

CHRISTINA SCHOOL DISTRICT

Student Code of Conduct For Students in Kindergarten-Grade 5

Student Rights and Responsibilities
Kindergarten-Grade 5
School Year 2010-2011



Christina School District Mission Statement

Our mission is to educate each student to succeed through:

- Expectations of Excellence
- Safe Working and Learning Environments
- Respect and Diversity; and
- Caring and Knowledgeable Staff Members

Beliefs of the Christina Board of Education

We believe...

- All children can and all children must learn and achieve at high levels when they are entrusted to our educators. Anything short of striving to attain this is a breach of our professional and moral responsibility;
- We must aspire to a trajectory of high expectations which we hold ourselves, all our employees, all our parents, and all our students;
- Safe and orderly learning environments are critical to support student achievement;
- Our teachers must demonstrate the ability and the desire to educate each child at a high level, but our school system has an obligation to quantify and specify the nature of work our teachers are to do. Without that clarity, we will fail;
- Everyone must be held accountable through regular and multiple uses of student performance data;
- We have a responsibility to enable children to develop positive and healthy behaviors and attitudes around issues of racial, socioeconomic, ethnics, religion, familial, gender, and other diversity;
- Equity and excellence in tandem are paramount. We also believe that equity without excellence is nothing more than tokenism and excellence without equity is nothing more than privilege;
- High performing students need to be challenged just as much as all other children;
- Every Christina School District employee and volunteer is an educator. Our educators have a huge capacity to change lives for the better—and our young people will rise to the expectations we place on them;
- Public education will not survive without public support and that our goal for the Christina School District to go from *good to great* will require commitment to hard work, focus, intensity, and investment;
- Parents/Guardians play an important and influential role in the educational success of a child. We must frequently invite and strongly encourage their invaluable contributions;
- The Board of Education, Christina School District Educators, and Parent/Guardians must work as a team. When we all work together, we will better enable students to achieve more and at a faster pace.

Christina School District

Board of Education

Eric M. Anderson
Gina R. Backus
John Mackenzie, Ph.D.
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This document is not all-inclusive nor does it restrict the Christina School District and/or Board of Education's authority to take actions that are appropriate to maintain a safe and orderly educational environment.

The Christina School District does not discriminate on the basis of race, color, gender, religion, age, disability, marital status, national origin, or other legally protected categories in its educational programs, activities, employment, or student admissions policies or practices. Inquiries regarding compliance with the above can be directed to:

Section 504: Contact the Christina School District, 600 North Lombard St., Wilmington, DE 19801, Telephone (302) 552-2600.

Section 504 Coordinator's Responsibilities: To coordinate the Christina School District's efforts to comply with the disability discrimination laws.

Title IX: Contact the Christina School District, 600 North Lombard St., Wilmington, DE 19801, Telephone (302) 552-2600.

Title IX Coordinator's Responsibilities: To coordinate the Christina School District's efforts to comply with and carry out the District's responsibilities under Title IX, including any investigation of any complaint alleging noncompliance with Title IX or alleging actions which would be prohibited by Title IX.

Acknowledgement: Student Code of Conduct

*This Student Code of Conduct is a document designed to provide rules, expectations, and consequences for student behavior. **Students and parents/guardians have the responsibility to know and respect the rules as described in the Student Code of Conduct.** We ask that you review the Student Code of Conduct with your child (ren) and have a discussion regarding school expectations. In addition, Appendix III is a copy of the Christina School District's Educational Technology – Acceptable Use Policy. In order for your child to use educational technology, this policy must be reviewed and the parents must sign below.*

Please sign below and have your child sign to acknowledge that you have received a copy of the Student Code of Conduct. Return the signed sheet to your child's school designee by September 10, 2010; or within ten school days of your child's registration into the Christina School District.

The Christina School District Student Code of Conduct can also be accessed on the Web at www.christina.k12.de.us/CodeOfConduct.

This is to confirm that I have received a copy of the Christina School District Student Code of Conduct

Student Name (Please Print)

Student Signature/Date

Parent Signature / Date

This is to confirm that I have received a copy of the Christina School District Acceptable Use Policy (See Appendix III).

Student Name (Please Print)

Student Signature/Date

Parent Signature / Date

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CHAPTER I

INTRODUCTION

WELCOME MESSAGE FROM THE SUPERINTENDENT AND BOARD OF EDUCATION

Dear Christina Community:

I am pleased to introduce the 2010-2011 Student Code of Conduct for students in the Christina School District. It represents months of dedicated work by students, parents, community members and staff, who volunteered their time to create this document.

The 2010-2011 Student Code of Conduct is integral to our goal to create safe, nurturing learning environments that foster responsible, productive and positive behaviors. It provides policies and guidelines for students at all grade levels that will help explain expectations for positive behavior. We believe that promoting positive behavior and creating schools where children and young adults are valued, will encourage learning and will support student success.

We must work collaboratively to create environments in our schools where students are prepared to learn, where individuals show respect for others, and where everyone promotes safety and responsibility so all may achieve their full potential.

As you may know, Christina was the first district in the state to adopt the Positive Behavior Support model in all schools district-wide. Positive Behavior Support (PBS) promotes healthy character development for all students, as well as proactive strategies at the building, classroom, and individual level to help prevent negative behaviors. We are proud of our involvement in PBS, and will work hard this year to continue its success.

The goals of PBS are also the goals we have for the students in our district. We hope that this year will be a year where we focus on positive elements in our schools, and where we work to support the whole child and find ways to continue to involve parents and the community in order to improve the quality of our schools and our District. The District's Strategic Plan will also provide a blueprint for how we can work as a community to expect excellence for every student, every day, in every class.

Marcia V. Lyles, Ed.D.
Superintendent

MISSION STATEMENT OF THE CHRISTINA SCHOOL DISTRICT

The mission of the Christina School District (the "District") is to educate *each student to succeed through:*

- *Expectations of excellence;*
- *Safe working and learning environments;*
- *Respect for diversity; and*
- *Caring and knowledgeable staff members.*

Schools must, therefore, be free from disruptions, which interfere with teaching and learning activities. Students, parents/guardians, and school staff must assume a responsible role in creating a positive environment, utilizing proactive interventions, and promoting behavior that encourages learning and the development of individual potential.

The Student Code of Conduct is one component of promoting a safe and disruption free positive school environment. Students, parents/guardians, and staff should become familiar with the entire contents of this document.

THE POSITIVE BEHAVIOR SUPPORT MODEL IN THE CHRISTINA SCHOOL DISTRICT

What is Positive Behavior Support (PBS)?

School-wide Positive Behavior Support (PBS) is a proactive, team-based approach for creating and sustaining safe and effective schools. Emphasis is placed on prevention of problem behavior, development of positive social skills,

and the use of data-based problem solving for addressing existing behavior concerns. Since it was created more than a decade ago, Positive Behavior Support (PBS) has developed into a tool that is used by all schools in the Christina School District to help improve the social and learning behaviors of students and decrease disruptions that interfere with learning.

PBS is now implemented in thousands of schools across the country, and Christina was the first school district in the state of Delaware to use PBS in all of its schools, from Kindergarten through High School. Christina schools have received numerous state awards for their PBS programs.

PBS provides a positive focus to encouraging desirable student behaviors. A set of universal expectations for behavior, positively stated, is established for all students in all locations of the school. These expectations generally promote core values such as respect, responsibility, caring, citizenship, and safety. Interventions and strategies are implemented to teach and reinforce these expectations. These include:

- Periodic direct instruction in specific student behaviors that demonstrate the core values in various locations in the school.
- Generous quantities of positive adult/teacher attention and other kinds of reinforcement to students for demonstrating positive behaviors, especially specific behavior expectations identified by the school.
- Predictable consequences for behavior infractions that are delivered consistently by all staff in a professional manner throughout the entire school. Consequences are not primarily punitive in nature; they are an opportunity for the student to learn from his or her mistakes and to accept responsibility for the choices that he or she made.

PBS schools also incorporate a few simple systems practices that are crucial to sustaining the program over time. These include:

- The establishment of a representative, school-based PBS team with a strong administrative presence and support. The PBS team uses the “framework” of school-wide PBS to design that school’s unique set of practices.
- PBS activities are embedded into existing school activities such as school improvement and student assistance teams.
- The school establishes a system for using behavioral data (e.g., office discipline referrals or some other method of incident reporting). These data are analyzed and used in a robust way to guide the design and implementation of additional behavior supports, especially at the targeted and intensive levels.

WHAT IS THE STUDENT CODE OF CONDUCT?

The Student Code of Conduct is an official declaration of the Christina School District Board of Education (the “District Board”) which:

- Specifies the responsibilities and rights of students
- Defines attendance responsibilities
- Defines conduct that disrupts a positive environment
- Standardizes procedures for disciplinary action
- Defines grievance procedures
- Incorporates excerpts from State and Federal laws and regulations.

A copy of the Student Code of Conduct is given to each student upon school entry. Orientation to the Student Code of Conduct is held in each school at the beginning of the school year.

WHEN IS THE STUDENT CODE OF CONDUCT IN FORCE?

The Student Code of Conduct is in force:

- On school property prior to, during and following regular school hours including but not limited to when school is in session or when school activities are in operation
- When students are at a bus stop
- At all school sponsored events and other activities where school administrators have jurisdiction over students

- When a student's out-of-school conduct indicates that the student presents a threat to the health, safety, or welfare of other students and staff. **This includes behavior exhibited in the community, non-district schools, other districts, or states. Students who attempt to register in the Christina School District with outstanding discipline issues are subject to the consequences outlined in this document.** That portion of the Student Code of Conduct which protects school buildings and grounds is always in force.

The Student Code of Conduct is not all-inclusive, and a student committing an act of misconduct not listed may be subject to the authority of the principal or designee. Serious or excessive behavior that necessitates a more severe disciplinary action than that which is listed shall be subject to the discretionary authority of the principal and the Superintendent. This may include a recommendation for expulsion.

The Student Code of Conduct may also apply to conduct out-of-school and off-school property by a student if the district believes that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students. Such out-of-school conduct shall include, but is not limited to: Acts of violence which are punishable by law, acts of violence that originate on school property but continue off of school property, and acts of violence that occur in a close proximity to school grounds. Students are on notice that out-of-school behavior can result in expulsion from school, placement in an alternative program, or other discipline.

The Christina School District will follow through with all exclusionary discipline actions beyond out-of-school suspension as defined in the Student Code of Conduct for students who are withdrawn from the district.

The Christina School District will view criminal charges as a piece of evidence. District discipline action is not dependent upon the outcome of a student's adjudication in conjunction with criminal charges resulting from in or out of school **behavior**. Student behavior, regardless of adjudication, will be the determining factor in considering violations of the Student Code of Conduct, and consequences.

Any student who hinders an investigation or any student who aides, is involved with the planning, or helps another student in any way in an act which violates the Student Code of Conduct may be subject to the same disciplinary action as the individual who committed the violation.

HOW IS THE STUDENT CODE OF CONDUCT ADMINISTERED?

Procedures for making disciplinary referrals

All teachers are expected to use reasonable behavior management techniques in the classroom prior to referring a student to a building administrator for disciplinary action, except in cases of severe or emergency circumstances. An administrator or designee administers the Student Code of Conduct when a student has been referred for disciplinary action. Identifying the specific Student Code of Conduct violation and corresponding disciplinary action is the responsibility of the administrator or designee.

Possession of items in a locker, motor vehicle, or book bag/purse

Lockers: The District presumes a student possesses, and is responsible for, all items found in the student's locker. Students should regularly check the contents of lockers. If students fail to lock lockers, or provide others access to personal lockers, students remain responsible for items found in personal lockers. Student lockers are the property of the school and may be subject to search by an administrator at any time with or without reasonable suspicion to protect the health, safety, and welfare of others.

Motor Vehicles: The District presumes a student possesses, and is therefore responsible for, all items in the student's motor vehicle. This presumption applies to any motor vehicle driven to school without regard to who owns or rides in the motor vehicle. Before bringing a motor vehicle to school, or a school activity, students should carefully inspect the motor vehicle. If a student fails to lock his/her motor vehicle, or permit others access to his/her motor vehicle, the student remains responsible for items found in his/her motor vehicle.

Bookbag/Purse: The District presumes a student possesses, and is therefore responsible for, all items found in the student's bookbag, purse, or similar bag or container used to carry books or personal property (referred to as "bookbag"). Students should regularly check the contents of their bookbags. If a student fails to secure his/her bookbag, or provide others access to his/her bookbag, the student remains responsible for items found in his/her bookbag.

PROACTIVE STRATEGIES

It is the philosophy of the District that students and staff should be proactive in their approach to behavior management. Proactive strategies will be used to assist students and staff in addressing conflict and discipline issues. The District supports implementation of Positive Behavior Support which promotes healthy character development for all students as well as proactive strategies at the building, classroom, and individual level to prevent problematic behaviors.

ESTABLISHING A POSITIVE SCHOOL ENVIRONMENT

Students, parents/guardians, and school personnel establish a good school environment.

Students should:

- Attend all classes daily and on time
- Prepare for class assignments and activities
- Come to class with appropriate working materials
- Respect all persons and property
- Refrain from using profanity, abusive language or inflammatory actions in personal interactions
- Conduct themselves in a safe and responsible manner while in the school environment or on school property
- Be clean, and neat
- Be responsible for their own work and behavior
- Abide by the rules and regulations set forth in the Student Code of Conduct and set forth by the school and individual classroom teacher
- Conduct themselves in a safe and responsible manner to and from school with other students, with members of the community and within the community
- Seek changes in an orderly and approved manner

Parents/Guardians should:

- Participate in all areas of academic and behavior progress
- Keep in contact with the school concerning their child's progress and conduct
- Maintain up-to-date home, work, and emergency numbers at the school
- Ensure that their child is in daily attendance and promptly report and explain an absence or tardiness to the school
- Provide their child with resources needed to complete class work and homework
- Assist their child in being clean and neat
- Refrain from using profanity, abusive language or inflammatory actions in personal interactions
- Bring to the attention of school authorities any problem or condition which affects their child or other children of the school community
- Discuss report cards, work assignments, test scores and the Student Code of Conduct with their child
- Seek changes in an orderly and approved manner

School Personnel should:

- Be in regular attendance and on time
- Be prepared to perform their duties with appropriate working materials
- Respect all persons and property
- Dialogue with parents, students, and other employees in a manner that reflects professionalism and caring
- Refrain from using profanity, abusive language or inflammatory actions in personal interactions
- Conduct themselves in a safe and responsible manner
- Be clean and neat
- Abide by the rules and regulations set forth by the school and the District Board
- Seek changes in an orderly and approved manner
- Maintain an atmosphere which encourages good behavior and active learning
- Implement a diversified curriculum to meet the needs of all students
- Develop good working relationships among staff and with students
- Encourage the school staff, parents, and students to use the services of community agencies

- Utilize good guidance procedures and practices
- Encourage parents to maintain regular communication with the school
- Provide opportunities for parent participation in affairs of the school
- Encourage and maintain the involvement of students in the operation of the school, i.e., student government
- Involve the community in order to improve the quality of life within the school and the District.

CHAPTER II

STUDENT RESPONSIBILITIES AND RIGHTS

ADULT STUDENTS

State law provides that a student reaches legal majority at age 18. The attainment of adult status provides that the student may assume responsibility for signing attendance notes and other matters pertaining to school activities. All students, including students over the age of 18, are expected to follow the Student Code of Conduct and school expectations for behavior.

