times while students are on school property as well as off school property at school activities and on the way to and from school or school sponsored trips and activities unless otherwise specifically accepted herein (KRS 161.180 and KRS 158.150 Kentucky Statutes and Laws).

Violation of these rules is so extremely serious that such behavior may warrant expulsion of the violator, even for a first offense.

2.1 Leaving School Grounds Without Permission is the leaving of school grounds during the designated school day without first obtaining permission of the principal or the assistant principal or a dean. (Parents may request by note or telephone permission for their child to leave school grounds for just cause). (See also the statement on compulsory attendance in this booklet). Note: This is a Class II offense for elementary students only. For secondary students it is a Class I offense.

2.2 Snipping School (Entire Day) is the unexcused and/or unauthorized absence from school for the entire designated school day.

2.3 Physical Attack on Another Student or School Board Employee is the intentional striking or touching of another student or school board employee or attempt to do so against his or her will. (This offense is not to be confused with “fighting” which is set out in number 2.6 below).

2.4 Defiance of Authority is any verbal or non-verbal refusal to comply with a lawful directive or order of a school employee (KRS 158.150 sub section (1) Kentucky Statutes and Laws).

2.5 Use, Possession or Distribution of Controlled Substances (Drugs) or Alcohol is the use, possession or distribution of any drug or substance which is defined by KRS 218A as a control substance or the use, possession or distribution of any alcoholic beverage. Any student found to be under the influence of any controlled substance drugs or alcoholic beverage is in violation of this statute.

2.6 Fighting is any physical conflict between two or more students arising from anger or sudden passion.

2.7 Vandalism is willful or malicious destruction or defacement of any property. Vandalism includes, but is not limited to, breaking windows, writing on walls, destroying restroom fixtures, or use of paint or like materials to deface any portion of the interior or exterior of school property. (KRS 512.020 sub section (1) Kentucky Statutes and Laws).

2.8 Theft is the unlawful taking or disposition of property of another with intent to deprive him of the property. Receiving stolen property or possession of stolen property is included in this offense.

2.9 Terroristic Threatening is the intentional unlawful threat by word or act to do violence to the person or property of another or the doing of any act which creates a well-founded fear within the other person.
2.10 Terroristic Threatening of School Personnel is the intentional unlawful threat of an act to do violence to the person or property of a school employee or the doing of any act which creates a well-founded fear within the school employee.

2.11 Extortion is the solicitation, either verbally, in writing or by printed communication of money or anything of value from another person (regardless of amount) in return for protection or in connection with a threat to inflict harm.

2.12 Anon is the intentional damaging of a building by starting a fire therein or causing an explosion therein (KRS 513.030 Kentucky Statutes and Laws).

2.13 Possession or Use of Firearms is the possession or use of any combustible or explosive composition or any substance or composition of substance or article prepared for the purpose of producing a visible or an audible effect by combustion explosion, deflagration or detonation (KRS 437.095 sub section (2). Kentucky Statutes and Laws).

2.14 Possession of Weapons is the possession or use of any object such as a switchblade knife or knife, or metallic knuckles, or tear gas gun, or chemical weapon or device, or any other weapon, instrument, or object with the intent to be armed.

2.15 Possession or Use of Firearms is the possession or use of any weapon which will expel a projectile by the action of an explosive.

2.16 Inciting Student Disorder is the intentional promotion or advocacy of student misconduct by any student for any purpose.

2.17 Activation of a Fire Alarm is the intentional unjustified activation of fire alarm or warning devices (KRS 438.200 Kentucky Statutes and Laws).

2.18 Commission of Sexual Acts is the commission or attempt thereof of any unlawful act of sexual or consensual nature including, but not limited to sexual intercourse, rape, or sodomy of any kind. Indecent exposure of any part of the body is an offense within the meaning of this statute.

2.19 Trespassing is entering of, or remaining in, any structure, means of conveyance, or property without being authorized, licensed, or invited, or having been authorized, licensed or invited, refusing to depart therefrom after being warned or directed, to do so, by proper authority (KRS 511.080, Kentucky Statutes and Laws).

2.20 Possession Display or Distribution of Obscene Materials or Objects is the possession or circulation of obscene materials or objects.

2.21 Excessive Absenteeism is unauthorized absence from class or school in excess of nine days for the total school year, unless accompanied by a physician's statement reporting these days absent and the nature of the illness (KRS 158.150 Kentucky Statutes and Laws). (See also the statement on compulsory attendance in this booklet).

2.22 Incurrigible Bad Conduct is persistent violations of the Code of Conduct or persistent violations of the criminal laws of Kentucky constitute "Incurrigible Bad Conduct." "Ten Class I offenses during one school year can be considered as "persistent." (KRS 158.150 sub section (7) Kentucky Statutes and Laws)

2.23 Abuse of Teacher is any act that upbraids, insults or abuses any teacher of the public schools in the presence of the student or in the presence of a pupil of the school (KRS 16:190 Kentucky Statutes and Laws).