ATTENDANCE

Philosophical Basis

Every parent, guardian, or other person having legal control of a child between the ages of 5 and 16 is required to send such child to school. Attendance standards are applicable to all students enrolled in the District. School attendance is mandated by state law and regulations of the State Board of Education. The Student Attendance Policy of the District Board establishes specific regulations related to attendance. Students are required by law to attend school 90% of the school year to be eligible for promotion.

Responsibilities

The District is responsible for reporting violations of the attendance laws of the State. The District may excuse a child for necessary and legal absence, subject to the provisions of the Delaware Code. (Title 14, Chapter 27; Delaware Code can be found online at: www.delcode.state.de.us)

The following are considered necessary and legal excused absences and may not be used to file truancy charges:

- Illness of the student
- Medical diagnosis and/or treatment
- Death in the immediate family; funerals of other relatives or close friends, not to exceed one day if in the locality or three days if outside the state.
- Contagious disease in the home of the child subject to regulations of the Division of Public Health, Department of Health and Social Services
- Legal business requiring the student's presence
- Suspension or expulsion from school
- Observance of religious holidays
- Approved college visits
- Authorized school-sponsored activities

Absences for other reasons are classified as "unexcused." Schools may request a doctor's note after 5 days of student absences. Parents are informed through a district letter regarding student absences at 3, 5 and 10 day intervals. Once notified, parents have up to three (3) days to provide proper documentation for these absences. Any notes provided beyond the three (3) day period will not be accepted.

A student enrolled in grades K through 12 inclusive is considered truant if such a student has been absent from school without valid excuse, as defined in Rules and Regulations of the State Board of Education, for more than three (3) cumulative or consecutive school days during a given school year. Schools will take action regarding unexcused absences including, but not limited to, written communications, home visits, required parent/guardian conferences, and referral of the parent for prosecution. A parent/guardian who is determined to violate the State's compulsory school attendance laws is subject to penalties as described by State law.

Non-attending students over the age of 16 will be withdrawn after 30 consecutive absences and repeated attempts by the building administration to contact parent/guardian have been made. A certified Non-Attendance letter has been sent to the parent/guardian. The date of withdrawal will be stated in the body of the letter. Parents/Guardians not wanting their son/daughter to be withdrawn must contact the school within three business days of receipt of the letter and meet with the school administrator/designee. An attendance contract must be signed before the student can resume attending classes. The letter shall be deemed to be received on the third calendar day following the day of mailing.

Parents

- First offense: fine of \$25 to \$300 or imprisonment for up to 10 days or both
- Second offense: fine of \$50 to \$500 or imprisonment for up to 20 days or both
- Third offense: fine of \$230 to \$1,150 or imprisonment for up to 30 days or both

A parent may be ordered to perform unpaid community service in lieu of a fine. If imprisoned, the court may impose conditions of release.

Students

Penalties may include community service, counseling, curfew, suspension or revocation of driver's permit or hunting license, prohibition of participation in extracurricular activities or school social events or recommendation that the student enroll in an alternative school. Students may be subjected to substance abuse or mental health evaluation 14 Del. C §2730 (c)(3)(4).

The school, in administering the State policy, defines the most commonly used attendance terms as follows:

Excused Absence

An excused absence from school or class is an absence for one of the reasons listed above and for which the required parental note of explanation has been presented on the first or second day of the student's return to school or class. **Any notes provided beyond the three (3) day period will not be accepted.**

Providing documentation of a valid excused absence, the student will be allowed to make up all work missed, to take tests which were missed, and to submit any assignments which became due during the absence.

Following an excused absence from school or class, the time allowance for taking tests or turning in assignments shall be equal to the number of school days or number of class meetings missed due to the absence. A teacher may extend the time allowance for making up work missed if the specific circumstances of the situation merit such action. The responsibility for initiating make-up work and turning in assignments rests with the student.

Unexcused Absence

An unexcused absence from school or class is an absence:

1. Which is for a reason not listed as excused or
2. About which the parent/guardian has no knowledge or
3. **For which the parental note of explanation was not provided on the student's first or second day of return to school following the absence**

A student whose absence is unexcused shall receive no credit for assignments missed or tests given during the period of the unexcused absence unless otherwise permitted by the teacher. While an unexcused absence may result in no credit for assignments or tests missed, students may request assignments from their teacher at the initiation of the student. If the teacher provides assignments after an unexcused absence, the time allowance for requesting the instructional materials or assignments from the teacher shall be equal to the number of school days or number of class meetings missed due to the absence.

A teacher may extend this time allowance if the specific circumstances of the situation merit such action.

Tardiness to Class

At the beginning of each term, the teacher shall define guidelines regarding lateness to class. When, in the judgment of the teacher, lateness becomes excessive, the student will be reported to an appropriate staff member for administrative action. **Secondary students are considered late to class after the final bell.** Lateness to class may have a detrimental effect on student learning.

Tardiness to School

All students are expected to be punctual to school. A student who arrives to school more than halfway through the school day or leaves early before completing half of the school day will be counted absent.

Students who arrive at their first class assignment after the final bell of the first class assignment are tardy. A student who is late to school should present a written explanation for the tardiness on the first or second day following the tardiness.

Students should recognize that a written explanation from home does not automatically cause the tardiness to be excused. Such reasons as car trouble, personal business, heavy traffic, home obligations, etc., while understandable, are not acceptable excuses and will be listed as unexcused. Reasons such as personal illness, medical appointments, and appearances in court will be considered as excused tardiness when verified by a note from doctor or court. Students who are absent for more than fifteen (15) minutes of a class will be referred to the principal/dean or designee for cutting class unless excused by proper authority.

Early Dismissal

Students who request to be dismissed from schools and will not complete a minimum of half a school day will be considered absent.

Prearranged Absence

A prearranged absence is a student's absence from school for one or more days to visit a college or university, other educational activities, or medical reason approved by the principal. The absence should be prearranged by writing the principal, giving the full particulars of the absence. Approval for such absences should be sought, where practicable, at least one (1) week prior to the date on which the absence is to occur. Upon the development of a plan by student and teacher for making up the assignments to be missed, the plan should be submitted to the principal for review.

Students who must leave the building due to an emergency or some other reason which did not permit a prearranged absence must receive approval from the principal or his/her designee. The student is then responsible for completing the sign-out procedure before leaving the building and must present the required parental note of explanation upon his/her return to school.

Extended Absences

Students who will be out for an extended period of time and do not meet the criteria for excused absences are marked unexcused. Students may request school work for a period up to two weeks. Students who are excessively absent may have truancy charges filed against them/and/or their parent/guardian.

BUS PRIVILEGES

The Code of Conduct will apply to all violations while boarding, riding, or exiting buses.

The Student Code of Conduct will apply to all violations to and from school, at the bus stop, and while boarding, riding, or exiting buses. While on the school bus, drivers will have the same authority as teachers. Violation of these rules may result in behavioral consequences (see page 26) and/or suspension of bus-riding privileges.

Students must follow bus safety regulations as follows (**Grades K-5**):

- Students must follow the driver's directions and obey the driver promptly.
- Students must be courteous to the driver and to other students.
- Students must be on time; the bus has to run on schedule and cannot wait for those who are late.
- Students should never stand in, or play in, the roadway while waiting for the bus.
- While at the bus stop students waiting to board the bus must keep a safe distance (of 10) feet from the bus. Students must wait for the bus to come to a complete stop before attempting to board.
- Students must not get on or off the bus while it is in motion.
- Students must enter the bus without crowding or disturbing others and occupy their seat immediately.
- Students must keep out of the driver's seat.
- When crossing the street at any time, students should look both to the right and to the left, and then walk across the street when it is safe to do so.
- Students are permitted to talk quietly on the bus and classroom conduct is to be observed while on the bus.
- Students must not call out to passers-by. They should not open the bus window without permission from the driver or extend head or arms out of the window.
- Students should not leave the bus without the driver's consent, except on arrival at their regular bus stop or at school.

- Students should help to keep the bus clean, sanitary and orderly. They must not damage or abuse the equipment.
- Students are not permitted to smoke while on the bus.
- Students must not use profanity while on the bus.
- Students must not throw articles of any kind in, out of or around the bus.
- Students are not to eat or drink while on the bus.
- Students are not permitted to harass, intimidate or fight on the bus.
- Other forms of misconduct that will not be tolerated are acts such as, but not limited to, indecent exposure, obscene gestures, or spitting.
- Students must remain in their seat and keep aisle clear.
- Students are not permitted to tamper with emergency doors, controls, or windows.
- Students should be sure that the road is clear of all traffic or that all traffic has come to a complete stop and then walk in front of the bus far enough to be seen by the driver at all times. Follow highway safety practices in accordance with the Motor Vehicle Laws of the State of Delaware. Walk on the side of the road facing traffic when going to or from the bus or stop along the highway. Before crossing the road to board the bus or after being discharged from the bus, cross only upon an audible clearance signal from the driver.

COMPUTER USAGE

Students must adhere to the District's Acceptable Use of Technology Policy, which incorporates the State policy, before they may make use of district technology, including Internet access. (See Appendix III)

COUNSELING

Philosophical Basis

Personal needs or concerns can seriously threaten and interfere with the educational development of students. Schools have the responsibility to inform students and parents and or guardians of services provided by other agencies.

Responsibilities

Students have the responsibility:

- To identify and/or report personal or school related problems, concerns or issues to appropriate staff

Rights

Students have the right:

- To be accurately informed as to the nature, kind, or type of guidance services available in their school and community
- To receive/be referred to appropriate counseling for personal and educational problems within a reasonable amount of time
- To have access to appropriate staff

COMMUNITY COUNSELING RESOURCES AND SERVICES

In addition to providing services based upon insurance coverage, the following organizations also provide free or "sliding scale" services for student with low income:

- Carelink - 429-6693
- Catholic Charities (NC) - 656-0651
- Child, Inc. - 762-8989
- Children & Families First of Delaware - 800-734-2388
- Claymont Community Center - 792-2757
- Connections - 984-3380
- Delaware Guidance
- Newark - 455-9333
- Wilmington - 652-3948
- Jewish Family Services - 478-9411
- Mood & Anxiety Disorders Program - 800-422-7000

- Newark Mental Health Center - 283-7530
- Psychological Services Training Center (UD) - 831-2717
- Washington Street Behavioral Health - 984-3388
- Wilmington Mental Health Center - 577-6490

The following organizations provide services free of charge to students with little to no income or who are covered by Medicaid:

- American Psych Services (Medicaid) - 877-239-8789
- Division of Mental Health Intake - 633-2571
- Terry Center (Crisis services up to age 12)
- Information - 577-4270
- Emergency Referral - 633-5128
- Non-emergency Referral - 800-722-7710

CURRICULUM

Philosophical Basis

Highly qualified professionals collaborate to produce curricula that are consistent with established standards and best practices in a given subject area.

Textbooks, computer based and on-line materials are selected based on the extent to which they support an established curriculum.

Rights

Students have the right:

- To have access to clear and precise course descriptions
- To participate in courses and programs appropriate to their individual needs at all grade levels
- To study any issue which relates to their course and which is within their level of maturity and within the scope of the course and students shall have access to all available information that relates to course objectives

FREE SPEECH/EXPRESSION (Including all spoken, written, artistic)

Philosophical Basis

One of the basic purposes of schools is to prepare students for responsible self-expression in our society. Self-expression is guaranteed or protected under the First and Fourteenth Amendments to the United States Constitution.

Students may inquire, question, and exchange ideas. Self-expression must not interrupt the orderly educational process of the school or be in violation of the Student Code of Conduct. Free expression must not mock, demean, or ridicule other persons or groups or be obscene, libelous, or disruptive or promote illegal substances or activities.

Responsibilities

Students have the responsibility:

- To act in a quiet, dignified manner during patriotic activities
- To inform the school in writing of activities/policies which are in conflict with their religious beliefs and request alternative accommodations

Rights

Students have the right:

- To respectfully express their own opinions on issues
- To assemble peaceably on school property at a time and place designated by the principal (This right will be denied if it endangers the health or safety of others, damages property, disrupts the activities of others, or disrupts the educational process.)

GRADING POLICY

Philosophical Basis

Grades are one indicator of the student's performance or skill proficiency at a particular time. A student's grades should reflect the teacher's assessment of the student's achievement, based upon the course requirements for a given class.

Responsibilities

Students have the responsibility:

- To ask for an explanation of a grading system which they do not understand
- To attain standards of academic performance
- To share all notices of progress with their parents/guardians and to make every effort to perform at high levels
- To conduct themselves in a manner which fosters a good learning environment
- To present assignments when due

Rights

Students have the right:

- To receive a written copy of a teacher's grading system at the beginning of each course
- To receive an academic grade that is based on the teacher's grading system and reflects the student's academic achievement
- To request and receive written notification of progress
- To have grades used positively and not as a disciplinary tool
- To be given appropriate notice of assignment due dates

HARASSMENT/BULLYING

Philosophical Basis

The District's intent is to foster human dignity in our schools. Harassment of any type contradicts that ideal. No District student shall be subject to any type of harassment/bullying (**see Appendix IV**).

Responsibilities

Students have the responsibility:

- To communicate directly to the person that their behavior is unacceptable and they want him/her to stop
- To inform and seek the advice of a teacher, counselor, or school administrator
- To report the information to the principal or designee if the situation is not resolved

Rights

Students have the right:

- To learn in an environment free from bullying and/or harassment/sexual harassment

HOMEBOUND (SUPPORTIVE INSTRUCTION)

The Christina School District provides homebound instruction for students who are expected to be restricted for two weeks or longer for treatment or convalescence. Homebound Instruction may be provided to students expected to be out of school longer than ten school days pending expulsion.

Requests for homebound instruction are processed through each school's respective Homebound Contact Person. Authorization for Homebound Instruction is granted for certifiable reasons. Medical requests for Homebound Instruction must be accompanied by a separate Homebound Instruction Medical Form. All information requested on the form must be complete. The medical section of the form must be prepared and signed by a medical doctor, psychologist or psychiatrist.

The primary objective of the Homebound Instruction Program is to provide temporary instructional services so that the student can return to school or enter alternative placement with the knowledge and skills sufficient to resume his/her previous academic programming. Students who are placed on Homebound Instruction will remain enrolled within the local school and are not counted as "absent."

All requests for Homebound Instruction are subject to approval of the Superintendent or the superintendent's designee.

MARRIAGE, PREGNANCY, AND PARENTHOOD

Philosophical Basis

Students who are married, expectant parents or parents do not lose their right to a free public education. Students are encouraged to continue their education through appropriate programs designed to meet their special needs and circumstances.

Students have the responsibility and right to attend school regularly or to take advantage of special programs designed to meet their needs as married students, expectant parents, or parents. (Students who are pregnant should seek professional medical advice regarding school attendance.)

SAFETY

Philosophical Basis

All students who attend the District have the right to attend school in a safe and orderly environment where they are encouraged to learn.

Responsibilities

Students have the responsibility:

- To show respect for other people's ideas, values, and heritage
- To resolve conflicts in an appropriate manner
- To notify school personnel if they have knowledge of any weapon(s) or drugs on school property

Rights

Students have the right:

- To learn in an environment free from the threat or act of psychological or physical violence

SEARCH AND SEIZURE

Philosophical Basis

Students shall be free from unreasonable search and seizure of property as guaranteed by the Fourth Amendment to the U.S. Constitution. This individual right is balanced by the school's responsibility to protect the health, safety, and welfare of others. Student lockers, desks and cubbies are the property of the school and may be subject to search by an administrator at any time with or without reasonable suspicion to protect the health, safety, and welfare of others. Searches shall be based upon reasonable suspicion that the student's person or property contains prohibited substances, items, or material detrimental to the health, safety and welfare of other students or staff, or in violation of the law or rules of the Student Code of Conduct. Students are responsible and accountable for the contents of all items found in their lockers, book bags, purses, and any bags or containers used to carry personal property.

All alcohol, drugs, drug-like substances, look-alike substances and/or drug paraphernalia found in a student's **possession** shall be turned over to the principal or designee and be made available, in case of a medical emergency, for identification.

All substances shall be sealed and documented and, in the case of substances covered by 16 Del. C. Ch. 47, turned over to the police as potential evidence. A request for analysis shall be made where appropriate. (In case of medical emergency, substances should be made available for identification purposes.) All weapons and/or dangerous instruments found in a student's possession shall be turned over to the principal or designee and turned over to the police as potential evidence (see page 45 for the definition of possession).

Responsibilities

Students have the responsibility:

- To refrain from possessing or concealing any substance or objects which are prohibited or which may disrupt the educational process and/or school sponsored activities/events; and
- To monitor and control access to their lockers, motor vehicles, purses, clothing, book bags, or similar containers and to check regularly their contents.

Rights

Students have the right:

- To privacy in their personal possessions unless the principal or designee has reasonable suspicion to believe that prohibited substances/objects are possessed or being concealed by the student.

STUDENT DRESS

Philosophical Basis

Student dress may vary with the age of the student, instructional activity, and physical conditions in the school. The dress and grooming of students shall contribute to the health and safety of the individual and shall not disrupt the orderly educational process. Student clothing and accessories shall not endorse products and practices, which are prohibited by law or school district policy. Students will be required to change their clothing to comply with the school's dress code. Schools have the responsibility of enacting school rules and best practices for the appropriate student dress for in school and all school related events, ceremonies and activities. With respect to high school graduation ceremonies, female students may wear appropriate pant suits and/or dress blouse and dress pants as defined by the school.

Continued violation of the dress code or refusal to change will be considered serious insubordination and handled accordingly.

Responsibilities

Students have the responsibility:

- To follow guidelines for dressing and grooming in a manner which shows cleanliness, promotes safety, and demonstrates respect for themselves and others.

Rights

Students have the right:

- To dress and groom as they choose as long as they do not disrupt the educational process or endanger the health and safety of themselves or others as outlined in established school guidelines.

STUDENT GOVERNMENT

Philosophical Basis

The student government is a means of providing students with an opportunity to express themselves on school matters through the democratic process. All members of the school community share the responsibility for helping the student government. Students should be given the opportunity to participate in those decisions that affect the learning climate of the school. So that the student government can function as an informed organization, the District Board policies and individual school policies should be made available.

Responsibilities

Students have the responsibility:

- To work, in conjunction with the student government, on the needs and concerns expressed by the student body;
- To seek prior consent of any faculty member recommended as an advisor;
- To conduct election campaigns in a positive, mature manner with all due respect provided other candidates; and
- To participate in student government activities in an appropriate manner, demonstrate positive leadership, and operate within District and school regulations.

Rights

Students have the right:

- To form and operate a student government within their particular school under the direction of a faculty advisor (This right shall be carried out within the guidelines and practices recommended by the National and State Student Government Association and within the rules and regulations of the District.) ;
- To recommend members of the faculty to serve as sponsors for their school's government organization;
- To seek office in student government regardless of race, color, religion, national origin, sex, sexual orientation, marital status, disability, age or Vietnam Era veteran's status; and
- To attend official student government meetings as student government officers and representatives in accordance with school regulations.

STUDENT MOTOR VEHICLES

Philosophical Basis

Driving to school is a privilege granted by school administration.

Responsibilities

Students have the responsibility:

- To operate their motor vehicles in a safe manner at all times while driving on school or District property; and
- To refrain from carrying or concealing any substance or objects in a motor vehicle which may disrupt the educational process or which are forbidden by the Student Code of Conduct or State/Federal law.

Rights

Students have the right:

- To privacy of the contents of their motor vehicles unless the principal or designee has reasonable suspicion to believe that the student is concealing a prohibited substance or objects and other items that may be disruptive to the educational process.

STUDENT PUBLICATIONS

Philosophical Basis

One of the important roles of the school is to provide effective ways in which students may express themselves on a wide range of subjects. Official school publications such as newspapers should reflect the policy and judgment of the student editors and should include viewpoints representative of the entire school community.

Responsibilities

Students have the responsibility:

- To produce, post, publish, or distribute materials approved by the administration, which follow the District's guidelines for responsible journalism including the identification of the author(s);
- To post or display these materials only on those bulletin boards or wall areas designated for use by students and student organizations;
- To refrain from publishing and/or distributing obscene, inflammatory, or libelous materials and to observe acceptable standards of good taste and responsible journalism; and
- To confirm that the information published is factual.

Rights

Students have the right:

- To possess, post, and distribute literature, which expresses opinions and offers information on a wide range of subjects; and
- To be free from censorship of their publications and productions within the guidelines previously agreed upon by students and administrators; e.g., principals have the right to disallow or recall literature or media which they consider primarily commercial in nature or materials which could disrupt the orderly operation of the school

STUDENT RECORDS

Philosophical Basis

Student records contain information that directly relates to students, and are maintained by District employees. Care must be exercised by the school staff to make sure that student records are treated confidentially and that the information contained therein is accurate and appropriate. The student Cumulative Record File shall contain the Emergency Treatment Card, Identifying Data, School Health Record, Progress Report, Student Transcript and Discipline Record. Expulsions will be recorded on the student's cumulative record folder. Records (all information) included in student cumulative files will be provided upon request to the parent/guardian and/or forwarded to other schools for students moving into other districts or applying to other schools.

Responsibilities

Students have the responsibility:

- To give school personnel ample notice that they want to inspect and review their records; and
- To release information to those individuals or agencies who are working in a positive manner for the benefit of the student (The permission to release information, where required, must be in writing.)

Rights

Students have the right:

- To release, inspect, review, and challenge the information contained in their school records within the District guidelines and legal age requirements (School personnel shall provide assistance to students and parents/guardians to help them understand information in student records. This access may not be denied because of failure to pay fines or fees.);
- To sign for a release of information contained in their records to authorized agencies (The student must be 18 years of age or older to sign this release.); and
- To be protected from the release of personally identifiable information to unauthorized persons.

DISCLOSURE OF CERTAIN STUDENT INFORMATION

The District may disclose certain information, known as directory information, in its discretion without consent. Parents/guardians, or students 18 years of age or over, may refuse to permit the release of any or all directory information. If a parent/ guardian or emancipated student does not want directory information released, he or she must send written notice annually to the building principal. Such notice must be received within 30 days of student receipt of this Student Code of Conduct.

The following student information is directory information: name, address, telephone number, date and place of birth, major field of study, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended by the student, and photographs of students in school or school activities provided the photographs do not reveal information concerning academic placement.

FAMILY EDUCATION RIGHTS & PRIVACY ACT (FERPA RIGHTS)

The Family Education Rights and Privacy Act (FERPA) afford parents/guardians, and students over 18 years of age, the following rights:

Inspection and Review

Parents/guardians may submit to the school principal a written request identifying records they wish to inspect. The principal will notify them of the time and place at which records may be inspected. Access shall be provided within 45 days of the receipt of the request.

Amendment of Records

Parents/guardians may ask the District to amend a record they believe is inaccurate by submitting to the principal a written request identifying the part of the record they want changed and specifying why it is inaccurate. If the District denies the request, the District will notify them of the decision, advise of the right to a hearing, and provide the hearing procedures.

Disclosure without Consent

Disclosure of personally identifiable information contained in students' education records requires parent/guardian consent. Some exceptions apply including the following:

- Such records may be disclosed to school officials with legitimate education interests. School officials include District employees; the District Board members; a person or company retained by the District to perform a special task (for example, an alternative program, an attorney, auditor, medical consultant, or therapist). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill a professional responsibility.
- The District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll upon request from the receiving district.

RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

The Protection of Pupil Rights Amendment (PPRA) affords parents/guardians, students who are 18, and emancipated minors the following rights regarding the district's conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

Protected Information Surveys

The District is required to obtain consent permitting a child to participate in certain school activities, or parents/guardians may elect to opt out of such activities. These activities, known as protected information surveys, include a student survey, analysis, or evaluation concerning one or more of the following:

- Political affiliations or beliefs of the student or student's parent/guardian
- Mental or psychological problems of the student or student's family
- Sexual behavior or attitudes
- Illegal, anti-social, self-incrimination, or demeaning behavior
- Critical appraisals of others with whom respondents have close family relationships
- Legally recognized privileged relationships, such as with lawyers, doctors, or ministers
- Religious practices, affiliations, or beliefs of the student or parents/guardian
- Income, other than as required by law to determine program eligibility

Notice and Opportunity to Opt Out

The District will notify parents of the dates of the following activities and provide an opportunity to opt a student out of participating in such activities:

- Any protected information survey, regardless of funding source
- Any non-emergency invasive physical examination or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under State law
- Activities involving collection, disclosure, or use of personal information obtained from students for marketing, to sell or otherwise distribute the information to others

Inspection

Parents/guardians may, upon request, inspect the following:

- Protected information surveys of students
- Instruments used to collect personal information from students for marketing, sales, or other distribution purposes
- Instructional materials used as part of the educational curriculum

Adoption of Policies

The District will adopt policies, in consultation with parents/guardians, regarding these rights as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will notify parents/guardians of these policies at least annually after any substantive changes.

Complaint

If parents/guardians believe their rights have been violated, they must first utilize the Code of Conduct Grievance procedure, and then they may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SE, Washington, DC 20202-4605

GRIEVANCES

A student grievance is another name for a student complaint. A student grievance may arise if the student's rights or liberty interests have been denied or impaired.

- A. The following persons may engage in the grievance procedures:
- Individual student or group of students
 - A student's parent or guardian
 - Group of parents/guardians of students

- B. The grievance procedure may be initiated if a student is alleged to have been denied any of the following:
- An appropriate educational opportunity
 - Participation in any school activity for which the student is eligible
 - An opportunity to compete/audition for a position in a school or school sponsored activity
 - An opportunity to contest a rule, regulation, procedure or behavior consequences for a violation of the Student Code of Conduct that is alleged to be arbitrary or unreasonable
 - A constitutionally protected right

Grievance Procedures

The following procedures govern a grievance:

1. The grievant must provide the staff member(s) who allegedly engaged in the aggrieved act with a written request for a conference within three school days following that alleged act. The written request must identify the act being aggrieved.
2. A conference shall be held within four school days after the request, unless the parties agree in writing to a later date.
3. If the conference does not resolve the complaint, the grievant may file a written grievance with the supervisor of the affected staff member(s) within three days of the conference.
4. If the supervisor of the staff member fails to resolve the issue to the satisfaction of the grievant, the grievant, upon request, shall be provided a written notice by the supervisor within three days of the request, stating the facts and the basis of the grievant's dissatisfaction.
5. A grievant wishing to appeal the supervisor's written decision must file a written appeal with the Superintendent or the superintendent's designee-not later than five school days from the date of the written decision stating with specificity the reason(s)-the problem could not be resolved.
6. The Superintendent/designee shall resolve the appeal by investigating the situation, reviewing the written appeal/records, and/or scheduling a conference to hear the grievance no later than five school days following the receipt of the notice of appeal and shall issue a decision in writing no later than five school days following the investigation/conference.
7. The decision of the Superintendent/designee shall be the final decision of the school system. A copy of the decision shall be sent to the parties involved not later than ten school days following the receipt of the appeal by the Superintendent/designee

PARENT/GUARDIAN RESPONSIBILITIES AND RIGHTS

Parents/guardians have the right to:

1. Be actively involved in their child's education;
2. Be treated courteously, fairly and respectfully by all school staff and administrators;
3. Get information about Board policies and procedures that relate to their child's education;
4. Get regular reports, whether written or oral, from school staff regarding their child's academic progress or behavior, including but not limited to report cards, behavior progress reports and conferences;
5. Receive information and prompt notification of inappropriate or disruptive behaviors by their child, and any disciplinary actions taken by school staff or administrators;
6. Receive information about due-process procedures for disciplinary matters concerning their child, including information on conferences and appeals;
7. Receive information from staff about ways to improve their child's academic or behavioral progress, including but not limited to counseling, tutoring, after-school programs, academic programs and mental health services within schools and the community;
8. Receive information about services for students with disabilities and/or English language learners if/when applicable; and

Parents/guardians have the responsibility to:

1. Make sure their child attends school regularly and on time, and let schools know why their child is absent;
2. Tell school officials about any concerns or complaints in a respectful and timely manner; Work with school staff and administrators to address any academic or behavioral problems their child may experience;

3. Support schools by talking with their child about school and expected behavior, and being a role model for their child;
4. Read and become familiar with Board policies, CEO administrative regulations and this Code;
5. Give updated contact information to schools and the child's individual school;
6. Give their child a space to complete their homework or allow participation in after-school programs that permit the completion of homework; and
7. Be respectful and courteous to staff, other parents/guardians and students while on school premises or attending school activities.

CHAPTER III DISCIPLINARY ACTIONS FOR VIOLATIONS OF STUDENT CODE OF CONDUCT

OFFENSE CATEGORY I

***Behavior Modification Plans will be implemented for students who display chronic behaviors across Offense Category I offenses, or for students who display patterns of behavior for individual offenses.*

ABUSIVE LANGUAGE (STUDENT TO STUDENT): Written or spoken language or gestures that are offensive, abusive, or vulgar.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

CLASS CUTTING: Unexcused absence from a class without authorization or approved reason.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

FORGERY: The act of forging a signature or using something written falsely to deceive.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notice

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

GAMBLING: Participation in games of chance; including but not limited to, card playing for money and/or other things of value.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

INAPPROPRIATE BEHAVIOR: Language, gestures, or actions that incite, produce distractions or disruptions, or seriously interfere with effective functioning of the teacher, another student, class, or any school activity. This does NOT include severe insubordination. Severe insubordination is a separate Level II offense.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

INAPPROPRIATE BUS BEHAVIOR: Behavior which produces distractions, or disturbances which seriously or repeatedly interfere with the bus driver, cause unsafe conditions, or disrespect to the driver. (Consequences for Level II and Level III code violations will be administered as indicated for the respected offense – see Level II and Level III offenses.) Repeated violations may result in the loss of bus riding privileges.