DISCIPLINARY PROCEDURES
ELEMENTARY

Class I
First Offense
In-school conference with student and/or parent conference if warranted

Second Offense
Parent conference and any of the following disciplinary actions:
(a) Extra Academic Assignment
(b) Detention
(c) Corporal Punishment

Subsequent Offenses
Parent notification and disciplinary action:
(a) Corporal Punishment
(b) Suspension

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SECONDARY

Class I

First Offense
In-school conference with student and/or any of the following disciplinary actions:
(a) Detention
(b) Corporal Punishment
(c) Parent Conference

Second Offense
Any of the following disciplinary actions:
(a) Detention
(b) Corporal Punishment
(c) Parent Conference

Subsequent Offenses
Any of the following disciplinary actions:
(a) Detention
(b) Suspension

ELEMENTARY

Class II

First Offense
Parent notification and/or any of the following disciplinary actions:
(a) Detention
(b) Corporal Punishment
(c) Suspension
(d) Expulsion where warranted

Subsequent Offenses
Any of the following disciplinary actions:
(a) Corporal Punishment
(b) Suspension
(c) Expulsion where warranted
SECONDARY

Class II

First Offense
Parent notification and/or parent conference along with any of the following disciplinary actions:
(a) Detention
(b) Corporal Punishment
(c) Suspension
(d) Exclusion
(e) Referral to civil authorities

Subsequent Offenses
Any of the following disciplinary actions:
(a) Corporal Punishment
(b) Suspension
(c) Exclusion
(d) Referral to civil authorities

DEFINITIONS

CORPORAL PUNISHMENT means paddling on the buttocks of the offending student.

DUE PROCESS is basically a procedural concept designed to protect individuals from the capriciousness of the governing power.

Due Process includes:
(a) The right of a person to know the charges brought against him
(b) The right to a hearing
(c) The right to face and cross-examine accuser

SUSPENSION shall mean removal of a student from the school program by authority of the principal for a period of not more than 3 days.

EXPULSION shall mean disciplinary action whereby a student is removed for the balance of the year. Any recommendation for expulsion (based on a Class II Offense if supported by appropriate evidence) will result in an official Expulsion Hearing by the Board of Education notwithstanding the time remaining in the school year.

DETENTION is a period of supervised study after the dismissal of regular scheduled classes.
COMPULSORY ATTENDANCE

The Responsibility for Regular Attendance is the Parent, Guardian, or Custodian. Kentucky state law places the responsibility with the parent, guardian or custodian of enrolling a child in school and keeping the child in regular attendance. (KRS 150.010; KRS 159.180).

Age Limit of Compulsory School Attendance. Any child residing in the state whose birthday makes the child six (6) years old by October 1, must be enrolled in school for the full term (175 days). It is the responsibility of the parent, guardian, or custodian to see that the child is enrolled and that all necessary information (birth certificate, immunization certificate, prior school records, etc.) be gathered and ready for presentation at the time of enrollment. Failure of the parent, guardian, or custodian to comply with the above, causes them to be in violation of Kentucky State Law (KRS 159.010; KRS 159.180).

Every child enrolled in school in Kentucky is subject to the laws relating to compulsory school attendance until the child reaches his/her sixteenth (16) birthday. Upon reaching sixteen (16) the child becomes a non-compulsory school aged pupil. If they elect to remain enrolled in school, they are subject to the laws relating to compulsory attendance. Violation of these laws may result in suspension and/or expulsion from school pending appropriate due process procedures. (KRS 158.150).

Truancy (Unexcused Absences); What Constitutes? Any child who has been absent or tardy without valid excuse for more than three (3) days is a truant. Any child who has been reported as truant more than three (3) times is considered to be a habitual truant. (KRS 159.150). Any pupil who has accumulated the required number of unexcused absences or tardinesses may be referred to Juvenile Court upon the signing of a petition alleging habitual truancy by the Director of Pupil Personnel Services. The above act shall be done only upon the recommendation of the principal of the school where the child is enrolled.
GRIEVANCE PROCEDURES
COVINGTON PUBLIC SCHOOLS

This procedure is for the use of any parent or guardian to appeal disciplinary measures in regard to any Class II Offense or Class I Offense which result in Suspension, or Corporal Punishment. Parents/guardians desiring to question actions taken by school personnel may follow this procedure.

If the problem is related to the classrooms, the parent/guardian will contact the principal to arrange a conference with the classroom teacher, as soon as possible, to discuss the problem.

If this conference does not resolve the situation, the teacher and the parent will arrange for a conference with the principal or his/her designee with a minimum of delay.

If the problem is not related to the classroom, the parent will contact the principal directly.

If none of the above procedures results in a satisfactory solution to the problem, the parent shall state his/her complaint in writing and may request a conference with the Superintendent or his/her designee. During this conference either party may have pertinent individuals having knowledge of factors involved. The other party shall be notified in advance if such persons are to be present.

The Superintendent or his/her designee will advise the parent in writing of the disposition of the case fourteen (14) days after the conference.

The Covington Public Schools do not discriminate on the basis of race, color, national origin, age, religion, marital status, sex or the handicapped in this Code of Conduct.