KINDERGARTEN – GRADE 2

First Offense

REQUIRED:

- Written Notice
- Parent/guardian notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

REQUIRED:

- Parent/guardian notification
- Conference with parent, child, Transportation Supervisor and building Administrator

Optional

- Behavior Intervention
- School Based Counseling
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED:

- Parent/guardian notification
- Suspension of bus privileges (three days, five days, and ten days in sequential order)*

Optional

- Behavior Intervention
- School Based Counseling
- Implement Behavior Modification Plan

Recommended

- Mentoring

GRADES 3 – 5

First Offense

REQUIRED:

- Written notification
- Parent/guardian notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

REQUIRED:

- Parent/guardian notification
- Written notification
- Conference with parent, child, Transportation Supervisor and building Administrator
- Behavior Intervention

Optional

- School Based Counseling
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED:

- Parent/guardian notification
- Suspension of bus privileges (three days, five days, and ten days in sequential order)*

Optional

- Behavior Intervention
- School Based Counseling
- Implement Behavior Modification Plan

Recommended

- Mentoring

INSUBORDINATION: Verbal or non-verbal refusal to comply with a reasonable request – student to teacher.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- Implement Behavior Modification Plan
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

LEAVING SCHOOL WITHOUT AUTHORIZATION: Once a student arrives at the school campus he/she may not leave, unless authorized to do so, until the end of the student’s scheduled day.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- 1 Time-out

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- 1-3 day(s) in-school suspension in sequential order
- Implement Behavior Modification Plan

Recommended

- Mentoring

STUDENT PRESENCE IN ANY PROHIBITED SCHOOL AREA: Unauthorized presence of a student in a prohibited area.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- 1 Time-out

Optional

- Behavior Intervention
- Mentoring

Second Offense

- Parent/guardian notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

- 1-3 day(s) in-school suspension in sequential order

- Implement Behavior Modification Plan

Recommended

- Mentoring

TRESPASSING: Entering or remaining on school property without authorization; including, but not limited to, knowing or unknowing entry upon school property by a suspended student or student from another school who does not have a legitimate reason for being there.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention
- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

- 1-3 day(s) in-school suspension in sequential order

- Implement Behavior Modification Plan

Recommended

- Mentoring

UNAUTHORIZED USE OF ELECTRONICS: The use or any public display of any of the following on school premises during the school hours of any school day: cellular phones, pocket pages, laser pointers, personal music devices (walkmans, MP3 players, etc.), electronic games and other materials designated by staff as disruptive or potentially disruptive. Failure to give an electronic device to school personnel when asked will be considered as serious insubordination.*

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan
- School Based Counseling
- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Behavior Intervention
- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Mentoring
- Parent conference
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

- Implement Behavior Modification Plan

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring

* Item(s) taken and kept in office for parent/guardian to pick up; any electronic device not picked up before July 1st will be discarded

* *School officials will not investigate claims of theft or lost electronic devices that are prohibited in school.*

OFFENSE CATEGORY II

ABUSIVE LANGUAGE (STUDENT TO STAFF): Written or spoken language or gestures that are offensive, obscene, or vulgar.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring
- Parent conference

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- 1 Time-out
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Parent conference
- Mentoring

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Implement Behavior Modification Plan
- In-school suspension (in lieu of time out)
- Referral to mediation

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

ACADEMIC CHEATING: The act or instance of deception in preparing or presenting course work or class assignments as a student's own authentic work when it is not. This includes, but is not limited to: (1) copying another student's paper, (2) unauthorized use of notes or sharing answers during a test or examination, (3) presenting another person's work as one's own, (4) presenting quotations, words, or ideas without proper references or credit (plagiarism). The person sharing the information will receive the same consequence as the person who turned the work in as his/her own. These examples also apply to electronic information retrieved from the Internet.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring
- Parent conference

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- 1 Time-out
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior conference

Optional

- Parent conference
- Mentoring

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Implement Behavior Modification Plan
- In-school suspension (in lieu of time out)
- Referral to mediation

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

BREAKING AND ENTERING: Unauthorized entry of any locked area of school during or after school; including, but not limited to, rooms, classrooms, auditorium, gym, shops, offices, lockers, and cabinets.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring
- Parent conference

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- 1 Time-out
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Parent conference
- Mentoring

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Implement Behavior Modification Plan
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

BULLYING: When one person or group of persons, targets another person with direct or indirect negative actions over a period of time which is harmful to the victim either physically or emotionally. A negative action occurs when a person knowingly inflicts, or attempts to inflict physical or emotional injury or discomfort to another person (See Appendix IV).

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- Mandatory report to DOE

Optional

- Behavior Intervention
- Mentoring
- Parent conference

Recommended

- Anti-Bullying Pledge

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- Mandatory report to DOE

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- 1 Time-out
- Mentoring
- Referral to mediation

Recommended

- Anti-Bullying Pledge

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- 1 Time-out
- School Based Counseling
- Anti-Bullying Pledge

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- Mandatory report to DOE

Optional

- Parent conference

Recommended

- Mentoring
- Anti-Bullying Pledge

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Mandatory report to DOE
- Behavior Intervention
- School Based Counseling
- Anti-Bullying Pledge

Optional

- In-school suspension (in lieu of time out)
- Referral to mediation

Recommended

- Mentoring
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension
- Anti-Bullying Pledge

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

CARELESS/RECKLESS BEHAVIOR: Intentional/unintentional behavior that threatens to or causes personal injury or property damage. For example: shoving, horseplay.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring
- Parent conference

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- 1 Time-out
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Parent conference
- Mentoring

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Implement Behavior Modification Plan
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

CRIMINAL MISCHIEF/VANDALISM: The destruction or defacing of school property or the property of others (including the unauthorized altering/tampering or vandalism to school owned electronic equipment and software). If value of property is in excess of \$1000, First Offense will result in Subsequent Offense consequences.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- Mandatory report to DOE

Optional

- Behavior Intervention
- Mentoring
- Parent conference

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- Mandatory report to DOE

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- 1 Time-out
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- 1 Time-out
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- Mandatory report to DOE

Optional

- Parent conference

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Mandatory report to DOE
- Behavior Intervention
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)
- Referral to mediation
- Police notification

Recommended

- Mentoring
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

DEFIANCE: Serious insubordination; intentionally defiant behavior or attitude; resistance to authority (student to administrator).

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring
- Parent conference
- 1 Time-out

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Implement Behavior Modification Plan
- School Based Counseling
- Mentoring
- Referral to mediation

Recommended

- School Based Counseling

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- School Based Counseling

Optional

- In- or out-of-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Parent conference
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)
- Referral to mediation

Recommended

- Mentoring
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

FIGHTING: Aggressive, physical conflict between two or more individuals; including, but not limited to punching.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- Mandatory report to DOE
- Behavior Intervention

Optional

- Mentoring
- In-school suspension
- Parent conference
- School Based Counseling
- Referral to mediation

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- In-school suspension
- Mandatory report to DOE

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- In-school suspension
- Behavior Intervention
- Mandatory report to DOE

Optional

- Parent conference
- School Based Counseling
- Mentoring
- Referral to mediation

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Mandatory report to DOE
- Out-of-school suspension
- Behavior Intervention
- School Based Counseling
- Implement Behavior Modification Plan

Optional

- Police notification

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

FIGHTING cont'd.

Recommended

- Restitution

Recommended

- Mentoring
- Referral to mediation
- Restitution

INAPPROPRIATE ITEM/MATERIAL: Using or possessing written language, clothing, electronic messages, pictures and objects considered to be offensive or not suitable for an educational setting.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Parent conference
- Implement Behavior Modification Plan

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- Implement Behavior Modification Plan
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Mentoring
- Behavior Intervention

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Parent conference
- Implement Behavior Modification Plan
- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- Implement Behavior Modification Plan

Optional

- In-of-school suspension (in lieu of time out)

Recommended

- Mentoring

INAPPROPRIATE SEXUAL BEHAVIOR: (including, but not limited to, physical touching or intimate body parts or self): Consensual acts of affection or intimacy inappropriate to an educational setting; including, but not limited to, any action or suggestion by one or more persons involving the use or display of body parts generally referred to as “private.”

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention

Optional

- Parent conference
- 1 Time-out
- Implement Behavior Modification Plan
- School Based Counseling

Recommended

- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference

Optional

- School Based Counseling
- Implement Behavior Modification Plan
- Referral to mediation

Recommended

- Mentoring

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Mentoring
- Behavior Intervention

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- Parent conference
- Implement Behavior Modification Plan
- Mentoring

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- Implement Behavior Modification Plan

Optional

- In-school suspension (in lieu of time out)
- Referral to mediation

Recommended

- Mentoring

INSTIGATION: Behavior which is likely to incite or produce aggressive or physical conflict between two or more individuals.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification

Optional

- Behavior Intervention
- Mentoring
- Parent conference
- 1 Time-out

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation

Recommended

- School Based Counseling

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- School Based Counseling

Optional

- In- or out-of-school suspension (in lieu of time out)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Parent conference
- In-school suspension (in lieu of time out)

Recommended

- Mentoring

Second Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention
- School Based Counseling

Optional

- In-school suspension (in lieu of time out)
- Referral to mediation

Recommended

- Mentoring
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- Parent conference
- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

OFFENSIVE TOUCHING STUDENT TO STUDENT: An intentional act taken against a student with a part of the body or with an instrument (including but not limited to shoving, pushing, and striking) thereby causing offense, alarm, or minor physical harm.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- Mandatory report to DOE
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- In-school suspension
- Mandatory report to DOE

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Mandatory report to DOE

Optional

- Parent conference
- School Based Counseling
- Mentoring
- Referral to mediation

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Mandatory report to DOE
- In-school suspension
- Behavior Intervention

Optional

- Police notification
- Out-of-school suspension (in lieu of in-school suspension)

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

OFFENSIVE TOUCHING STUDENT TO STUDENT con't.

Recommended

- Restitution
- Behavior Intervention

Recommended

- Mentoring
- Referral to mediation
- Restitution
- School Based Counseling
- Implement Behavior Modification Plan

RECKLESS BURNING: When a person intentionally or recklessly starts a fire or causes an explosion and recklessly places a building or property in danger of destruction or damage or places another person in danger of physical injury.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- Behavior Intervention
- 1 Time-out

Optional

- Mentoring
- In-school suspension
- Parent conference
- School Based Counseling
- Referral to mediation

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- In-school suspension

Optional

- Parent conference
- School Based Counseling
- Mentoring
- Out-of-school suspension (in lieu of in-school suspension)
- Police notification

Recommended

- Restitution
- Behavior Intervention
- Mentoring
- Referral to mediation

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- In-school suspension
- Behavior Intervention

Optional

- Police notification
- Out-of-school suspension (in lieu of in-school suspension)
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution
- School Based Counseling
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

SEXUAL HARRASSMENT: A threat to engage in conduct likely to result in the commission of a sexual offense against another individual. The offender suggests, solicits, requests, commands, demands or otherwise attempts to induce another individual to have sexual contact or sexual intercourse or unlawful sexual penetration knowing that it is likely to cause annoyance, offense or alarm to that individual.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Mandatory report to DOE
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- In-school suspension
- Mandatory report to DOE

Optional

- Out-of-school suspension (in lieu of in-school suspension)
- Police notification

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Mandatory report to DOE

Optional

- Parent conference
- School Based Counseling
- Mentoring
- Referral to mediation
- Police notification

Recommended

- Behavior Intervention

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Mandatory report to DOE
- In-school suspension
- Behavior Intervention

Optional

- Police notification
- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution
- School Based Counseling
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification

Recommended

- Mentoring
- Referral to mediation

SMOKING/POSSESSION OF TOBACCO/TOBACCO PRODUCTS: This offense applied at school activities, in school buildings, on school grounds, or on school field trips. Possession includes, but is not limited to, on student’s person, in student’s belongings, or under reasonable control by placement of and knowledge of the whereabouts of tobacco.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Mandatory report to DOE
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- In-school suspension
- Mandatory report to DOE

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation

SMOKING/TOBACCO cont'd.

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Mandatory report to DOE

Optional

- Parent conference
- School Based Counseling
- Mentoring
- Referral to mediation

Recommended

- Behavior Intervention

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Mandatory report to DOE
- In-school suspension
- Behavior Intervention

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- School Based Counseling
- Implement Behavior Modification Plan

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification

Recommended

- Mentoring
- Referral to mediation

TAMPERING WITH ANY FIRE SAFETY DEVICE

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan

Optional

- Out-of-school suspension (in lieu of in-school suspension)
- Police notification

Recommended

- Mentoring
- Referral to mediation
- Restitution

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Parent conference
- School Based Counseling
- In-school suspension (in lieu of time out)
- Mentoring
- Referral to mediation

Recommended

- Behavior Intervention
- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- In-school suspension
- Behavior Intervention

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- School Based Counseling
- Implement Behavior Modification Plan
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

THEFT/POSSESSION/TRANSFER OF STOLEN GOODS: The act of taking possession or transferring the property of another without the consent of the owner. If value of property is in excess of \$1,000, First Offense will follow Subsequent Offense consequences.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- 1 Time-out

Optional

- In-school suspension (in lieu of time out)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Parent conference
- School Based Counseling
- Police notification
- In-school suspension (in lieu of time out)
- Mentoring
- Referral to mediation
- Service Learning

Recommended

- Behavior Intervention
- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- In-school suspension
- Behavior Intervention

Optional

- Out-of-school suspension (in lieu of in-school suspension)
- Police notification
- Service Learning

Recommended

- Mentoring
- Referral to mediation
- School Based Counseling
- Implement Behavior Modification Plan
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Service Learning
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

**Mandatory report to DOE for any offense classified as felony theft (\$1000+).

THEFT USING COERCION: Obtaining money or property from another student through coercion, intimidation or threat of physical harm.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation
- Anti-Bullying pledge

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- 1 Time-out

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution
- Anti-Bullying Pledge

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution

THEFT USING COERCION cont'd.

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Parent conference
- School Based Counseling
- Police notification
- In-school suspension (in lieu of time-out)
- Mentoring
- Referral to mediation
- Service Learning

Recommended

- Behavior Intervention
- Restitution
- Anti-Bullying pledge

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- In-school suspension
- Behavior Intervention

Optional

- Out-of-school suspension (in lieu of in-school suspension)
- Police notification
- Service Learning

Recommended

- Mentoring
- Referral to mediation
- School Based Counseling
- Implement Behavior Modification Plan
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Service Learning
- Threat Assessment
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

** Mandatory report to DOE for any offense classified as felony theft (\$1000).

THREATENING BEHAVIOR TO STAFF: A threat to engage in menacing behavior that is violent or sexual in nature to an individual staff member, not a group or community – without physical contact – that would cause a reasonable person offense, annoyance, or alarm.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation
- Threat Assessment

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- 1 Time-out

Optional

- In-school suspension (in lieu of in-school suspension)
- Threat Assessment

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution
- Threat Assessment

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Parent conference
- School Based Counseling
- Police notification
- In-school suspension (in lieu of time out)
- Mentoring
- Referral to mediation
- Service Learning
- Threat Assessment

Recommended

- Behavior Intervention
- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- In-school suspension
- Behavior Intervention

Optional

- Out-of-school suspension (in lieu of in-school suspension)
- Police notification
- Service Learning

Recommended

- Mentoring
- Referral to mediation
- School Based Counseling
- Implement Behavior Modification Plan
- Restitution
- Threat Assessment

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Service Learning
- Threat Assessment
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution

**Required notification of police and filing of DOE report for C0501 offenses.

THREATENING BEHAVIOR TO STUDENT: A threat to engage in menacing behavior that is violent or sexual in nature to an individual student, not a group or community – without physical contact – that would cause a reasonable person offense, annoyance, or alarm.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out
- Behavior Intervention

Optional

- Mentoring
- In-school suspension (in lieu of time out)
- Parent conference
- School Based Counseling
- Referral to mediation
- Threat Assessment
- Anti-Bullying Pledge

Recommended

- Restitution

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- Behavior Intervention
- School Based Counseling
- 1 Time-out

Optional

- In-school suspension (in lieu of time out)
- Threat Assessment

Recommended

- Implement Behavior Modification Plan
- Mentoring
- Referral to mediation
- Restitution
- Anti-Bullying Pledge

Subsequent Offenses

REQUIRED: same as second offense with

- Implement Behavior Modification Plan
- In-school suspension

Optional

- Out-of-school suspension (in lieu of in-school suspension)

Recommended

- Mentoring
- Referral to mediation
- Restitution
- Threat Assessment

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Written notification
- 1 Time-out

Optional

- Parent conference
- School Based Counseling
- Police notification
- In- or out-of-school suspension (in lieu of time out)
- Mentoring
- Referral to mediation
- Service Learning
- Threat Assessment

Recommended

- Behavior Intervention
- Restitution
- Anti-Bullying Pledge

Second Offense

- Parent/guardian notification
- Parent conference
- Written notification
- In-school suspension
- Behavior Intervention

Optional

- Out-of-school suspension (in lieu of in-school suspension)
- Police notification
- Service Learning

Recommended

- Mentoring
- Referral to mediation
- School Based Counseling
- Implement Behavior Modification Plan
- Restitution
- Threat Assessment

Subsequent Offenses

REQUIRED: same as second offense with

- School Based Counseling
- Implement Behavior Modification Plan
- Out-of-school suspension

Optional

- Police notification
- Service Learning
- Alternative placement

Recommended

- Mentoring
- Referral to mediation
- Restitution
- Threat Assessment

**Required filing of DOE report for D0901 offenses.

OFFENSE CATEGORY III

ARSON: Any act utilizing fire, smoke, or explosives which cause alarm or danger to life; including but not limited to willful or malicious burning of school property, its contents, or the property of others.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

ASSAULT ON STAFF: A reckless intentional physical act using force upon a staff member resulting in physical injury.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- Behavior Intervention
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Second Offense

REQUIRED: same as first offense with

- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

ASSAULT ON STAFF cont'd.

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

ASSAULT ON STUDENT: An intentional, physical attack using force upon a person resulting in physical injury.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)
- Expulsion (based on criminal charge)

Optional

- Mentoring

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)
- Expulsion (based on criminal charge)

Optional

- Expulsion (for Assault II)

Recommended

- Mentoring
- Restitution

ATTORNEY GENERAL'S REPORT (JUVENILE ARREST WARRANT AND COMPLAINT): Out-of-state school criminal conduct which shows a disregard for the health, safety and welfare of others, including, but not limited to acts of violence.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

ATTORNEY GENERAL'S REPORT cont'd.

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Alternative Placement

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

DANGEROUS INSTRUMENT(S) POSSESSION/CONCEALMENT SALE: Regardless of possessor's intent, any unauthorized possession/concealment/sale of an instrument, article or substance which is readily capable of causing serious physical injury or death. If the full blade of a knife is less than three inches, the item will be considered a dangerous instrument.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

WEAPONS/DEADLY WEAPON(S) POSSESSION/CONCEALMENT/SALE: Regardless of possessor’s intent, any possession/concealment/sale of a weapon/deadly weapon. The Weapon/Deadly Weapon list includes, but is not limited to, firearms, pellet guns (hard and soft), BB guns, air guns, bombs, electric weapons, projectile devices, knives with a full blade measuring three or more inches, switch-blade knife, mace, pepper gas, billy, blackjack, bludgeon, metal knuckles, slingshot, razor, razor blades, box cutter, xacto knife, utility knife, bicycle chain, ice pick, taser, and non-functional weapons. Also, any dangerous instrument, as defined in this Code, will be considered a weapon/deadly weapon when used, displayed in threatening manner, or attempted to be used, to cause death or serious physical injury.*

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)
- Expulsion (based on criminal charge)

Optional

- Mentoring

Recommended

- Restitution

Second Offense

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)
- Expulsion (based on criminal charge)

Optional

- Expulsion (no criminal charge)

Recommended

- Mentoring
- Restitution

DISTRIBUTION OF DRUGS AND/OR ALCOHOL AND/OR PARAPHERNALIS: Sale, transfer, or distribution in school, on school property, or on school field trip of drugs, alcohol, drug-like substance, or look-alike substances. This situation includes prescription drugs or over-the-counter drugs. Regardless of possessor’s intent, possession of excessive amounts of drugs/alcohol or look-alike substances are considered as "possession with intent to deliver". An "illegal substance" includes all substances which fall under the definition of "controlled substances" set forth in the Uniform Controlled Substances Act (16 Del. C.Sec.4701 et. seq.).

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

DISTRIBUTION OF DRUGS cont'd.

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

Any student who distributes drugs that are subsequently consumed by a student resulting in an altered state or physical harm is subject to expulsion.

USE AND/OR POSSESSION OF DRUGS AND/OR ALCOHOL AND/OR PARAPHERNALIA: Regardless of possessor's intent, to possess on your person or among your personal belongings, or to use or have consumed alcohol, drugs or any illegal substance. This includes being under the influence, even if use occurred off school grounds. This situation includes look-alike substances, prescription drugs*, and over-the-counter drugs*. Possession of excessive amounts of drugs and/or alcohol or look-alike substances is considered "possession with intent to deliver" and is treated as the Offense Category III violation: "Distribution of Drugs and/or Alcohol and/or Paraphernalia."

** This does not include drugs distributed by the school nurse.*

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

OFFENSIVE TOUCHING TO STAFF: An intentional act taken against a staff member with a part of the body or with an instrument (including but not limited to shoving, pushing, striking) thereby causing offense or alarm.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

RAPE OR ATTEMPTED RAPE: Forced or attempted forced sexual contact (including Unlawful Sexual Contact) without consent of victim.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Mandatory Report to DOE
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

RAPE OR ATTEMPTED RAPE cont'd.

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

ROBBERY: To obtain or attempt to obtain money, goods, services or information from another by physical force or violence, coordinated violence, or intimidation using a dangerous instrument or weapon.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

THREAT TO THE ORDERLY SCHOOL PROCESS: A verbal, written or physical threat to commit any act likely to result in death or serious injury to persons (groups, communities, assemblages) or property; including, but not limited to, false statements or actions likely to cause evacuation of a building, place or assembly of facility of public transportation. This also includes statement(s), behavior or acts made that are likely to cause serious inconvenience or in reckless disregard of the risk of causing terror or serious inconvenience. Including but not limited to bomb threats, false fire alarms, and terroristic threats***.

KINDERGARTEN – GRADE 2

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3)

Optional

- Mentoring
- Police notification
- Alternative Placement
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Out-of-school suspension (5)

Optional

- Police notification
- Implement Behavior Modification Plan
- Expulsion

Recommended

- Mentoring
- Restitution
- Alternative Placement

THREAT TO THE ORDERLY SCHOOL PROCESS cont'd.

GRADES 3 – 5

First Offense

- Parent/guardian notification
- Parent/guardian conference
- Written notification
- School Based Counseling
- Mandatory Report to DOE
- Out-of-school suspension (3-5)
- Police notification
- Alternative Placement (based on state statute)

Optional

- Mentoring
- Expulsion

Recommended

- Restitution

Second Offense

REQUIRED: same as first offense with

- Behavior Intervention
- Implementation of Behavior Modification Plan
- Out-of-school suspension (5)
- Alternative Placement (based on state statute)

Optional

- Expulsion

Recommended

- Mentoring
- Restitution

MANDATORY SCHOOL CRIME REPORTING LAW

A mandatory reporting process through which certain crimes committed by students on school property, including buses, fieldtrips, sports events and any school function within the State of Delaware must be reported to the police (Resource Officer) and when applicable to DOE (Department of Education).

Mandatory Reports to Police:

- Violent felonies (all violent felonies that occur against students, school employees, and school volunteers must be reported)
- assault against a student, school employee or volunteer
- terroristic threatening against a school employee or volunteer
- offensive touching against a school employee or volunteer
- unlawful sexual contact against a student, school employee or volunteer
- possession of a dangerous instrument or deadly weapon by a student
- possession of an unlawful controlled substance including: prescription drugs, counterfeit drugs

Report to Department of Education:

In addition to these school crimes required to be reported pursuant to statute, the superintendent or designee shall report to the Department of Education.

- sexual harassment
- offensive touching (non-employee)
- pornography
- bomb threats
- criminal mischief (vandalism)
- tampering with public records
- alcohol, possession and use
- felony theft (\$1,000 or more)
- disorderly conduct/fighting
- terroristic threatening
- bullying
- fighting
- inhalants
- drug paraphernalia
- tobacco possession/use
- steroid possession/use
- medicine, inappropriate possession/use

NOTIFICATION OF PROVISIONS PERTAINING TO SCHOOL CRIMES

Delaware Code Title 14 Del. C §4112

Delaware Code **requires mandatory reporting** of the offenses listed in 14 Del. C §4112. School employees who have reliable information that would lead a reasonable person to believe that one of the following has occurred on school property or at a school function must immediately report the incident to the principal or designee:

- Student, school volunteer, or school employee has been the victim of violent felony, assault III, unlawful sexual contact III; or
- School employee has been the victim of offensive touching, terroristic threatening; or
- Student under 18 has been victim of sexual harassment; or
- Person on school property has drugs or weapons or bomb.

The principal or designee will make every effort to notify the parent(s)/ guardian(s) and will conduct a thorough investigation and/or if warranted by statute will report to the police authorities. In addition, the principal will make every effort to notify the parent(s)/ guardian(s) of any juvenile victim. The following list is not all inclusive, but, at a minimum, the following shall be reported to the appropriate law enforcement agency.

1. Evidence that suggests to commission of the crimes of assault and extortion against pupil, or an assault, offensive touching, terroristic threatening or extortion against a school employee.
2. Evidence that suggests the commission of a felony, for example: reckless endangering, assault offenses, homicide; arson, criminal mischief, bombs; robbery, rape, extortion, fraud, forgery, weapons, etc.
3. Evidence that suggest violations of the laws concerning controlled substances and alcohol.
4. Evidence that suggests incest, sexual abuse or the neglect or other abuse of children.
5. Evidence that suggests the use, possession, or sale of dangerous instruments or deadly weapons, (e.g. knives, firearms, ammunition, explosives or blasting caps).
6. Evidence that suggests morals offense (e.g. pornography, exhibitionism, peeping, etc.).
7. Evidence that suggests organized gambling
8. Evidence of offenses involving school property, e.g. false fire alarms, telephone threats, computer crimes, vandalism and criminal mischief, trespass, burglary and theft, reckless driving and safety hazards.
9. Reports of suspicious persons or unauthorized persons on or near school grounds or property, or rumors, information or observations of gang rivalries or activities. (These activities need not be reported to the State Board of Education.)

Delaware Code Title 14 Del. C § 4110

Disturbing schools or destroying school property; penalty

Whoever disturbs a public school in session or willfully destroys any public school property shall be fined \$20, to be collected as other fines, and paid to the board of education of the school district for the benefit of the respective district, or imprisoned not more than 30 days, or both. (32 Del. Laws, c. 160, § 57; Code 1935, § 2752; 14 Del. C. 1953, § 4113; 57 Del. Laws, c. 113.)

Delaware Code Title 11 Del. C § 621

Terroristic threatening

A person is guilty of terroristic threatening when he or she commits any of the following:

1. The person threatens to commit any crime likely to result in death or in serious injury to person or property;
2. The person makes a false statement or statements:
 - a. Knowing that the statement or statements are likely to cause evacuation of a building, place of assembly, or facility of public transportation;
 - b. Knowing that the statement or statements are likely to cause serious inconvenience; or
 - c. In reckless disregard of the risk of causing terror or serious inconvenience; or
3. The person commits an act with intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.

Any violation of paragraph (a)(1) of this section shall be a class A misdemeanor except where the victim is a person 62 years of age or older, in which case any violation of paragraph (a)(1) of this section shall be a class G felony. Any violation of paragraph (a)(2) of this section shall be a class G felony unless the place at which the risk of evacuation, serious inconvenience or terror is created is a place that has the purpose, in whole or in part, of acting as a daycare facility, nursery or preschool, kindergarten, elementary, secondary or vocational-technical school, or any long-term care facility in which elderly persons are housed, in which case it shall be a class F felony. Any violation of paragraph (a)(3) of this section shall be a class F felony. Notwithstanding any provision of this subsection to the contrary, a first offense of paragraph (a)(2) of this section by a person 17 years old or younger shall be a class A misdemeanor.

In addition to the penalties otherwise authorized by law, any person convicted of an offense in violation of paragraph (a)(2) of this section shall:

1. Pay a fine of not less than \$1,000 nor more than \$2,500, which fine cannot be suspended; and
2. Be sentenced to perform a minimum of 100 hours of community service.

In addition to the penalties otherwise authorized by law, any person convicted of an offense in violation of paragraph (a)(3) of this section shall pay a fine of not less than \$2,000, which fine cannot be suspended. (11 Del. C. 1953, § 621; 58 Del. Laws, c. 497, § 1; 67 Del. Laws, c. 130, § 8; 70 Del. Laws, c. 186, § 1; 70 Del. Laws, c. 330, § 1; 73 Del. Laws, c. 126, §§ 5, 6; 73 Del. Laws, c. 255, § 1.)

CHAPTER IV: DISCIPLINARY PROCEDURES

CORPORAL PUNISHMENT

Corporal punishment will not be administered in any Christina school.

SUSPENSION FROM SCHOOL

Suspension is the temporary removal of a pupil from the regular school program. For purposes of clarification, students assigned administratively to an alternative placement and students returning from expulsion shall not be considered "suspended" such as to trigger due process rights.

Prior to a suspension from school the student shall:

1. Be given oral or written notice of the charges and be told on what evidence the decision may be made;
2. Be given the opportunity to present the student's side of the story; and
3. Have had prior opportunity to know that the alleged actions were in violation of established rules and regulations.

When a student is suspended, written notification of the suspension shall be sent to the parent/guardian. The notification shall state the cause and duration of the suspension. For each out-of-school suspension up to three (3) days, the principal/designee is required to hold an in-person or phone conference. If the suspension is for three (3) or more days, the principal/designee is required to hold a conference, to include the parent and child, prior to the readmission of the student. A definite time and date for a conference shall be scheduled at a place designated by the school administrator. Students have the right to submit a statement in writing concerning any incident requiring discipline action, but are not required to do so.

The parent will be advised that the suspension may be appealed to the next administrative level.

Generally the notice and conference should precede the student's removal from school. However, if this is not feasible or if the immediate removal of the student from school is necessary to protect the safety of individuals, property, and/or the educational process, the necessary notice and conference, if requested, will follow as soon as practical.

In all cases of suspension an attempt shall be made to notify the parents/ guardians by telephone to request that the student be picked up from school. Students whose parents/guardians cannot be reached by telephone will be retained at school until the end of the school day. In certain emergency situations, and upon proper approval of notification, an administrator or designee may take student to his/her home.

A student's suspension shall be extended pending a District Alternative Placement or Expulsion Hearing.

DISCIPLINE OF STUDENTS WITH DISABILITIES

1. For disciplinary reasons, school personnel may suspend (in school or out of school) for not more than 10 school days. This is known as the "10 day rule". Disciplinary removals for more than 10 school days are regarded as a "change of placement".
2. The "10 day rule" allows school personnel to unilaterally remove a student with a disability who violates a code of conduct from the student's current placement for not more than 10 school days.
3. A "change of placement" occurs if a removal is for more than 10 consecutive school days or a change of placement occurs if a student is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year.
4. The Individuals with Disabilities Act (IDEA) requires school personnel to provide students with disabilities suspended for greater than 10 days a free appropriate public education (FAPE). Services must enable the student to participate in the general education curriculum and enable the student to progress toward meeting the goals set out in the individual Educational Plan (IEP).
5. The IDEA requires the school district to conduct a manifestation determination within 10 school days of any decision to change the placement of a student with a disability because of a violation of the code of conduct.

6. If the Special Education Team determines it was a manifestation, the Special Education Team must conduct a Functional Behavior Assessment (FBA), develop a positive behavior support plan to address the behavior, and return the student to the placement from which the student was removed.
7. If the Special Education Team determines it was not a manifestation of the disability, the school may discipline the student using the relevant disciplinary procedures applicable to students without disabilities in the same manner and duration however, services must continue to be provided.
8. School personnel may remove a student with a disability to an interim alternative setting for up to 45 days when a student at a school, district or state function carries a weapon or look alike, knowingly possesses or uses illegal drugs, or has inflicted serious bodily harm on another person.

OUT OF SCHOOL CONDUCT

The District is notified by the Attorney General’s Office and/or law enforcement authorities whenever a student is arrested for committing a criminal offense, even if it has nothing to do with school or has occurred off school property. When the District receives these reports, they will be reviewed. The District will take disciplinary action as outlined in the Student Code of Conduct (see pages 44) if it is determined that the out-of-school conduct indicates the student presents a threat to the health, safety or welfare of other students and staff. The District will not wait for adjudication of said criminal offenses to proceed with alternative placement or expulsion procedures. In addition, District discipline action is not dependent upon the outcome of the student’s adjudication. Students need to realize that out-of-school behavior can result in expulsion from school or placement in an alternative program.

ASSIGNMENT TO ALTERNATIVE PROGRAMS

Alternative placements are intended to be educational placements for students who violate the Christina School District Student Code of Conduct and for those students returning from placement in an Outside Agency (examples include, but are not limited to youth detention facility, substance abuse facility, mental health facility).

A student may be placed in an alternative placement program designed to meet the student's particular needs. Alternative programs may be located at the student's home school (middle and high school only), another school site, an alternative location, or through a distance education program.

A. Regarding violations of the Code of Conduct, the building will send a recommendation to the District. The District will accept, reject or modify the building level recommendation and proceed accordingly. If the District accepts the building level recommendation for an alternative placement hearing, the District Discipline Committee will determine if a student will be alternatively placed. The Committee will also determine what alternative placement program is in the best interest of the child. The parent/guardian will be notified by building administration of the date for the district level conference. **Said conference may occur with or without the student or parent/guardian’s presence.** After this district level conference, the student and the student’s parents/guardians shall be given written notice of:

- confirmation of placement decision
- placement location
- minimum length of placement

- B. A transition meeting for returning students will include the student, parent, counselor, administrator, and teacher (if applicable). If the teacher cannot attend the meeting he/she will be notified of all pertinent information. All students returning to the comprehensive school from an alternative program must re-register before beginning classes.
- C. Continued offenses after placement in an alternative program will be considered a serious breach of this Code and may result in a recommendation for expulsion.

EXPULSION PROCEDURES

When it is alleged that a student committed a violation of the Student Code of Conduct or is subject to the above policy, and may be subject to a recommendation for expulsion, the following procedures shall be followed:

Step I — Building Level Conference for Expulsion

An administrator will conduct a preliminary investigation to determine if there is a reasonable cause to pursue disciplinary action. The administrator will inform the student of the charges. The student will be given an

opportunity to tell his/her side of the story. If it is decided to proceed with an expulsion, the procedures below will be instituted. **The individual school, the District, and the Board will make a good faith effort to abide by all expulsion procedure timelines. However, all students and parents are on notice that timelines may change based on reasonable circumstances as determined by the District.**

- A. Student will be suspended according to the Code of Conduct.
- B. Student will be given written notice of charges.
- C. The student and parent/guardian will participate in a building level conference to review the case, within five (5) school days of the incident. If agreement cannot be reached within the five day limit the principal/designee will set the date/time. Notification of the scheduled conference will be sent to the parent/guardian. Telephone contact will also be attempted.
- D. At the conclusion of the conference the principal/designee will inform the parent/guardian of the recommendation.
- E. All back-up materials must be submitted to the Superintendent/Designee within two (2) days of the conference or seven (7) days of the incident, whichever is sooner.
- F. Days shall mean school days unless it is the end of the school year; then days shall mean calendar days including Saturday, Sunday, and holidays.

Step II — District Level Expulsion Hearing

Upon receipt of a recommendation from the building level conference, the following will be implemented:

- A. The Superintendent/Designee will review documentation to affirm that appropriate discipline procedures were followed and will notify the student and the parent/guardian by letter that a district level expulsion hearing will be held to consider the recommendation.
- B. Notice will be sent by certified mail and shall give the date, time, and location of the hearing.
- C. The hearing shall be held not less than two (2) or more than ten (10) business days after receipt of Notice. The Notice shall be deemed to be received on the third calendar day following the day of mailing. This time period may be waived by agreement of the parties. A copy of the documentation shall be made available upon request to the student/parent/guardian at the District Office prior to mailing.
- D. The student and parent/guardian will also be given the following:
 - i. The reason(s) for the recommendation
 - ii. The names of the witnesses who may appear
 - iii. Copies of statements/information that will be submitted as evidence
- E. Prior to the District Level Hearing the parent/guardian must submit the following information to the District:
 - i. Name of the student advocate or legal counsel (if the student will be represented by one); and
 - ii. Names of any witnesses who may appear at the district level hearing. (Note: If any of the witnesses are minors, a copy of the parent's/guardian's permission for the minor to attend must also be included.)
- F. The hearing shall be conducted by an officer selected by the Superintendent/Designee. The officer may be an employee of the District, but must not have been involved in the process at the building level conference.
- G. The officer shall have full authority to admit or exclude evidence. Evidence presented at the expulsion hearing may include, but is not limited to, witness statements, police/AG reports, photocopies of evidence. The officer is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The officer shall exclude plainly irrelevant evidence. Unduly repetitive proof, rebuttal, and cross-examination shall be excluded.
- H. In conducting the hearing, the District shall submit evidence first followed by the response of the student, if any. Further rebuttal evidence by either party may be presented at the hearing if the officer determines such evidence is necessary.
- I. A student may be placed in an alternative educational program pending expulsion.
- J. The student shall have the following rights:
 - i. To be represented by counsel at the student's expense;
 - ii. To cross-examine district representatives;
 - iii. To testify and produce witnesses on his/her behalf; and
 - iv. To obtain, at the student's expense, a copy of the transcript of the hearing.

- K. In lieu of a formal expulsion hearing, a student or his/her representative, may elect to waive the hearing and admit to the violation charges. In these circumstances, the student must provide a written hearing waiver request letter at least 24 hours prior to the date of the hearing or be given the opportunity to waive on the day of the hearing. This waiver does not absolve the student from required consequences for the violation under state law and the Code of Student Conduct.

Step III – Board Level for Expulsions

- A. Within five (5) business days following the conclusion of the District level expulsion hearing a written report (“Report”) shall be prepared for the Superintendent/ Designee. The Report shall frame the issues, summarize the evidence, state conclusions of fact, and make a recommendation as to whether the Superintendent/Designee should recommend to the Board that the student be expelled or the Superintendent/Designee should implement some alternative disciplinary action or program.
- B. The Superintendent/designee shall accept or modify the recommendation of the officer within five (5) business days of receiving the Report. The decision of the Superintendent/designee shall be communicated to the student/ parent/guardian by telephone and/or mail.
- C. If the Superintendent/designee recommends expulsion to the Board of Education, the Board shall make its decision at the next scheduled public Board Meeting. The review shall be conducted by a majority of the members of the Board and shall be based solely upon the Report from the officer, the record of the District level expulsion hearing, and the written responses, if any, by the student/parent/ guardian. The Board may accept, reject, or modify the recommendation of the Superintendent/designee.
- D. Except as is otherwise provided herein, within ten (10) business days of the conclusion of the review by the Board, the Board, through its designee, shall submit its decision to the student/parent/guardian in writing.

CALCULATION OF TIME

In calculating periods of time school days shall be used.

NOTIFICATION OF EXPULSION TO DIVISION OF MOTOR VEHICLE

The Delaware Division of Motor Vehicle will be notified of the beginning and ending date of expulsion for students who are expelled from the Christina School District as a request for suspension of driving privileges in accordance with 14 Del.C §4130(e)(1).

APPLICATION FOR READMISSION

- 1. A student and his/her parents may apply for approval from the Board of Education for readmission at the end of the expulsion period. It is required that the student and his/her parent submit **in writing** information concerning the activities of the student during expulsion using the readmission form. The Board reserves the right to deny readmission based on reasonable factors including, but not limited to, code of conduct violations subsequent to the expulsion and violations of civil and/or criminal law. At the Board's discretion, the student may be required to appear before the Board regarding readmission.
- 2. To be scheduled for a Board of Education meeting it is necessary for the completed readmission information to be received according to the timeline provided from the District to the student and the parent after the Board Meeting in which it is determined that the student would be expelled.
- 3. The student's school placements will be the sole discretion of the Superintendent/Designee.

READMISSION

An expelled student and his/her parents or legal guardian must apply for admission by submitting a letter (one from the student, and one from the parent/guardian) for consideration for admission to the Christina School District. Each letter should list why the parent/guardian and the student wish to re-enter the Christina School District. Student’s activities during the expulsion period should also be listed. *For example, list any job(s) held during expulsion period, counseling she/he received, volunteer activities she/he participated in, or other similar activities during the expulsion period.* Information received will be presented to the Christina School District Board of Education.

The Board reserves the right to deny admission based on reasonable factors including, but not limited to, code of conduct violations subsequent to the expulsion and violations of civil and/or criminal law. At the District's discretion, the student may be required to appear before a District Administrator regarding admission.

ALTERNATIVE PLACEMENTS AND EXPULSIONS FROM OTHER DISTRICTS/STATES

A student expelled from another school, school district or state shall be denied admission to the Christina School District until the full term of the expulsion from the school district/school where the student was expelled has expired. 14 Del.C §4130(a)(c). A student alternatively placed for behavior from another school, school district or state upon enrolling in the Christina School District shall be alternatively placed in accordance with the original terms of the alternative placement or as determined by the Superintendent/superintendent's designee.

**APPENDIX I:
CHRISTINA SCHOOL DISTRICT POLICY ON POSSESSION OF FIREARMS**

I. In compliance with the Federal “Guns Free Schools Act of 1994,” the following policy shall apply to all students in the District:

Possession of a firearm on school property, in a school bus, or at any school-sponsored event or activity shall result in expulsion for a period of not less than 180 school days. The Superintendent shall modify such expulsion requirement to the extent a modification is required by Federal or State law. The procedures to implement this policy will be the expulsion procedures outlined in the District’s Elementary and Secondary School Codes of Conduct. For purposes of this policy, the term “weapon” as used in the Federal “Gun Free Schools Act of 1994” means a “firearm” as defined in Section 921 of Title 18, United States Code.

II. Definition of Firearm:

The term “firearm” means:

- (A) Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- (B) The frame or receiver of any weapon;
- (C) Any firearm muffler or firearm silencer; or
- (D) Any destructive device. Such term does not include an antique firearm.

The term “destructive devise” means:

- (A) Any explosive device, incendiary, or poison gas – bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, device similar to any of the devices described in the preceding clauses;
- (B) Any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by an action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter, and
- (C) Any combination of parts either designated or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled. This term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is designed for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordinance sold loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

The term “antique firearm” means:

- (A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1989; or any replica of any firearm described in subparagraph (A) if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States.

III. The Following Regulations Shall Apply To This Policy:

- (A) All students shall receive an updated Student Code of Conduct that contains the District’s policy on the possession of firearms at the beginning of each school year, and whenever a student enters or re-enters the District during the school year, to be shared with their parent/guardian/custodial adult.
- (B) The District’s policy on possession of firearms shall apply to all students, except that with respect to students with disabilities, the federal law will be followed. A determination of whether the violation of the possession of firearm policy was due to the student’s handicapping condition will be made prior to any discipline or change of placement in connection with the policy.

**APPENDIX II:
CHRISTINA SCHOOL DISTRICT DRUG AND ALCOHOL POLICY**

I. THE FOLLOWING POLICY ON THE POSSESSION, USE, OR DISTRIBUTION OF DRUGS AND ALCOHOL SHALL APPLY TO ALL SCHOOLS AND/OR PROGRAMS:

- A. The possession, use, abuse and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia are wrong and harmful to students and are prohibited within the school environment.
- B. Student lockers are the property of the school and may be subjected to search at any time with or without reasonable suspicion.
- C. Student motor vehicle use to, and in, the school environment is a privilege which may be extended by school districts to students in exchange for their cooperation in the maintenance of a safe school atmosphere. Reasonable suspicion of a student's use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substances or drug paraphernalia, in the school environment, may result in the student being asked to open an automobile in the school environment to permit school authorities to look for such items. Failure to open any part of the motor vehicle on the request of school authorities may result in the police being called to conduct a search, and will result in loss of the privilege to bring the vehicle on campus.
- D. All students are responsible for their own actions. **Students who are 18 years or older** will be treated as adults for the purposes of reporting violations of this policy and of the law to the police. Such students shall also be on notice that their parents and/or guardians will be notified (if their address and/or telephone number is known to the school) of the student's actions in accordance with this policy.
- E. All alcohol, drugs, drug-like substances (including prescription and over-the-counter drugs), look-alike substances and/or drug paraphernalia found in a student's possession shall be turned over to the Principal or Designee and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and, in the case of substances covered by Title 16 Delaware Code Ch. 47, turned over to police as potential evidence. A request for analysis shall be made where appropriate.

II. THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS POLICY:

- A. **"Alcohol"** shall mean alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, spirits, wine and beer.
- B. **"Drug"** shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substance which is abused (consumption greater than the prescribed dose) or has been given to or prescribed for a person other than the student in whose possession it is found.
- C. **"Drug paraphernalia"** shall mean all equipment, products and materials as defined in Section 4701 of Title 16 of the DE Code, including, for example, roach clips, miniature cocaine spoons and containers for packaging drugs.
- D. **"Prescription drugs"** shall mean any substance obtained directly from, or pursuant to, a valid prescription or order of a practitioner, as defined in Title 16 Delaware Code Section 4701(24), while acting in the course of his or her professional practice, and which is specifically intended for the student in whose possession it is found.
- E. **"Drug alike substance"** shall mean any non-controlled and/or non-prescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over-the-counter cough medicines, certain types of glue, and caffeine pills.
- F. **"Non-prescription medication"** shall mean any over-the-counter medication; some of these medications may be a "drug-like substance."
- G. **"Look alike substance"** shall mean any no controlled substance which is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a no controlled substance capable of producing a change in Behavior or altering a state of mind or feeling. See Title 16 Delaware Code Sec. 4752A.

- H. **“Possess,” “possessing,” or “possession”** shall mean that a student has on the student’s person, in the student’s belongings, or under the student’s reasonable control by placement of and knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance or drug paraphernalia.
- I. **“Use”** shall mean that a student is reasonably known to have ingested, smoked or otherwise assimilated alcohol, a drug or a drug-like substance, or is reasonably found to be under the influence of such a substance.
- J. **“Distribute,” “distributing,” or “distribution”** shall mean the transfer or attempted transfer of alcohol, a drug, a look-alike substance, a drug-like substance, or drug paraphernalia to any other person with or without the exchange of money or other valuable consideration.
- K. **“School environment”** shall mean within or on school property and/or at school-sanctioned or supervised activities including, for example, on school grounds, on school buses, at functions held on school grounds, at extracurricular activities held on and off school grounds, on field trips and at functions held at the school in the evening.
- L. **“Expulsion”** shall mean exclusion from school.

III. THE FOLLOWING REGULATIONS SHALL APPLY TO THIS POLICY:

- A. At the beginning of each school year and whenever a student enrolls or re enrolls during the school year, each student and his or her parent, guardian, or relative caregiver shall receive an updated Student Code of Conduct.
- B. The State and District policies shall apply to all students, except with respect to students with disabilities, the applicable State and Federal law will be followed.
- C. Staff members will report incidents to the Principal/designee who will verify the identity of the student and the probable cause that a policy violation has been committed. The Principal/designee where required will report the incident to the police and will file a report to be sent to the Department of Education. Parents will be notified as quickly as possible via the telephone. If telephone contact cannot be made, a letter will be sent home. Records will be maintained in a separate discipline file and confidentiality will be followed. Names and details of any particular incident will be revealed only to those staff persons who are required to know the specific information.
- D. Any physical evidence of a policy violation will be submitted to the Principal/designee. The Principal/designee will document the date, time, and description of the evidence and the name(s) of the student(s) involved. Evidence will be locked in a secure area determined by the principal/designee and submitted to the police upon their arrival.
- E. General searches of the property of a student may be conducted by the Principal/designee at any time upon reasonable suspicion.
- F. All prescription and over-the-counter non-prescription drugs shall be presented to the school nurse upon entering the school building. The nurse will be responsible for dispensing those drugs to the students until they leave at the end of the school day. Any of these drugs not submitted to the school nurse will be considered in violation of this policy. Where Necessary, individual students may be permitted to carry a prescription drug after submitting written notification from a physician and obtaining approval from the Principal/designee.
- G. The discipline policy shall also apply to out-of-school conduct by a student if the District believes that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students. Such out of-school conduct shall include, but is not limited to, the sale, transfer, or possession of drugs which would constitute an offense punishable by law.
- H. Students expelled from school for alcohol and drug infractions must petition the District Board of Education for readmission. Evidence must be provided of having received appropriate related services pertinent to the expulsion offense.
- I. A District Substance Abuse Advisory Committee including teachers, parents, school nurses, and community leaders will be appointed.
- J. Notwithstanding any of the foregoing, students are permitted, in their discretion, to use and possess an asthmatic quick relief inhaler (“inhaler”) and/or auto-injectable epinephrine with individual prescription label; provided, nevertheless, that the student uses the inhaler and/or auto-injectable epinephrine pursuant to prescription or written directions from a state licensed health care practitioner; a copy of which shall be provided to the District; and further provided that the parent(s) or legal custodian(s) of such student provide the District with written authorization for the student to possess and use the inhaler or auto-injectable epinephrine such student’s discretion together with a form of release satisfactory to

the District releasing the District and its employees from any and all liability resulting or arising from the student's discretionary use and possession of the inhaler and/or auto-injectable epinephrine and further provided that the school nurse may impose reasonable limitations or restrictions upon the student's use and possession of the inhaler and/or auto-injectable epinephrine based upon the student's age, level of maturity, behavior, or other relevant considerations. (For students who use prescribed asthmatic quick relief inhalers and/or auto-injectable epinephrine, see 14 DE Admin. Code 817, Administrations of Medications And Treatments)

APPENDIX III: CHRISTINA SCHOOL DISTRICT EDUCATIONAL TECHNOLOGY – ACCEPTABLE USE

Educational technology is rapidly expanding in the Christina School District and is expected to continue. The Christina School District believes that it is essential that all users of district technology understand both the benefits and the responsibilities associated with technology usage. Instructions for implementing the district's Acceptable Use Agreement will be provided by administrators, teachers, or library staff, whichever is applicable. Christina School District educational technology is defined as any device which is capable of or necessary for the transmission, reception, or storage of data in the form of text, pictures, video, or audio which is owned by the district for the purpose of instruction or the support of education. Examples of educational technology include but are not limited to computers, peripherals, (such as monitors, printers, scanners, CD-Rom towers, etc.), networked devices, televisions, audio-visual devices, recorders, copiers, fax machines, display devices, software, assistive technology devices, and telephones. It also includes the use of the Internet, which connects millions of computers worldwide, as well as all computers, networks, databases, information systems, and electronic instructional systems provided by the Christina School District. This agreement encompasses all student, staff, and community use of technology systems provided by the Christina School District. All students, staff, and community members who use Christina School District educational technology in any form are required to sign the Acceptable Use Agreement and return it to the administrator in charge of technology in each building. The use of district technology is a privilege – not a right. Currently there are no user fees for these services. In the event a user fee is charged, users will be provided with notice of the charge prior to the imposition or collection of such.

I. GOALS

- A. To support the Christina School District curriculum
- B. To support educational research activities
- C. To enhance learning opportunities for using information technology
- D. To promote life-long learning

II. ACCEPTABLE USE

All systems are to be used in a responsible, ethical, and legal manner. In addition, usage must be in support of educational objective, and in accordance with the behavior guidelines of the Christina School District.

III. UNACCEPTABLE USE

- A. No software may be copied to or downloaded from any computer of the network except by permission of a building administrator or his/her designee in each building.
- B. Involvement (implying direct or participatory) in unauthorized editing, deleting, or copying of any data, records, databases, passwords, directories, or configuration files is prohibited.
- C. Violating copyright or privacy laws is prohibited.
- D. Distributing material protected by trade secrets is prohibited.
- E. Soliciting, using, or sending any threatening (implying harm – physical or emotional), pornographic, or obscene material is prohibited.
- F. The purposeful use of any system inconsistent with its design is prohibited.
- G. Use of any computing resources for commercial purposes is prohibited. This includes the use of the network for commercial activities for or on behalf of businesses or other for-profit institutions, including, but not limited to product advertisement or political lobbying.
- H. Use of district technology resources for unauthorized activities is prohibited.
- I. Disconnecting any device from the district technology devices without the proper authorization is prohibited.
- J. Transmission of any material in violation of any federal and/or state regulation or law is prohibited.
- K. Students attempting to log on to any system using another's password or sharing of a user's password with anyone else is prohibited.
- L. Users shall not attempt to gain unauthorized access to the system or to any other computer system through the district system, or go beyond their authorized access.

IV. USER RESPONSIBILITIES AND ETIQUETTE

- A. The individual user (students/staff/community members) accepts the responsibility for keeping all unauthorized material, inappropriate files, or files dangerous to the integrity of the computer or network from entering the school's computers by any manner or means. Appropriate permission must be obtained from an authorized staff member before downloading any material from the internet or other electronic sources of information.
- B. When using district networks, the Internet, or other information service providers, users:
 - 1. Are prohibited from revealing personal information such as home addresses or phone numbers
 - 2. Must not disrupt the use of any network (i.e. downloading large files, sending mass e-mail messages)
 - 3. Must assume that any communication and/or information accessible via any computer or network is not personal and private conversation and could possibly be accessed by other users.
 - 4. Are not responsible for unsolicited communications.
- C. When using school technology resources, users must always use non-offensive and non-vulgar language. They must not swear or use vulgarities, other abusive language, or any offensive statements.
- D. Users will contact appropriate staff (teacher, administrator, administrator's designee or library staff member) if any computer and/or program does not work properly. They will not attempt to fix problems themselves unless trained and authorized to do so.

V. DUE PROCESS

- A. The district will cooperate with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through district technology resources.
- B. Allegations that a student violated the Christina School District Acceptable Use Agreement will be handled in accordance with the Christina School District Code of Conduct.
- C. Allegations that an employee violated the Christina School District Acceptable Use Agreement will be handled in accordance with the employee contract.
- D. The district may terminate the account privileges of a guest user by providing notice to the user.

VI. CONSEQUENCES

Inappropriate use or vandalism will result in the limitation or cancellation of user privileges and when necessary, appropriate legal action. If damage occurs due to willful user misconduct, the user may be permanently denied access to technology resources. The cost of repair or replacement for such willful damage will be billed to the user who caused said damage and/or the legal parent or guardian of that user.

VII. SECURITY

Security on any computer system is a high priority, especially when multiple users are involved. If a user identifies a security problem, he/she must notify an appropriate staff member immediately. Users sending messages relating to, or in support of, illegal activities should be aware that system administrators have access to their communications. Computers, networked technology, and information contained thereon, remain the property of the district. Confidential student files may be accessed by authorized personnel. If any employee has something personal, confidential, or private to communicate, the employee should not use district computers or e-mail for doing so. Computers and e-mail may be monitored. This document satisfies the district's obligation to provide employees notice of such monitoring. The district strives to maintain a workplace and educational setting free of harassment and sensitive to the diversity of employees and students. Therefore, the district prohibits the disruptive or offensive use of computers, the e-mail system or fax machines. For example, the display or transmission of sexually explicit images, messages, and cartoons is prohibited. Other misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassing or disrespectful.

VIII. **DISCLAIMER**

The Christina School District does not condone and will not be held responsible for any unacceptable materials obtained using its computers or other information technology. By the nature of this activity, offensive or inappropriate material may be inadvertently encountered. If such material is accessed, the user is expected to immediately leave the website. Students, staff, and community members should be aware that access to Christina School District information technology will be withdrawn from users who do not respect the rights of others and who do not follow the rules and regulations established by the district. Further, the use of any information obtained via the Christina School District computers is strictly at the risk of the individual user and such usage shall be consistent with the requirements of this agreement. The district specifically denies any responsibility for the accuracy or quality of information obtained through the services provided for in this agreement.

**APPENDIX IV:
CHRISTINA SCHOOL DISTRICT BULLYING POLICY**

02.25 POLICY STATEMENT ON SCHOOL BULLYING PREVENTION

- A. PURPOSE: To establish a policy and uniform approach to prevent bullying.
- B. ISSUE: The Christina School District (the “District”) recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The District strives to provide safe learning environments for all students and all employees.
- C. POLICY:
- I. Prohibition of Bullying
To further these goals, and as required by 14 *Del. C. 4112D*, the District prohibits the bullying of any person on school property, at school functions, by use of data or computer software accessed through a computer, computer system, computer network or other electronic technology of the District from grades kindergarten through grade twelve. The District further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.

“School functions” include any field trip or any officially sponsored school event. “School property” means any building, structure, athletic field, sports stadium or real property owned, operated, leased or rented by any public school district including, but not limited to, any kindergarten, elementary, secondary, or vocational-technical school, or any motor vehicle owned, operated, leased, rented or subcontracted by any public school.
 - II. Definition of Bullying
As used in this policy, bullying means any intentional written, electronic, verbal or physical act or actions against a student, school volunteer or school employee (that a reasonable person under the circumstances should know will have the effect of:
 - a. Place a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being, or substantial damage to his or her property; or
 - b. Creating a hostile, threatening, humiliating, or abusive educational environment due to the pervasiveness or persistence of actions, or due to a power differential between the bully and the target; or
 - c. Interfering with a student having a safe school environment necessary to facilitate educational performance, opportunities or benefits; or
 - d. Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee
 - III. School-wide Bully Prevention Program
The District is committed to support each school in their adoption of a school-wide Bully Prevention Program. Each school will adopt a school-wide, researched-based Bully Prevention Program as directed by District staff. A Coordinating Committee will be created, as described in Section IV of this policy.
 - IV. Coordinating Committee
Each school shall establish a site-based committee that is responsible **for coordinating the school’s bully prevention program.**

- V. Reporting Requirements
Bullying is unacceptable and a culture of openness is the best way to counter such behavior. It is the responsibility of each member of the school community: pupils, staff and parents to report instances of bullying or suspicions of bullying, with the understanding that all such reports will be listened to and taken seriously. Any school employee with reliable information that would lead a reasonable person to suspect a person is a target of bullying shall immediately report it to the administration.
- VI. Investigative Procedures
- a. The District shall maintain a procedure for schools and programs to promptly investigate in a timely manner and determine whether bullying has occurred.
 - b. All confirmed incidents must be reported to the Department of Education by the principal or the principal's designee within five (5) working days.
 - c. Some acts of bullying may also be crimes which must be reported to the police and/or the Department of Education pursuant to the school crime reporting law (14 Del. C. § 4112)
- VII. Non-Classroom Supervision
To the extent funding is available; each school must develop a plan for a system of supervision in non-classroom area. The plan shall provide for the review and exchange of information regarding non-classroom areas.
- VIII. Consequences for Bullying
Consequences for bullying are described in the District Student Code of Conduct. The District shall maintain a procedure to communicate with medical and mental health professionals.
- IX. Retaliation
Retaliation for reporting bullying is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.
- X. Implementation
The school bullying prevention program must be implemented throughout the year.
- XI. Accountability
Each school shall notify the District in writing of its compliance with this policy by December 1 of each school year. Each school shall verify for the District the method and date the policy **has been distributed to all students, parents, faculty, and staff.**
- XII. Other Defenses
- a. The physical location or time of access of the technology-related incident is not a valid defense in any disciplinary action initiated under this policy provided there is sufficient school nexus.
 - b. This section does not apply to any person who uses data or computer software accessed through a computer, computer system, computer network or other electronic technology when acting within the scope of his or her lawful employment or investigation of a violation of this policy in accordance with school district policy and with the approval of the superintendent.
- D. REVIEW AND REPORTING: The Superintendent and his/her designee will report each year to the Board on the status of this Policy Statement on School Bullying Prevention.
- E. REFERENCES: An incident may meet the definition of bullying and also the definition of a particular crime under State or Federal law. Nothing in this policy shall prevent school officials from fulfilling all of the reporting requirements of §4112, Title 14 of the Delaware Code, or from reporting probable crimes that occur on school property or at a school function which are not required to be reported under that section. Nothing in this section shall abrogate the reporting requirements for child abuse or sexual abuse set forth in Chapter 9 of Title 16 of the Delaware Code, or any other reporting requirement under State or Federal law. Nothing in this policy shall supersede or be construed in such a manner as to conflict any State or Federal laws concerning special education or individuals with disabilities.

APPENDIX V: GLOSSARY

Administration includes both District Office and building administrative staff.

Alcohol shall mean alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, sprits, wine and beer.

Assignment to Alternative Program is the placement of the student in a special program until the student has satisfied the requirements to return to the regular program.

Behavior Contract is a written agreement among a student, the student's parent/guardian, and an administrator which specifically states the conditions that must be met; failure to do so will result in further specific disciplinary action. A behavior contract may be used in addition to specified actions.

Behavior Intervention Plan

A Behavior Intervention Plan (BIP) takes the observations made in a Functional Behavioral Assessment and turns them into a concrete plan of action for managing a student's behavior. A BIP may include ways to change the environment to keep behavior from starting in the first place, provide positive reinforcement to promote good behavior, employ planned ignoring to avoid reinforcing bad behavior, and provide supports needed so that the student will not be driven to act out due to frustration or fatigue.

Behavior Modification Plan

A behavior modification plan is a systematic plan to reduce problem behaviors or increase desired behaviors.

Conflict Resolution/Mediation is the District-wide comprehensive and formalized program, which includes the use of mediation (conciliation) techniques to assist in resolution of student disputes and discipline issues.

Denial of Bus Transportation is the temporary or permanent withholding of bus transportation for misconduct on the school bus, disrespect to the driver, or vandalism to the bus. Such action may be taken only by an administrator.

During the period of denial of school bus transportation, parents/guardians are responsible for getting the student to and from school.

Denial of Driving Privileges is the removal of permission to drive on school property for a specified time.

Designee shall mean, for building-level decisions, the individual building's Dean of Discipline. For District-level decisions, the term designee shall mean whomever the Superintendent designates as the Superintendent designee.

Detention is an established time outside the regular instructional time when a student is detained in a supervised area.

Discipline Record shall mean information about any and all periods of out-of-school Suspension or of expulsion from the regular school setting imposed on a student as a result of an infraction of the school or district's code of conduct or other rules.

Distribute, distributing, or distribution shall mean the transfer or attempted transfer of alcohol, a drug, a look-alike substance, a drug-like substance, or drug paraphernalia to any other person with or without the exchange of money or other valuable consideration.

Drug shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substance which has been given to or prescribed for a person other than the student in whose possession it is found.

Drug-like Substance shall mean any non-controlled and/or nonprescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over-the-counter cough medicines, certain types of glue, and caffeine pills.

Drug Paraphernalia shall mean all equipment, products and materials as defined in Section 4701 of Title 16 of the Delaware Code, including, for example, roach clips, miniature cocaine spoons and containers for packaging drugs.

Expulsion shall mean exclusion from school for a period determined by the District Board not to exceed the total number of student days.

Felony is any very serious offense, which is considered above the misdemeanor level as defined in State law. 11 Del. C. 4201(c) Title 11, Section Crime.

Functional Behavioral Assessment:

Functional behavioral assessment is the process of determining why a student identified with special needs engages in challenging behavior and how the student's behavior relates to the environment.

In-School Alternative is an invention program for students in grades 6-12 in which students continue with traditional coursework, but also receive instruction in social skills. If the student's goals and expectations are not met, an alternative placement will result.

Look Alike Substance shall mean any non-controlled substance which is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a non-controlled substance capable of producing a change in behavior or altering a state of mind or feeling. See Title 16 Delaware Code Sec. 4752A.

Non-prescription Medication shall mean any over-the-counter medication; some of these medications may be a "drug-like substance."

Paraphernalia is all equipment, products, and materials as defined in Section 4701 of Title 16 of the Delaware Code, including, but not limited to, roach clips, miniature cocaine spoons, and containers for packaging drugs.

Parent/Guardian Contact /Conference is a contact by telephone or in person with a parent/guardian.

Parent/Guardian Notification is contact with a parent/guardian by phone, letter, or meeting.

Police notification is the reporting of an alleged illegal act to a law enforcement agency.

Possess, possessing, or possession shall mean that a student has on the student's person, in the student's belongings, or under the student's reasonable control by placement of and knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance, drug paraphernalia, a dangerous instrument or a weapon.

Prescription drugs shall mean any substance obtained directly from, or pursuant to, a valid prescription or order of a practitioner, as defined in Title 16 Delaware Code Section 4701(24), while acting in the course of his or her professional practice, and which is specifically intended for the student in whose possession it is found.

Reasonable Suspicion is facts or circumstances which lead a reasonable person to suspect that a student has, is, or will commit a crime or violation of the school district's policies (E.g., possession/ use/transfer of drugs; possession/use/concealment of a deadly weapon, etc.)

Recommendation to Counseling or Appropriate Social Service Agencies is a recommendation that the student seek help from a public or private social agency.

Referral to Alternative Program is a short-term educational option for students whose behavior requires removal from the regular school program. Referral to an alternative program will be made according to procedures established for the program.

Referral to the Courts is the filing of a charge of an alleged illegal action with the court having jurisdiction.

Removal from Class

- A. *Teacher* - A teacher may remove a student from class for the remainder of the class period when the student's conduct is seriously disruptive and informal resolution is impracticable. Exclusion may not exceed one class period. The student must be escorted to a supervised area designated by the principal.
- B. *Administrator* - An administrator may temporarily remove a student from class if the student's continued attendance in a particular class causes serious disruption of the educational process or presents immediate danger of physical harm to either the student or others. The student will be assigned to a supervised area. Removal from class by an administrator shall not exceed five (5) days. However, a student may be permanently removed from a particular class after repeated infractions.

Reprimand is a verbal or written warning that behavior is not acceptable.

Restitution/Restoration is the payment for and/or restoring of school/District property or articles which have been damaged, lost, or stolen. This could include a work assignment which is an assigned task which must be completed by the student. The time required should not exceed five (5) hours and should be related to the severity of the offense.

School Environment shall mean within or on school property and/or at school sanctioned or supervised activities including, for example, on school grounds, on school buses, at school bus stops, at functions held on school grounds, at extracurricular activities held on and off school grounds, on field trips and at functions held at the school in the evening.

School property shall mean any building, structure, athletic field, sports stadium or real property that is owned, operated, leased or rented by any public school district, or any motor vehicle owned, operated, leased, rented or subcontracted by any public school.

Service Learning

Service-Learning is a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities. Service-learning involves students in community service activities and applies the experience to personal and academic development. Service-learning occurs when there is "a balance between learning goals and service outcomes".

A Student with a Disability refers to a student eligible for special education or related services under the Individuals with Disabilities Education Act (I.D.E.A.), or a handicapped student as defined as Section 504 of the Rehabilitation Act of 1973.

Special Education team refers to an Individual Education Program team for students eligible under the IDEA which includes the student's parent/guardian and a multi-disciplinary team for students eligible under Section 504 and not eligible under the IDEA.

Suspensions can be designated by the school administration as In-School or Out-of-School.

- *In-School Suspension*: Students assigned to in-school suspension will remain in school, but will be assigned to a designated, supervised area within the school. Students assigned to in-school suspension, are not permitted to participate in any extra-curricular activities during the length of their suspension.
- *Out-of-School Suspension*: Students assigned to out-of-school suspension are not to be permitted on school property during the length of their suspension and it is the parent/guardians responsibility to arrange for their care. Students assigned to out-of-school suspension, are not permitted to participate in any extra-curricular activities during the length of their suspension. Students may request to receive their assignments during the time of their suspension if the time period exceeds 3 days.

Use shall mean that a student is reasonably known to have ingested, smoked or otherwise assimilated alcohol, a drug or a drug-like substance, or is reasonably found to be under the influence of such a substance.

**APPENDIX VII:
CHRISTINA SCHOOL DISTRICT SCHOOLS, SPECIAL PROGRAMS and CONTACTS**

DISTRICT OFFICE

DREW EDUCATIONAL SERVICES CENTER
DISTRICT ADMINISTRATION BUILDING
600 N. Lombard St., Wilmington, DE 19801
Phone: 302-552-2600 Fax: 302-429-4109
www.christina.k12.de.us

ELEMENTARY SCHOOLS (K – 5)

BANCROFT SCHOOL
700 N. Lombard Street , Wilmington, DE 19801
Phone: 302-429-4102 Fax: 302-429-3956
www.christina.k12.de.us/bancroft

BRADER ELEMENTARY SCHOOL
107 Four Seasons Parkway, Newark, DE 19702
Phone: 302-454-5959 Fax: 302-454-5459
www.christina.k12.de.us/brader

BROOKSIDE ELEMENTARY SCHOOL
800 Marrows Road, Newark, DE 19713
Phone: 302-454-5454 Fax: 302-454-3480
www.christina.k12.de.us/brookside

DOWNES ELEMENTARY SCHOOL
220 Casho Mill Road, Newark, DE 19711
Phone: 302-454-2133 Fax: 302-454-3483
www.christina.k12.de.us/downes

ELBERT-PALMER SCHOOL
1210 Lobbell Street, Wilmington, DE 19801
Phone: 302-429-4188 Fax: 302-429-3957
www.christina.k12.de.us/elbertpalmer

GALLAHER ELEMENTARY SCHOOL
800 N. Brownleaf Road, Newark, DE 19713
Phone: 302-454-2464 Fax: 302-454-3484
www.christina.k12.de.us/gallaher

JONES ELEMENTARY SCHOOL
35 West Main Street , Newark, DE 19702
Phone: 302-454-2131 Fax: 302-454-3481
www.christina.k12.de.us/jones

KEENE ELEMENTARY SCHOOL
200 LaGrange Avenue, Newark, DE 19702
Phone: 302-454-2018 Fax: 302-454-5969
www.christina.k12.de.us/keene

LEASURE ELEMENTARY SCHOOL
1015 Church Road · Newark, DE 19702
Phone: 302-454-2103 Fax: 302-454-2109
www.christina.k12.de.us/leasure

MIDDLE SCHOOLS (6 – 8)

BAYARD MIDDLE SCHOOL
200 S. DuPont Street, Wilmington, DE 19805
Phone: 302-429-4118 Fax: 302-429-4153
www.christina.k12.de.us/bayard

GAUGER-COBBS MIDDLE SCHOOL
50 Gender Road, Newark, DE 19713
Phone: 302-454-2358 Fax: 302-454-3482
www.christina.k12.de.us/gaugercobbs

KIRK MIDDLE SCHOOL
140 Brennan Drive, Newark, DE 19713
Phone: 302-454-2164 Fax: 302-454-3491
www.christina.k12.de.us/kirk

SHUE-MEDILL MIDDLE SCHOOL
1500 Capitol Trail, Newark, DE 19711
Phone: 302-454-2171 Fax: 302-454-3492
www.christina.k12.de.us/shuemedill

HIGH SCHOOLS (9 – 12)

CHRISTIANA HIGH SCHOOL
190 Salem Church Road, Newark, DE 19713
Phone: 302-631-2400 Fax: 302-454-3490
www.christina.k12.de.us/christiana

GLASGOW HIGH SCHOOL
1901 South College Avenue, Newark, DE 19702
Phone: 302-454-2381 Fax: 302-454-5453
www.christina.k12.de.us/glasgow

NEWARK HIGH SCHOOL
750 East Delaware Avenue, Newark, DE 19711
Phone: 302-631-4700 Fax: 302-454-2155
www.christina.k12.de.us/newark

SARAH PYLE ACADEMY (Ages 16+)
500 North Lombard, Wilmington, DE 19801
Phone: 302-552-2706 Fax: 302-429-4142
www.christina.k12.de.us/sarahpyle

JAMES H. GROVES ADULT HIGH SCHOOL
Adult Education Programs
Eden Support Services Center
925 Bear-Corbitt Road, Bear, DE 19701
Phone: 302-454-2101 or 302-454-2400 x217
Evening Phone: 302-454-2329 (M-F, 4-9 pm)
Fax: 302-454-2272
www.christina.k12.de.us/AdultEducation

ELEMENTARY SCHOOLS (K – 5)

MACLARY ELEMENTARY SCHOOL
300 St. Regis Drive, Newark, DE 19711
Phone: 302-454-2142 Fax: 302-454-3485
www.christina.k12.de.us/maclary

MARSHALL ELEMENTARY SCHOOL
101 Barrett Run Road, Newark, DE 19702
Phone: 302-454-4700 Fax: 302-454-4701
www.christina.k12.de.us/marshall

McVEY ELEMENTARY SCHOOL
908 Janice Drive, Newark, DE 19713
Phone: 302-454-2145 Fax: 302-454-3486
www.christina.k12.de.us/mcvey

PORTER ROAD ELEMENTARY SCHOOL
500 Caledonia Way
Bear, DE 19701
Phone: 302-834-5910 Fax: 302-834-5916
www.christina.k12.de.us/porterroad

PULASKI SCHOOL
1300 Cedar Street, Wilmington, DE 19805
Phone: 302-429-4136 Fax: 302-429-3955
www.christina.k12.de.us/pulaski

SMITH ELEMENTARY SCHOOL
142 Brennan Drive, Newark, DE 19713
Phone: 302-454-2174 Fax: 302-454-3487
www.christina.k12.de.us/smith

STUBBS SCHOOL
1100 Pine Street, Wilmington, DE 19801
Phone: 302-429-4175 Fax: 302-429-3958
www.christina.k12.de.us/stubbs

WEST PARK PLACE ELEMENTARY SCHOOL
193 West Park Place, Newark, DE 19711
Phone: 302-454-2290 Fax: 302-454-3488
www.christina.k12.de.us/westpark

WILSON ELEMENTARY SCHOOL
14 Forge Road, Newark, DE 19711
Phone: 302-454-2180 Fax: 302-454-3489
www.christina.k12.de.us/wilson

SPECIAL SCHOOLS and PROGRAMS

ADULT EDUCATION
Continuing and Adult Education for
Adults, Youth and Children
925 Bear-Corbitt Road, Bear, DE 19701
Phone: 302-454-2101 or 302-454-2400 x217
Evening Phone: 302-454-2329 (M-F, 4-9 pm)
Fax: 302-454-2272

DELAWARE AUTISM PROGRAM (DAP)
Brennan School (PreK-Gr. 12)
144 Brennan Drive, Newark, DE 19713
Phone: 302-454-2202 Fax: 302-454-5427

DELAWARE SCHOOL FOR THE DEAF- (DSD)
Margaret S. Sterck School (PreK-Gr. 12)
620 East Chestnut Hill Road, Newark, DE 19713
Phone: 302-454-2301 Fax: 302-454-3493
www.christina.k12.de.us/sterck

DOUGLASS ALTERNATIVE SCHOOL (Gr. K-12)
1800 Prospect Road, Wilmington, DE 19805
Phone: 302-429-4146 Fax: 302-429-4920
www.christina.k12.de.us/douglass

EARLY CHILDHOOD ASSISTANCE PROGRAM
Comprehensive Preschool Program
Drew Educational Services Center
600 N. Lombard Street, Wilmington, DE 19801
Phone: 302-552-2688 [English] 302-552-2664 [Spanish] Fax:
302-454-5444
www.christina.k12.de.us/ECAP

NETWORKS SCHOOL FOR THE ENTREPRENEURIAL SCIENCES
(Ages 12-21)
7 Elkton Road, Newark, DE 19711
136A Elkton Road, Newark, DE 19711
136B Elkton Road, Newark, DE 19711
Phone: 302-454-2233 Fax: 302-454-5446

PRESCHOOL - WINGS FOR LEARNING (Ages 3-5)
Christina Visions Preschool
Drew Educational Services Center
600 N. Lombard Street, Wilmington, DE 19801
Phone: 302-552-2688 [English] 302-552-2664 [Spanish] Fax:
302-454-5444
www.christina.k12.de.us/preschool

R.E.A.C.H. PROGRAM — Realistic Educational
Alternative for Children with Disabilities (PreK-Gr. 12)
Drew Educational Services Center
600 N. Lombard Street, Wilmington, DE 19801
Phone: 302-552-2624 Fax: 302-429-3943
www.christina.k12.de.us/REACH



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